

.  
DOCUMENTATION  
ON  
U. V. PRE- IMPLEMENTATION MEETING ON  
N A M I B I A  
Geneva, January 7-14; 1981  
szzwj A  
l  
- I .\_\_--v  
5.2: ...::"" p Xv \$ V  
n z  
--I% I T2131: ' .6" /' r4 --...-y-. Fr" (mun  
gl", nu ViTJa\_V . two I' ' --.  
9N7; l u- .-.\_, sun- I x onnuun  
mvugulixiu .21?" \$3.9.t -7133," I("um." "  
....'.r.r.; ' 0 gm, iauf) f m... , 3 .JJ (- gWX  
cu... 9% An,"- (u . . "'5 /cuv-(AJ,A-slmuu -'x //  
'oco guanou-z 4.V.../.&M\_A  
101-10234 cu-IK. -.... ' 57-7 Wm: M;  
" ' O U'w' J/ / 22d nun : hImM  
u-ou . a  
"mm 1/ w" :2": ::X M- .  
9'33: .1123;  
q nu"... .UIBIAI  
v-n)un  
Km" - :thA-u'tu-x .;  
mean "-4 f: Q. .  
I kwtu A(ffiz mumou  
K srcru (  
zmuAan :53'  
m Duinu ; Intel"  
4 ; nmuc  
ms???"  
:5 5- noun:  
:72; try"  
USOVW  
um.



# D O C U M E N T A T I O N

ON

U.N.PRE-IMPLEMENTATION MEETING ON

N A M I B I A

Geneva, January 7-14, 1981

This documentation is divided into five parts :

1. The first part contains official statements, inasfar as available, by the participants in the pre-implementation meeting, the United Nations, the representatives of the South African Government and the representatives of the South West Africa Peoples Organization
2. The second part contains documents by official observers, specifically the Organization of African Unity.
3. The third part contains documents of church activity relevant to the meeting.
4. The fourth part contains documents evaluating the results of the Pre-Implementation Meeting.
5. Finally, part five contains some background material.

Readers will discover that the statements of the UN are reasonable and coherent explanations of the process to be followed in implementing Resolution 435. They will find the statement by Mr. Mudge to be highly subjective and provocative to the UN and SNAPO. SNAPO's statements are direct and consistent. The chairman of the meeting was forced to take an highly unusual step in reprimanding the Democratic Turnhalle Alliance president for the manner and content of his presentation.

Since the non-governmental organizations were not observers to this meeting, the only avenue open to them was distribution of literature to the press, some interviews, private contacts with delegations, and liturgical activity. The Council of Churches in Namibia packet of statements was distributed to the press, a period of prayer was observed at the Ecumenical Center on Friday, 9 January, 1981 with the participation of Bishop James Kauuma, Bishop Kieopas Dumeni, Dr. Albertus Maasdorp, Father Henning, Bishop Koppmahn, Dr. Edward May, Dr. Conrad Raiser, Dr. Sibusiso Bengu and Rev. Samuel Kobia. Almost all personnel of the NCC and the LWF participated. Prayers were included in church services on Sunday as well as those of the Lutheran services are included as examples.

# T A B L E O F C O N T E N T S

pages

Foreword

Dr. Edward May ..... n. 1 - 2

PART I

UN Security Council

Further Report of the Secretary-General Concerning the  
Implementation of the Security Council Resolutions 435  
(1978) and 439 (1978) Concerning the Question of Namibia  
24 November, 1980 ..... , . 3 - 8

Transcript of First SWAPO Press Briefing

Theo-Ben Gurirab

6 January, 1981 ..... 9 - 15

United Nations

Opening Statement by Secretary-General,

Kurt Waldheim,

at the Pre-Implementation Meeting on Namibia

7 January, 1981 . . . . . 16 - 18

Statement by the Administrator-General,

Danie Hough,

8 January, 1981 ..... 19 - 20

SWAPO Delegation to the Geneva Talks,

7-14 January, 1981 . . . . . 21 - 22

Transcript of the Statement by the President of SWAPO,

Sam Nujoma,

Made while Introducing the SWAPO Delegation to the

Pre-Implementation Meeting held in Geneva,

7-14 January, 1981 . . . . . 23

United Nations

Biographical Note

Brian E. Urquhart

7 January, 1981 . . . . . 24 - 25

United Nations

Remarks by Secretary-General,

Kurt Waldheim,

at the Namibia Pre-Implementation Meeting,

8 January, 1981 . . . . . 26 - 27

\_ 11 \_

Address by

Brian E. Urquhart

8 January, 1981 . . . . .

Statement by Six Internal Parties .

Statement on the Structure of UNTAG and

the Role of the Special Representative,

Martii Ahtisaari,

Afternoon Session, 8 January, 1981

Statement made by UNTAG Police Consultant,

Chief Superintendent Steven Fanning to the

Namibia Pre-Implementation Meeting

on the Subject of UNTAG Police Monitors

Morning Session, 8 January, 1981 . . .

Statement on Election Supervisory Role of UNTAG

Mr. Kanakaratne . . . . .

United Nations

Remarks by Secretary-General,

Kurt Waldheim,

at the Namibia Pre-Implementation Meeting

8 January, 1981

United Nations

Working Group of Experts to Adopt Reports on

Human Rights Situation in Southern Africa

8 January, 1981 . . . . .

Statement by UN High Commissioner for Refugees,

Paul Hartling,

on the Role of UNHCR

Morning Session, 9 January, 1981

Transcript : Briefing

Gen Prem Chand

9 January, 1981

Statement by the Chairman,

Brian E. Urquhart,

10 January, 1981

Statement by the Administrator-General,

Danie Hough,

Reacting to Brian E. Urquhart,

13 January, 1981

ooooooooo

28 - 29

. 30

. 31 - 35

36 - 41

42 - 47

48 - 49

. 50 - 52

. 53 - 57

58 - 63

. 64 - 68

69 - 70

- III -

Answers to Questions

Martii Ahtisaari

10 January, 1981 ..... 71 - 74

SNAPO Press Release

Geneva,

10 January, 1981 ..... 75 - 76

Press Statement by the President of SWAPO,

Sam Nujoma,

12 January, 1981 ..... 77 - 80

Statement by Adv. van Zilj on behalf of

ACTUR

13 January, 1981 ..... 81v84

Address by

Dirk F. Mudge,

Chairman of the Democratic Turnhalle Alliance (DTA)

to the Conference on Namibia

13 January, 1981 ..... 85 -106

Statement of the South African Administrator-General,

Danie Hough,

at the Namibia-Conference of the United Nations, Made on

13 January, 1981 (afternoon) . . . . . 107

Statement delivered by

Sam Nujoma,

President of SWAPO, to a Working Session of the

Pre-Implementation Meeting,

14 January, 1981 ..... 108 -110

United Nations

Concluding Statement by the Chairman

14 January, 1981 . . . . . 111 -113

Joint Press Statement by the Frontline States,

Nigeria and the OAU at the Conclusion of the

Pre-Implementation Meeting on Namibia

14 January, 1981 . . . . . 114 -115

SWAPO Press Statement

London

15 January, 1981 . . . . . 116

Part II  
OAU Press Release  
Statement made by the OAU Secretary-General  
on the UN Conference on Namibia  
New York,  
11 December, 1980  
Question of "Impartiality"  
Undated and Unsigned,  
Appeared in Press Room on 14 January, 1981  
(Believed to be from Contact Group)  
Namibia Update  
Publication of USA National Committee of LWF  
Edward May  
5 December, 1980  
Letter to  
The New York Times, Washington Post, and  
Christian Science Monitor  
5 January, 1981  
Address by  
Hans Rbhr,  
Namibian Christian Democratic Party  
14 January, 1981  
Part 11L;  
World Council of Churches  
Letter by Dr. Konrad Raiser to  
Dr. Kurt Naldhelm, Secretary-General, UN  
Geneva, 12 December, 1980 . .  
Statements by Churches in Namibia  
Issued by : Council of Churches in Namibia  
June 1971 - December 1980  
Introduction to Namibia Question  
at Prayer Service, Ecumenical Center, Geneva  
Edward May  
9 January, 1981  
A Prayer for this Time  
. 117-- 118  
119 - 120  
. 121 -124  
. 125  
126 -127  
129 -134  
.135 -151  
.152 -153  
. 154

CCN - Information to  
Lutheran World Federation  
Windhoek, 12 January, 1981 . . . . .  
Statement by Leaders of Five Namibian  
Churches On Conscription  
Windhoek  
15 January, 1981 . . . . .  
Letter of Petition, Confidential to  
His Excellency, the State President of the  
Republic of South Africa, Pretoria  
Re. : Compulsory Military Service  
in the Territory of SNA / Namibia . . . . .  
Proclamation of AG 149 of 1980  
Official Gazette extraordinary No. 4300 dd.  
17 October, 1980 . . . . .  
Impartially - A Non-Issue  
Edward May  
15 January, 1981 . . . . .  
Statement by the Council of Churches in Namibia  
Windhoek  
15 January, 1981 . . . . .  
LWF Statement on  
UN Namibia Conference by  
Dr. Carl H. Mau, Jr. , Geneva  
16 January, 1981 . . . . .  
Lutheran World Information 3/81  
News Analysis by  
Friedrich Kbnig, Geneva  
22 January, 1981 . . . . .  
Part IV  
United Nations  
Further Report of the Secretary-General Concerning  
the Implementation of Security Council Resolutions  
435 (1978) and 439 (1978) Concerning the Question of Namibia .  
Organization of African Unity (OAU)  
Resolution adopted by the Liberation Committee of OAU  
Arusha, Tanzania  
23 January, 1981  
. 155  
156  
157 -160  
161 -163  
164 -166  
167  
2168  
169 -170  
171 -175  
176 -179



\_ VI \_

Extracts from a Press Conference Given by the  
South African Administrator-General for Namibia  
in Windhoek after his Return from the Namibia  
Conference of the United Nations in Geneva.  
Published by the 'Windhoek Advertiser',  
23 January, 1981

Part V

UN Security Council

Resolution 435, 29 September 1978

Resolution 439, 13 November 1978

United Nations, Security Council

Letter Dated 10 April, 1978 from the Representatives of  
Canada, France, Germany, Federal Republic of, the United  
Kingdom of Great Britain and Northern Ireland and  
United States of America to the President of the  
Security Council

Declaration of the International Conference in  
Solidarity with the People of Namibia,  
Paris,

11-13 September, 1980 .

Statement by the Church Group at the International  
Conference for Solidarity with the People of Namibia,  
Paris

11-13 September, 1980 .

International Defence and Aid Fund  
for Southern Africa

Constitutional Developments in Namibia -  
South Africa's 'Internal Settlement' . .

International Defence and Aid Fund  
for Southern Africa

Namibian Convicted Political Prisoners  
December 1980

International Defence and Aid Fund  
for Southern Africa

Political Prisoners and Detainees in Namibia  
January 1981

List of Major Multinationals  
Defying International Law by  
Operating in Namibia

January 1981

. 180 -181

182 -183

. 184 -192

. 193 -198

199 -202

. 203 -212

213 -217

218 -230

231 -234

F O R E N O R D

" For of aTT sad words of tongue or pen,  
the saddest are these :

' it might have been 'i "i

John GreenTeaf Whittier

It might have been a meeting which brought an end to the war on the Northern border of Namibia.

It might have been a meeting which would have permitted the peopTe of Namibia to choose their own Teaders in an internationaiiy recognized eTecton.

It might have been a meeting which Tiberated the Tast coToniaT territory in Africa to become an independent state.

It might have been.

Sad, sad words. The Pre-impTementation Meeting in Geneva, 7-14 January, 1981 ended in failure. The War stiTT rages. No internationaTTy recognized eTecton has been her. Namibia is stiTT under the miTitary, poTiticaT and econo-micstrangTehon of South Africa. Freedom and independence Tie in an indefinite and uncertain future. Sad words indeed.

The Lutheran Noer Federation and the Noer Council of Churches considered it cruciaT to provide as quickTy as possibTe whatever documentation was avaiTabTe to these organizations so that those interested might examine for themseTves why these sad words had to be written.

It is important to understand from the beginning that most peopTe feared that the meeting woqu not succeed, but they dared to hope that it might . The caTT to the meeting was cTear. It was to provide an opportunity for contending parties - South Africa and the South West Africa PeopTes Organization (SWAPO) - to come together to agree on a date for a cease-fire and another for the impTementation of the United Nations Security Council ResoTution 435 of 1978. There was essentiaT agreement on aTT provisions of that resoTution. ATT that remained was for these warring parties to commit themseTves to a process which would bring peace. That didn't happen.

The documentation bears out that SWAPO announced earTy in the meeting that it was ready to sign the cease-fire and cooperate in the impTementation of UN SC resoTution 435. The baTT was then in South Africa's court.

The deTegation invited by South Africa to represent it at this important meeting chose to bicker with its own hosts, with the United Nations which convened the meeting and with SWAPO. The South African delegation rejected the cease-fire and impiementation not on the basis of substantiaT disagreement with the proposaT, but on the subjective aTTegation that the United Nations is not capabTe Of impartiaTity in administering a free and fair eTectonl At Teast this was true of the majority of that deTegation, namely the Democratic TunrhaTTe ATTiance (DTA) and the Action Front for the Retention of the TurnhaTTe PrincipTes (ACTUR). Six smaTTer parties disassociated themseTves from that point of view and expressed themseTves in favour of UN SC 435.

The meetings were all held in closed session with the exception of two, the opening session and the session at which the participants were introduced. Those examining this material are encouraged to read carefully the statements of the UN Secretary-General on these occasions, especially those portions which define the status of the delegation.

The Council of Churches in Namibia (CCN) shared its opinion only in private conversations and by the distribution of material. Ever since UN SC 435 was passed, the CCN has been in favour of a cease-fire and its early implementation, and has urged prayers toward that end. Its statement following the conference indicates its disappointment at the failure of the meeting because of what it describes as a preoccupation with 'trivial matters' at the cost of people's lives and property. There is no question in the minds of its leaders where the responsibility rests for that failure and the blood which will continue to flow.

What started out as at least holding some promise for terminating Namibia's agony has prolonged it instead.

"For of all sad words of tongue or pen,

the saddest are these:

'it might have been' 1"

Edward May

PART I  
Official Statements

UNITED NATIONS  
SECURITY  
COUNCIL  
Distr.  
GENERAL  
S/1980/266

26 November 1980

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL CONCERNING THE IMPLEMENTATION  
OF SECURITY COUNCIL RESOLUTIONS 135 (1978) AND 139 (1978) CONCERNING  
THE QUESTION OF NAMIBIA

1. On 31 March 1980 I reported to the Security Council (S/1980/266) concerning the implementation of Security Council resolutions 135 (1978) and 139 (1978) on the question of Namibia. In that report I described discussions undertaken by a mission led by Mr. Brian Urquhart, Under-Secretary-General for Special Political Affairs, in southern Africa during February and March. Following detailed technical discussions on the proposed demilitarized zone, I concluded that, in the light of the mission's findings, UUTAG could, with the co-operation and support of all concerned, function and fulfil its obligations satisfactorily on the basis of the arrangements discussed. I also stated that we had come to a point where the necessary political decisions had to be taken to move the matter from the stage of discussion to the stage of implementation.

2. On 12 May 1980 I received a letter from the South African Minister of Foreign Affairs and Information, Mr. R. F. Botha (S/1980/266). Mr. Botha reiterated that South Africa sought an international settlement of the Namibian question. He stated that South Africa had tested and evaluated the feasibility of the demilitarized zone and, in the context of its effort to make the zone a feasible proposition, wished to receive information on four matters. Having also mentioned certain additional subjects, he concluded by stating that as soon as the issues raised in his letter had been resolved the South African Government would co-operate in implementing Security Council resolution 135 (1978).

3. After consultations, I replied to Mr. Botha's letter on 20 June 1980 (S/1980/266). In my letter, I dealt fully with the four points which he had raised relating to the demilitarized zone. I stated that in view of the information which I had thus provided upon these questions, which were those remaining to be dealt with after the recent United Nations mission to southern Africa, I hoped that South Africa would now be in a position to co-operate in the implementation of resolution 135 (1978). I also dealt with the additional matters to which he had referred. I reiterated that the principle of impartiality had been, and would be, consistently followed in the implementation of Security Council resolution 135 (1978) and recalled in this connexion my report of 29 August 1978 (S/1978/266) which stated that "In performing its functions, UUTAG will act with complete impartiality. In order that the proposal may be effectively implemented it is expected that the Administrator-General and all other officials will exhibit the same impartiality." Finally, I reiterated my belief in the urgency of arriving at a solution.

..  
s/lh266  
English  
Page 2

a peaceful solution to a question which had preoccupied the international community for many years, and whose unresolved condition had led to tragic loss of life and destruction in Namibia and throughout the whole region.

I h. On 29 August I received a further letter (S/lhl39) from the South African Minister of Foreign Affairs and Information, Mr. R. F. Botha. This letter? inter alia, contained a number of "assumptions" made by South Africa in regard to the matters described in my letter of 20 June. The assumptions related to certain of the military and technical subjects which I had clarified, including the functioning of selected locations in the demilitarized zone, the return of SWAPO personnel after the elections, the commitments of Angola and Zambia, and the deployment of UUTAG's military component. Mr. Botha then dealt at length with the question of impartiality. In conclusion, he stated that, on the basis of his assumptions, and my confirmation, the South African Government stood ready to discuss with me the composition of UNTAG, the status of forces agreement and the setting in motion of the implementation of resolution M35 (1978).

5. Following extensive consultations, I replied to this letter on 19 September 1980 (S/lhlBh). I stated that, taking all factors of the situation into account, as well as the need to move forward without further delay, it was Kw belief that we should now proceed with the implementation of the United Nations plan. I proposed to Mr. Botha that I send a team of senior officials to South Africa to discuss with the Government the setting of a time-frame and other modalities for such implementation. I recalled that I had, on many occasions, expressed my deep concern at the cycle of violence resulting from the unresolved nature of the Namibian question. I reiterated that the best way to stop such violence was to establish, as soon as possible, the cease-fire which is the first step in the implementation of Security Council resolution h35 (1978).

6. Mr. Botha replied on 22 September (S/lhlSS) suggesting that the United Nations mission visit South Africa during the period 20 to 27 October 1980. He assumed that at the outset the matters raised in his letter of 29 August would be discussed. I replied on 25 September (S/lh202) stating that, while I would have preferred an earlier date, I had noted the reasons for the suggestion of 20 October, and would be arranging for the United Nations team to be in Pretoria on that date.

7. After I had held consultations with the Security Council on 15 October 1980, the United Nations mission departed for South Africa. The mission, led by the Under-Secretary-General for Special Political Affairs, Mr. Brian Urquhart, consisted also of Mr. Abdulrahim Farah, Under-Secretary-General for Special Political Questions, Mr. Martti Ahtisaari, my Special Representative for Namibia, Lieutenant-General D. Prem Chand, Commander-designate of UNTAG's military component, and a group of senior political and military experts from the Secretariat. The mission had discussions with the South African Government from 20 to 25 October in Pretoria.

8. At the opening meeting, PE. Urquhart first summarized the course of-events-since the visit of the previous mission to South Africa in March 1980. He

/...

emphasized that the outstanding matters remaining for discussion, as confirmed in the published records, occupied a very narrow spectrum and that consensus had been reached in regard to virtually all the technical aspects of resolution M35 (1978) and the demilitarized zone. He explained that the mission was precluded from reopening any matters which had previously been agreed. While the mission was willing to discuss the various matters alluded to in Mr. Botha's letter of 29 August, Mr. Urquhart wished from the outset to emphasize the grave concern felt by the United Nations membership as a whole, and by the Secretary-General, in regard to the delays which had affected the implementation of resolution h35 (1978). These delays could additionally complicate the search for a peaceful settlement of the cissue, as well as lead to a further escalation of the violence resulting from its unresolved nature. Many of the questions that had been raised by the South African Government relating to implementation could be definitively dealt with only in the context of a firm time-frame for a cease-fire and the emplacement of UNTAG in Namibia. In this connexion, the matters raised by South Africa in its comments upon the impartiality of the United Nations were inextricably linked to the need for an implementation time-frame. Mr. Urquhart moreover recalled that South Africa also had duties which required strict impartiality under the settlement Prcposal. In the light of all these considerations Mr. Urquhart emphasized the primary importance of establishing a time-frame.

9. In his opening statement, Dr. Brand Fourie, Director-General for Foreign Affairs, said that South Africa, too, was concerned over the delays in implementing resolution M35 (1978). He did not feel that it would be constructive during the forthcoming discussions, however, to seek to allocate responsibility for such delays. South Africa also saw the need for a time-frame for implementation but believed that this could not be achieved without resolving the remaining issues to which reference had been made in the letter of 29 August. He referred in particular to the question of impartiality and equal treatment of the parties and said that a ;:leep suspicion existed among the Namibian people that the United Nations was not impartial and could not therefore enjoy their confidence in supervising and controlling the free and fair elections to which all parties were committed. In this connexion, the South African Government hoped that the United Nations mission would make time available to see representatives of those political parties who travelled to Pretoria from Windhoek for this purpose. Mr. Urquhart explained that the mission would, as was the practice of the United Nations, do its best to make time available, if requested by any Namibians, to see them during its stay in Pretoria. He then set out the position of the United Nations in regard to the technical aspects of implementation which were the subjects of "assumptions" in paragraphs 3, h and 6 of the South African letter of 29 August.

10. On these points, Mr. Fourie stated that South Africa had taken note of the mission's comments and was grateful for the clarifications which had been given. On the question of deployment, he emphasized the importance South Africa attributed to the deployment of UNTAG's military component in the entire demilitarized zone. He said that this issue was closely linked to the question of the creation of trust and confidence, which was, in his view, associated with the question of partiality. It was of paramount importance to overcome this problem if implementation were to be agreed upon.

/...

11. The United Nations mission pointed out that the establishment of trust and confidence was a subjective and imprecise criterion. If any party sought to use it as a pretext for delay, the implementation of resolution h35 would be seriously undermined. The mission strongly expressed the opinion that the South African viewpoint should not imply the introduction of a general reservation to prior agreements. The mission was assured that no such reservation was contemplated and it reiterated, once again, the need for a time-frame for implementation.

12. Mr. Urquhart then dealt with the question of impartiality in regard to the implementation of resolution h35 (1978). He said that impartiality had two ; aspects: undertakings which the United Nations may reasonably require of the South African administration so as to ensure the impartial discharge of its i responsibilities under the settlement Proposal (8/12636); and those which the United Nations would wish to adopt in order that its impartiality as the supervisor of free and fair elections would be manifest. Mr. Urquhart recalled that UNTAG had been established by the Security Council. The settlement Proposal and resolution R35 (1978) contained full provisions for the holding of free and fair elections under United Nations supervision and control. Resolution D35 (1978) would be the governing resolution for the conduct of the elections and was therefore solidly based on provisions for the fair and equal treatment of all parties. The Secretary-General had given repeated assurances of United Nations impartiality in the conduct of the elections. All participants in the political process would, at the commencement of the transition period and thereafter, be placed on an equal footing by UNTAG, which would be directly responsible for implementation. Upon agreement on implementation, including an early date for cease-fire and emplacement of UNTAG, appropriate measures would need to be taken to support and ensure such an approach by both the United Nations and South Africa.

13. Mr. Fourie stated that the discussions had make it clear that lack of trust was the main obstacle in the way of implementation of resolution M35 (1978). He said that he believed that the internal parties had emphasized that obstacle when they had called on the mission. He repeated that if South Africa were to proceed to implementation a solution to this problem must be found.

1h. The mission explained to the South African Government the situation regarding the comp051tion of the UNTAG military component. Mr. Urquhart described the normal processes of consultation and emphasized that final decisions on composition were taken by the Security Council on the basis of proposals by the Secretary-General. The mission also held discussions with the South African Government regarding the agreement would be sought upon a decision being taken to implement resolution h35 (1978).

. including, in particular,

an early date for the cease-fire and the emplacement of UNTAG. He referred to the deep concern of the United Nations membership as a whole and of the African States in particular over the protracted delays. On the residual questions, as well as /...



U)  
x  
H  
1:"  
f0  
I'J  
:3  
CW  
H  
H-  
XJ'I ('3 Ch  
If Oh  
'U  
:11  
CG  
m

on the matter of creating confidence, Mr. Urquhart said that he believed that progress had been achieved during the talks with the South African Government and that no insurmountable obstacles should remain, if the political will to proceed were present.

16. During the concluding phase of meetings with the South African Government, discussion focused upon the question of means to facilitate the implementation of resolution h35 (1978) within a specified time-frame and in a context which would deal with any remaining concerns. In this connexion, views were exchanged on the subject of a possible preimplementation meeting.

17. At the end of the mission, Mr. Farah and Fr. Ahtisaari travelled to inform the current Chairman of the Organization of African Unity, and the Presidents or Prime Ministers of the front-line States and Nigeria, concerning the discussions in Pretoria, and to brief the President of SWAPO. Consultations also continued with the Government of South Africa which, on 21 November, stated that it gave its assent to the conclusions which are set out in paragraphs 18 to 2h below. While assent was also given by the other parties consulted to the course of action there proposed, concern was expressed that if the time-frame for starting implementation \_ were linked even indirectly to the issue of trust and confidence, there could be the risk of a further and unacceptable delay. In this connexion, I have set out the position taken by my representatives in Pretoria in paragraph 11 above. I am deeply aware of the concern of the international community over the all too-long postponement of a solution to the question of Namibia. I believe, however, that we may have reached a decisive phase in the long and difficult effort to resolve this question. I hope, therefore, that all concerned will now be prepared to move forward boldly and in good faith along the lines now suggested in order to ensure a sequence of events leading to the start of implementation of resolution h35 (1978) in March 1981, and independence by the end of 1981. In the consultations which I have undertaken since the return of the mission with the Governments of the five Western members of the Contact Group they have pledged their support for the course of action proposed and in particular for the time-frame set out below. They have also emphasized that they will continue to use their good offices to this end.

#### Conclusions

18. It is of vital importance that the independence of Namibia should be achieved in 1981, in accordance with Security Council resolution L3 (1978). In order to achieve this aim a date for the cease-fire and a start of implementation should be set in the early part of 1981.

19. One of the main obstacles to progress in the negotiations hitherto has been acute mutual distrust and lack of confidence. The mission was informed by the South African Government that this problem in itself affects the setting of a date for implementation. It was also informed that, if this obstacle can be overcome, the end of 1981 would be a realistic target date for the independence of Namibia.

20. A means of facilitating agreement and of creating the necessary climate of confidence and understanding would be a pre-implementation multiparty meeting in which the parties concerned in the envisaged election would be included. There is general agreement that this meeting should be held under the auspices of the Secretary-General of the United Nations.

/...

21. There have recently been a number of initiatives and approaches from various quarters for such a meeting based on the United Nations plan, in conformity with Security Council resolution h35 (1978) and other practical proposals. Such a meeting could facilitate the implementation of that resolution by discussing relevant aspects of implementation with the purpose of securing the co-operation of all concerned. In this connexion it will be recalled that, under the settlement Proposal, the task of drawing up and adopting a Constitution is the function of the Constituent Assembly.

22. It would be understood that the proposed meeting would be held in the context of an agreed time-frame, with a view to the parties themselves assisting in resolving difficulties created by distrust and lack of confidence, South Africa having reaffirmed its continuing role as the interlocutor under resolution h35 (1978).

23. In the expectation that the problem of confidence can be overcome by the holding of such a meeting, and subject to a satisfactory arrangement concerning the composition of UNTAG, I would, on the basis of the discussions recently held in Pretoria and after the necessary consultations, propose March 1981 for the commencement of implementation of resolution h35 (1978).

24. Accordingly, the intention would be to hold a pre-implementation meeting from 7 to 14 January 1981 under the auspices and chairmanship of the United Nations. The basis of the meeting would conform to the formula agreed upon during bilateral discussions held earlier this year on the question of "direct talks". Accordingly, South Africa and SWAPO have been contacted concerning the composition of the respective delegations that would participate in the meeting. I have also contacted the front-line States and Nigeria, the OAU and the Contact Group of Five Western States about the sending of observers.

cf

--\_---\_---\_ \_-\_-\_-\_-

Transcript of first SWAPO Press Briefing 6 January 1981.

/

Theo-Ben Gurirab:

. . \_ \_ \_ . . . . . \_ \_ \_ .

"Ladies and Gentlemen of the press may I on behalf of the SWAPO delegation which is in Geneva at this point extend goodwill and greetings of the New Year to all of you and let me in that Spirit express the sincere hope of SWAPO and the people of Namibia that this year 1981 will bring about freedom and independence for our country. And I hope that you, ladies and gentlemen of the press, would report to the world at large about what will happen during the next few days here in Geneva on the perennial question of Namibia.

I thought I should have this opportunity with you first to introduce myself as SWAPO press liaison during the course of the meeting in Geneva and to invite you to be in touch with me as I will try to be in touch with you to put across from our point of view how we see the progress of the meeting. We have come to Geneva with a delegation of 25 people led by our president Sam Nujoma. We have come at the invitation of the United Nations Secretary-General who will open the meeting tomorrow morning. We have come as the representatives and Spokesman of the Oppressed people of Namibia to try to make a contribution in this meeting which we hope will be a serious meeting, a businesslike meeting, where the SWAPO delegation and the South African delegation will sit down and engage in serious discussions that would finally end this farce of a process, that we would reach an agreement on a ceasefire, and fix a date for a ceasefire, that we would agree on a date for the Namibia and that by the 14 January we would

emplacement of UNTAG in L

all leave from Geneva with a view to proceed with the implementation of the U.N. plan, to proceed to work for elections in Namibia under U.N. supervision and control.

We are fully aware of the responsibilities we bear as leaders of our people and we have therefore come here with a serious mind, we have come here in good faith, we have come here to work, and therefore tomorrow we will do our level best to make-ugm contribution: that we can as a movement to assist the United Nations Secretary-General to start the process of implementation.

-10..

I think I will stop at this point and gentlemen and ladies invite you to ask some questions, if you have any.

uestign:

This might at some point seem an assinine question, but I guess that some peOple take it seriously; has the shape of the negotiating table been decided, has the seating layout been agreed on?

Theo-Ben Gurirab:

We are in the procesq of trying to see the U.N. people some time this afternoon or evening togtpt the final word on tth, but based on whatse have been told earlier I understand that it will be a four-sided table. It will accomodate the two principal delegations, SWAPO delegation on the one side of the table, South African delegation on the other, U.N. on one side of the table and invited observers on the other side. So as far as we are concerned that is our understanding at this point.

i .

. QuestiOI:

Has your president been holding meetings here since he arrived and who has he been seeing.?

Theo-Ben Guriyab:

Yes, he has been consulting with difierent people. He has seen some representatives of the African front-line countries and the OAU and he has also consulted with some Western EuIOpean delegations and some Eastern EurOpean delecations. He is in the process of seeing many people.

Question:

What is your postion on the participation of the Turnhalle peonle?

Theo-Een Gurirab:

Well as I indicated that the latest report of the U.N. Secretary-General and the invitation sent to us Specify th people who are invited to participate in this m eting, and these are SWAPO delegation 5nd South -Irican dolciation, and as observers the Western five, the African front-line states, the OAU, and Nigeria

Question:

Does that mean that you don't see any place whatever for the

Turnhalle Alliance?

Theo-Ben Gurirab:

That is really tie reSDOLsibility of the United Nations. It is the

\_ n \_

U.N. that has convened this meeting - is going to convene this meeting, and we have come here on the understanding that the SHAPO delegation would meet the South African delegation to discuss and resolve whatever problems there might be in the way of implementation. So we have come here to discuss directly with South African delegation.

Question:

Does that mean that if the Turnhalle Alliance insists on having a place - a separate place whatever they ask for, I don't know, would that mean that you would reconsider your own attendance at the meeting?

Theo-Ben Gurirab:

It is our understanding that the internal groups are part of the South African delegation and we have no problem that.

QEESEEBB

I have received in the file the names of the political prisoners in Namibia. Can you specify about this, can you tell us about this?

Theo-Ben Gurirab

r-..\_..\_..t \_-....-..

Well we have many of our compatriots and comrades in prisons in South Africa and Namibia, and as a matter of fact we have requested the UN Secretary-General to use his good offices to secure the release of some of them - leaders of SWAPO who are behind bars.

H:

We have not received final word on that. We have hundreds of Namibians in prisons in Namibia, we have about two hundred Namibians at Robben Island in South Africa. The piece, the document you are referring to is a background document on the number of prisoners that are being held.

Question:

The South Africans did not give you a response about the release of these?

Theo-Ben Gurirab:

-a-....-..- \_- - Aw

I

n

The last time we spoke to the U.N. we were told that they are considering the request of the Secretary-General, we hope that they will be related to participate in this important conference.

Question:

wand".-

Has the South African government indicated that they are considering the release of these prisoners?

Theo-Ben Gurirab:

...- \_w- ...- \_-....- \_-....A-

This was our understanding, yes. We were told so by the U.N.

-12-

Question:

You are not making that a condition in any way for your participation - some hard word on their release.

Theo-Ben Gurirab:

It would be very much regrettable if they are not released, we hope that they are released, but if they are not released it would go on record that South Africa has failed to co-operate in this genuine gesture of goodwill on our part, but we will continue with the meeting.

Qeeagan:

Returning to the point of participation by the DTA and other groups from the territory, SWAPO has repeatedly said that your presence here, SWAPO'S presence here, is to talk directly with the South African government in Namibia, and in no way to negotiate with those internal groups. But is it reasonable to assume that having got this far with everyone here, SWAPO for its part is not going to walk out of this conference merely because one of more of these groups attempts to talk directly to you?

gheo-Ben Gutirab:

... .. - - - - -

I was trying to say we were serious about our responsibilities as leaders of the Namibian people, and that we have come here with a delegation led by our president. That goes to show the importance that we attach to this meeting. And the reason why we insist that we should talk only directly with the South African delegation is that the pre-condition to the holding of free and fair elections in Namibia is the ending of the war. We must bring the war to an end. And the two parties that are engaged in the war are South Africa on the one hand and SWAPO on the other.

And if everybody present at the meeting is as serious as we are then we should focus on that. Let us bring the war to an end; let us seriously concentrate on agreement on dates for a ceasefire and implementation of UNTAG and let us proceed to end the sufferings of the Namibian people. I don't want to be side-tracked by the injection of what we regard as irrelevant issues that can only complicate the process. The two issues that we should focus on in the context of implementation are

Q

m

: firm date for a ceasefire

and a date on which the UN peace-keeping exercise would begin.

Are you optimistic .... on the DTOSDJCT's for the meeting's success?

Theo-Ben Gurirab:

- - - - - "7- - - -

a

I am a freedom-fighter, age SWAPO is a liberation movement, w

(D

(D

13-

perservered all these years because we are optimistic about the final victory, and therefore we approach this meeting with Optimism and with great hOpe that at last the yearning of the Namibian people for freedom and for independence will be realised here in Geneva.

uestigg:

And what about military bases .....Lolvis Bav.....IIamibia.

Theo-Ben Gurirab:

Well I would simply re-iterate our well-known position that Walvis Bay is an integral part of Namibia, and that independence of Namibia without Walvis Bay would be actually meaningless. And this is a matter that we have discussed at great length. The Western five, the United Nations know our position, and the world I presume l:nows that at least to the extent thi we have time and again Stated that Walvis Bay is an integral part of Namibia.

uestioqi

... do you bring it up at this point? ...mewion Walvis Bey?

Theo-Bcn Guyiggyz

We have not some to Geneva with any requests. to be put on the agenda. We have come to offer our services to the Secretary-General, to the U.N., we have come to make contributions that would help to move the process towards implemntation so we have no intention of putting the question of Walvis Bay on the agenda. But it remains an issue that is very dear to us whenever South Africa makes colonial claims on Walvis BEQ we would Spare no time to denounce and reject such claims.

Questioh:

Are you going to discuss any constitutional arrangements at the conference?

Theo-Ben Gurirab:

Well this is not really a negotiating meeting - negoti atilig in the sense of discussing issues which were already discussed and resolved. The qie stion of a constitution in the U. 11. plan as adopted by the Security Council in Resolution 435 provides the t eons tituuon m king will be the business of a constituent assembly, which would be formed after elections, so we don't expect the constituion to be one of the issues for the conference.

Question:

But will you avoid such a lissoussion if it is raised? Will you t

refuse to discuss any points relating : uturc eons titution rrO

, -)

or constitut ional gut rantees of any sor'

-14 \_

Theo-Ben Gurirab:

Of course we are Speculating now. We are talking about the U.N. plan which provides that the constitution will be discussed and adopted by a constituent assembly. I cannot foresee circumstances under which the question of a constitution can come up before the conference.

Question:

The war that is going on there has been fought for a long time and I think everyone has to accept that it is a nuisance for all concerned. No-one wants to talk about failure at this conference which has not yet got started. But if, for whatever reason, this conference doesn't achieve agreement on a ceasefire and implementation of the U.N. plan, is SWAPO ready, Willing, able to continue the war it is fighting?

Theo-Ben Guirirabs

answer-

We have tried to strike a note of openness and optimism in the full knowledge of our own sincerity and seriousness about the business

1' for which we have come here. We will do our level best to assist the United Nations in its search for an agreement between

SWAPO and South Africa so that the process of implementation begins. We still remain committed to Resolution 435, we have adopted as the plan for a negotiated settlement; the United Nations plan for Namibia's independence and it is our firm hope that a settlement can be reached on the basis of the U.N. plan. But whether or not we continue the struggle will depend upon South Africa's attitude which has up until this point been a negative one. And therefore the failure of this meeting would be the ruin of South Africa.

Question:

What do you think about the meeting of the front-line countries in Luanda.

Theo-Ben Guirirab:

We participated in these meetings, and this is where consultations

between the foreign ministers of the front-line state and SWAPO take place. They were useful and they clarified within our own ranks some points. They were useful and helpful.

Question:

Answer-

I am not quite sure whether I understand you right, Would SWAPO accept the Turnhalle people and others as part of the South African

Theo-Ben Gurirab:

..As part of the South African location. Yes.



715 -

Question:

..

Your indication that the front-line states meeting was useful does indicate that you are going to present a solid front without disagreement in your own ranks.

Theo-Ben Gurirab:

-...-

I don't anticipate any disagreement on what we.. this we

0

9

8

0

H

a series of consultations we always have. The front-line states have been part of the negotiating process which produced the U.N. plan and they remain committed to implementation of Resolution 435 as we are.

Question:

UNITA for instance has said that there is no peaceful settlement possible without it being drawn into it as well. Do you have any comment to make on that?

Theo-Ben Gurirab:

No I don't have any comment to make.

... Once again if there are no more questions I would like to thank you most sincerely for coming to this briefing.

I

-...-...-

P'W .Y'M, , , . .Wrrw-vvm -  
SERVICE DE L'INFORJIA TIO.V - OFFICE DES N\_A TIONS-UNIES A GENEVE  
INFORMA TION SER VICE - UNITED NA TIONS OFFICE AT GENEVA  
PLEASE CHECK AGAII'ST anvmy Press Release sc/srt/421

M  
t 11.01/32  
7 Januazy 1981  
OPENING STATEMENT BY SECRETARY-GVVERAL KURT WALDHEIU AT

.4:  
THE PRE-IHPLEMENTATION NEETING OU ViWIBIA

W..-  
. -.Au'

I should like to welcome yoh to United Nations headquarters in Geneva.  
It was in Geneva, at the League of Nations, that the first discussions in  
\_regard to the mandate of the territony of South Nest Africa took place. It  
is the United Nations' earnest hope that the Palais des Nations in Geneva  
will be the place where agreement is finally reached for the solution of the  
com lex enormouslyv immortal and rolon ed Drobblem of Namibia. As the title  
p , u A p g \_

of our Meeting makes clear, the next step will be implementation of the  
settlement plan in Namibia itself.

First of all I wish to welcome the two delegations, led by the South  
African Administrator-General, Mr. Danie Hough, and by Mr. Sam Hujoma,  
President of SWAPO. I am happy at the positive response to my invitation.  
It is never easy to change course after a long and bitter conflict.

I appreciate the more, therefore, the spirit of statesmans  
hip in which the  
participants have come to Geneva

I wish also host Warmly to welcome the Observers at this Heeting and  
especially the SecretaryeGeneral of the Organisation of African Unity,  
Hr, Kodjo. The FTont-Line States and Nigeria, and the Western Five Contact  
Group have all played a vital role in enabling us to reach the present point,  
vmere we can now sit together around the table. The Five Western Governments,  
as we all know, more the authors of the settlement proposal which is the  
basis of resolution\_435, and together with the ??ont-Line S  
tctcs they have  
continued to use their good offices over the ensuing years.

(more)

Les communiques son! destines a l'information; ils ne constituent pas dcs documents offic  
ials

For use of information media: not an omcial record

The Namibian issue is a matter of profound importance to the whole international community, and one with which the United Nations is especially concerned. In fact I myself have been closely concerned with the problem ever since I became Secretary-General. When I visited the Territory eight years ago on my first official mission to Africa, I was left in no doubt of the burning desire of the people of Namibia as a whole for genuine self-determination and independence. Since then I have actively been involved in successive initiatives of the international community to resolve the question of Namibia in accordance with the wishes of its people.

There is, I believe, a tendency to forget how far we have come towards agreement on this question. In fact, a very large part of the issue is now covered by a general consensus. The problems remaining relate very largely in one way or another to confidence, and especially to confidence in the future. I hope that the courage and vision that has brought all the participants along the difficult road to Geneva will now carry them over this obstacle as well.

The settlement proposal calls for independence to be achieved by an act of self-determination through free and fair elections for a constituent Assembly. Before that process can start, a comprehensive cessation of hostilities must be observed by all parties in order to ensure that the electoral process will be free from interference and intimidation. Our main aim here is to get agreement to set this process in train at a date in March 1981 which will allow for the attainment of Namibian independence in the year 1981. I wish to make it clear once again that once agreement on the proposal and the Demilitarized Zone have already been reached. There will be no question of renegotiating these fundamental arrangements or of going back on agreements previously reached. Rather, the job here is to set these agreements and proposals into confident motion.

We in the United Nations are deeply conscious of the sensibilities and apprehensions of all concerned in the matter of Namibia. We see our task as being to assist, as far as we possibly can, in helping them to move forward to a peaceful settlement of the Namibian question on the basis of Security Council resolution 435 (1978) - a resolution which everyone represented here has accepted. Our duty, as representatives of the United Nations, within the framework that I have mentioned, is to use our good offices to assist Namibia to become a full and respected member of the international community. I must emphasise, however, from a long experience of conflict situations, that the ultimate choice between success or failure inevitably rests with the participants themselves. We offer help, but only you can make the decisions that will take Namibia from time of strife-ridden past to a peaceful, co-operative, independent future. Only you, by an effort of will, and in your contacts with each other, can overcome the bitter legacy of past distrust.

(more)

mMaw-W --

I am deeply concerned at the possibility that in Namibia, as in some other conflict areas, the cycle of violence, hatred and destruction will escalate and perpetuate itself. That would be a particular tragedy because it can be avoided. I hope very much that all the participants in this Meeting will recognize the unquestionable truth that together they can gain a peaceful and splendid future, but that if the conflict continues all are likely to be the losers.

I do not need to stress to you the importance or the urgency of a peaceful transition to independence in Namibia. Nor do I underestimate the difficulties of such a transition or the apprehensions and fears of all concerned. But it seems to me we are here faced with two broad alternatives. We may go forward boldly along the lines of resolution 435 and develop a co-operative attitude towards the difficulties that undoubtedly lie ahead. In such a process the United Nations can be of great assistance in helping all parties and in guaranteeing that the agreed plan is adhered to. If everyone is determined to achieve success, there is, I think, every chance that the problems will prove to be less, and the degree of co-operation greater, than we now believe possible. In fact, we have an excellent prospect during this meeting of laying a solid foundation for a successful independent State of Namibia.

The other alternative is to fail to agree to implement resolution 435 and to remain in the present highly unsatisfactory situation of suspicion, violence, hatred and lack of communication. Such a state of affairs could well continue for some time with steadily more disastrous consequences for virtually everyone concerned. Moreover, the bright prospect of a new chapter of peace, co-operation and development in the region as a whole would be postponed indefinitely. I do not need to elaborate here on what this would mean. In such a situation the present tragic confrontation could deepen, positions would harden and the concern of the international community would have small practical meaning or benefit for the people of Namibia. I hope very much that this gathering will opt decisively for the first alternative, and that when you conclude your meeting next week there will be a firm agreement on a date for the cease-fire and the start of implementation of the proposal which will allow for the achievement of Namibian independence before the end of 1975.

I am glad to have been able to join you at the opening of this vital meeting and to have the chance to exchange views with you. I wish you all luck in your effort. My colleague, Brian Urquhart, Under-Secretary-General for Special Political Affairs, will be taking the Chair at your working meetings. Of course while I am here, I am ready to be of help in any possible way.

Let us be in no doubt that this is an historic moment — a moment when we have the opportunity to go forward to the solution of a great problem affecting not only Namibia but also the region as a whole and the wider peace. He on the outside can help you and urge you on. But it is you who have to take the responsibility and to live with the future. I am sure that you will assume that responsibility with courage and an increasing spirit of co-operation.

%%G

-19-

STATEMENT BY 1m: ADMINISTRARon-GENERAL : 8 JANUARY 1981

The Delegation 10d byie. pursuant to peregr0ph 2'! of the  
Report of the Secretery-Generel (58/311266) Vand consisting  
'of pertiei('who\_ Are present here to discuss with the United  
... mo. ,-4.... -' '.  
Nations and to paIx-ticipete ln the Conference, on an equal  
. 2% :1 ) Ix-  
basis with thine Around this table, and who would tekart  
1.111 the elections. the implementation of Security Council  
-rceolution 1:35 and other practical proposel0.I are. the  
followiIan: ' . '

- -.

.u--\_-- - I-

I .\_.--.. L. ..

ibemocratic Turnhalle Alliance (DTA)

: "3;::: -0 . I .

-I.'nz.\_0 Honourable D F Hudge I Chairman Iof the DTA

.AC

-: . iga'w t2" 2' "I' Dr B J Africa I 2 2 f. ---.

. .I I". .-I- "I. IIIt mmakoirI-I.-I.I.1 .II -.- :\_'....,I 2I'I. I- \_-.\_I 'I.\_-.,'3\_ \_:

" .. -V .. 2- 1.2m 22 - .-:'- - i

n . u u Neet ."th 3'9 \$555 I? 241.27 7.LL'.:'. '-;T. 1'. A 1'

. I .. ." I 'III I. J J 7: JulitAl '. i: II- ,.- T. I. ;\_'. 'i? ";o' 'i

.. ,;-?C .3: .. n . n Luipert . " . '- 2' - 2. pr \_12 f. A

C ) .I'v'Z: N ,6 Tibinyane - t

nu . . '3" . I: H L ChristyJ- - :. . -

; :2 .. "r um - .- ' - '

?...?L: U A" 'C IR NsoIndo . . ' ' .. g. \_' J.'

II..;IThe\_\_ Rev P XalengtIzleI .. 3i?! - fresident Of the MA. N'-

2 n:- \_A Vdodmen . '5' -' 31"7'75V 13.95%; 't

; :jz- AdvI. FI JII KogwnguiziI ' j 2\_ :\_\_ -1- '54:" ' CS: . I. -:-' . , 2 '

3'11? Mr A N nu'unI - . \_7 .; 'I A 'I ' \_ 3. -. I

3'3". . Ju- P HelmnthI ff". '3 : ..' 2 - -- . i . '1 3: . ',. 2,135"! j

"3"; 'Hr I Kaqu-e - . ' - . I I. . \_ " t-I . :

Action Front for Retention of the 'Purnhalle Princiglea (IACTUR)

l'lIr' IAIIH du IPleeeil ' Leader '

. I\_)lr 'J de ya . I .-

' . :Adv l? Niehaue \_\_ ' I ' . - . I. T . . . 2'.- . .

Adv II Inn 21:~1 \_I'L', .\_\_-:." I,I'. 3-,; ..I- ' I, II.'- . ' . . .- : ..- 5; .\_\_..I ; I

l.  
. J.  
r' .  
. .  
. -J\_  
'n' o  
. .  
o,.i.  
".u R  
'-. , -A-  
. .  
. .  
'-.  
W o  
' I  
. .  
-  
. .  
'f  
I'R  
. .  
Al 9f  
v I ' .  
. .  
-.  
.n'  
. '1-.s\_  
AI...-  
'-..s' .P  
. .-  
. .  
o. -  
o .'  
J. .  
-' .0  
.V I  
. .  
'1. 5..  
2:11?  
- r-2 .1  
. - ... 0  
on . '  
O  
. .  
I  
Liberation Front \_ .I . \_' . .  
Kaptein J G H Diergaardt Presidcnf\_ .  
Mr J c A HcNab \_ .h U,\_,. , -.; ;\_ n' p -.  
' . Namibia Chris'tiaJ-x Democratic. Political Part1 " ' \_ f "1  
Hr B RShr \_ 2 ".JJ': . Leader '\_f '- ' . 1 .: . .: . ., H , .. L;  
1-H; J Iandjimi 17 . ' . . 775  
J's; ':"EA...':. .4'\_ . 1 L . ' I, .1 . . ' ' . . -:-'l.'...-';. .: ai- '.\$'\_v'\_1 . . v;-  
'\_...;.  
. f-Li-beralt Part! - 1 . J; . ' f." 1 c  
2-)!!' A J F Kleppers \_ I . 1 Leader : -.  
g'Mr Z R Paternal: \_'\_\_ 2. 17.: i .7 ' ' .  
uggsl; .: : -. :1; . i '3 . 1- ' . flk -. t. . . ;. . DEZAPuu' . I \_ ' . '4 ..  
Namibia PeoEie' s L'lberatlon Front- ..' A ' 'i \_ la.: h " I .-, fa"):  
' - ' . . ' - . . \_' f , 5.4 Q :- 3'35)".  
. x)!!- X Conradle - g 7 5lk . ' -t.-Preaident . . - \_ V 1.5T,  
'- S." - - . \_\_. : .4. 'T:.-., if; \_ . ,\_-.-'-... . .1 .3:  
u , - , ' . - 3.. .....:n ,1" ,9 \_ . :E'V'TJQE'f' :31: Q3: . r; h.: :.1 :\_1; .T'..?:.v.-  
,1  
Nudo Pro ressive Part of Namibia \_:\$s\_\_f\_%f%ig;;. if '18"- 3.9";  
\_ .gh'g 1, . . . , y - . - . ' .  
f.\_ lugs! Kamaihe' \_ 1" \_ '5 &w\_-  
.. 'HPedex-al Part - . - -  
I W .-. . . 9."?  
" 'J \_-)Ir J. S Kirkpatricki Chairman -'.-:..  
1... : ' a ' . - ' - 'i ' - -% 0A . . ' ?I' . . A...-' 1-: -r TA

' . - 1-;\_":,.3'- . 1.; - . - ' \_- \_' . , 1:.) ,. - ' . V- \_ ' - -- - J \_-- ..  
In thin conmmction you Vl1l recal\_ .1 Mr Chair-man, 3b.; the -  
South Afrlcan Minister of Foreign Affairs has rppeatcdly ' R  
,; stressed the negd for equal treatment of. the partles. . "'i"'3:::' '"  
J J - '- bl: J . . . - - ' .- '- \_Rg:-1'...  
(iii. ' ?;ZLAJ . R v .. '- . J. . ' ;". . ( : \_J . . 1 . V; 1' ,. '1:  
' . \_ . 155.3 A: . x ' '1" . . 7' r; j- I 17: .- ' - '-  
1 - \_ , .- . ' . "3.T, :-?? A \_ ' - ' " - - . - ' . .  
-LlArszzf't. tii'qF-f. - 3A . - - : - , - . ' . - 0.  
k 2!.- 0': 'I 43. is .- -.- J .. . 2,13. 5' J  
. A. - \_ .4 . -h' -I' .- . - - i" - .1  
Cf: , :5: . . . - ,3 - ,':. 3".  
- ' . ' J -P.. i 1 ' ' . . .  
.. \_ ' . . - . - . ' , - . . .q 1 v.  
. t. . 1;... . . I . . 1... . . U.  
- .- 1 ..' L; .1. . . .5 L .. : .gxr' .1: .... h. .. - R .. - ou::' :- \_\_-I". :1. g

12.  
13.  
14.  
15.  
16.  
17.  
25.  
24.  
25.  
26.

SWAPO PERMANENT MISSION TO R.P.A.P.O. BOX 953. LUANDA TEL. 39274

NAMES STATUS

Sam NUJOHA Leader of the delegation  
Richard KAPana Delrgate  
Tauno HATUIKULIPI Delegate  
Kapuka NAUYALA \_ Delegation Secretary  
Hiuanwa SHIHEPO nelegatc  
Dr. Inaviposa AHATHILA Delegate  
Nahas ANGULA Delegate  
Mariam HBAKO Technical  
Usko NAMBINGA Technical  
Filemon &ASHEYA Technical  
Thikindo 88020 Technical  
Hidipo HAMUTENYA neiegaie  
Ngarikufuke TJIRIANGE Delegate  
Monica uUNDJANIuA . Technical  
Bathromew KARUAEBE Delegate  
Crispin MATONGO Delegate  
Hendrick WITBOCI Delegate  
Thomas IHUHWa Delegate  
Joshua HOEBEB Dolehate  
Phillip TJERIJE Delegate  
Marko AUSIKU Deiegnte  
Leonard CHAKA Delegate  
Axei JOHANNES Delegate  
Shapun KAUKUNGWA Technical  
Peter HAKHING Technical  
Arthur PICKFRING Technical

PLACES

Luanda  
Luanda  
Luanda  
Luandd  
Luanda  
Luanda  
LuAnda  
Luanda  
Luanda  
Luanda  
Lusaka  
Lusaka  
Lusaka  
Windhoek  
Windhoek  
Windhoek  
Windhoek  
Windhoek  
Windhoek  
Katina Hulilo  
Ldndon  
London  
London  
London



Toivo Herman Ya TOIVO  
Lazarus GUITEB  
Jerry EKANDJC  
Bredan SHIHBWAYE  
Theo Bcn GURIRAB  
Sofia NANSULA  
Netunbo NANDI  
oooooooooooo  
Delegate Robben Island  
Delegate Robben Island  
Delegate Robben Island  
Delegate In South Africa hands.  
Delegate and Press Liason New York  
Technical New York  
Delegate Darves-Salaam

APO delegation to the  
prc-implcmntation meeting held in Geneva,  
-mw-u-u&-----l---

7 - 14 January 1981

U.H. Secretary-General:

\_\_\_\_\_.\_\_\_\_\_A\_\_\_\_\_.

I now invite Mr. Sam Nujoma, President of SWAPO, to introduce his  
delegation, if he wishes to do so.

Odo Sam Huioma:

M

Thank you very much, Mr. Secretary-General. My delegation is

one, United,

representing the Oppressed people of Namibia.

(Delegation stands and gives clenched fist salute)

Mr. Secretary-General, I would like to say that

members of my

delegation are not all here. Some of them are still in prison on

Robben Island :

and other various prisons in Namibia.

not been released by the South African government.

Furthermore I would like to re-iterate

the SWAPO'S acceptance of

Security-Council Resolution 435. And I would further wish to state

that SHFD

- 0 is read to 81 a cease-fire with the Government of

, 8n 6

South Africa, so that peace can come to Namibia.

They have

I would also like to re-iterate our position that SWAPO is

to co-operate with UNTAG,

in or

ready

both military and civilian components,

in order to ensure implementation of Security Council Resolution 435.

- r

Thank you very much.

-

---o---d-tuh---co---

NATIONS UNIES ' UNITED NATIONS

. -

SER VICE DE L'INFORMATION - OFFICE DES NA T/ONS UNIES A GENEVE V  
INFORMA TION SER VICE - UNITED NA TIONS OFFICE AT GENEVA

BiograEhical Note Press Release 310/133:

mc/33

English Only 7 January 1981

BRIAN E. URQUHART

Brian Edward Urquhart, Under-Secretary-General for Special Political Affairs, has been a member of the United Nations Secretariat since the earliest days of the Organization.

Born on 28 February 1919 in Dorset, England, Hrc Urquhart was educated at Westminster School and Christ Church, Oxford. From 1939 to 1945, he served in the British Army in infantry and parachute units in North Africa, Sicily and Europe.

From July 1945 to March 1946, Mro Urquhart served as Personal Assistant to Gladwyn Jebb, Executive Secretary of the Preparatory Commission of the United Nations in London. From March 1946 to September 1949, he was Personal Assistant to Trygve Lie, the first Secretary-General of the United Nations. Since 1949, he has served in the Office of the Secretary-General in various capacities. From 1951 to 1953, he was Secretary of the Collective Measures Committee. As a member of the Office of the Under-Secretary-General for Special Political Affairs, Ralph J. Bunche, from 1954 to 1971, he served in various capacities.

He was Executive Secretary of the First and Second United Nations International Conference on the Peaceful Uses of Atomic Energy in 1955 and 1958, respectively. He took an active part in the organization and direction of the United Nations Emergency Force in the Middle East.

In 1957, he served as Deputy Executive Secretary of the Preparatory Commission of the International Atomic Energy Agency (IAEA). From July to October 1960, he served as Assistant to the Secretary-General's Special Representative in the Congo (Mr. Punche), and, from November 1961 to February 1962, he was United Nations Representative in Katanga, Congo.

/ t

tmore)

Les communique's sont destines a l'information; ils ne constituent pas des documents officiels

For use of information media; not an official record

-25-

Press Release BIO/133

NAM/33

Page 2

As Director in the Office of

Political Affairs, Ir. Urquhart ha

with peace-keeping operations in C

the Under-Secretary-General for Special

s been involved, among other questions,

Cyprus, Jammu and Kashmir and the Middle East.

Appointed Assistant Secretary-General in May 1972, he holds his present

post since 1974. He is working Chairman of the Pre-Implementation Meeting

on Namibia being held in Geneva, 7-14 January 1981.

Mr. Urquhart is the author of a book on D

ag Hammarskjold (1979) and

has published various articles on international affairs.

??%969696

-26-

1Q AIM S UNI ES ' UI'XIITEB" NYHONS

55/6 l'IC/f UF L'LV/ ()R 31.1 T/UK - Hi ."/('1" .U/W IVA 7/! INN I'N HIS A (.Vi'fx'l l .

li'x'i ()Kf-J'A TlON 31/63le , (CY/Y'L 1') 17 lflfn'f' (H /."(' L x! I (9/: ' '1 l';  
Press Release SG/SH/ZT?

1J.';/ 3 5

..

V

C .anuazy 1981

REMARKS BY SECRETARY-GENERAL KURT WALDHEIM AT THE  
NAMIBIA PRIFIMPLEMENTATION MEETINGz 8.JANUARY 122\$

Before giving the floor to Mr. Urquhart, who will explain the programme of the working sessions for the next few days, I think it would be fitting if I asked the leaders of the two delegations to introduce members of their delegations whom they wish to introduce. I would like to emphasize that the position of the United Nations concerning the purpose and participants in this meeting is made clear in my report of 24 November 1980 to the Security Council concerning the implementation of Security Council resolutions 435 and 439.

I first invite Hr. Danie Hough, the Administrator-General, whom South Africa has designated to lead the delegation, to introduce its members.

%%-X-' )6

I thank the Administrator-General for introducing members of his delegation. After hearing his introductory remarks, I wish to say again that my report of 24 November sets out clearly the basis for this meeting. I should like to recall that in paragraph 24 of that report I stated, "The basis of the meeting would conform to the formula agreed upon during bilateral discussions held earlier this year (that means 1980) on the question of "direct talks". It was on this basis that I contacted South Africa and SVAPO concerning the composition of the respective delegations that would participate in this meeting. It is on this basis alone that this meeting has been convened.

%%%

Les communiqués sont des documents de travail; ils ne constituent pas des documents officiels.  
For Use of information media: not an Official record

\_ 27 \_

Press Release SQ/SI/?22

35

Page 2

I now invite Hr. Sam Fujoma, the Presiicnt cf SHLPO, to introduce his delegation.

i4949\$119f

I now ask Er, Brian Urquhart, whc will '6 Tkllvmjn Cf the nfrking sessirns iwe programme of tkos; sessirn: frl the next few dzvro to explain brieflf

% % % % %

I thank Mr. Urcuhart for his statement. I have his explanations will facilitate the smooih running of the working sessions.

The first working session will begin in FCC: V at 5 p.m.

%%%-%

Address by

Brian E. Urquhart, Geneva, January 8, 1981

Thank you, Mr. Secretary-General.

Between now and tomorrow evening I shall be asking my colleagues here with special knowledge and special responsibilities to set out the way in which the United Nations will fulfil its responsibilities under the settlement Proposal and under the DMZ proposal. The participants will have an opportunity to seek clarifications relating to each presentation.

The Secretary-General's Special Representative, Mr. Ahtisaari, will set out the broad outline of UNTAG - how its various elements match up to various duties under the settlement Proposal. Mr. Kanakarathne, who will lead the electoral supervisory unit, will set out the deployment of the election supervisors. The High Commissioner for Refugees, Mr. Poul Hartling, and one of his senior colleagues, will deal with the repatriation aspects of the Proposal. Chief Superintendent Fanning, our Police Consultant, has flown over - from Dublin to set out the tasks and deployment of the United Nations police monitors in Namibia. General Prem Chand, the commander-designate of the UNTAG military component, will describe the tasks and deployment of the 7,500-strong military force which will be under his command in Namibia.

After we have finished explaining how UNTAG would fulfil its duties, the participants may want to seek clarification on various points. We will note such questions and deal with them at an appropriate stage in our proceedings.

-29..

After these briefing sessions, we will consult with the delegations as to any remaining matters which might concern them, and we will also consult with the observers. On the basis of these consultations, we will identify matters which remain for consideration and decide the best way of using the remaining time available to us, with a view to achieving a successful outcome of this meeting - that is, as the Secretary-General defined it yesterday, an agreement to go ahead, through a firm date in March 1981 for a cease-fire agreement and the implementation of the settlement Proposal, to the independence of Namibia in 1981.

y



Statement by Six Internal Parties

With reference to the statement made by the Administrator General as leader of the S.A. delegation at the opening of the proceedings this morning, we wish to clarify the position of our representation at the conference. V5 wish to make it clear that we do not consider ourselves in any way to be members of a South African government negotiating team. We have all at various times and to a greater or lesser extent, been highly critical of the South African government's handling of the Namibian situation and the policies applied by it in our country. We have all publicly pledged ourselves to the implementation of Resolution 435, and it is our earnest desire to see this effected at the earliest opportunity and peace and tranquility restored to our country.

Whilst we all have certain reservations as to various aspects of the proposals, we hope that these can be satisfactorily resolved during the course of this meeting. I

The Secretary General, in his latest report, referred to this conference as a "pre-implementation multiparty meeting in which the parties concerned in the envisaged election would be included". Reference is also made by the Secretary General to South Africa's role as the interlocuter under Resolution 435. It is in the capacity of parties concerned in the envisaged election that we are participating in this meeting.

The position of the internal parties having been publicly clarified, we appeal to all participants in the meeting to act in a spirit of compromise with a view to achieving agreement on a speedy implementation of the settlement proposals. .N

1" Rom:

/ U' 7' ? C/Lq NAMIBIA PEOPLES LIBERATION FRONT  
f E (b; May  
PARTY OF NAMIBIA

Statement by Mr. Ahtisaari on the Structure of UNTAG and the Role of the Swedish Representative I Afternoon Session, Thursday, 8 January 1981  
'Excellencies, Ladies and Gentlemen:

I should, very briefly, like this afternoon to describe for you the overall structure of UNTAG, showing how the United Nations will carry out its duties under the settlement Proposal and resolution (S/1978/61). I will also outline the duties of the Special Representative under this resolution.

The documents to which I will be referring are the settlement Proposal (S/1978/61) of 10 April 1978; the Secretary-General's report to the Security Council of 29 August 1978 (S/1978/612); Security Council resolution 435 (1978); and the Secretary-General's letter to Mr. P. Botha of 20 June 1980 (S/1980/411).

There are, of course, many other relevant passages among the other published documents because, as Mr. Urquhart has stated, UNTAG will have a unique background when it comes to do its job. There is an unusually wide area of prior agreement, arrived at after years of detailed discussion.

For us, however, in planning for UNTAG, the original settlement Proposal (S/1978/61) of 10 April 1978 as approved by the Security Council in resolution 435 of 1978, has a very particular status. It has been our conviction, throughout these years, that we must abide by it precisely, and that all the other parties must do so, too. If any of us seek to diverge, then we all run the risk of destroying the present possibility of at last getting a peaceful settlement to this most complex, and long-standing, international problem. Since 1978 attention has been almost entirely focussed on particular aspects of the settlement Proposal, and some uncertainties arising from them. These, we believe, have now been dealt with. The vastly larger area of common ground has thus sometimes tended to be forgotten. I think everybody here will understand this because all of us deal with practical matters, and we all know that one can only plan ahead to a certain degree.

Mr. Urquhart has already described the overall purpose of the settlement Proposal. Its objective is the holding of free and fair elections, under UN supervision and control, and an impartial electoral process. Everything else in the Proposal is a necessary aid to that end. In the same way, the Proposal gives us a step-by-step process. Various things must be done at or before various times. The Proposal says that I, as Special Representative, appointed in terms of Security Council resolution 435 (1978), must satisfy myself at each stage as to the fairness and...

ah to the fairness and appropriateness of all measures affecting the political process. It all levels of administration before such measures take effect. and it states that the Special Representative may make proposals in regard to any aspect of the political process. It emphasises that he has to be satisfied on a series of other preparatory matters. For example, the Special Representative has to be satisfied that all remaining discriminatory or restrictive laws and measures that might inhibit free and fair elections have been repealed prior to the electoral campaign. He must be satisfied that all political prisoners and detainees have been released. All Namibians outside the Territory must be permitted to return peacefully and participate fully and freely in the electoral process, and the Special Representative is to ensure with the assistance of the UNHCR and other international bodies that all Namibians remaining outside of Namibia are given a free and voluntary choice whether to return. As Special Representative, I have many other specific duties under the Proposal. I am, for instance, to satisfy myself as to the implementation of all the military, including the cease-fire, arrangements, and to keep the Secretary-General informed of developments. As regards the police, the Special Representative has a responsibility to be satisfied that the Administrator-General ensures the good conduct of the police forces and their suitability for continued employment during the transition period. He is also to make arrangements when appropriate for UN personnel to accompany the police forces in the discharge of their duties. The Proposal also states that the Special Representative is to take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter. At the end of the electoral process, it is my duty to ensure the proper and timely tabulation and publication of voting results - the certification of the election.. These, then, are some of the functions which I, as the Secretary-General's Special Representative must fulfil in accordance with Security Council resolutions. As the Secretary-General stated in his letter to Mr. Botha of 20 June 1980 (S/LAO/11) "Compliance with all the criteria indicated in the settlement Proposal is a guiding principle for me and will be scrupulously ensured by my Special Representative and his staff". I am deeply conscious of the historic nature of my duties - both for the people of Namibia and, indeed, for the whole international community. I shall, of course, /...

I shall, of course, have available to me the highest levels of professional advice and assistance, and you will be hearing later from Mr. Kanakaratne, from the High Commissioner for Refugees, from Chief Superintendent Fanning, and from General Pram Chand. I shall be most fortunate in having of such experienced colleagues.  
the counsel

May I now turn to the structure of UNTAG, which follows the lines of the Secretary-General's report (5/12327), of 29 August 1979, which was adopted in resolution 435 (1978). That report spelt out how the United Nations would carry out its duties under the settlement Proposal, and resolution 435, which incorporates it, has been accepted by all the parties. In carrying out my functions I shall be assisted by UNTAG, which will have both a civilian and a military component. There will be five functional departments of UNTAG, all carrying out duties under various parts of the settlement Proposal. There is the military component, led by General Pram Chand, who will set out its duties when he speaks tomorrow. This will consist of 7,500 troops, the majority being deployed in the northern part of Namibia. Then, there is the group of police monitors, about whose deployment and functions Chief Superintendent Fanning will also speak tomorrow. It is estimated that there will be 360 police monitors. Next, is the unit to which the High Commissioner for Refugees will refer tomorrow morning. Fourthly, there is the election supervisory department headed by Mr. Kanakaratne, which will have the initial responsibility for dealing with all electoral questions. He will describe the functioning of this department in a few moments. But let me reiterate in this connexion that the Settlement Proposal states that the elections will be organized by the Administrator-General. It is UNTAG's duty to supervise and control them. In this connexion, there will be UNTAG district centres and sub-centres throughout the Territory. They will principally be situated at the main population centres, and they will have especial responsibilities during the electoral period. But they will, on my behalf, establish and maintain contacts and communications with all local authorities and representatives in their areas of responsibility, and I attach great importance to their success in this regard. Indeed, the success of UNTAG will in very great measure depend upon the effectiveness of consultation, which will be a continuing process, with the Administrator-General and his staff, the local authorities, and of course, all the political parties in Namibia.  
I should also like /...

I should also like to refer to the office of the Independent Jurist. The functions of this office are set out in paragraph 73 of the settlement Proposal. This paragraph states that, in regard to the release of political prisoners or detainees, should any dispute arise, such a dispute "shall be resolved to the satisfaction of the Special Representative acting on the independent advice of a jurist of international standing who shall be designated by the Secretary-General to be legal adviser to the Special Representative". We regard the independence and autonomy of this Independent Jurist as being of the highest importance to the success of UNTAG. He will, of course, function with the greatest degree of independence in accordance with the Proposal, and the Secretary-General has designated a Danish judge and professor, Professor C. Ndrgaard, to fulfil this important role. Professor Mrgam is the vice-President of the European Human Rights Commission based in Strasbourg, and is a leading international lawyer. He will have a small professional legal staff to assist him in carrying out his judicial duties in Namibia. My own office, and my executive office, need no elaboration. Nor does that of the Chief Administrative Office, who will be responsible for all the administration of UNTAG - personnel, finance, recurrent, logistics - all the "housekeeping" functions, if I may call them that. Then there will, of course, be UN liaison offices, as described in various of the Secretary-General's reports, in Angola, Botswana and Zambia. These will be headed by senior United Nations civilian personnel, but those in Angola and Zambia will also have military personnel attached to them for liaison purposes. As agreed with the Governments concerned, there will be constant communication between my office in Windhoek and the liaison offices in the three capitals, and a two-way flow of information on relevant aspects of UNTAG's, and the Front 'line States' work functions under the UN plan. Overall, the present staffing proposals for UNTAG show the following approximate figures. That part of the civilian component which will be present in Namibia from cease-fire to elections will consist of approximately 170 internationally-recruited professionals from the United Nations Secretariat, assisted by approximately 233 internationally-recruited general and 'field'-service staff. ....-A During the period from registration of voters to the certification of election results - approximately four months - there will be a further 200 electoral staff, and, during the actual polling period, a further 620 who will be present at the polling stations /...

f- 35 \_

at the polling stations. UNTAG V111 1130 have a substantial number of personnel locally recruited in Namibia - about a thousand - who will carry out a variety of principally service functions - they will be drivers, interpreters and manual labourers of various kinds. Then, of course, there will be the 560 UNTAG police monitors, also part of the civilian component. The military component, as I have mentioned, will consist of 7,500 personnel, mainly in the north.

Overall, quite a small proportion of the personnel who will be there throughout the interim period will actually be based in Windhoek. On present calculations, of the 400 international staff who will be in Namibia from settlement until elections, about 150 will be at UNTAG headquarters in the city. There will also be small police and military headquarters companies in Windhoek. The remaining UN personnel will be deployed throughout the Territory - civilians, police monitors and military.

I hope that I have been able to set these matters out quite clearly, but I shall, of course, be most willing to try to clarify any uncertainties you may have, as I have always tried to do during my visits to Namibia.

I have had the opportunity previously of meeting most of the members of the two delegations present today, either in Namibia or elsewhere because, as you know, I have been able to travel extensively throughout the length and breadth of the Territory. I want to assure you that we are under no illusions as to the dimensions of our tasks. The geography of your country will tax the physical resources of the United Nations to the utmost. At the same time, we have no doubt that, with the backing of the international community which we know we shall have, UNTAG can efficiently fulfil its enormous but historic mission in assisting in bringing Namibia to its long-delayed independence.

Statement made by UNTAG Police Consultant I Chief Superintendent Steven Fannin to the Namibia Pre-implementation Meeting in Geneva. Meeting Session 8 January 1981 on the subject of UNTAG Police Monitors. My presentation will be divided into four sections. First, I will deal with UNTAG's terms of reference, so far as the police are concerned, and thus the tasks of UNTAG police monitors. Secondly, I will refer to our consultations since 1978 in regard to the execution of these tasks. Thirdly, I will describe the command structure and deployment of UNTAG police monitors. Finally, I will conclude with one or two remarks regarding the particular conditions in which the police monitors will operate in Namibia. I will then seek to answer any questions on the subjects of tasks and deployment within the time remaining to us.

1. UNTAG'S terms of reference regarding the police

The functions of UNTAG Police Monitors are established in the settlement Proposal (S/12636, para. 9). The Secretary-General dealt with this matter in paragraphs 29 and 30 of document S/12627 and in his Explanatory Statement of 28 September 1978 (S/12869).

In his statement the Secretary-General said on the subject that:

In paragraphs 29 and 50 of my report I intended to indicate how the Special Representative would fulfil his responsibilities concerning the existing police.

According to Security Council document S/12636, primary responsibility for maintaining law and order in Namibia during the transition period shall rest with the existing police.

However, the Special Representative is also given explicit responsibilities:

(a) To satisfy himself that the Administrator-General ensures the good conduct of the police force;

(b) To satisfy himself that the Administrator-General takes the necessary action to ensure the suitability of the police for continued employment during the transition period;

(c) To make arrangements when appropriate for United Nations personnel to accompany the police forces in the discharge of their duties.

It was therefore necessary to have designated personnel at the disposal of the Special Representative to ensure that these monitoring responsibilities would be satisfactorily performed. Moreover, I concluded that, for reasons of safety and effectiveness, these tasks would best be performed by civilian personnel who are professionally qualified. Concern has also been expressed as to whether the number of United Nations personnel to monitor the police is appropriate to the tasks they are expected to perform. I will of course keep this question under continuous review:

Paragraph 10 of the settlement Proposal also provides that:

The United Nations Special Representative will take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter.

The tasks of the UNTAG police monitors, who will form part of UNTAG's civilian component, follow logically from these three documents. I may add that they confer, in broad terms, a secondary responsibility - a monitoring responsibility - in regard to the maintenance of law and order in Namibia, from the beginning of the cease-fire until the end of the transition period.

2. Consultations in regard to fulfilment of these tasks

M

The Report of the Secretary-General of 29 August 1978 (5/12527) states, in paragraph 30, that:

In order that the UNTAG police may fulfil their responsibilities as described above, it is considered, as a preliminary estimate, that approximately 360 experienced police officers will be required. It is hoped that police officers will be made available by Governments on a secondment basis, bearing in mind the accepted principle of equitable geographical representation, as well as the language and other requirements of the assignment.

In putting forward the figure of 360, the Secretary-General had regard to all relevant factors. These included information provided to senior United Nations officials, orally and in writing, during a series of consultations with senior South African police officials in Windhoek and Swakopmund during the August 1978 and January 1979.

The United Nations has been assured that while, as in the Proposal, primary responsibility for maintaining law and order during the transition period will remain with the existing police forces, monitoring by the UN



IA- . . .

ofnpolice will be fully facilitated. Liaison officers will be appointed to assist UNTAG police monitors, who will also be given access to documents. United Nations officials have also been informed that the areas such as Katutura and parts of northern Namibia, will be agreeable to the local authorities. In view of paragraph 9 of the Proposal's reference to "existing police forces" United Nations officials noted the intention expressed by senior South African police officers progressively to disband certain of the substantial police forces in northern Namibia once the expected improvement of conditions there takes place after the coming into effect of the cease-fire. Further information was provided to the United Nations of a technical character relating to the Operational needs of the UNTAG police monitors.

Consultations relating to the implementation of paragraph 9 of the settlement PToposal have also taken place with SWAPO in Winhoek, New York and Lusaka. Several internal political parties also made submissions on this subject to the United Nations Survey Mission during its stay in Namibia in August 1971:

3. Denlovmnt and command structure of UNTAG solice monit0'-

Having regard to all these matters, the Secretary-General concluded that fulfilment of the tasks set out in the settlement Proposal should be planned as follows. A

The organisational and deployment format would follow that of the existing police forces. Thus, command would be exercised by a Police Adviser based at UNTAG headquarters in Windhoek, operating through six district headquarters at various centres throughout the Territory. Each district will have a number of sub-stations or posts at strategic locations

In the respective districts. The number of district and sub-stations will be approximately 30. The operations of the UNTAG police monitors will require a high degree of mobility. The 30 stations from which UNTAG police monitors will operate will be located in such a manner as to enable UN personnel to visit all South African police stations, fixed and mobile, throughout the Territory. Having regard to all the factors concerned, it is desirable that all men to be seconded should have a minimum of 9 years' experience as police officers. There should be, in each contingent seconded by a Government, an appropriate balance of senior, middle-rank and junior police officers. It will, having regard to operational requirements, be impractical to place less than 5 UNTAG police monitors at any given location. At others, the numbers may vary between 10 and 20. In view of geographical and other considerations it will be desirable to maintain a degree of flexibility in regard to overall deployment and manning.

Having regard to the minimum of six-weeks' lead time required by the United Nations between final agreement on implementation and the coming into effect of a cease-fire, it would be intended to ensure that the UNTAG police monitors were operational at and shortly after the cease-fire date. Close liaison will be maintained at all times with the various UNTAG district centres and subcentres. It will be essential to have co-ordination and co-operation with the existing police forces within the framework set out in the Settlement Proposal.

#### 4. Concluding remarks

Until there is a firm implementation date, the United Nations cannot make any official approaches to Governments, requesting the secondment of experienced police officers for the contingent of UNTAG civilian police monitors. In paragraph 30 of his report to the Security Council of

in mind the accepted principle of equitable geographical distribution, as well as the language and other requirements of the assignment. In a later report (5/12905) of 21 October 1978 the Secretary-General stated that "exploratory consultations with a number of Governments indicate that national contingents of experienced civilian police, selected in accordance with the principle of equitable geographical representation, could be made available for service in Namibia as necessary". This is how the situation remains today.

Further comment refers to the language question. While the majority of the UNTAG police monitors will probably be drawn from English, Dutch and German-speaking countries, the United Nations is very much aware of the great need, in the case of the police, for efficient communication with the Namibian public at large. There will therefore be sufficient interpreters attached to the police monitors to ensure their operational effectiveness in all foreseeable circumstances.

In common with all the operational departments of UNTAG, planning in regard to its police is very much influenced by the size of the country, the nature of the terrain, and other local factors. In this context it

a

and to examine all aspects of local conditions, and that they have had the courteous co-operation of the South African police at all levels of command.

My final remark is a more general one. There can be no doubt, having regard to the terms of the Settlement Proposal, that primary responsibility for the maintenance of law and order throughout the whole of the transition period remains with the existing police forces. At the same time, it

\_ 41 \_

will be vital that UNTAG police monitors carry out their duties in a manner which is impartial, effective and tactful, and that they come to enjoy the full confidence of all sections of the population. High professional competence, as well as logistical efficiency, are required, and our efforts will be fully directed to this end.

PIM  
STAITPGEFT BY MR. KANAKARATNE CN ELECTION SUPE VISORI RC77 0? UTT :G  
Mr. Chairman, Your Excellencies, Ladies and Gentlemen,  
Under its resolution 45 of 30 September 1978 the Security Council  
decided "to establish under its authority a United Nations Transition  
Assistance Group in order to assist the Special Representative to carry out  
the Mandate conferred upon him by para. 1 of Security Council resolution  
431, namely, to ensure the early independence of Namibia through free and  
fair elections under the supervision and control of the United Nations".  
The principal function, therefore of UNTAG, it will be noted, will be the  
supervision and control of free and fair elections in the Territory.  
I shall endeavour to present to you a general outline of the plan  
in which UNTAG intends to supervise and control a free and fair election  
in Namibia. You are all familiar with the provisions relating to the  
electoral process contained in the settlement Proposal. They have been spelled  
out in paras. 5 and 6 of that proposal (S/12636 of 10 April 1978).  
It will be noted that under the settlement proposal, the control of the  
elections will be the responsibility of the Administrator-General  
in Namibia who will be expected to carry out his responsibilities  
regard to the impartiality, efficiency, and fairness necessary to ensure  
that the fullest meaning is given to the phrase "free and fair". UNTAG  
will, at every stage of the electoral process, commencing with the  
registration of voters and proceeding eventually to the actual polling and  
certification of election results, carry out its tasks of supervision and  
control with rectitude and without fear or favour. The Special  
Representative, Mr. Ahtisaari, has already in his statement  
expressed his regard to the vastness of the Territory and in order that  
UNTAG'S functions in supervising and controlling the entire electoral

process are carried out effectively, it is proposed to set bTHt  
up U-I&A  
district centres in 25 principal towns in the main districts of Hazibia,  
D  
.191

and 18 sub-centres reporting to those centres. The 100 tions of these  
centres and sub-centres will be based on population distribu  
well as communication and transport significance. It gees without  
saying that UETAG will be in close consultation witu the Administrator-  
General's officials and with all political parties and community leaders  
in the final decision on the location of these centres and sub-centres.  
Each of these centres and sub-centres will be in the charge of  
senior officials who are staff members of the international civil  
service of the UN system. They will be assisted by de uties who will  
similarly be selected from among the staff of the United Nations system.  
These UNTAG officials will be persons with considerable experience in  
the service of the UN and men and women with considerable train'hr  
and discipline in the impartial discha\_ge of their duties. Their  
principal function will be to ensure in the local areas :5 their  
responsibility that the entire electoral process, from th registratieh  
of voters through a free and fair election campaign to the actual  
casting of ballots, will be carried out in ccnformity with bot the  
letter and the spirit of the settlement Proposal and the relevant  
Security Council resolutions. They will at all times be under the  
constant supervision and direction of the staff of the Election  
Supervisory Department at UNTAG Headquarters in Windhoek. All prsblezs,  
difficulties, disputes and complaints relating to any aspec.

f

0

#4)

I

r

electoral process will, wherever possible, be attended to by them at  
the local level and in cooperation and consultation with the app::\_iate  
local officials and party leaders. Where such cc:plai"ts or diffic  
involve policy decisions, 6: disputes as to intetretation  
political considerations, they will be referred back to Headqi -.e:s

-44-

where my staff and I, in consultation with the Special Representative, will issue the necessary directions and give the necessary advice. The Heads and Deputy Heads of the UNTAG district centres and sub-centres will of course establish the closest possible liaison with the officials in their respective local jurisdiction as well as with the local leaders of all political parties and 3:er c'""h'

vu-ugt

. .1

c t

M

d

0

(1

pa

U)

so as to facilitate the speedy and local resolution of any such difficulties and disputes. They will at all times be readily accessible to all individuals and political parties and groups irrespective of political affiliation, status or rank. They will be ready and willing to entertain all "bona-fide" complaints of intimidation, malpractice, abuse of power, interference with the free expression of political opinion, etc. and do their utmost to contain such situations.

H

r.

a-&

8 (1b

0

H

(D

local level so as to enable the smooth conduct of the registration of

:1

A

: SKA.

voters, the election campaign and the polling. Regd

J

u)

1

visits by myself and my Headquarters staff throughout the Territory will be a further assurance that these officials will be carrying out

- - -

in the field their duties and responsibilities while "ad i:pa" 77'

I need hardly refer here to the fact that the ' in the

U

ration force all concerned:

police.

Among the more challenging tasks of the Heads and Deputy Heads:

of the UNTAG centres and sub-centres will be that of ensuring that "every adult Namibian will be eligible, without discrimination: fear of intimidation from any source, to vote, campaign and stand for election to the Constituent Assembly" (para. 6 of the settlement: 11 s 1). ?t

-11.. 1-- C

will also fall within their province to ensure

..

U)

- "B. '1 1

ensure that all necessary

speech, assembly, movement and press shall be guaranteed" (para. 6 of the settlement Proposal). All aspects of the electoral process, including the preparation of voters' rolls, will be supervised and controlled at every stage and at all levels by UKTAG officials "so as to give all political parties and interested persons without regard to their political views a full and fair opportunity to organize and participate in the electoral process."

The electoral campaign will begin at the start of the 13th week after the emplacement of UNTAG and when the requirements of paragraph 7 of the settlement Proposal have been fulfilled. The election campaign will continue for about 4 months thereafter. During that period the electoral staff of the civilian component of UNTAG will be suitably augmented in numbers to enable UUTA to supervise and control the conduct of the election campaign in all its facets so as to adhere to the provisions of paragraph 6 of the settlement Proposal. UNTAG election monitors, deployed on a regional basis, will operate throughout the Territory under the direction of the local UKTAG district Heads in order to satisfy themselves that the election campaign is free from any quarter. These monitors will be mobile as far as possible and will work with UNTAG civilian police and in close coordination and liaison with the local officials and party leaders in their respective areas. It will possibly be to them that most of the day to day complaints by aggrieved persons will be made. These monitors will endeavour to settle any difficulties as promptly as possible at the local level. Where this is not possible they will transmit these complaints with their own preliminary observations and findings to the

0

(9

'3

Head of the regional UNTAG district centre for necessary and appropriate action. The monitors will be selected as far as possible from the



international civil service and will be men and women with UN experience in the field.

The actual balloting will be closely supervised and controlled by UNTAG. For this purpose the electoral staff will be further augmented a fortnight before the polling begins by a sufficient number of personnel who will be individuals experienced and trained in the conduct of free and fair and secret balloting. They will seek to ensure that the election in Namibia will be held in accordance with the settlement Proposal. Polling agents of the various participating political parties will, of course, be present at the polling stations to look after the interests of their respective parties. The UNTAG poll supervisors will no doubt expect, and we are sure will receive, the fullest cooperation of the local election officers.

With the closure of the balloting and the counting of ballots undet  
v-

procedures to be approved by the Special Representative, the results will be certified by the Special Representative and announced to the people of Namibia. This then is a broad outline of the procedures that the election supervisory unit of UNTAG will adopt once UNTAG is emplaced  
U

in the Territory. The settlement Proposal provides that the Special Representative "will have to satisfy himself at each stage as to the fairness and properness of all measures affecting the electoral process at all levels of administration before such results take effect" and that "the implementation of the electoral process, including the appropriate registration of voters and the appropriate and timely tabulation and publication of voting results, will also have to be conducted to the satisfaction of the Special Representative". Every effort will be made to ensure that all UNTAG officials, directly or indirectly associated with the electoral process and the conduct of a

free and fair election, will act with strict impartiality and with the high standard of integrity that characterizes the international civil service. All of them in their various functions and at their different levels of responsibility will be under my direction in my capacity as Head of the Election Supervisory Department of UETAG subject, of course to the overall authority of the Special Representative. It

1 - -

(D

will be obvious that the success of the UHTAG exercise will depend to a very great extent on the spirit of cooperation and understanding that we expect reciprocally from all the parties concerned, and especially from the South African authorities in the Territory who will have, under the settlement Proposal, the primary responsibility for the organization and conduct of an election for a Constituent Assembly. The election must not only be free and fair but must; Your Excellencies, Ladies and Gentlemen, be manifestly seen to be free and fair.

\_ 48 \_

' ,1

, W, 1 Viv

3(%1 uykgnggx V,

. , /

8:? :29, g

s i- 954\$! .

9:2 :4- J

NATIONS UNIES 'ZUNITH) NATIONS

"

SERVICE DE L'INFORMATION - OFFICE DES NATIONS UNIES A GENEVE

INFORMATION SER VICE - UNITED NATIONS OFFICE AT GENEVA

Press Release 50/31/472

10.11/35

8 January 1981

REMARKS BY SECRETARY-GENERAL KURT YMLDHPEM AT THE

NAMIBIA PRE-IMPLEMENTATION MEETING 8 JANUARY 1981

Before giving the floor to Mr. Urquhart, who will explain the programme of the working sessions for the next few days, I think it would be fitting if I asked the leaders of the two delegations to introduce members of their delegations whom they wish to introduce. I would like to emphasize that the position of the United Nations concerning the purpose and participants in this meeting is made clear in my report of 24 November 1980 to the Security Council concerning the implementation of Security Council resolutions 435 and 439. I first invite Mr. Danie Hough, the Administrator-General, whom South Africa has designated to lead the delegation, to introduce its members.

96'X-31--X-%

I thank the Administrator-General for introducing members of his delegation. After hearing his introductory remarks, I wish to say again that my report of 24 November sets out clearly the basis for this meeting. I should like to recall that in paragraph 24 of that report I stated, "The basis of the meeting would conform to the formula agreed upon during bilateral discussions held earlier this year (that means 1980) on the question of "direct talks". It was on this basis that I contacted South Africa and 'I.P.O concerning the composition of the respective delegations that would participate in this meeting. It is on this basis alone that this meeting has been convened.

%%96-)(-%

Les communications sont destinées à l'information; elles ne constituent pas des documents officiels

For use of information media; not an official record .

\_ 49 \_

Press Release SG/SM/422

27.111/35

Page 2

I now invite Hr. Sam Nujoma, the President of SWAPO, to introduce his delegation.

99%%&

I now ask Mr. Brian Urquhart, who will be Chairman of the working sessions to explain briefly the programme of those sessions for the next few days.

4X--i("X-%i(-

I thank Mr. Urquhart for his statement. I hope his explanations will facilitate the smooth running of the working sessions.

' ?The first working session will begin in Room V at 5 p.m.

1X-'X-')(-%'%.

NATIONS UMES - L'NITEI) NATH'DNS

55R Vle /)E L'ln/lURJM l'/( ).V - UI'f/(I/i DES NA 7/055 UN/L'S A ( )ENK V13

INFORMA T/O/V SER VICE - UNITED NA TIONS OIFICE A T GENE VA

Press Release .3 934

8 January 1381

WORKING GROUP CF EXPERTS TO ADOPT RePORTS OH

.....i..i.....,

IHHUUT RIGHTS SI;UATICU IN SCUIHERI AFRICA

.....

The AQ.E22 Working Group of Experts set up by the Commission on Human Rights to investigate violations of human rights in southern Lfrica will hold a series of closed meetings at the Palais des Hatiens, Geneva from 12 to 23 Januaxy'1981. The Tcrking Group will consider and adopt reports on various aspects of human rights in that region. The reports will be submitted to the Commission on Human Rights which will begin its 37th annual session on 2 February. The agenda of meetings of the Working Group includes following items:

- consideration and adoption of the report on implementation of the International Convention on the Suppression and Punishment of the Crime of Anartheid prepared in accordance with resolution 12 (XXXVI);
- consideration and adoption of the report of the Workinr Group on the action taken to implement its recommendations with a view to improved assessment of the further efforts needed to struggle against the system of apartheid and against colonialism and racial discrimination in southern Africa;
- consideration and adoption of a report on violation of human rights in South Africa. '

Resolution 12 (XXXVI) adopted at the 1930 session of the Commission on Human Rights requested the Working Group to continue its compilation of the list of individuals, organizations, institutions and representatives of States deemed responsible for crimes of ggertheid and to undertake a study cn ways and means of ensuring the implementation of international instruments such as the International Conventicn on the Suppression and Punishment of th: Crime of gggrrtheid, including the establishment of the international jurisdiction.

(more)

Les pommumques sont destines (I l'mformatmn; lls ne constituent pas: des documents ofhcie ls

For use of mformanon media; not an official record

In order to compile information and gather evidence, the Working Group Visited in August 1980 Angola, Tanzania and Zambia. The Group also heard witnesses in London and Geneva. The conclusions and recommendations of the Group concerning policies and actions violating human rights in South Africa and in Namibia will be submitted to the next session of the Commission on Human Rights which is scheduled to meet from 2 February to 13 March 1981 in Geneva. In compiling its reports the Group used first-hand information which it received in the form of testimony and written communications. In the past, the Group undertook a systematic analysis of the documents of the United Nations and specialized agencies, newspapers and magazines in various countries as well as publications of the International Defence and Aid Fund for Southern Africa.

Addressing the Commission of Human Rights last February, the Chairman of the 3rd Working Group of Experts on Southern Africa, Mr. Kebe MtBaye (Senegal) said that South Africa's fundamental policy remained unchanged: "The general plan for separate development upon which that policy was based is applied more and more strictly, and "Bantustanization" and the migrant black-labour system were being maintained." Nothing, he added, has changed in the human rights situation in Namibia.

Mandate of the Ad Hoc Working Group of Experts

In its resolution 12 (XXXV) adopted 6 March 1979 the Commission on Human Rights decided that the Group should continue to study the policies and practices which violated human rights in South Africa, Namibia and Zimbabwe, and that it should carry out a comprehensive study on the action taken to implement the recommendations made by the Group since its establishment, with a view to improved assessment of the further efforts needed in the struggle against the system of apartheid and against colonialism and racial discrimination in southern Africa. The Commission also requested the Group to continue to institute inquiries in respect of any persons suspected of having been guilty in Namibia of the crime of apartheid or of serious violation of human rights, and to bring the results of those inquiries to the attention of the Commission of Human Rights.

Composition of Working Group

The six members of the Ad Hoc Working Group of Experts act in their personal capacity. They are:

Chairman-Elect: Mr. Keba M'Baye (Senegal), Chief Justice of the Supreme Court

Vice-Chairman: Mr. Branimir Jankovic (Yugoslavia)

Professor of International Law

(more)

Mr. Annan Arkyin Cato (Ghana), Director, Organization of African Unity  
Affairs, Ministry of Foreign Affairs

Mr. Humberto Diaz-Casanueva (Chile), Professor of International Organizations,  
Rutgers University, and Professor of Spanish  
American Literature, Columbia University, USA

Mr. Fblix Ermacora (Austria), Professor of Public Law, Member of Parliament

Mr. Mulka Govinda Reddy (India), Member of Parliament.

96960696

muomwmbowmm. hmnwmm mum. nmunwmumu"  
H wa.aomn mdmummcH mow mum ounownnbwnw no munuwmm nupm ammHMUW mun  
meHmHn we: czmnw seawm awmnumwmm wnm mammoanaHHMnumm Wu nu numb wnwo:  
nmnwoa. . mmmown mmmmwum om "rm H:.kumw-,nwo:. soxmgnw. H mnch wwwm no mm(  
.  
m mm: rowan muoCn mum xwamn noww om aw ommprn. 4a mo mmn tumn xm wown  
czmnw zwww moon wm newnq Ms zmwawm M: arm nnprnmx a om nan ovau mnnuqunwmm.  
0  
Hum Ommwnw om nrm cnwnma zmnposm mwo: nQUuMmmwonmw mow mmmcwmm w"-  
0 M  
zowmatwam amsamnm no ndo Mmm wamp uwonmnnwom  
no wmmcmwmm mun mmm: wmiumnua-  
mowcnwonm no nwmwu quowmam. hmmm Kama 3% ommwnw 2mm wn; g L -  
- : ro uncaunm  
nmwwww .  
mumwmnmbnm maocnnwnm noxmoo awwpwo: cm aonmum. mm m.4nm xmum nmmnuuuvan  
ochanww% no czmnw a Vo mH mo mo mHlamnm mum a  
nmnwommw onmmnwumnonm. won;  
. WV  
uHH mnm wbnp 4acmHm. H wmem nw0lmmmurmmu mm um 04-4 mo nonunuuwm ,6  
ommmnm Hu nosnnoHrrwnm- mun ncw nmmw Hm mmmwnuH nnwnuunmuu-u nun monumw m  
IO)lJX;.J)  
. 10 r2!!lU rCLFPL?  
U  
non&wnnmn nmmn -wm xL  
om aw ommum Mm m amuw Hmmmomn xxx mcdwunmmum ncwu no cmmmw mo wwwhmn -mmn  
M: mowqum mum vanawwnm om ummcmmmm.  
I  
rnmnm mw mammwuwm. rzmnw nuwmm no mowaw 1  
ochnmw% wmmnuwmnwon.  
.aum ,m rum ommn m0prn-on now -u nwmnm "Jpn mum  
nonnwunnm numm nmcmnm mum wmcwmm no numw no wnnmmw nnnw-;V nun -w 04 m,w  
ow: nmaCuu gnaw H. nmmnw mun mnnmni. wwp- pm. On nurqmm. unw moruupUJ nouwmnm;  
onmumuwm. On rdpnu mxmnuwmm 01 -y u  
r! rlb  
agoCmmmb. On. .ynmowmbm. wcnmmw gaunhufi.



The Settlement Proposal thus sets out a tale for my Office that is  
Ant

typical of our work and indeed directly within my statutory mandate. The  
key clause is paragraph 7C:

"All Namibian refugees or Namibians stained or otherwise outside the  
territory of Namibia will be permitted to return peacefully and  
participate fully and freely in the electoral process without risk of  
arrest, detention, intimidation or imprisonment. Suitable entry points  
will be designated for these purposes."

The time scale in the Annex requires that within six weeks of

7.38 start C: 1:28

transition period appropriate action is taken by UVECR outside Namibia -,  
AMI . 6...-

assist in the return of exiles, and that provisions to  
established in Namibia. As the United Nations Special R  
be satisfied that Namibians are able to return and participate in  
.111 . ' -'

..-c-;ite -u--y re re

electoral process, the repatriation should be c

5.-

completed by the start of the

13th week, when the election campaign begins.

Members of my staff took part in the survey mission in August 1979.

returned to the territory in January 1979

. .u . . , Visiting the front-line states

shortly thereafter. Practical discussions were held with staff of the  
Administrator-General on UVECR'S part in the repatriation. Hence he  
discussed the general

(/1

0

f

planning can only begin once the starting

agreed by all concerned. It is 3.50 in the n

ature of the repatriation

operation. Later there will be many variables, r

is an exercise of individual free choice.

And free choice is fundamental to all repatriates. "Fl

u. '7'.th

requires that a declaration be made by each repatriate: that he or she receives

f

(L

U:

(9

III

repatriation after due consideration and entirely of his or her own free will.  
 Furthermore, while UNHCR in principle cannot give any guarantee to them  
 as to treatment upon return, the existence of an amnesty for all re-  
 am. patriots  
 is of great importance. It is reassuring that Darasraah 7C of the ?roocsal  
 O D . 3 . -  
 for a Settlement is unequivocal in this regard.  
 I should now like to turn to the practical arrangements we envisage  
 D-m .- \_5- for  
 the discharge of UNECR'S responsibilities. I already have representatives  
 and established offices in Angola, Botswana and Zambia, and I shall ttttttth  
 -4 D L. x..As\_.  
 ..b-  
 these as necessary and ensure an appropriate L.ECR presence at the departure  
 points. I shall of course assign sufficient UNHCR staff to the United  
 Nations Transition Assistance Group, with a senior officer  
 .4  
 (U  
 .4  
 I V. ' \_a\_ :1  
 en uh: :uitisesri s  
 Headquarters staff in Windhoek and field sta7:  
 In budgeting for the repatriation, UNHCR two years ago 'used the  
 . scme  
 calculations on a planning figure of 40,000 Namibians, of whom the vast -14 ,;-.  
 .nuJ s - r."  
 . "L  
 I am refugees in Angola. It is impossible to predict it advance how many will  
 elect to return voluntarily, while all Namibians outside their country are to  
 be permitted to return, not just those who are refugees and known to UNHCR.  
 Furthermore, it is our experience that much will depend on the success of the  
 5..  
 early stages of the repatriation and the confidence this engenders. Only  
 when the operation commences will we have an indication of how many Namibians  
 will actually repatriate.  
 A repatriation operation begins with appropriate publicity and the  
 registration of those who wish to return. UNHCR has a standard form for :-s  
 purpose, recording basic biographical details "and incorporating the voluntary  
 declaration I mentioned earlier. This form is generally started by the  
 authorities of the host country and serves as  
 -w-nuu  
 of identity if necessary. Copies are made for detttthte 1-; -1\_/v-: 50.7-1:  
 MG. .unw wtk. Gs.--C.-  
 ties. The question of nationality may arise, in this case T2  
 Namibian?" but we rarely encounter Gunter St? di  
 '1.  
 5' '1.-' -' -a;/e Vt- t  
 .1Cul.lcS -h ,rec--te. L k'q

the question of documentation was discussed with my representatives in August 1978 and early 1979 and single procedures agreed.

3.

Appropriate arrangements will be made with the host governments for internal transportation to the departure points. We expect that the majority of the repatriants will return by air, perhaps from Luanda and Lubango in Angola. Air transport would also be arranged from Zambia as necessary. UNECR will charter aircraft as required. There are several suitable arrival airports

4.

o

5,

f.

such as Grootfontein, Ondangwa and Windhoek. We would make separate

...x.-V

arrangements on a case by case basis for Namibians who are abroad individually or in small groups, for example studying. For those who repatriate by

5...&9

road, possible entry points have been identified, for instance at Ruacana

...r.,

Oshikango, Rundu and Katbana. Mlilo in the north, while others, for example Sandfontein for Botswana, could be used if required.

q

Upon arrival the repatriants will go through immigration formalities

euuC-A- 5-55 I

In building up the essential climate of trust and confidence, it is obviously, important that these formalities are the minimum necessary. Some form of transit facilities will be required at the arrival points

U'

f'

r!

v

Er

(D

'1

(D

'(1

(u

n

'1

.0

x

,J

(I

(u

should be able to return to their homes or any other area

as quickly as possible. We had identified potentially suitable

as necessary should not be difficult.

Thereafter, onward transportation would be arranged for the

. v-ru/v- -y-i ..Jo

To the extent possible we try and group repatriants

final destination, in order to minimize the

(J

00

H

U:

(D

,4

(I

f.)

, .

'U

'1

(I

0

6

(1:

I

In

0-1

I I

that buses will be the most suitable means of onward transport and in 1973 we had made provisional plans for the hire of buses. It is likely that the repatriants will need some continuing assistance until such time as they can reestablish themselves and become self-sufficient: Provision has been made in UNHCR's budget for such assistance for a limited period, though I would note as a general principle that we feel repatriants should be reintegrated as quickly as possible.

These, then, are the general arrangements envisaged at this stage, subject of course to final confirmation and adjustment as necessary.' In summary, I believe that with the co-operation and assistance of all concerned, on which we have already received assurances, UNHCR will be able to make satisfactory arrangements for timely repatriation as envisaged in the Settlement Proposal. It is evident that a successful repatriation in accordance with this Proposal will in itself play a significant part in the establishment of mutual trust and confidence in the whole transition process towards independence. My Office has experience of repatriation operations. Each is unique but I am confident that with goodwill the return of Namibians will be successfully accomplished, and I pledge the fullest efforts of UNHCR to that end.

Transcript: Briefing by Gen g:gg\_ghand. 2 JEDHEEX 1981

.....monitoring all military personnel performing civilian functions;

- assuring all military installations along the Northern border are de-activated.....

- and finally monitoring the de-militarized.....

The Plan to Cargz Out the Tasks in Outline

In order that the military com onent of UNTAG fulfills its

reaponsibilities, it is considered that it should have a strength

of the order of 7,506 all ranks, which will consist of the following:

1) Seven (7) self-sufficient infantry batallions of about 700 each;

2) Logistic and air-support element of about 2.300 ranks, all ranks, comprising of the following units:

- TranSport Company, 400

- Supply Company, 140

- Movement Control Unit, 30

- Postal Unit, 10

- Administrative Company 120

\_ Engineer Company, 330

- Maintenance Company, 300

- Signal Unit, 120

- Medical Company, 220

- Air Unit, 450

The Air Unit will have with it:

- 10 Fixed Wing Aircraft

- 5 HeaVy Helicopters

- 20 Medium Helicopters

- 2 TranSport Aircraft

- 2 Executive Aircraft

3) Monitor Group of about 200 officers.

These contingents will be drawn from members states of the united

Nations upon the request of the Secretary\_General. The contingente

will be selected in consultation with the Security Council and with

the parties concerned, bearing in mind the accepted principle of

equitable geogrpphical distribution.

I wish here to emphasis that once oontingents have been assigned for

service to the United Nations, these contingents will come under the

direct command of the United Nations. In other words, the military

component of UNTAG will be under the command of the United Nations,

vested in the Secretary-General under the authority of the Security

Council. The Command in the field will be exercised by the Force

Commander, who will report through the Special Representative to

e :59-

the Secretary-General on all matters concerning the functioning of the military component of UNTAG.

The Concept of Operations

Before getting into the details of the deployment of United Nations troops in Namibia, I wish to make a few general remarks, which I believe will help throw some light on our plans. These plans are drawn up with the following assumptions in mind:

1) that the parties concerned will cooperate fully with UNTAG and take all necessary steps for compliance with the decisions of the Security Council;

2) a cease-fire will be declared and observed by all;

2) all parties will adhere to the provisions of the settlement and DMZ proposals.

Two weeks after the ceasefire, a DMZ of 50 km of each side of the Northern border will be created by the governments concerned, thus facilitating UNTAG's task of early detection of any violations.

The plan is provisional, and detailed deployment of Sub-units can only be determined after detailed reconnaissance by various sector commanders.

Deployment of the Force

For Operational purposes, Namibia will be divided into three main regions: Northern, Central and Southern.

All three regions will be under the command of a Force Headquarters to be located at Windhoek. The Northern Region will comprise of a Regional Command Headquarters to be located at Grootfontein.

This headquarters would have under its command five self-sufficient infantry battalions, deployed as follows:

- one battalion in the Ruacana area
- two battalions in the Ondangwa area
- one battalion in the Rundu area
- one battalion in the Katima Mulilo area.

Each battalion will have attached four medium helicopters to give it reasonable mobility. In addition a number of monitor teams will be deployed in this region, that is the Northern Region.

We have also there a forward maintenance area, established again at Grootfontein, which will consist of the forward maintenance area headquarters and logistic control centre. With it will be located the air support unit of some fixed-wing aircraft and helicopters. There will be a second-line transport unit,

- an engineer's squadron
- a second-line maintenance and recovery unit

-b()-

- a field medical support unit
- the FMA detachment of the Signal Company
- a detachment of the Vaement Control Unit
- a detachment of Force Military Police Company
- a detachment of the Postal Unit
- a Second-line Supply Unit
- a ration depot.

The Forward Maintenance Area will be commanded by Commander Force Maintenance Area who will report directly to the Force Commander in Windhoek.

The Central Region will consist of a number of monitor teams which will have one infantry battalion there, which will have responsibility for the whole Central Region. One company from this battalion deployed in the Keetmanhoop area, and have responsibility for the South. This battalion will report directly to the Force Headquarters. A number of monitor teams will also be located in the South.

The tasks to be carried out by those infantry battalions and monitor teams will be as follows:

The tasks for the Monitors

-----

- to monitor the dismantling of the command structure of citizen forces, commandos and ethnic forces, including the Withdrawal of all members of SADF attached to these units.
- to monitor the confinement of all arms and ammunition of citizen forces and commandos to Drill Halls. To
- to monitor all SADF military personnel performing civilian functions.

And now I shall touch upon some basic tactical measures to be adapted by the battalions of the Force to fulfil the tasks given to them; ' They will carry out extensive patrolling of their sectors.

- They will establish observation posts, checkpoints, and roadblocks in selected areas of the borders.

to afford it mobility  
governments would ensure its observati  
'At the same time SV  
by the Angolan and Zamb'  
.4 Agwdmx  
a Special Representative in Windhoek. The



regularly informed regarding the exercise of their monitoring responsibilities. '

Monitoring of SWAPO buses would continue to be undertaken by the Angolan and Zambian authorities until closure, one week after the certification of the election result.

The Emplacement of the Military Component of UNTAG

As will be recalled, UNTAG is supposed to perform a number of important functions beginning on cease-fire date. To be able to perform these functions it is important that the essential element of the force should be in place before cease-fire is declared. It is therefore the intention, subject to the concurrence of the authorities of Angola, Zambia, South Africa and Botswana for the essential elements of UNTAG to arrive in the various countries well in advance of the ceasefire date. i

'As we have indicated in our discussions with them the U.N. needs a minimum of at least six weeks lead time to ensure an effective presence on the ground prior to the ceasefire date. It is also the intention to start the deployment of these elements to their various bases at least two days prior to cease-fire date so that at the appointed time and date the cease-fire comes into effect and UNTAG starts its Operations. h .

hFinally, in summing up I should like to emphasise a few aspects concerning the functioning of the DMZ. \_

Firstly, its establishment is to facilitate the implementation of the settlement proposals. And we have had thorough discussions with the authorities concerned on the modalities relating to it.

Fortunately there has been an encouraging measure of agreement in regard to the various Operational and technical questions and I should like to take this opportunity of conveying my appreciation to the authorities concerned for the co-operation and assistance they have extended to my colleagues and to me in this connection.

Secondly, the success of this enterprise will depend not only on the efforts of UNFAG, but very much on full co-operation, assistance and support being extended to UNTAG by all concerned. I am sure that you will agree that this can best be achieved through strict adherence to the arrangements for the DMZ, and I trust that the authorities concerned will issue timely and appropriate orders to their troops to achieve this common aim and purpose.

Thirdly, I believe that to maintain an effective and comprehensive ceasefire UNTAG must receive the fullest co-operation with particular reference to any troop movements in the DMZ.

This is a vital requirement as any form of troop movement outside the selected locations would inevitably lead to suspicion, to mistrust and even to serious violations of the ceasefire. Fourthly, the responsibility with demilitarizing the zone rests squarely with each of the governmental authorities concerned. Thereafter the U.N. will take over the monitoring of the demilitarized character of the zone.

Fifthly, as you are well aware the frontages and areas involved are vast indeed. And the battalions located in the DHZ are required to cover unusually extensive frontages. I should like to make the point here, however, that all hostile action is to end at ceasefire, and we shall therefore not be operating against any hostile opposition. This is the fundamental premise of U.N. Operation: and the U.N. will then be operating with full freedom of movement on the ground and in the air, assisted and supported by the authorities concerned in carrying out its role.

Thank you very much indeed, Mr. Chairman.

Statement by the Chairman - Brian E. Urquhart  
10 January, 1981

.....  
Before giving the floor to Mr. Ahtisaari to respond to specific questions raised during our last meeting, I wish to make some general comments on some of the things which were said yesterday. In particular, I wish to refer to the context in which the United Nations has been involved in the Namibia problem and to certain remarks which were made yesterday concerning the Organization. Finally I wish to refer again to the purpose of this meeting.

The United Nations has been seized of the question of Namibia since 1947. In spite of numerous decisions by the Organization as well as an opinion of the International Court of Justice, it has not proved possible until this day to resolve the illegality of the regime in Namibia, and to proceed to an internationally acceptable solution to this extremely important problem.

, frustration and a widespread feeling that the Namibia problem could not be solved through the decisions and efforts of the United Nations or, indeed, through normal diplomatic means. After nearly a generation of this frustration, inevitably other means of bringing pressure to bear came into being, to secure the right of self-determination for the Namibian people and the transition to independence of Namibia. Finding its repeated efforts to solve the problem through its decisions continually frustrated, the General Assembly of the United Nations, in line with the Organization's policy on decolonization, was obliged to respond to the extraordinary set of circumstances prevailing in the territory with measures it deemed appropriate to the situation. Parallel to these efforts, the Security Council, as well as groups of individual members of the Organization, have also been continuously engaged in seeking a means to secure the peaceful transition of Namibia to independence through an

act of self-determination in the form of free and fair elections, under the supervision and control of the United Nations. It is this latter process which has brought us here to Geneva.

Yesterday a great deal was said about the problem of partiality and impartiality and the need to create trust and confidence. Regrettably, some of the comments were expressed in terms, which, measured by any international standards, left much to be desired. In some statements, it was said that the United Nations had to prove itself before it could be trusted with the supervision of the proposed elections in Namibia.

I feel obliged to say here that this seems to me to be putting the problem the wrong way around. It is precisely because the decisions of the United Nations concerning Namibia, which date back as far as 1947, have not been heeded, that the situation has reached the present pass. In fact, in the eyes of the international community, a state of illegality exists. The Settlement Proposal has been developed with immense efforts in order to bring the situation in the territory back to a state of legality which can be accepted by all, with the aim of securing the independence of Namibia through an act of self-determination. Nothing would give greater satisfaction to the membership of the United Nations than, if it were to prove possible, in the very near future, to turn a new page in which all concerned would co-operate with the international community to attain that noble goal.

That goal has so often been frustrated or delayed that indeed there is now a serious question of trust and confidence as regards the intention to move forward; despite the acceptance of resolution 435.

The establishment of trust and confidence is always a two-way street, and it would be well to remember that the best available way of doing this would be for all concerned to proceed on the agreed path, namely the

implementation of resolution 435. That is the central task of th'"

1.:

Meeting, as set out in the Secretary-General's report of 24 November: the last

i

o

year, the conclusions of which were agreed after very lengthy consultations.

I do not wish to comment on the attacks on some of the people who have been, and remain, engaged in this extremely difficult, delicate and frustrating process. I must, however, refer to one unpersuasive, with an extraordinary lack of knowledge of the history of the peace-keeping

k. "D'

operations of the United Nations, an aspersion which I personally

regard as

grave injustice to those almost universally acclaimed efforts and --

en.

very.

memory of those soldiers from many nations, many of them from Africa, who have given their lives for peace while serving the United Nations

I do wish to say, however, that there is a very full consensus

o

of the legitimate pre-occupations of all the political

attitudes who

will take part in the elections, and of the absolute necessity that these

elections must be fair and free and not "abject to

any quarter. We fully recognize that when the peace is in the

the

Le 10 November 1948:

i

when there is a preliminary agreement to proceed with the implementation of

resolution 455 on a firm date in the near future, that a number

will have to change, because we shall be in a

situation.

In the Secretary-General's report which I presented before, it

was pointed out that impartiality had two elements

one, that is, impartiality

in the sense of impartiality under the Charter

the United Nations may reasonably require of the

so as to ensure the impartial discharge of its responsibilities under

the Settlement Proposal, and those which the United Nations wish

to adopt in order that its impartiality as to the

fair elections would be manifest. Indeed, the impartiality

of elections under United Nations

and control are fully described in the settlement proposal, which is

-67..

the basis for UNTAC. In the Secretary-General's report it is stated

that upon agreement on implementation, including the date of cease-fire and the emplacement of UNTAC, appropriate measures would need to be taken to ensure such a process by both the United Nations and South Africa. From our side we would be prepared to elaborate on these measures at the appropriate time, which, we hope, will be during this hectic itself. I have spoken at some length on this subject, because as Chlitr"

A ul'ah l

of this Meeting, I cannot let pass the unwarranted charges that have been made. Those who have spoken of a DOTSPCctivQ HUuld do "ell t3 r--r: mblr .-;, bCAH

\_\_\_o \_ . . -\_ .\_\_\_\_... ...\_\_\_\_\_,\_ J

M

/

&\_ I therefore earnestly appeal to everyone here :3

consider the perspective which I have given. I hope that you will also consider my remark that trust and confidence inevitably is a taO-Waj street and that all of us here need to make a real effort to establish

-ut

.3

a genuine basis for peace. On our side, I think we have shown very

clearly our good will and patience in this matter

Finally, I wish to revert to the main objective of this Meeting, from which we should not be distracted. I referred earlier

conclusions of the Secretary-General's report of 24 November which were agreed after long consultations. The main object of these conclusions: was in brief, to proceed jointly to the next step, namely "to attain the independence of Namibia in 1981 in accordance with resolution 435 and, to achieve this aim, to set a date for the ceasefire and a start of implementation in the early part of 1981". This Vnet'"t was a/Tend upon as a means to facilitate this aim, and in the specific context of the time-frame I have mentioned. This is the task which we have set ourselves.

I now ask all concerned to devote all of their energies and attest to that task. As the Secretary-General said at the opening : 021w: we are fully aware of the great difficulties which

( )

.3

a

t)

'1

(I

Il

3

IT

9

t)

)

..

f

')

D

h

l

\_ 68 \_

roblem and of their apprehensions and fears. As I myself said in our

P

first working session, it is very easy to wreck this pnngrprise. I

A

U

takes courage and vision 6n all sides to make it succeed. Let us proceed  
in tha spirit.

Statement by the Administrator-General, Danie Hough, 13 January, 1981  
Reacting to Brian E. Urquhart

In your statement on 10 January 1981 you stated that  
'.... it has not proved possible until  
this day to resolve the illegality of  
of the regime in Namibia."

You also added that in respect of South West Africa/Namibia  
"a state of illegality exists."

It is a pity that the question of illegality has been introduced

/-\_\_\_\_\_- hN-\_\_\_\_

at this stage of our deliberations.

F\_\_\_\_\_.i

For the sake of the record, Mr Chairman, you will allow me  
to quote to you the text of a press statement by the South  
African Minister of Foreign Affairs on 15 February 1979  
following the remark of the Secretary-General on that day that  
"the presence of South Africa in Namibia is illegal." The  
text of the release which was officially conveyed to the  
Secretary-General on that day reads as follows:

"After two years of negotiations with the  
South African Government, Dr Waldheim has,  
all of a sudden, discovered that South  
Africa is in South West Africa 'illegally'.

Does he by this wish to signify that the  
two-year long negotiations were also illegal  
and that the settlement plan is illegal?

The decisive factor in the two-year long  
negotiations, which held so much promise was  
that the parties should not insist on technical  
juridical positions .



"Now, after two years of negotiations, Dr Waldheim declares that South Africa's 'illegal' presence in South West Africa is a basic problem. He cannot invoke a single binding judgement of the World Court to make such an allegation. There exists no juridical basis for his view. Yet if South Africa, according

x \_\_\_\_\_  
to Dr Waldheim, is in South West Africa illegally,  
r1. K

(then the question arises as to whether he should trouble himself any longer with illegalities. The question arises, in terms of his own assessment of South Africa's position, as to whether we still have anything further to say to one another. The most important question, according to Dr Waldheim's own assessment of the situation, is whether he should not in future conduct negotiations with the authority

x  
which he considers as legal. The South African Government does not deny him that prerogative." The position of the South African Government remains unchanged.

Pre-Implementation Meeting

Hr, Ahtieaari: Answers to Questions : Saturdaz 10 Januagz 1281

In the course of our meeting yesterday afternoon, certain specific questions were asked of the United Nations. I wish to answer them this afternoon.

,Hr. Kirkpatrick asked a series of questions centring on two subjects. First, on what basis is the Constituent Assembly to take its decisions, and second, what would be the principle on which the elections will be held? These are important matters for all Namibiana, and I feel sure, Mr. Kirkpatrick will agree that the settlement Proposal contains no specific provision which will enable us to answer him precisely. Certain things, however, are clear. First, as we emphasised at our meetings yesterday, the settlement Proposal provides that the "elections will be held to select a Constituent Assembly which will adopt a Constitution for an independent Namibia. The Constitution will determine the organisation and powers of all levels of Government". It goes on to state, 1335; Elia; that the electoral system "will be promptly decided upon g3 as to give all political parties and interested persons, without regard to their political views, a full and fair opportunity to organise and participate in the electoral process". It also states that the campaign shall commence only after the Special Representative "has satisfied himself as to the fairness and appropriateness of the electoral procedures". Overall, while the Proposal makes it clear that it will be for the Administrator-General to conduct the elections, they will be held under United Nations supervision and control.

Thus, it will be for the Administrator-General to draw up proposals as to the form of the electoral system. It is the Special Representative's duty to satisfy himself as to the fairness and appropriateness of what he has suggested. I mentioned yesterday the importance which I would attach to the process of consultation with all political parties. They would doubtless wish to express their views to me on this. as on other subjects. I do not think that it is possible to take the matter further at this time. i

As to the functioning of the Constituent Assembly, the Proposal states that it will meet immediately after the certification of the election results. It will conclude its work as soon as possible. The Proposal does not state how it will take its decisions. Accordingly, various possibilities, some of which. were referred to by Mr. Kirkpatrick, are open to it. It will be convened under the law relating to its election.

The draft of this law, like the others to which I have referred, will be prepared by the Administrator-General and I, as Special Representative, will need to be satisfied that it is fair and appropriate. As I have said, I shall maintain these consultations with the various political parties. Whether the law should contain a simple or weighted majority system for decision-making by the Constituent Assembly, whether it will make provision for referendum in any circumstances, at whether, once elected, the Assembly will decide its own procedure, could be determined only after implementation, following the approach which I have described.

I will turn now to the question put by Mr. Diergaardt. The first related to the statement made by the High Commissioner for Refugees, Hr. Battling: .

who is going to distinguish refugee from foreigner? and will there be any identification or can anybody claim the right to come back?

As the High Commissioner for Refugees explained, those wishing to return will complete a standard repatriation registration form, recording basic biographical details. The countries of asylum know the origin of those to whom they give refuge and attest to this. There will be immigration formalities on arrival. UNHCR sometimes encounters concern on the question of identification in advance of repatriation but problems have rarely arisen in its recent experiences.

His next question related to the demilitarized zone. Would UNTAC carry out the demilitarization of the zone? On this, the position is clearly set out in the documents whose details have been under discussion since October 1979. It has been agreed that each Government concerned will be responsible for the demilitarization of its portion of the zone. Their police forces will remain in the zone and will extend full co-operation to UNTAG. UNTAG will be responsible for monitoring the demilitarized character of the zone. It will conduct regular and frequent patrols by air and land. Should any apparent violation be observed at any point within the zone, UNTAG forces will, after appropriate investigation, take or initiate prompt action to ensure compliance. In Namibia, the appropriate action will be in accordance with the settlement Proposal. In the area of the DMZ in Angola and Zambia, UNTAG will inform the Government concerned which will thereupon ensure compliance with the ceasefire and the demilitarized character of the zone.

The next question referred to any possible attempt to send armed personnel to Namibia after the cease-fire. This would be in breach of the settlement Proposal and action would be taken accordingly.

Mr. Diergaardt's next question asked what would happen if a party sought to stop the electoral campaign by the use of force. This would be an extremely serious violation of the settlement Proposal which, as was noted yesterday, contains a number of provisions on the prevention of any form of intimidation. Primarily, of course, the duty to deal with the matter will rest with the local police, for, as Chief Superintendent Fanning stated yesterday, quoting the agreed settlement Proposal, "Primary responsibility for maintaining law and order in Namibia during the transition period shall rest with the existing police forces".

It would be my duty to satisfy myself that the proper implementation of the electoral process was undisturbed by any such actions coming from any source. Paragraph 10 of the Proposal further provides that the Special Representative "will take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter". Any attempt, from any quarter, to perpetrate any such gross infringement of the Proposal would, if necessary, lead to a special report to the Security Council for its consideration and urgent action.

A further question related to action which might be taken by UNTAG in the event of any attempt to cause disruption after the certification of the election results. This, too, would be a most blatant breach of the settlement Proposal. All the parties concerned have undertaken to respect the outcome of the elections.

As regards deployment of the military component throughout the whole of the DMZ, the South African Government has already been informed that this would indeed be the case, in terms of its operational functioning. UNTAG would patrol throughout the entire zone, as I have already mentioned, both by ground and air. Various logistical facilities would accordingly be provided by the Angolan and Zambian authorities, as they have already

'v  
agreed.

As to the question, whether the final decisions on deployment will be taken before implementation and after due consultation, it will be perfectly clear to everyone that the Force Commander must be able to take decisions on deployment according to his own professional judgement. General Prem Chand yesterday outlined the nature of UNTAC's military deployment proposals. Final decisions cannot, of course, be taken in the abstract and must rather be taken in the light of the circumstances which exist at the time of implementation.

Mr. Diergaardt's final question referred to Namibia's relations with the rest of the world after independence. Namibia would, of course, after the process foreseen in the settlement Proposal, become a fully recognised member of the international community with all the status, rights and privileges which would follow from such a position.

SVLPO PRESS RELEASE

GENEVA

10th January, 1981.

South Africa committed itself to the UN Plan on 25 April, 1978, but instead of proceeding with the implementation, Pretoria has created various internal structures in Namibia in defiance and violation of UN Security Council Decisions. Also, instead of implementation, the regime has raised various obstacles from time to time; and as each of its objections has been met, the regime now raises the question of UN impartiality, at a stage when South Africa has already agreed to a detailed UN Plan for the Independence of Namibia, which Plan has been worked out with the full participation of the South African regime. The Pre-Implementation meeting has been convened by the UN Secretary-General at the request of South Africa in order to work out the implementation of the Plan and to enable South Africa and SHAPO to finalize, with the UN, any outstanding details about the implementation of the Plan.

In order to make progress and begin the implementation of the UN Plan, SVAPO and the African States agreed to the Pre-Implementation Meeting now taking place.

On the eve of the Meeting, South Africa's Foreign Minister threatened to withdraw from the Meeting, but then, in fact, his delegation participated in the proceedings. However, the leader of the South African delegation has so far arranged for its so-called internal parties to make

irrelevant and insulting attacks and absurd claims which have nothing to do with the modalities for implementing the UN Plan for the Independence of Namibia. There has so far been no statement from the South African regime as to whether, like SWAPO, it is ready to declare a cease-fire and begin the implementation of the UN Plan.

South Africa should declare its position clearly as to whether it is ready to implement the Plan on 31 March 1981, as proposed by the UN Secretary-General and agreed to by SWAPO, or whether it now wishes to go back on its agreement and reject the UN Plan for the Independence of Namibia.

At the Pre-Implementation Meeting, SWAPO has reaffirmed its support for the UN Plan, declared its readiness to order a ceasefire, and its readiness to implement the UN Plan on 31 March 1981.

It remains for the South African regime to make a clear declaration about its position regarding the UN Plan for the Independence of Namibia. In the absence of such a statement it is impossible to move forward to any detailed discussion in the UN Plan which may require clarification.,

i%iiiiii%%

Smith West Africa'PmHe's Urgamsamn (SWAP!) m Mamiisiai  
'(I  
Solidarity \_ Freedom - Justice  
PRESS STATEMENT  
21  
Sam Nujoma  
President of SWAPO  
Geneva 12th Jan 1981



Ladies and Gentlemen of the Press,

I would, first of all, like to thank you for having responded to our invitation to this press conference. We are fully aware of the role which the world press has played in explaining the situation which is prevailing in Namibia. We are also aware of your responsibility. As you may recall, our position regarding this pre-implementation meeting was made clear at the opening of the meeting. We stated then that SWAPO delegation has come to Geneva to discuss the modalities of the dates of the signing of a cease-fire agreement and the implementation of the UN Plan. This is our sole objective for coming to Geneva. We believe this position is well known. We want to proceed, without any further delay, to the real issue.

Ladies and Gentlemen of the Press,

We considered it important to point out the fact that while the SWAPO delegation is ready to proceed with the cease-fire agreement, there has been as yet no such commitment from the Pretoria delegation. There has not even been an indication that the South African delegation is ready to discuss and agree, at this meeting, to definite dates for a cease-fire and the implementation of the UN Plan for the independence of Namibia. All that we know so far is that on the eve of this meeting, the South African Foreign Minister has stated in Pretoria that the major problem is the so-called lack of United Nations impartiality.

It is important to recall that the international community considered it necessary to entrust the United Nations with the responsibility for supervising and controlling the transitional process to Namibia's independence because South Africa was definitely and violently hostile to the Namibian national liberation movement and to all Namibian patriots who want genuine independence for our country. The fact that South Africa is violently opposed to the forces of liberation and patriotism in Namibia is demonstrated by the intensity of repression in the form of arrests, detentions, torture and cold-blooded murder of those Namibians who dare to oppose South Africa's illegal occupation of our country.

Thus, the concern of the international community and those who have helped in drawing up the UN Plan for Namibia's independence was to ensure that South Africa does not use its administrative machinery, police force and various other armed security agencies to intimidate the Namibian people and thereby prevent them from exercising their democratic rights in electing leaders of their choice.

Ladies and Gentlemen of the Press,

It is absurd that the colonial power which in actual fact is responsible for organising the elections should be the one to demand "impartiality" from the United Nations. It is rather that the UN and the international community should require assurances from South.Africa.

Ladies and Gentlemen of the Press,

Instead South Africa has, after agreeing to the Western proposals on 25 April 1978, acted in bad faith by:

- (a) organising bogus elections in Namibia in December of that year;
- (b) created the so-called National Assembly in 1979; and
- (c) established the so-called Ministers' Council and the so-called South West Africa Territorial Force.

As is well known, the illegal occupying power continues to detain, torture, and imprison many of our leaders and militants. Furthermore, Pretoria is presently carrying out nation-wide forced conscription of Namibian youth in its repressive army of colonial occupation in our country. Apart from all these manifestations of bad faith, the South African regime has in the course of over three years of negotiations deliberately placed one obstacle after another in the way of implementation of Resolution 435. It has raised innumerable objections to every one of the UN Secretary-General's reports; and as each demand has been met, it has raised new ones, every time injecting extraneous issues into the negotiations. The so-called 'issue of impartiality is the latest in this long chain of unreasonable demands.

-80'-

ladies and Gentlemen of the Press,

The central question before this meeting and the world at large is whether South Africa is in fact ready to abandon its illegal occupation of Namibia. It is the responsibility of all of us, to demand from South Africa a clear and definite answer as to whether the Pretoria regime is ready to agree at this meeting to definite dates for a cease-fire and the implementation of the UN Plan for the independence of Namibia.

We would like to point out in conclusion, that while South Africa is allowed to continue with its delaying tactics, its tyranny and oppression of the Namibian people is being intensified, and its military aggression against the neighbouring states of Angola and Zambia has increased. In other words, the situation in Namibia and in the region has continued to deteriorate with ever increasing loss of lives and destruction of property. Unless the Pretoria regime stops its delaying tactics, violence will inevitably escalate, thus further endangering peace and security in the region. This dangerous situation must be averted. It requires the serious and immediate attention and action of the international community and the world public opinion.

I thank you very much for your attention.

\_\_\_\_\_.

In presenting our case last Friday, we very deliberately refrained from raking over the past, except for referring to resolutions still in force and aid measures still being carried out committing the United Nations indisputably to the sole cause of SWAPO whilst, at the same time, offering itself as the impartial umpire prepared to sit in judgment in the dispute between SWAPO and the peaceful South West African parties. :Despite the fact that we had our misgivings and reservations about resolution 435, we confined ourselves to the merits of the case: practical matters concerning the implementation thereof - matters that go to the very root of the case. In order to put things right we made certain very reasonable demands, the object of which was to place parties on an equal footing at the same time affording the United Nations the opportunity (perhaps undeserved?) to prove its so frequently Hauded impartiality. We could have resorted to technical matters: we could have referred to the fact that South West Africa, being a C-mandate, was never supposed by the international community to become independent; we could have referred to the fact that General Smuts conducted a plebiscite in 1946 conforming with international standards whereby we, the/...

the inhabitants of South West Africa, exercised our right to self-determination, but that the United Nations stopped us from implementing that decision on the ground that the population was not ripe to exercise its inalienable right - thereby causing an international dispute about South West Africa; we could have referred to earnest attempts to resolve the said dispute such as the Arden-Clarke Commission whose recommendations the United Nations refused to implement, the Carpio Commission whose report landed in the wastepaper baskets of the United Nations, the South African offer during the International Court proceedings in 1970/71, to hold a plebiscite under the supervision of the International Court which offer was rejected, the invitation to the Secretary-General in 1972 leading to an agreement between South Africa and the Secretary-General's Special Representative (Dr EScher), the implementation of which agreement some people sitting here today, were involved with, but which was ignored by the United Nations. We could have made all these allusions and many more. We did not. We confined ourselves to the point in issue. It was consequently an unexpected and unqualified disappointment to hear how the Chairman, without even referring to our reasonable demands, specifically tried to/...

to exculpate the United Nations, to hide behind flimsy excuses and to make South Africa the sole scapegoat for the problem. We are not here to defend South Africa or to try to justify the approach they have adopted over the years. We are here in an attempt to find a solution to the problem of our country. We want to do so seriously and constructively. We are not interested in a ping-pong game between South Africa and the United Nations on matters such as legality, etcetera, while South West Africa has to pay the price.

We raised the question of impartiality and equal chances for participating parties, which we consider not only to be cardinal, but also EEline. Once agreement has been reached on these vital issues, and impartiality seen to be applied, one can tackle such immense difficulties such as intimidation, the DMZ, the impartiality and ability of individual officials, UNTAG, its composition, numbers, activities, etc. But we do not make any progress. We are taken to the Palace for a meeting. On our arrival we find that we have to wait for up to an hour before commencing. Shortly after having come together, the meeting is adjourned again. While all these things are taking place, South West Africa is going through a very difficult phase: Ovamboland/..

Ovamboland is war ridden, large parts of the country are subject to a severe drought, unemployment has shot up to about 10 per cent, money is leaving the country. Stability and confidence in the future must be restored and restored as soon as possible.

We are concerned about our country and not about our personal positions. We come to the conclusion that this conference is a futile exercise because there is no earnest attempt on the part of the I 'ons or SWAPO to get to the heart of the problem.

In the circumstances we are left with no option but to go home and to try and work out solutions to the problems set out earlier, and to work out those solutions with all those who really have our interests at heart and who are genuinely prepared to co-operate with us.

ADDRESS BY MR D.F. MUDGE, CHAIRMAN  
OF THE DEMOCRATIC TURNHALLE ALLIANCE (DTA)  
TO THE CONFERENCE ON NAMIBIA:  
GENEVAz 13 JANUARYz 1981

Mr Chairman,

I thank you for the opportunity of addressing this conference. For the first time since the Western Powers took the new initiative during the first quarter of 1977, leaders of the Democratic parties from inside Namibia are now given the opportunity to speak for ' themselves on the substance of the issue. This is real progress. It is nevertheless true that the right to do so was grudgingly yielded and that this conference is far from being a symbol of the impartiality which is the principal subject of discussion. The conference was delayed for ten hours while the simple right of my delegation, and others, to be introduced was debated and contested. Our opponents in the proposed elections would dearly like to keep us nameless, faceless and especially voiceless non-persons, and the United Nations was only with difficulty persuaded to take another view. Since then efforts have been made to keep us muzzled - as has happened for years in UN organs - by expecting us to work in closed sessions only.

Moreover, the indignity was imposed on us much against our will, of having to attend this conference as part/...



part of a delegation headed by the Administrator-General, instead of in our own right. But I want you to know that I am a Namibian, not a South African. As a native born Namibian I am present here and address you. And when I speak, I have the interests of all peace-loving Namibians at heart, regardless of ethnic ties or skin colour. This is the land that I cherish.

Furthermore, I speak on behalf of a party that has consistently insisted that South West Africa/Namibia must become independent as soon as possible under a government that recognises and takes account of the inalienable rights and reasonable aspirations of the inhabitants and under a constitution that assures the protection of their basic rights.

It must also be noted that past negotiations about the future of South West Africa/Namibia were directly between the United Nations or other interested parties and the Republic of South Africa. The democratic parties were not directly and formally invited to express their views on these matters. Can it reasonably be expected of us now to reach a cease-fire date within the course of a few days and to start implementing a plan about which we were formerly only consulted via the back door?

We/...

we want to solve this problem ourselves; in the first place; for the sake of our people and not hurriedly to relieve the international community of one of its political headaches. We are not willing to allow external forces or pressure groups, which are very often prepared to support and finance political movements so as to manipulate them for their own purposes, to use our country as a base for a new kind of imperialism; 'i' \_ 'f t'

We have not only campaigned for and agreed to independence but we have, despite severe misgivings, also accepted resolution 435 in so far as it provides for a democratic settlement and elections, supervised by the United Nations.

We are not reassured by the fact that a very large percentage of the members of this organisation and even of countries which, according to tentative arrangements, will be directly involved in supervising this democratic election, does not know what a democratic election means because they do not have, and some have never had, a democratic system themselves.  
Resolution/..

Resolution 435 Should have been implemented 1h VL  
 197h. We urged implementation on the Secretary-General's  
 We urged the acceptance of a cease-fire date of .  
 26 February 1979. If it had been so implemented the  
 violence would by now have been laid to rest. The fact is  
 that it was not, was not our fault.. The delay was the  
 result of deviations from the original proposals by the  
 Secretary-General, brought about by some as yet inadequately  
 explained intrigue, without any consultation, at the  
 behest of some, who wished at all costs to avoid fighting  
 an election. Thus they refused monitoring of their bases  
 and demanded bases in South West Africa, where they had  
 never been able to establish any.

The DTA, being a democratic party, is in favour  
 of a peaceful solution to the problems of our country.  
 But unfortunately moderate parties labour under the  
 disadvantage of obeying rules and subjecting themselves  
 to the law, even laws of which they disapprove.  
 Because democratic parties do not use force  
 and intimidation to achieve their aims and because they  
 are not prepared to kill people cold-bloodedly in the  
 name of a so-called freedom struggle, they tend to be  
 disregarded/...

disregarded while a premium is placed on militant  
7' violence. A stigma is placed on independence achieved  
by peaceful means while concessions are made to the  
blitzkrieg that comes through the barrel of a gun.  
There is no longer a need for any party to-  
fight for the independence of Namibia, because  
independence for our country has been agreed upon by  
all parties concerned, including South Africa. Parties  
continuing terrorist activities are doing so because  
they fear elections and are determined to seize power'  
regardless. However, if SWAPO persists with its  
"armed struggle" SWAPO will be defeated in combat.  
Indeed, severe defeats are being inflicted on SWAPO.  
Small wonder SWAPO is eager to sign a cease-fire agreement.  
But if the choice was ours, we would not continue with a  
bush war, preferring a peaceful solution. We have  
nothing to fear from SWAPO in a free and fair election.  
As a matter of fact, we are looking forward to such an  
opportunity.  
But then this process must be fair and the  
outcome of this election must not in any way be influenced  
by/...

by external factors. This is one of the crucial elements of the settlement. No party must have psychological advantage. The political process leading towards independence must be based on the elementary rules of democracy and must be supervised by a body whose impartiality stands beyond any doubt.

The second crucial factor is that conditions of peace and absolute security must prevail during the election, for otherwise the victor is fear.

The third essential component is that those who vote must be assured that the Government they return will uphold democracy, permit them to vote again and protect their rights - that it will not be a case of "one man, one vote, one time".

What is the issue at this conference? It is not independence for Namibia. That objective has already been agreed by everyone. It is not one man, one vote, or the territorial unity of Namibia, or United Nations supervision of the electoral process. There has been agreement on these fundamental issues for three years. It/...

191-

. . . . . J

It is not even whether we should proceed rapidly With an  
Jelection. The DTA is in agreement with all parties  
'eonerhed that we should proceed with an\_election at  
. the earliest realistically possible date and that  
tNamibia should take her rightful but long-denied place  
in the family of nations as soon as can be arranged. '  
But the issue 15: . can all the parties that contest the'  
election be put in the position of having an'equal  
chance on the day that implementation of the settlement  
commences? Can extraneous influences on the election be  
be eliminated so that the electorate votes only on the  
basis of the policies of the parties? The DTA seeks no  
unfair advantage such as presently enjoyed by SWAPO.  
Only parity. But then this equality of opportunity to  
\_ win the election must be real, must be comprehensive,  
must be as nearly complete as attainable. Only then is  
a free and fair election possible. And only if the  
United Nations initiates a process calculated to bring  
this objective about can trust and confidence be built  
up in the ability of the organization to act impartially  
in the role of referee.  
The/...

'1 and practical but totally unjustifiable advantage, for  
\_ 92-

x  
The United Nations has a history of unfair ;  
and unacceptable bias in favour of SWAPO stretching  
back for twenty years. . That is undisputed. ' There is .6  
'no need for me to tabulate all the advantages SWAPO has  
enjoyed in and from the United Nations. They are  
a matter of record and the grossest excesses are well"  
known) To counterbalance SWAPO's enormous psychological

Y  
example, of having enjoyed, by courtesy of the General  
Assembly, the title of sole authentic representative -  
of the people of Namibia for the past seven years. Has  
and the status of permanent observer for forty years; Will  
. require ingenuity, application and consistency by the  
organization ultimately responsible - the United Nations.  
Other parties thus far deprived of the right to  
participate in the General Assembly and Security Council  
must be conceded that right and if the Council and office  
of Commissioner for Namibia are not to be abolished as  
no longer relevant, SWAPO's exclusive influence there  
must be neutralized. Apart from political favouritism,  
'SWAPO is the recipient of millions of Dollars of financial  
and propaganda support from the United Nations, which  
would also have to be counteracted before the DTA would  
be/.

: 93- d

a

be willing to stake its future on an election that  
k I could not otherwise be characterized as fair. The DTA  
I would be glad to have a United Nations-financed office  
in New York. Moreover, the DTA would deem it essential  
that the emphasis of the propaganda of the Department  
of Public Information be switched from a pro-SWAPO bias  
to disseminating in equal degree the viewpoints of other  
1 .

parties. In particular the DP'II would need to stress in  
- an intense long-term campaign the authenticity and  
equality. Of all the parties.

While it might be sufficient in some cases 105  
the advantages hitherto enjoyed by SWAPO to be terminated,  
that would often not be the case. The DTA wants a voice  
--equivalent to SWAPO's in the General Assembly. We are4\_w  
not afraid - rather we would welcome the opportunity  
of debating SWAPO in the Assembly - and in the Security  
Council. Terminating their rights now and continuing  
to deny the DTA those rights, will not help me unduly.  
SWAPO has had a voice in the highest United Nations  
Councils for years; Give me that voice too and I can  
consider it equal and fair. After all, the United Nations  
is entitled to hear all points of view. 'Much the same  
considerations"pertain to many of the United Nations  
support/.



sLL

support programmes. I ask you to be politically realistic. I ask any political leader to stand in my shoes and settle for less. Who can justifiably allege that by claiming this equality of free speech I am firing the first shots in an election? That argument holds no water. When I start my election campaign I will tell the voters about DTA policies. Now I am telling the world I want a fair deal, a fair basis for the election,

I do not propose spelling out to you, Sir, how the United Nations can correct the existing imbalance in regard to a myriad of subjects. The United Nations now admits it has been partial. The United Nations now admits it must needs be impartial. That means across the board. Then let the United Nations proceed. It is not for me to supply a shopping list of items that must be corrected. It is for the United Nations to create a balanced situation in all respects. Then the question of mutual trust and confidence will resolve itself. But trust and confidence is not something that can be switched on and off like an electric light switch. By/..

By its very nature it is something that grows organically over a period of time; which needs to be carefully nourished. It is not possible by the mere adoption of a declaration or passing of a resolution to erase from people's minds, or from the concerns of political parties the memories of years of unequal treatment or the fears of duplicity, and to set human hearts beating in unison. 'It is for the United Nations not only to abandon its old ways but to demonstrate over a reasonable period of time that it can and will consistently behave even-handedly, I declare that in these circumstances the present 'h difficulties of the DTA concerning implementation of the settlement proposal will thaw, much as the snow around this beautiful City will gradually disappear with warmer weather.

Some of our critics assert that these adjustments by the United Nations are not practicably attainable. I defy any political leader worth his salt to say that, in my position, he would not regard them as reasonable. It was not the DTA that caught the United Nations on this particular hook. Why should the DTA's claim to equal treatment now be sacrificed in order to get the United Nations, and other parties involved in this initiative, off that hook?  
It/...

' It is said that what is lacking is political will on our part." Political will is not involved in: I an invitation to participate in a manifestly unfair election.' Where political will is called for is on the side of the United Nations. The United Nations must take the steps which it knows will be unpopular but which are essential to create the conditions for fair elections and thereafter mutual trust and confidence. Mr Chairman; peace and security are an absolute prerequisite to a free and fair election. Our country is under attack by SWAPO. It is. not a conventional war. Their methods are terrorism, violence and intimidation; their victims almost exclusively civilians, almost exclusively black people. It is not a war of our choosing. The alleged objective is independence for Namibia but, as this has already been conceded, the war is pointless, unless the real objective is to impose a tyranny on the Territory. The defence of our countries and ourselves became essential and South Africa therefore assumed responsibility for that defence. Consequently the judgements and decisions about such technical matters as deployment and demilitarized zones, monitoring and troop strengths are not/...

; 97-

not essentially within the province of the DTA's  
s\_concerns and I do not intend to deal with them in  
,Tdepth today.

Nevertheless, the DTA is very much concerned  
about the general principle. We have not forgotten that  
in 1978 Mr Nujoma said:

S .--"The question of black majority rule is  
' out. We are not fighting even for majority I  
Vrule. We are fighting to seize power in  
Namibia for the benefit of the Namibian people.  
We are revolutionaries"

Apart from assassinating outstanding authentic  
hleaders of South West Africa, such as Clemens Kapuuo and.  
Toivo- Shiyagaya, SWAPOV, during V'the period 3 July 1978  
to 25 June 1980, assassinated 278 civilians by one Or  
other means, seriously injured 227 and abducted 385, the  
- latter mostly school children. SWAPO have never given  
any reason to believe that they have any intention of  
desisting from their terroristic activities merely because  
an election is in progress. They have refused to have  
their bases monitored by UNTAG, leaving them free to  
infiltrate through the proposed demilitarized zone -  
which/.

which, because of its size and harsh terrain, UNTAG has not the slightest hope of monitoring satisfactorily - and to intimidate at will. Additionally, they will be able to build up their forces during the seven-months settlement period, as much as they please so that they can invade Namibia, with its monitored South African troops reduced to 1,500 in two bases, if the election does not go their way. Moreover, SWAPO refuses to . return without arms to South West Africa, once the settlement process begins, as they are obliged to do in terms of the settlement. Why?

One of the DTA's major concerns about security is that there is no definition of what would constitute a breach of the agreement. Intimidation by violence or threat must be so regarded, as must sporadic bombing and other tactics of dislocation. It is essential that a method be devised in advance for quantifying and evaluating incidents to determine what constitutes a breach.

What follows on from this concern, and what is much more serious, is that the people of Namibia and the democratic parties are totally without protection or security in the event of SWAPO breaches, or disputes about breaches. This is because their first recourse would be to the Special Representative of the Secretary-General/,,\_

General, who happens also to be the Commissioner for Namibia (reappointed in December 1979), One of whose specific functions is to support SWAPO. The last resort of these prejudiced individuals and parties is the Security Council but, even assuming that the Five Western powers would put their case in the face of the inevitably hostile political pressure; Who here can seriously believe that a resolution condemning SWAPO- and calling it to order would obtain the necessary number of votes in the Security Council; more especially that it would not be Soviet-vetoed? Would SWAPO in any event in any way heed such a resolution? In the meantime SWAPO'S illegal activities could well be decisive in determining the course of the election. Where is our protection? The Western Five could fruitfully consider addressing themselves to our very real fears in this regard. I may say that there is nothing in this or my immediately preceding proposal, concerning the possible definition of breaches, which is inconsistent with the settlement proposal.

Finally, Mr Chairman, free and fair elections necessarily imply the continuation of the democratic process and the maintenance of political, economic and civil/...

-100.-

civil\_rights after the election, whatever its outcome.  
This is the basic understanding and unwritten contract  
which underlies all democratic processes.-

/

'Let us cut through all the verbiage and  
pretence which have characterized this exercise:se:#fi'  
far and confront the:central issue: the people 9ft.  
' Namibia are being asked by the international community  
to participate in an election process which might well.  
lead to the termination of the democratic system in

x  
x.  
our country and to the end of our civil, political  
and economic rights. This is not like in election in ix  
Western Europe or North America where basic rights.  
are guaranteed indefinitely whatever the outcome. What  
is at stake in Namibia is the continuation of the human  
and political rights which the Western Five demand for  
themselves and profess so vociferously to support.  
What we are talking about is the continuation,  
inter alia, of regular elections, the freedom of speech,  
the freedom to form political parties, a free and  
independent judicial system and a free economy, with  
respect for property.

The democratic credentials of my party are  
there for all to examine. We were not appointed by  
the/...

the General Assembly.. We were chosen by 80 per cent  
.of the people of Namibia in elections which over  
300 observers and members of the international press.  
is judged to be free and fair. We have in all our dealings  
.conducted ourselves in accordance with the best  
traditions of parliamentary democracy, and we have  
committed ourselves to continue to do so in the future.  
.We have a legislative record of which we are proud.  
Under our administration racial discrimination has been  
virtually eliminated from Namibia. A Bill of Human Rights  
. has been adopted by the National Assembly. For the first time Namibia is being governed by Namibians.  
But above all, Mr Chairman, we are a multi-racial party.- We are the only Namibian party which has  
succeeded in attracting the loyalty and expressing the aspirations of all Namibians from the Orange to the  
Cunene, from the Atlantic to the Zambezi. My delegation  
which is seated here today bears living testimony of  
this reality. We are, in short, a democratic and  
.multi-racial party which has been endorsed by 80 per  
cent of the people of Namibia. We stand ready to lead  
our people into independence, freedom and prosperity;  
We/...



We are confident that we would win free and fair elections. But what should happen if SWAPO were to win? Why is it that we doubt their qualifications to maintain democratic standards in Namibia?

Firstly, because SWAPO's avowed platform and philosophy do not admit the possibility of the continuation of basic political, civil and economic freedoms, but predicate the inevitability of a totalitarian one-party state.

Secondly, SWAPO has been shown by the conduct of its own internal affairs that it is an undemocratic and dictatorial organization. It has failed to hold regular congresses. It has purged those elements which have not agreed with the dictates of its leadership; it has imprisoned or detained, and even executed, without any judicial process, large numbers of its own followers; it has sought to achieve its political objectives by intimidation and terrorism.

Thirdly, SWAPO is an ethnically based organisation. It has proved to be intolerant of, and has discriminated against, members who do not belong to the dominant ethnic group/...

'- h-ld3l

group 7 look, for example, at the position of CANU.

'Fourthly, SWAPO is excessively dependent on it.

A: the Soviet Union and its satellites - countries with  
undeniably totalitarian and repressive systems. 'SWAPO's  
dependence on the USSR would seriously jeopardise the indepen-  
dence of Namibia and the basic freedom of its  
peoples, should SWAPO win the proposed election.

These; Mr Cheithah; are the reasons why we

do not believe that SWAPO would maintain democratic

standards should it win the election. We categorically

challenge SWAPO to lay its platform before the

electorate; instead of insisting that it should be

given a blank cheque. We categorically challenge the

United Nations and the Western Five to deny that our  
concerns are valid.

Yet the Five, who have had such a great deal

to say about human rights around the world and in

Namibia, expect us, the people of Namibia to stake

all our rights and freedoms on one turn of the electoral

roulette wheel. What gives them and the international

community the right to gamble in this fashion with our  
future/...

-104-'h

future? 'As players in this game, where is their stake? What are they prepared to put up to guarantee the rights which they expect us to jeopardise? Nobody, least of." .all those who profess some belief in democratic standards, ' i can honourably press us to gamble our future in such a fateful fashion without offering us credible assurances that we would not lose all.

x

Mr Chairman, we have now been at this conference for seven days: In All that time there have been only three or four formal meetings. True, there has been a good deal of scurrying about behind the scenes and there have been a number of cocktail parties and excursions. But when are we really going to get down to business? When is all this shadow boxing going to end? You are well aware of our general concerns relating to impartiality and security. But it was the United Nations which created these problems and it is the United Nations which will have to solve them. They cannot expect lists and guidance from us. You are all aware of the justifiable concerns of the people of Namibia concerning the continuation of our basic rights.' But it is not for us to spell out the details. We/...

#1051

w;

.-

'4tWe eahe here to give, an& to receive assurances. We have given eur assurances to the people of Namibia; 'But what of SWAPO? They have hardly said a word during the eonference. Under whose instructiohs have they maintained their uncharaeteristic and impassive ' silence.i Have their coaches berhaps advised them that it is better te keep quiet ahd be suspected 6f being totalitarians and tyrahts than to open their i mounths and leave ho doubt about the matter? Or has 'h' the United Nations, as usual, been speaking on their .sir' behalf?

-Mr Chairman, this then is our situation.

We are freel& ehosen representatives of all the Namibian people. We are a multi-racial, national, and demecratic party.- We dearly wish to lead our people to independence and to take our rightful\_place in the family of nations. For this reason we accepted resolution 435. Fer this reason we look forward to elections which would be truly free and fair. But we insist that the elections should be conducted in an atmosphere of peace and secqrity; And we insist that there should be reasonable and credible assurances/...

assurances that after the election the democratic system and basic political, civil and economic rights would continue to be respected.

Mr Chairman, the concerns which I have.

expressed are valid, by all standards of equity the questions which I have asked are reasonable. It is now for you and the international community to decide whether you will be able to allay our concerns and to answer our questions. It is now for you to decide whether you are prepared to move together with us on this basis to free and fair elections and to a truly independent, multiracial and democratic Namibia.

-107 -

Statement of the South African Administrator General, Danie Hough, at the Namibia-Conference of the United Nations, made on January 13, 1981 (in the afternoon).

" In the light of the proceedings thus far it is clear, that the questions raised in Paragraph 19 of the report of the Secretary General (S -12 266) have not been resolved.

It would therefore be premature to proceed with the discussion of the setting of a date for implementation."

For your information :

Paragraph 19 of report S - 14 266 (24 November 1980) reads :

W

"One of the main obstacles to progress in negotiations hitherto has been acute mutual distrust and lack of confidence. The mission was informed by the South African Government that this problem in itself affects the setting of a date for implementation. It was also informed that, if this obstacle can be overcome, the end of 1981 would be a realistic target date for the independence of Namibia."

STATEMENT DELIVERED BY SAM NUJOHA PRESIDENT OF SHAPO TO A WORKING

.....J.....J  
SESSION OF THE PRE-IMPLEMENTATION MEETING, 922212.

14 JANUARY 1991

Mr. Chairman,

Your Excellencies and Participants,

Since this is the first time that the SWAPO delegation is taking the floor in the closed session of this meeting, I would like, on behalf of my delegation, to thank you, Mr. Chairman, for the commendable manner in which you have been conducting the meeting. I wish to assure you again at this late stage of our readiness to co-operate with you in the efforts of the United Nations to bring about genuine independence in Namibia, through speedy and unfettered implementation of Security Council Resolutions 435 (1978) and 439 (1978).

Mr. Chairman, during the open session, when I had the privilege of introducing the SWAPO delegation, I stated that we have come to Geneva to discuss the modalities concerning the dates for the signing of a cease-fire agreement and the emplacement of the United Nations Transition Assistance Group (UNTAG) in Namibia, thus opening the way for the process of implementation.

I have re-iterated, over and over again and yesterday in my press conference, to the world public opinion that SWAPO is ready to proceed at this very meeting to sign a cease-fire and to agree to a target date for. Unfortunately, Mr. Chairman, at no point throughout this meeting, and not even now, has the South African delegation made a similar firm commitment regarding Pretoria's readiness to sign a cease-fire and agree to a firm date for the beginning of the implementation process.

Instead, this august meeting has been subjected to the most intemperate attacks and vilifications by members of the South African delegation to the work of this meeting.

Mr. Chairman, in the face of South Africa's manifest intransigence and prevarications, this meeting cannot escape the obvious conclusion namely, that this meeting, like all the other previous efforts by the international community to find a peaceful solution to the Namibian problem, has failed to achieve this noble objective.

Consequently, the oppressed people of Namibia are left with no other alternative but to continue with the liberation struggle until final victory.

We are confident that Namibia will be free. No people have ever been kept in permanent oppression. The question is: at what cost? The responsibility for the continued loss of life and suffering lies with the Pretoria regime. We are certain of one thing, and that is, SWAPO enjoys the overwhelming support of the oppressed people of Namibia, whose yearning for freedom will continue to inspire the combatants of the People's Liberation Army of Namibia (PLAN) to persevere in the armed liberation struggle until final victory. '

In this context, we return to our operational bases to increase and intensify our efforts on all fronts of the struggle. No other choice than to continue to render all-round support and assistance to the Namibian patriots who are resisting the illegal occupation and colonial oppression in Namibia.

Independence is achieved in the Territory. On this basis, the General Assembly must, during its forthcoming resumed session, make appropriate recommendations on Namibia to the Security Council. The Security Council should, once again, be called upon, as a matter of urgency, to impose comprehensive mandatory sanctions, including an oil embargo, on South Africa in order to compel the Pretoria regime to relinquish its illegal and oppressive occupation of Namibia. t



- 110 -

In conclusion, we wish to re-affirm our readiness to continue our co-operation with the United Nations and with all those who are making maximum efforts to bring about the early independence of Namibia. I thank you, Mr. Chairman.

- 111 -

NATIONS UNIES . UNITED NATIONS

SERVICE DE L'INFORMATION - OFFICE DES NATIONS UNIES A GENEVE

INFORMATION SERVICE - UNITED NATIONS OFFICE AT GENEVA

Press Release mAI/31

14 January 1981

CONCLUDING STRATEGY WY Th5 CHAIRMAN

At the conclusion of this preliminary meeting I wish to make the following statement concerning our proceedings in this past week here in Geneva. The meeting came here under the arrangement proposed in the conclusion of the Secretary-General's report of 14 November. I should like to remind this meeting that the conclusions of that report were a first step, after long consultations, by South Africa and others concerned. That report set the objective of independence for Namibia in 1981, with the understanding that a date for the cease-fire and a start of implementation should be set in the early part of 1980. In that same report, the problem of a mutually distrustful and lack of confidence was cited as an obstacle, from the South African side, to the setting of a date, and this meeting was proposed as a means: to facilitate agreement and of creating the necessary climate or confidence and understanding. In the expectation that such a meeting could solve this problem, and subject to a satisfactory arrangement concerning the composition of the UTA as a decision ultimately resting with the Security Council, the Secretary-General proposed in March 1981 for the commencement of implementation of resolution 435.

The Secretary-General on 10 February and clearly explained its purpose. Since that time the UN have had formal working meetings and very extensive informal consultations. In the manner in which UNTAG would perform its task; in Swaziland, is a rich 60-year more than two years of consultations and negotiations, has been set out in great detail by my colleagues. In this communication, I was somewhat surprised to hear in the speeches we heard yesterday 30 little reflection of or indeed interest in the efforts we have made to explain in detail the nature and functioning of UNTAG. The hearing has confirmed our view that the outstanding questions related to the technical aspects of implementation have been resolved, and that no such matter would justify any further delay in settling the future of South West Africa. Additionally, during the meeting, various points of view have been expressed, and clarifications have been sought and given.

At the conclusion of our meeting 5 days later of the HVAPO delegation stated that he accepted resolution 435 and was ready to cooperate with UTA in order to assure implementation of the UN plan. It was added that he was ready to sign a Ceasefire Agreement with the UN during the course of the meeting,

1

n./c

Les communiqués sont destinés à l'information; ils ne constituent pas des documents officiels

For use of information media; not an official record

T). j

1; . '.

On the Siuo of tat dulugaLJOH loo by tho Loutb African Administrator-General, apart from spcoifio questions, doubts were expressed concerninn the impartiality of the United Nations in imvlumenting rtsolution U35 and in its ability to afford tqugl trtatmtnt to the political parties tnganud in the election process. In my statcmtnt in the mccting of 10 January I responded to this concern and explained tho context of tho Unittd Nations responSihility and involvement in hamibio and our full recorntion "that when thtro is a dcfinito agreement to proceed with th: implementation of resolution M35 on a firm date in the near future, that a number of thlnrs will hive to chanxc, because we shall then be in 2 complutoly difforcnt situation". I need harle add that we are still far short of this st: :. I also referred in goncral terms to the naturo of tho undortahihys Miioh hath South Africa and tha United Nations would have to make in order to ensure the impartial discharyt of thLiP respective responsibilitits. I then apocalud to all tin participants to apply all thtir energies and attention to tho aohl/vcm;nt of the objuotivc of this meeting as set out in the Seoretary-Gncrcal's report.

In the consultations undertaken since last Saturday, 10 January, 3 course of action began to emerge chigned to lcod, at the conclusion of our meeting, to a declaration of intent by the pmrtlls to tho Cessc-firc. This would have pFOvisionally tsthlishod a ceasc-firc at an curly Cat: - 30 March was suggested m to be confirmtd in writing by 10 February. It was also suggested that in the meantime spCCific measures could bc taken to unsure - and to reflect in public decisions - tht impuftlallty of the Unites Nations as well as of South Africa fFOL the timo of agrtomtnt on tnc implementation date. It has since become clear, from tho stitoment of the South African Administrator-Gncrcal in tho Nesting on 13 January, tLQt it will not be possible to achieve such a declaration of intent at this meeting. The mate for the commencement of the implementation of resolution U35 thcrofort still remains to be agreed upon.

In the Iiaturc of tho mcssurts outlined abovo and in the light of all that has taken place during our meeting, the question arises whtthor the obstacle is the matter of trust and confidence which the South African Govern-ment informed us in Pretoria last October was the COPt issue affecting tht setting of a date. If that is so, I am sure few will challenge the fact that this meeting has provided participants not only with a better understanding of the international :ffOft for a scttlomont of tho Namibia question, but also valuable opportunitios for contact and oisCUSSION. In my vicw, this has been a most unusual meeting. An enormous tffort has been mcdc, in many forms and at many levels, to demonstrate Food faith, roasonablontss, s will to co-oporate in the futuro and lh understanding of tho proocoupatiOhs and anxietits of others. It is a mattor for rewrcct that thcsc extraordinary efforts have not yot SUCCuded in faoilitntih; sh nLrCumoh on a dCtL for implementation and that a great opportunity his ttus bogh missed.

It would curtaiuly not b; appropriir. for n3 to speculate on othor reasons for our inohility to roach tho goal we havo sgt ourstlv;sl Howovor, :ftor consultations, I btliov; it would b; wist to adjourn this moctinr. Tho Secretary-General has both kept fully lnfOPwtd on the efforts m;dt at, and on tho outcome of, this Huntlng.

i ../..

H3

Iway I concludcby prressing Df/ 'pprecitt101 to Lhw oartlciplnts for  
their courtos3 and thLir co opcrltion with mm as Ch lrmlno I wlsb to prrcss  
particular graLitudL to the OEU reprLscntLd erc both by Lhu ScoretaryL  
General and hls collL15ULs Inj b3 thL 11n1stcr of Stltc of Slurr1 LLone, tn  
Nigcrla, the FrontuLinc 5L1LLL -nd LHL Mustcrn FlVL Contact Group. Thclr  
wisdom, patancc and support ln thls dlfficult and extremely 'myortlnt Lntcr-  
prisL have made an outstandint eontrlb Liolm EVLn lf wL h1VL not .5 th  
achleVLd our objectivL, w: in thu becrLtzrlat nnvc been 1lhrvozvd by thc  
great efforts which havL bLLn m? .L tirouuf a wldL vlrlxty or contacts to cvcntu  
nsw confldanc lnd undLrsLundlng. If wc h..ve not yct succnchd ln rcaching  
our goal, thL undarstundlnl lnd prerlen0L \_:1lnLd from LL13 mLLting can be of  
immeasurably leuc for thL futurcn I beliLVL that ill 0lrtl0lnant\$ lnd  
obSLrvcrs her: ulll wish to considcr 11111th11' 16 Lants of LhL lnt flw days  
and the course which must bL thLn L0 prLdltc thL aLtLlnmcnt of thL obchtivc  
we have set ourselveso In particular9 3nd on blealf of thc 5L orLt rwaLm rll,  
I appcll to those who LlVL DLLn uwhb L 30 flr to 1:5Lnt: to thL proposals madL  
by tn; SCCFctLPy-Gen r l to reconsidL -r Lhclr noslt101 't the LarllL.st p0351blc  
LLmL. He Slnccrcly hopcs LW t mesns Wlll soon be lound to )0 form r1,:s mu  
h::d intende to do, to thL L Ply implcwntation oi rLsqution 135, so that  
our time and efforts erL will pPOVL to hav; mndu a positive contrlbution to  
thc solution of thc quostlon of waulbii. withoulh lt has not proved 00551blc  
here to scours amrLLmLut on 1 CLasL-flru G La and on thL commencr.mcmt. of thc  
implcmuntatlon 01 Security Council rssolution 13S, thL Unltcj Hatlons 1111 not  
relax its efforts to ensurc for LhL pLoplL 31 Namlb11 hL.lr r1 ht to sulic-  
uLt;rmlnaLlon lnd independenCL through erL and falr Lchtions undLr limited  
hatlons supLPV131on and control.  
91-96%)?

- H4 -

JOINT PRESS STATEMENT BY THE FRONTLINE STATES, NIGERIA  
AND THE OAU AT THE CONCLUSION OF THE PRE-IMPLEMENTATION  
MEETING\_9N NAMIBIA

(1) From 7-14 January, 1981 a pre-implementation meeting on the question of Namibia took place here in Geneva. The direct participants to this meeting were South Africa and SWAPO under the Chairmanship of the United Nations.

(2) From the outset it must be emphasised that this meeting is the direct consequence of the successful liberation armed struggle being waged by SWAPO. Therefore, if SWAPO agreed to attend the Geneva meeting, it is because they had hoped for results which are going to be achieved after the completion of the ongoing armed struggle. Throughout that struggle Africa has always and continues to be behind SWAPO. On behalf of independent African States, we take this opportunity to pay special tribute to the gallant fighters of SWAPO for the successes scored in the battle field that have made this conference possible.

(3) The main purpose of the Geneva meeting was to agree on the implementation of the United Nations Plan on the independence of Namibia in accordance with Security Council resolution 435(1978). This included an agreement for a date on ceasefire, and date for the emplacement of UNTAG.

(4) SWAPO declared during this meeting their readiness to sign a ceasefire agreement and to reach an agreement on the date for the implementation of the UN plan for the independence of Namibia. South Africa, on the other hand, has characteristically exhibited its usual obstinacy and intransigence by rejecting the UN plan for the Independence of Namibia. From the beginning, it was clear to the Frontline States, Nigeria and the OAU that South Africa was stalling for time by diverting this conference from discussing its  
Q

main objective - the implementation of Security Council resolution 435 (1978). \_It was clear from the beginning that South Africa was here to wreck the meeting by provoking SWAPO through the most intemperate and sometimes outright crude language used by certain members of the South African delegation. The SWAPO leadership demonstrated to the world their statesmanship by refusing to respond in kind, and thereby making it possible for the Conference to last as long as it has. We therefore hold the South African regime responsible for the collapse and failure of this meeting. SWAPO and ourselves came to this conference in the hope that an agreement on the modalities for the implementation of Security Council resolution will be attained. That is why this meeting was expected to be the last one before the emplacement of UNTAG.

, (5) SWAPO came here to conduct serious negotiations. They had hoped for positive results from this meeting. The same can also be said of the Frontline States, Nigeria and the OAU. Regrettably, the racist regime of South Africa used this meeting to buy time to prolong her illegal occupation of Namibia.

(6) Now that the Geneva meeting has failed to produce the desired results, due to the usual South African contempt and disregard of the international community, we are left with no other alternative but to support the escalation and intensification of the armed struggle heroically being waged by SWAPO. In this regard the CAD member states as a whole pledge their full backing for SWAPO. Africa pledges increased material and financial assistance to SWAPO until final victory and total liberation of Namibia. The United Nations, and indeed the international community as a whole, must feel as rebuffed as Africa has been. we therefore call upon the international community to understand our motives and rise to the occasion and adopt effective measures against the apartheid regime of South Africa including economic sanctions as called for under Chapter VII of the Charter of the United Nations.

-116 -

SWAPO PRESS STATEMENT

LONDON, 16/1/81

given the failure to reach agreement at the recent 'pre-implementation meeting' on namibia in geneva, it is now evident that south africa has no intention of co-operating in the implementation of the united nations plan for elections in namibia (re. 435, 1978).

swapo has now called for comprehensive and mandatory sanctions as the only effective means by which the international community can force the south african government to end its long-standing illegal occupation of namibia.

it is only through such total isolation of south africa that the regime's acceptance of un supervised and controlled elections in terms of resolution 435 (1978) can be achieved.

a first obvious step for the british government is that it cancel its illegal contracts for namibian uranium, which both defy international law and directly supports south africa's continued illegal occupation of namibia and the whole oppressive machinery of its administration.





e.tt'gMJ'MOJv-itajit

\_.- a: ' . .

m Vq;

gr

unmn Exscunr m: L'ORGANISATION

L'UNITE Armums AUX NATIONS UNIES

il !

- H7 - ,

. L. J

.' V" 1373 - 1"" \$1.12th \_"!V' \$3.33.: 8113? rfazetr 11"???" 333-??? z; ' 4:391:34 . - xi

ii:

., . .3 . .; f" "#:1/ t 'T v' ' t5

.. I \_( mm -L 4 I "nim ' Al! : .(m "m . .-

ah C.?x -: rm . as: y I zmr/fl : . x m . T

. u ( v-v- ) I h I,

f'K Q31. 3L ,1 Ls: LEI muft , x1 . Jf'a- - ,

3:555 1.: w 1:151:22. 1433.23; 5;; ri'r'vlivr'flzi': Ci -; 3 - :--If/i,:.:;fs.:::; ;. w .

\_\_2-:.. t : ,. i'-

EXECUTIVE SECRETARIAT OF THE ORGANIZATION

or Arman UNITY TO ms UNITED NATIONS

21: EAST 43RD STREET. New YORK. NY. 10017 i

697e8333

Folowing is a statement made by the OAU Secretary-General on the

U.N. Conference. on Namibia. h

U . N. Games ON NMEEB1A

' ,

The Organization of African Urity believes that the U. N. Pre- '5  
Implemantation meeting on the Namibia question scheduled from 7 to .14  
January 1981 will put. to:e.-finalr.test, the sincerity and seriousness of  
South Africa to proceed with the implementation of Security Council  
Resolution 435 (1978) and 439 (1978) within the cantext of an agreed  
time-frarre for the indepenoe of Namibia.

2. Accordingly, the OAU calls on South Africa to seize this opportmity  
to resolve peacefully the Question of Namibia to allow the people of the  
ten-itory to exercise their legitimate right to self-detennination and  
independence.

3. The Organizaticm of African Unity smjports the holding of a Pre-  
Implenentation meeting as envisaged by the secretary-General of the United  
Nations Dr. Kurt Walcheim under the auspices end chairmanshipcf the Uribed  
NATIONS provided it is aimed at paving the way for the implementation of  
the United Nations Plan. In this convection, the QAU notes with satisfaction  
that the Pre-Impleneutation meeting will be held within the csntext of a  
specified tine-freme for the ewplacxant of United Nations Transitional  
Assistance Group (UNZAG) in Namibia in Ixiarch mm, and envisages independence  
for the territory not later than the end of 1981.

4. ' As regards to participation in the Preulrrrplewentation meeting, the OAU  
also agrees with the Secretary-General of the United Nations that the basis  
of the .

- 118 -

meeting should conform to the formula agreed upon during bilateral discussions held earlier this year on the question of "Direct Talks". The OAU wishes that there be no deviation from this formula on the basis of the

J

States.

D 1 .

5. In the event that South Africa decides to use the Pre-Implementation meeting as a further ploy to frustrate the efforts of the International Community the Organization of African Unity will draw the appropriate conclusion and call on the Security Council to invoke chapter seven of the U. N. charter and to take all the necessary measures against South Africa.

New York, December 11, 1980

Undated and Unsigned. Appeared in the Press Room on January 14, 1981.  
Believed to be from Contact Group.

N

Qgeetion of "iggartinlitz"

This he: two expects: Undertakings which the UN nay  
reesonebly require of the South AftiCln administration no ee to  
ensure the impartial application of it: reuonsibilitiee uhde:  
the settlement PIOP0III (5/12636); end thoe which South Africa  
has eed it wishes the UN to adopt in 6rder that its inpertielity  
es the unpervisor of free end fair election: may be manifest.  
The undertakings required of South Africe relate principally  
to the "National Assembly" end the "Council of Ministers". The  
"National Assembly" is not acceptable under Security Council  
resolutions 435 end 439. The enme applies \_ to the "Council  
of Ministers". From the date of implementation of the eettlehent  
Proposal, it is essential that the Administratordsenerel resume  
his full authority in respect of the laministretion 6f the  
Territory in eccor4ance with that Preposel.

As regards possible steps to be taken by the UPited Nations,  
it is recalled that \$NTAG has been established by the Security  
Council. The settlement Preposel end Security Council resolution  
43g contein full provisions in: the holding of free Lnd fair  
election: under UN supervisioh Ind control. Security Council  
resolution 435 (1978) will be the governing resolution for the  
conduct of the elctione end is therefore solidly beged on  
provisions for the free end equal txeetnent of all parties. The  
\$eczetery-cenezel hes given tepeeted ensurencex of UN inputtieliti  
ln the conduct of the elctions. All perticipehtl in tho Palitic'l  
Process will, It the etert of the txeneition geriod Ind therelfti  
/..n.

be pieced on an equal footing by UN'rAc, which is directly responsible for implementation. h

Upon agreement on implementation, including an early date for ceasefire and emplacement of UN'IAF, the following steps will be taken:

The Special Representative of the Secretary-General will, at that time, cease to fulfil the duties of Commissioner for Namibia. His responsibility will be solely to the Secretary-General in the fulfilment of the Security Council mandate. An understanding will be sought to the effect that the General Assembly, its various subordinate bodies, and other members of the UN family of organizations, take no step which might prejudice the holding of free and fair election: under the supervision and control of the United Nations. In this regard, the UN has the assurances of the Five and the Front-Line States that they will work together with the Secretary-General to the end. General Assembly resolutions on Namibia have authorized the Secretary-General to spend UN funds on publicity from the UN regular budget section "Mobilization of political support to press for South Africa's withdrawal from Namibia". Once implementation of Security Council resolution 435 enters into force, these funds will be used to publicize WM. From that time, the Department of Public Information will focus exclusively upon the implementation of the settlement proposal in its expected form. Since the implementation of the settlement proposal requires equal treatment by the members of the political parties in the forthcoming elections, it is inconceivable that the UN would be supporting or funding only one party. It is expected that South Africa would do the same.

# GOOD NEWS-BAD NEWS

t's qualified Good News and real Bad News.

'irst the Good News, relative--provisional--  
iuarded though it may be.

## Relative Good News

he United Nations (UN) has announced that the  
outh African government (SAG) has, for the  
irst time, agreed to a cease-fire and the im-  
plementation of UN Security Council Resolution  
35 (UNSC-h35) to bring Namibia to independence.  
he cease-fire may be as early as March 1981.  
hat's relatively good news...relative because  
t is png overdue...relative because even if  
t happens in March, the war goes on until then  
nd more people will be killed, more houses  
urned, more land mines laid.

## Provisional Good News

his good news is also boxed in by provisions  
hich are not boxed in. In other words, the  
AG only agrees to implement UNSC-h35 if be-  
Neen now and the close of an implemenFa-tior:m  
b ? f.' HWAdWsh-u Rind-r': .awv-FH-y 4'. Jg-g kv.,,z\_-. 3.1.1- "9.7? 31.1. wt:  
but one; not shouted, but whispered) because  
of the history of the negotiations and the dan-  
ger once again of new elements intruding into  
the process. However, since a new "inch stonell  
has been reached in the negotiations, it is ap-  
propriate to set down a best-of-all-possible-  
worlds scenario before raising the caveats.

## Mist

Apparently the UN, SAG, the South West Africa  
Peoples Organization (SWAPO), the Front Line  
States and Nigeria (FLS-N), the Organization  
for African Unity (OAU), and the Contact Group  
(CG), which is the United States, United King-  
dom, France, Federal Republic of Germany and  
Canada. have all agreed to a UN-sponsored meet-  
ing in Africa early in January 1981. The UN  
General Assembly (UNGA) approved by postponing  
indefinitely a scheduled debate on the Namibia  
question.

The purpose of the meeting, in the words of UN  
Secretary General Waldheim's report, is as fol-  
lows:

There have reeentlu been a nUWber O\_F initia-  
MAMBBEA

.Mm srtv'htl ':.35'-: ' Mia'- .11. 5.54.417 eKi-  
Jnference scheduled for early January it can  
a satisfied that the UN will be impartial in  
ts supervision of the elections, but no objec-  
ive criteria have been established by which  
)utt frica arrives at that judgment. That im-  
I )rtakl;aspect of the good news proclamation de-  
ands on a subjective judgment by the SAG.

1 an interview with Africa News, U.S. Ambassa-  
Jr to the UN Donald McHenry responded to a  
iestion which asked:

lat is standing in the way of a Namibian set-  
lement?

2 replied: The real question I think remains  
lat of the political will on the part of South  
hica. There really is nothing to negotiate.  
ll of the substantive objections which South  
%ica has raised have been met. 'Trust' is  
Ie newest thing they've come up with, the es-  
blishment of trust. Well, it's something  
mt can't be measured.

## Guarded Good News

I8 proclamation is guarded (not three cheers,  
,15' 5 December 1980

Edward C. May

t'Za- v. -'yv:.f3 '

tives and approaches from various quarters for such a meeting based on the UN plan, in conformity with UNSC-435 and other practical proposals. Such a meeting could facilitate the implementation of that resolution by discussing relevant aspects of implementation with the purpose of securing the cooperation of all concerned. In this connexion it will be recalled that, under the settlement Proposal, the task of drawing up and adopting a Constitution is the function of the Constituent Assembly.

It would be understood that the proposed meeting would be held in the context of an agreed time-frame, with a view to the parties themselves assisting in resolving difficulties created by distrust and lack of confidence, South Africa having reaffirmed its continuing role as the interlocutor under resolution 435 (1978).

#### The Scenario

Thus, in January, representatives of internal parties which expect to take part in UN supervised and controlled elections in Namibia in 1981 will meet with SWAPO in order to facilitate the implementation of UNSC-435. SAG ite

self would be present as "interlocutor" and FLSeN, OAU, and CG as observers at this conference sponsored by the UN. Their discussions will be directed toward achieving a just and peaceful independent society through a representative government in Namibia at an early date. The atmosphere and the commitment of all parties will inspire confidence and create trust among themselves and will remove all the reservations which the SAG harbors about the ability of the UN to be impartial in supervising free and fair elections. A cease-fire will be declared and the implementation of UNSC-b35 will begin, resulting in the election of a constituent assembly to draft and adopt a constitution. This is a best-of-all-possible-worlds scenario. Unigitunately, we do not live in such a world. St lat are the caveats?

#### CAVEATS

A great deal of discussion has been raised by the press and others over the words "other practical proposals" in Mr. Waldheim's report. Many feel that this opens the door for additional demands. Some even fear that these words would allow constitutional issues to be raised. Hr. Waldheim seems to have anticipated this speculation and so emphasized that I'the task of drawing up and adopting a constitution is the function of the Constituent Assembly." Mr. "Pik" Botha, South Africa's foreign minister, in a speech following the release of Mr. Waldheim's report, said, Hue are not going there to participate in any decision or talks affecting the constitutional future of the territory. T t is a matter for the parties to decide. " Thi% almost sounds like he agrees. The difference lies between Waldheim's use of I'Constituent Assembly" and Botha's "parties". Caryle Murphy of the Washington Post reported out of South Africa, llThe most crucial issue is whether the agenda should be confined to implementing the UN settlement plan or expanded to allow discussion of a constitution for an independent, black-ruled Namibia.ll Botha has pointed out that "the conference is not confined to the discussion of implementation of Resolution #35, but any other practical proposals can also be discussed." So the signals are a bit mixed. Before the Waldheim report was released the Windhoek Advertiser, the English language daily of Namibia, was convinced that constitutional talks would be on the agenda. Its headline on 20 November: IIConstitution Could Be Key Issue in SWA Talks." The item began:

KW

't',

;

There was an increasing likelihood that the agenda of the UN would be topped with an item to negotiate a constitution, Lnfbmrmed sources said....

The sources said there was a growing feeling that a multi- -party conference, including SWAFM should first explore the drafting of a constiltion before melementatLon Of UNSC-435. The settlers in Namibia have a number of reasons to press for constitutional talks, chief of which is their growing conviction and Fear

that SWAPO will win in a free and fair election. Their best hope for a constitution which will maintain white privilege, secure the interests of foreign enterprise, postpone the day of reckoning on the Walvis Bay issue and institutionalize tribal areas is to produce a constitution before elections. Moreover, the CG will be around to consult at the conference and all 3 involved in one way or another in mining or consuming the mineral wealth of Namibia. Other things could distract from the UN agenda but the possibility of inserting a constitutional debate into the conference is a more distressing prospect. The Secretary General should be commended for declaring it out of bounds, and national observers should be encouraged to support that decision.

Who Are the Parties?

There's another caveat. Mr. Botha said that South African appointee, the Administrator General of Namibia, Mr. Danie Hough, would choose the parties to be represented at the meeting. The world community regards most of the internal parties, especially the Democratic Turnhalle Alliance (DTA), as client parties of the S. The DTA came into power through a SAG-sponsored election in 1978, which was condemned by the UNSC. SWAPO has always maintained that its fight is with the SAG and that the DTA represents South Africa, not Namibia. It appears that in spite of South Africa's public statements to the contrary, the internal parties will be viewed as SA representatives. Mr. Wehner's report closes by saying: "South Africa and SWAPO have been contacted concerning the composition of the respective delegations...."

W

South Africa has seized upon a resolution of the UNGA which recognizes SWAPO as the sole legitimate representative of the people of Namibia and argues that because of this the UN c



5 December 1980

W

not be impartial in supervising the elections. The UN argues that the Security Council has jurisdiction in this matter and that the SC resolutions make no such judgment. SWAPO's status at the meeting and its treatment by the chair will be scrutinized by all present. South Africa may demand that UNGA support of SWAPO, both verbal and monetary, be discontinued as a demonstration of impartiality and threaten to set everything back to square one if its demands are not met.

#### The Pressures

But fortunately there are many pressures for this meeting to succeed. First, the churches in Namibia have consistently supported the UN proposals to bring justice, peace and stability to Namibia. Secondly, the stakes are high in international government circles. If good faith is not demonstrated on the part of South Africa, some kind of economic sanctions will be called for. Africans and the CG want to avoid that if possible, but if all else fails the African community has no choice but to press for sanctions, in spite of the suffering it will cause them. The CG will face a dilemma because of its dependence (often overplayed) on strategic minerals from South Africa. The U.S. and its allies have other reasons to see the meeting succeed, among them the withdrawal of Cuban troops from Angola once the war on its southern border ends. If the conference breaks down, Lutheran World Ministries favors sanctions, even while recognizing the hardships they will bring, and urges constituency support for government action.

xK)her reading the above, you might be tempted to say, "And that's good news?" Everything in the political realm is relative, isn't it?

#### The Bad News

Disbelief. Shock. Bewilderment. Frustration. Anger. Outrage. These greeted the bad news when it was told in the USA. What must it have been like in Namibia?

The publishing house and modern presses of the Evangelical Lutheran Ovambokavango Church were destroyed by a TNT explosion shortly after midnight on 19 November. That's the second time in seven years. The first was 11 May 1973. Thank God, no one was killed or injured. There is a dusk-to-dawn curfew in the North due to the war, so no one was at work, not even a guard. In Bishop Kleopas Dumeni's news release, he called on his churches to pray for the saboteurs that they might repent and be saved. We urge joining in those difficult prayers. Replacement costs have not been ascertained, but the cost of plant and equipment after the last bombing was over \$h50,000. When ELOC decides to rebuild, money will come. (A friend in the U.S. State Department sent a check by return mail when he heard the news.)

There are bigger problems. One is the replacement of materials. The bishop said that the school books for next year were being printed at the time. In a land where education is hard to come by, this is a devastating blow. Hopes were shattered as well as steel. The bishop said in an interview, "My heart wants to

cry. Why must my country and my community suffer like this? The owner of that over there (pointing to the press) is not us, but Jesus Christ...How can we now, after this, still comfort the people? There is bitterness in the hearts of the people after this sabotage."

The pattern of non-assistance to the church by the police was similar to that following the 'first explosion. The police were contacted at 1:30 AM and showed up at 10:00 AM. An investigation has been promised.

Bishop Dumeni's reactions follow:

The activities of the church press are stopped for the time being....The person or persons what were involved in preparing this destruction must be hurt in their conscience and we ask the church members to pray fbr them. Jesus Christ,h the Lord of the Church, cannot be destroyed. He lives.

All the day people ftom fbr and near are coming to comfort each other in the sorrow of us all. Details of the movements in the hours preceding the blast were given in his report, noting times and places. At 9:00 PM army vehicles were in the neighborhood and soldiers were unloaded. Movements of armed persons in and around the vicinity of the press were sighted between 10:00 PM and midnight. Then the bishop observed:

The above infbrmation was given to me in a confidential spirit. The people who gave the information are not prepared to reveal their names for security reasons. I confirm that this information is nothing else but the truth. Oniipa, 19.11.80 K. Dumeni, Bishop of ELOC

'0

3

- 124 -

Namibia Update  
AND MORE...

A few weeks earlier a disturbing event took place which also ended up penalizing the church and community and forcing Bishop Dumeni to confront the government. Mr. Lisias Aluuma, a patient in Nakayale Hospital and leader of his community, was murdered.

Nakayale Hospital's administrator is Miss Kovanen, a Finnish missionary nurse serving in Namibia since 195k and granted a permanent residence permit. For 10 days before the murder she had been reporting to local government officials and the SA army about incidents during the n? ht involving gunfire.

J

On 31 October at 11:50 PM, Miss Kovanen was awakened by gunfire and moments later was informed that Aluuma had been shot. She and her staff tried to save him. Police and army were also notified at 12:30 AM and an army ambulance requested. No help was received. No police came. Mr. Aluuma died at 5:20 AM.

What did Miss Kovanen receive for her prompt reporting of incidents, faithful medical care and risking her life to save a wounded man? Unsupported allegations by press and radio of being The reader may wish to take some action.

1. Prayer--for Namibians, for their leaders, for the enemies of the church and all oeople of Namibia, for the UN sponsored con-  
arence.

2. Expressions of Solidarity:  
Council of Churches in Namibia

Rev. James Kauluma, President

Rev. Albertus Maasdorp, General Secretary

Box 57, Windhoek 9100 SWA/Namibia

Rev. Kleopas Dumeni, Bishop, ELOC

Oniipa, P/Bag 2018, Ondangua, SWA/Namibia

3. Expressions of Political Concern:

President Jimmy Carter, The White House

Washington DC 20500

I

.4

,1

.

-.  
K.

I

At

6

s

I

4

I

".

i

l

.

t.

l,,

z?

r!

l?

L

i

f

h

z

.2.

2  
5,  
Q  
4  
1  
4

..I;v-3Av:: M-ifvwilih Ay;#r.vl-, -\_.t - 2.?" .L' - ,-'-.-,.- "\$31: -.-; (3' .1. '\_ yea.  
hr ;.'.:. . . 4t '1 "

a collaborator in the murder! Expulsion from  
Owamboland! Pressure to revoke her work permit  
Bishop Dumeni publicly set out the facts and ape  
pealed to officials in behalf of Miss Kovanen,  
closing with these moving words:

EEOC requests that the allegations branding  
Miss Rhino Kovanen as having collaborated with  
the murderers be corrected.

In conclusion, expelling missionaries, refusing  
to grant them entry visas, detaining people,  
torturing them, fbrcing them to comply with the  
systems, murder and killings will never bring  
the problem of this country to an end.

We plead to all who have authority or say in  
the Namibian dispute to give the people of this  
country a chance to have a free and fair elec-  
tion under the supervision and control of the  
UN without any further delays, so that the will  
of the majority will be made public as they  
elect their own government according to their  
wish. The will of the people shall be the ba-  
sis of the authority of government. Thus the  
church continues to pray, so that by the power  
of the Almighty God, this problem may come to an  
end by peaceful means.

\_,i . ..\_. .t u;-\_.1 .

His Excellency Mr. Donald McHenry  
Permanent Representative of the U.S. to UN  
799 United Nations Plaza  
New York NY 10017

President-Elect Ronald Reagan  
Office of the Transition Team  
1726 "M" Street  
Washington DC 20036

Hr. Martti Ahtisaari  
Special Representative for Namibia  
The United Nations, Room A-3170  
New York NY 10017

Senators and Congressional Representative  
United States Senate, Washington DC 20510  
House of Representatives  
Washington DC 20515

. It'ixr. 3 4 -.- u. i '..J'-'-'u'-x.t K1135 b;- 33.,

NAMIBIA UPDATE, 5 December 1980, is a publication of USA National Committee of Lutheran W  
orld Fed-

eration, 360 Park Avenue 5, NY NY 10010.

Reprints are available at 10\$ each, payment with order.

This Update may be reproduced in pari or in entirety with credit. No further permission r  
equired.

- 125 -

as from: mom 1005

853 Broadway

New York, N.Y. 1000

PHONE: U77-0066

The Editor January 5, 1981

THE NEW YORK TIMES

229 West 43rd Street

New York, N.Y. 10036

Dear Sir:

We have long been concerned that the Namibian people get their freedom and that Namibia become an independent state among the nations of the world. We write now to express our apprehension that the talks scheduled to begin January 7th in Geneva may lose sight of the essential issues: that South Africa illegally occupies the International Territory of Namibia in defiance of the lawful authority, the United Nations; and that Pretoria persists in stalling on fair and free elections in the Territory while at the same time steadily installing its puppet regime there.

On June 21, 1971, the International Court of Justice declared that South Africa illegally occupies Namibia. The United Nations, the Western Five (the United States, Britain, France, Canada and West Germany) and the entire international community have made every effort to reason with the government in Pretoria. In April 1977, the Western Five requested one last chance to negotiate with South Africa, the understanding being that if this initiative did not gain Pretoria's withdrawal from Namibia, the world community would impose sanctions on South Africa. The United Nations and the international community committed themselves to a plan - embodied in Security Council Resolution H35 of 1978 - for holding fair and free elections in Namibia under United Nations supervision and control.

Now, almost four years later, South Africa continues to impede a solution. Yet another conference is to be held. All the while, Pretoria has been building up its army of occupation in Namibia - now an estimated 70,000 strong. The South African Police run unchecked in the International Territory. Killings, torture, detention without trial, unlawful trials of Namibians by South African courts in the Territory, the disappearance of civilians are everyday occurrences. The people of Namibia, whose welfare and freedom are the responsibility of the countries of the world, live under a reign of terror. SWAPO of Namibia has long been recognized by the United Nations General Assembly as the sole and authentic representative of the people of Namibia. Pretoria is well aware from its own intelligence sources that SWAPO would in a free election win over 80% of the vote, and is making desperate efforts to advance its collaborators in the Territory and stave off the inevitable judgment.

The world knows that South Africa is stalling on an issue that should have been concluded years ago. The United Nations is the legal administering authority of Namibia. It is well beyond time that the United Nations asserts that authority and forces Pretoria to obey the mandate of the international community.

Very sincerely yours,

Mary L. Wade George M. Houser

Associate Representative Executive Director

Quaker Office at the United Nations American Committee on Africa

'x

1-7.1. L 71A,, 9-1 /'y &4-4'/ am WA

Edward C. May )1 11am Jo Jton

Director, Office\_of World Community President

Geneva, January 14, 1981

Mr. Chairman,

Ladies and Gentlemen and

Namibians on both sides of the table,

We from the Namibian Christian Democratic Party are pleased to be able to speak and listen to other Namibians and that we are not divided, at least not at the moment, by an unnecessary border, that we are together in this hall and for the first time in history together at one table.

We must seek and look for the positive things, and this meeting is a positive step. But is this already enough? We say no.

Now, Mr. Chairman, what are we looking for? I think we are looking for justice, peace, freedom. And we mean for all inhabitants of Namibia. If we all say we truly want a peaceful solution of our problems, then we must react accordingly, even if it costs us a lot of self-discipline and sacrifice. Not how much propaganda we get out of statements made must count but what is the best for all Namibians and the country.

Constructive participation at this meeting is very essential.

Mutual trust and confidence will now flow from allegations against each other, from the different wings here present. Trust and peace can only develop if the leaders and the supporters of the right wing and the left wing are prepared to compromise and move towards the center, the golden path of the middle, the way between the two extremes.

It may not be right for either side that they think good aims can sanction and justify wrong and inhuman actions.

Mr. Chairman, I had intended to give a few examples of what happened in our country but will withhold myself from this for the sake of better understanding and reconciliation.

- 127 -

I only would like to say :

According to what we have experienced, both sides are vulnerable.

But for what did we come here, Mr. Chairman? I really hope we all came here to achieve true peace, independence and justice for 211 people and the whole country of Namibia.

So let us tackle the real issues and not waste further time.

Thank you, Mr. Chairman.

Hans Rbhr





(a -129-

. 66 - 150. ROUTE DE FERNEY - 1211 GENEVA 20 - TELEPHONE: (022) 989400 - TELEX: 2303 OIK  
CH ' CABLE: OIKOUMENE GENEVA

WORLD COUNCIL OF CHURCHES

GENERAL SECRETARIAT

L

Geneva 12th December 1980

KR/Gr

Dr. Kurt Waldheim

Secretary General

United Nations

United Nations Plaza

New York, N.Y. 10017

U.S.A.

Dear Secretary General,

May I take this opportunity to reiterate the support of the World Council of Churches for all the efforts of the United Nations in the area of peace and in the resolution of conflicts.

As you may be aware, the World Council of Churches has been especially concerned over the years about issues related to Southern Africa and through various actions has supported the struggle of the people there for liberation and justice. With regard to Namibia, we fully share your sense of urgency for "arriving at a peaceful solution to a question which had pre-occupied the international community for many years, and whose unresolved condition had led to tragic loss of life and destruction and throughout the whole region".

The Executive Committee of the World Council of Churches in September 1978, and its Central Committee in January 1979, warmly welcomed the UN Plan for Namibian independence as outlined in your report to the Security Council in 1978 and in the resolution no. 435 (1978). Your initiatives and proposal for a settlement were also supported by prominent leaders of the Namibian Protestant and Roman Catholic churches in an open letter to the Prime Minister of South Africa on 4th October 1978. In August 1980 the Central Committee of the WCC in a public statement on Namibia called upon its member churches to "increase

0./2

pressure upon the members of the UN Security Council, especially those from the West, for a speedy implementation of United Nations Resolution 435 (1978)". Full text of the Statement is sent along with this.

We have been in regular contact with the churches in Namibia, who themselves have been victims of the South African Government's repression because of their identification with the struggle of their people. The recent statement of the WCC Central Committee also called upon its member churches to "encourage and support the Council of Churches in Namibia and its member churches in the exercise of their prophetic ministry".

Therefore it was with considerable interest that we received your Report of 24th November 1980 to the Security Council on Resolutions no. 435 (1978) and no. 439 (1978) concerning the question of Namibia and welcomed the possibility of direct talks between South Africa and the SWAPO under UN auspices regarding the implementation of these resolutions.

But we are constrained to point out that a careful perusal of the Report has left with us a number of questions which we felt we ought to raise with you. Basically there appears to be lack of clarity about the objectives of the meeting proposed and about the nature of and participation at the meeting.

In four of the seven operative paragraphs of the Report there is reference to "mutual distrust and lack of confidence" which is described as one of the main obstacles to progress in the negotiations. It is rather surprising and even disturbing that this point of view, which is obviously that of South Africa, is highlighted as the major issue, since according to the Report the UN mission itself had pointed out in its discussion with the South African Government that the establishment of trust and confidence was "a subjective and imprecise criterion".

The international community is fully aware that the main obstacle to negotiations on Namibia has been the continuing systematic and open defiance by the South African Government of the decisions of the UN and its agencies related to Namibia. Even after the Security Council adopted the resolution no. 435 (1978), it held the so-called internal elections and constituted a *de facto* internal Government with legislature and Council of Ministers flouting the United Nations while continuing its aggression on neighbouring countries.

The meeting planned is described in the Report as a "pre-implementation, multiparty meeting in which the parties concerned in the envisaged election would be included". This in no way makes it clear who will participate in the meeting. Is it the intention to bring to the table the internal parties that have been foisted and supported by the South African Government as part of its plan

to frustrate and undermine the implementation of successive UN resolutions? Again it is not clear what status SWAPO, which has been recognized by the United Nations as "the sole legitimate representative of the Namibian people", is being accorded at the meeting.

Your Report says in para. 22 that South Africa has "reaffirmed its continuing role as the interlocutor under resolution 435 (1978)".

This description of South Africa as 'interlocutor' is misleading, since the objective of the resolution is the withdrawal of South Africa from Namibia which is illegally occupies. We are sure that your attention has already been drawn to the reported statement by South African officials that "South Africa would attend the conference as an adviser or observer and would not participate in any talks or decisions affecting the constitutional future of the territory". This contradicts para. 24 of the Report which states that "the basis of the meeting would conform to the formula agreed upon during bilateral discussions held earlier this year on the question of 'direct talks'".

There is reference to 'other practical proposals', in addition to 435 (1978). It is not clear what such proposals will include. We welcome your reiteration that "the task of drawing up and adopting a Constitution is the function of the Constituent Assembly".

We would wholeheartedly welcome a clear proposal for direct talks between South Africa and SWAPO under UN auspices for the implementation of Security Council Resolution 435 (1978) and thus for the independence of the people of Namibia.

If South Africa continues to block the implementation of the resolution, then all efforts must be directed towards the imposition of comprehensive mandatory sanctions under Chapter VII of the UN Charter against the South African regime. Action should also be taken to ensure that UN Decree no. 1 is effectively implemented by global and public action to punish the transnational corporations and others guilty of violating the Decree by illegally exploiting the natural resources of Namibia.

We are confident that you will understand that we have made these critical comments and raised these questions as part of our deep and continuing concern for the people of Namibia, a concern which we know, you share. We reaffirm our support for your initiatives to find just solutions to the conflict in Namibia and to conflicts in other parts of the world, at a time when the international situation is unfortunately worsening.

-132-

We assure you of our prayers in all your efforts especially in this season when we celebrate the coming of our Lord who brought the message of peace on earth and good will among all peOple.

Yours sincerely,

/ p t

LM; teem

Encl ' Konrad Raiser

. Acting General Secretary

cc. The Governments of the USA,

Canada, Great Britain, France,

Federal Republic of Germany,

Tanzania, Mozambique, Zambia,

Botswana, Angola and Zimbabwe

through their Ambassadors at

the United Nations

SWAPO

UN Council for Namibia

World Council of Churches

CENTRAL COMMITTEE

Geneva, Switzerland

14-22 August 1980

PUBLIC ISSUES Document NO. 33

STATEMENT ON NAMIBIA

1. Three years of negotiations between the United Nations and South Africa, between the United Nations and the South West Africa Peoples' Organization (SWAPO) and between the five-nation western contact group (United States, West Germany, France, Britain and Canada) and South Africa have still not resulted in the holding of free and fair elections in Namibia as envisaged by the United Nations plan. The implementation of this plan remains paralyzed by South Africa's continued intransigence.

2. In spite of all parties agreeing to the creation of a demilitarized zone between Angola, Zambia and Namibia, and despite some progress on Security Council Resolution 435 (providing for a United Nations controlled cease-fire followed by elections leading to independence) there seem to be more obstacles now in the way of a Namibian settlement than before. These obstacles are:

(i) the South African demand that SWAPO bases inside Namibia be eliminated, and

(ii) the South African demand that the United Nations General Assembly position of SWAPO as the authentic representative of the Namibian people be dropped and that "all participants in the political process be placed on an equal footing".

3. In violation of United Nations Decree No. 1 prohibiting the prospecting, exploitation and exportation of Namibian mineral deposits without the consent of the United Nations Council for Namibia, a number of transnational corporations are increasing their exploitative activities in Namibia, including several corporations located in the five-nation western contact group.

4. On 12 June 1980, the South African Government through its Administrator General proclaimed its own version of a unilateral declaration of independence (U.D.I.) by establishing a multi-racial twelve-man Ministers Council with executive powers in Namibia. The new Council will be empowered to administer any affairs vested in the Namibian administration by the South African Government.

5. There is an increased South African military build-up and mounting repression inside Namibia. A significant part of this repression has been aimed at the interruption of church activities and the destruction of church property by the South African security forces. Many pastors, church workers and business leaders have been detained and tortured. In addition, a list of Namibians marked for assassination has been given publication. This list includes prominent church leaders.

Recommendations

6. In view of the above and in following upon the recommendations of the World Consultation on Racism held in June 1980 in the Netherlands, the Central COmmittee calls upon its member churches \_to: 2

- (a) encourage and support the Council of Churches in u Namibia and its member churches in the exercise of their prophetic ministry;
  - (b) observe "Namibia Month" (cf. the entry of Namibia and Zimbabwe in the Ecumenical Prayer Cycle) in the spirit of etumenical solidarity;
  - (c) increase pressure upon the members of the United Nations Security Council, especially those from the west, for a speedy implementation of United Nations Resolution 435 (1978);
  - .(d) support the people of Namibia in their determination to '
    - (i) resist the Bantustanization by the South African government, illegally occupying the country, and affirm the territorial integrity and unity of Namibia;
    - (ii) boycott the tribal elections;
    - (iii) denounce the exploitation of Namibia's natural resources by some transnational corporations.
- Furthermore, the Central COmmittee:
- (e) reaffirms its action taken in 1977 calling upon the churches "to press their governments and the South African Government to comply with the United Nations .recognition of SWAPO as the authentic representative of the Namibian people".

STATEMENTS

4?

64ww4e4 c' an 714m 616::

7awed 5y:

COUNCIL OF CHURCHES IN NAMIBIA

- I36 -

COUNCIL OF CHURCHES IN NAMIBIA

Ongongahangano yEengeleka moNanubia P. O. Box 41

. 'Awe'haos Kerkhegu 0'5 Namblab 'n3 8 Mont Blanc Sheet

onuaxa quongerI moNarmbia WINDHOEK. 9000

Rat dc: Knchen In Namibia Tel. (061) 375'0/11/12

Raad van Kerke In Namubue 32976

Telex 56-834 WK

Secretary General, Dr Kurt Waldheim 5th.DCCembeInuJ980

United Nations

NEW YORK, NY 10017 "An

. Reierence No.:

UNITED STATES OF AMERICA

Your Excellency,

We, the Council of Churches in Namibia, received a copy of your report of November 24th - Security Council Document 3/14266. After studying this report we again want to confirm our standpoint concerning the implementation of Resolution 435 (1978). We support your proposal to convene a conference of all parties concerned to facilitate the speedy implementation of that Resolution by discussing relevant aspects of implementation with the purpose of securing cooperation. '

we appeal, through you, to all those involved to make use of this opportunity of participating in a process that will bring about an end to the ongoing violence and bloodshed in our country. For the sake of peace and reconciliation we appeal again to all participants to show more trust and confidence in one another in their approach to this matter.

In our firm desire for peace and justice and strong rejection of any kind of violence by any means, through any one, we as Churches would make ourselves available to be of assistance whenever called upon as in the past.

We assure you of our prayers at all times that God may help us to achieve peace in our country.

Yours sincerely,

/N

/ I 4?

g I

(44 C ). :/ / 7 mt

..... m/W ....2...tifeaxmx.922??

CHT REV BISHOP JAMES H KAULUMA - RIGHT E DR A J IMASIVORP

PRESIDENT Clin RAL SECI'ETARY'



A STATEMENT OF THE COUNCIL OF CHURCHES IN NAMIBIA  
IN RESPONSE TO THE LETTER OF HIS EXCELLENCY DR. KURT WALDHEIM  
DATED 20 JUNE 1980

The Council of Churches in Namibia meeting in executive session in Windhoek on 24 July 1980, having considered the letter of United Nations Secretary General Dr. Kurt Waldheim (S/1A011) to the South African Minister of Foreign Affairs, Mr. Botha, dated 20 June 1980, states its support of the new proposals on the demilitarized zone contained therein. It is this council's belief that these proposals provide a firm basis for a practical and peaceful solution, which would be recognized internationally in line with the U.N. Security Council's Resolution 435 (1978) read with the settlement proposal (5/12636) .

Our Christian responsibility commits us to work for peace in our country, and in view of this, this council makes appeal to South Africa to take this given opportunity to accept the proposals. This would prevent the escalation of violence and bloodshed and the state of lawlessness embodied in the Namibian status quo, inter alia citizens of this country are continuously detained and restricted under proclamations AG-9 and AG-26 without recourse to any court of law.

The Council of Churches in Namibia calls upon Christians everywhere to continue in unity with us through daily prayer for all those who are involved in the negotiations, so that a settlement may be reached soon.

-The Executive Committee of  
Council of Churches in Namibia  
Windhoek  
24 July 1980

Windhoek

4 October 1978

OPEN LETTER TO THE PRIME MINISTER Or SOUTH AFRICA MR P W BOTHA

Your Excellency,

This letter comes to you at the direction of a conference of thirty representatives of six major Churches in Namibia. We have sought the guidance of God in our deliberations on the decision of your Government as announced on the 20th of September 1978, to hold elections in Namibia this year. We have felt called to write you this letter as you assume your new responsibilities.

Bearing in mind our continuing striving for reconciliation, we as pastors over about two thirds of the Namibian population feel that we must voice a strong warning concerning this South African decision.

During our conference we heard reports of extensive intimidation and deception in the campaign to register voters. We are also aware of irregularities such as the registration of Angolan refugees. This process has caused widespread fear and further loss of confidence in your Government's intentions. As the registration has not been fair and free the elections cannot be fair and free.

It is clear to us that if elections are held in Namibia this year they will take place without the participation of the United Nations and the majority of the political parties. Many exiles and political prisoners will also be excluded. We do not see how this can in any way reduce the growing frustration and resentment which already plagues human relations inside and outside this country. We learned with gratitude of SWAPO offering a ceasefire, their acceptance of the Western settlement plan, and all Dr Waldheim's recommendations to the United Nations Security Council (including the verbal Clarifications given by him on the 29th of September.) We entirely support the United Nations plan, which in our opinion enjoys majority acceptance in this country, and provides a real possibility for ending the war on our borders and bringing about a peaceful solution to our country's problems by truly democratic means.

At this decisive time, and mindful of the on-going suffering of our people, we call upon you, Mr Prime Minister, to accept this opportunity for peace under the guarantees provided by the United Nations. We feel compelled to caution that should your government not make use of this opportunity, you will be held responsible worldwide for the escalation of an avoidable, terrible and tragic war in this country.

We continue to pray that God may guide you and your Government into conciliatory actions which will be in the best interests of all concerned.

Yours faithfully,

J.L. de Vries .

Evangelical Lutheran Church in Namibia

K. Dumeni

Evangelical Lutheran Ovambokavango Church

P.G.Kauffmanstein w

German Evangelical Lutheran Church

J.H. Kauluma

Anglican Church in Namibia

A.Tjiremuje

African Methodist Episcopal Church

R. Koppmann

Roman Catholic Church, Diocese of Windhoek

JOINT STATEMENT BY NAMIBIAN CHURCH LEADERSi SEPTEMBER 22i 1978

It is with deep consternation and sadness that we heard the South African decision to hold elections in Namibia in such a way that the participation of the United Nations and several other major 'Namihian\_parties is extremely unlikely

As we have repeatedly warned in the past, such actions\_provide no solution, but on the contrary only aggravate existing problems and Qtensions, and might lead to a rapid escalation of force and vio-  
\_lence.

This decision is especially regrettable as it has come at a time when an accommodation of all parties in the democratic process was so nearly within grasp.

It remains our prayer and concern that reconciliation must be achieved, and we therefore appeal to the Western Powers and the United Nations not to give up their striving for the achievement of a peaceful solution, that the doors may really remain open. We ask all Christians inside and outside Namibia, and all those Who love peace, truth and justice, to continue in faith praying for a solution to our country's problems.

"Help comes only faom the Lord, maker of heaven and earth"  
(Ps 121:2).

Bishop R Koppmann - Roman Catholic Church, Diocese of Windhoek

'Pastor K Dumeni - Evangelical Lutheran Ovambokavango Church

Pastor P Gowaseb - Evangelical Lutheran Church in Namibia

Bishop J Kauluma - Anglican Church in Namibia

NAMIBIAN CHURCHES CALL FOR PRAYER AND APPEAL TO ALL PARTIES AND COUNTRIES INVOLVED IN THE WESTERN SETTLEMENT PLAN FOR NAMIBIA 8 SEPTEMBERz 1978

We hereby call upon all Christians to pray most urgently at this time for the achievement of a successful conclusion to the Western Settlement Plan in the United Nations Security Council. We pray for an agreement that will bring about a ceasefire, and that the Lord will thus spare us from a tragic bloodbath and gruesome events such as those now frequently experienced in Rhodesia.

With this in mind, we feel it our responsibility to express our disquiet at repeated reports that elections will still be held in Namibia this year. The Western Proposals clearly specify a seven-month process from the time that the Secretary General's report is accepted by the Security Council until the elections are held.

Attempts to squeeze the stated procedure through in half the allotted time can only end in the abortion of the whole electoral process. Parties both to the right and to the left of the political spectrum have acknowledged the necessity of maintaining the seven month period. a -

We should also like it to be known that we support the recommendation of the Secretary General that experienced police officers should be sent to Namibia to check intimidation and agitation from any quarter during the elections, and to monitor the activities of the South African Police. The Secretary General stipulates that these experienced men will be part of the civilian component of the United Nations personnel. Over the past decade there have been numerous reports of misconduct on the part of the South African Police. Without such a presence we would therefore find it impossible to assure the law-abiding population of their right to free expression, security, and freedom from threat.

We are also frankly distressed at attempts to cut the UN military component down to less than that required by the UN military experts. After all, this is a vast country, and the UN force has been given the unenviable and enormous task of, inter alia, providing surveillance of the borders, preventing infiltration, and also monitoring base camps and the cessation of hostilities. We trust that Mr Ahtisaari made his calculation on the best of information and remains determined to maintain the impartiality of his task force. We therefore feel very strongly that it is of the utmost importance that he should have at his disposal the manpower and support services which he needs to perform his function adequately. It seems to us too optimistic to say that if there is a ceasefire such a force will not be needed.

In the past we have repeatedly seen how extensive panic and disruption can be caused by very small groups who break the discipline of their commanders. We must also reckon that there are groups at large who have obtained powerful armaments and who may yet do nothing more than thieves and robbers without conscience. We therefore cannot see any reason to deny this country all the security which the United Nations is able to offer. Security for all must be the first priority, irrespective of the costs.

As we pray for a successful settlement we therefore call upon all parties to show good faith and responsibility, and not to act in any way which can reverse the great strides which have recently been made towards a peaceful accommodation of all parties in Namibia.

'May the Lord of Peace himself give you peace' at all times and in all ways! (2 Thessalonians 3:16).

United Evangelical Lutheran Church

Roman Catholic Church, Diocese of Windhoek

Anglican Church, Diocese of Damaraland

African Methodist Episcopal Church

iMEMORANDUM TO HIS EXCELLENCY MARRTI AHTISAARI, UNITED NATIONS  
SPECIAL RE-PRESENTATIVE FOR NAMTRIA. FROM NAIBIAN CHURCH LEADERS,  
AUGUST 15, 1978 i

Your Excellency,

It is with great joy and thanksgiving that we welcome you in  
Namibia as an answer to prayer. Your presence here represents the  
fulfilment of hopes cherished by many Namibian people for a gene-  
ration. ' i

You will know of the many declarations and actions which we have  
undertaken during the past ten years against the racism, exploita-  
tion and systematic torture of South African rule.

Although we have tried only to echo the cry of our people we have  
been branded as 'terrorists', and yet it is we Who have repeatedly  
tried to bring calm to situations of civil unrest and senseless  
bloodshed.

And you will know that we have concerned ourselves intimately with  
the Western initiative since its inception, and were the first to  
accept these proposals, and urge their speedy adoption by all  
parties, when they were finalized on March 30 this year.

Today, though we see it as our continuing responsibility to  
remain critical and independent, we have come prepared to listen  
respectfully to whatever suggestions you may have for co-operation  
between yourself and us in the achieve-ment of your mission.

There are, however, a number of matters which we feel we should  
bring to your attention immediately.

1) The majority of voters who have been registered so far (under  
the sole authority of the Administrator General) have not done  
so freely; Criticism of the law leads to immediate imprisonment.  
And people have been coerced by employers. A very worrying  
aspect of this operation has been the close co-operation  
between the Democratic Turnhalle Alliance and the South African  
Officials concerned.

2) Continuing collaboration between the SADF and UNITA  
While the exploits of South Africa in Angola during 1975 are  
now common knowledge, it is so well known that the links  
between South Africa, and UNITA have, if anything, been streng-  
thened since then. In particular, South Africa has been  
recruiting UNITA soldiers into its own army. These poorly dis-  
ciplined troops - who may well rejoin their compatriots in  
Angola, and who have nothing whatsoever to gain from a South  
African troop withdrawal, can wreak havoc in the Northern parts  
Indeed that is what happened, for instance, at omundaungilo at  
the end of 1973 when a whole vilage was terrorised, people  
Killed, women raped, and so on.

We believe that many hundreds of these UNITA troops have been  
trained by South Africa at secret bases in the Kavango area.

We now view with particular alarm the recent reports by the  
South African Defence Force that 'SWAPO terrorists in South  
African uniforms' have been responsible for murder and sabotage  
in the Northern parts.

### 3) Elections

In view of the extreme importance of these elections, the necessity that the people should 'gain confidence in the electoral process, the need for people to have time to become properly informed and make a considered Choice, we feel that pressing ahead with elections before December, this year, will be asking for confusion, mistrust and everything that is undesirable and unsatisfactory in an election.

Immediate release of all political prisoners

It is well known that the churches have played a significant role in working for the release of Mr Andreas Shipanga and his associates from detention in Tanzania. In response the Administrator General has gone on a spree of imprisonment and banishment inside Namibia. This is unfair and intolerable: We demand that all political prisoners, and in particular, Mr Herman Ya Toivo should be released immediately.

### 5) Banishment of Chhfhmen

A matter which grieves us personally is the 'summary and unjust expulsions to which church people have been made subject during the past decade. We insist that these our brethren should also be allowed to return to Namibia to play their rightful role in the development of a free and just Namibia. Lastly, We wish to assure you of our prayers in the many difficult decisions which await you.

United Evangelical Lutheran Church

Roman Catholic Church, Diocese of Windhoek

Anglican Church, Diocese of Damaraland

African Methodist Episcopal Church

JOINT STATEMENT BY NAMIBIA CHURCH LEADERS APRIL 7 1978

M

We, the undersigned representatives of our respective denominations, wish to state the following about the present situation in Namibia and the "Proposal for a settlement of the Namibian situation" dated March 30, 1978.

We reiterate the Churches' time-honoured stand against violence, we stand by our Lord's teaching and example, namely: "Thou shalt love thy neighbour as thyself".

We believe that from time to time in the history of God's salvation of man, there is a right moment for the Churches to call out to the nation, to sound the trumpet of peace. Such a moment is now.

As the representatives of Churches to which belong over half the population of this country, we therefore now call upon all to accept the March 30, "Proposal for a settlement of the Namibian situation".

We believe that this proposal is a basis upon which can be founded the long-awaited united and free country of Namibia.

We would be failing in our duty and concern if we were not to warn of the possible terrible consequences of hesitating at this eleventh hour.

The signs are there for all to see: "If you have ears, then listen to what the spirit says to the Churches".

"To Him who sits on the throne and to the Lamb, be praise and honour, glory and might, for ever and ever".

SIGNED:

Dr J L de Vries & Bishop L Auala

United Evangelical Lutheran Church in Namibia

Bishop R. Koppmann

Roman Catholic Church, Diocese of Windhoek

Rev E S Morrow

Anglican Church, Diocese of Damaraland



POWERS RE JANUARY 31, 1978, PROPOSAL FOR A SETTLEMENT OF THE NAMIBIAN SITUATION 5 FEBRUARY, 1978

Catholic Church and the Anglican Church met on Saturday 4 February, 1978, with envoys of the five Western Powers on the United Nations Security Council and were briefed on the 31 January, 1978 Proposal for a Settlement of the Namibian Situation.

These proposals seem to go a long way to a generally acceptable arrangement for a transition to independence. We would like, however, to have the role of the United Nations Special Representative more clearly defined. We would also like to suggest some important amendments, i.e.:

1) The proposals make provision for the repeal of restrictive laws, regulations or administrative decisions which might inhibit the holding of free and fair elections. In our view this must include the repeal of all South African Security Laws; Section 6 of the Terrorism Act should in particular be repealed immediately. With the formal start of the transitional period (after the ceasefire) the check-points at entrances to the Northern parts should be completely dismantled.

2) We would suggest that the qualifications for registration as a voter should be: o'

a) birth 25 residence for a period of five years

b) universal suffrage

c) minimum age of 18 years.

3) Any dispute about the release of political detainees should be resolved

4) With regard to the maintaining of law and order during the transitional

5)

Dr

- 146 -

b) The South African Police and Municipal Police Forces throughout the country should be brought directly under the joint authority of the Administrator General and the United Nations Special Representative for the transitional period.

c) In addition to the powers given to the United Nations Special Representative in para. 9 we strongly advise that UN personnel should be appointed to all police stations, prisons and courts.

While we recognise the urgent need for a settlement in Namibia we do not regard the proposed date for independence, viz. 31 December, 1978, as sacrosanct and would like to have sufficient time allowed for the proper conduct of each stage of the process.

J L de Vries

Unitdd"Euangelical Lutherah Church in SWA/Namibia

(Evangelical Lutheran Church, Evangelical Lutheran Owambokavango Church and German Evangelical Lutheran Church)

Fr.

H Henning

Roman Catholic Church

Bishop James Kauluma

rAnglican Diocese of Damaraland

MEMORANDUM FROM CHURCH LEADERS IN NAMIBIA, PRESENTED TO REPRESENTATIVES OF THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, THE UNITED KINGDOM, THE FEDERAL REPUBLIC OF GERMANY, FRANCE AND CANADA, DURING THEIR VISIT TO NAMIBIA ON MAY 9 - 10, 1977

MM

"Out of our deep concern for reconciliation we have written several letters to the Prime Minister, Mr Vorster, and various other Government officials about the situation in our country, particularly in regard to the Black population, We did this for the sake of the whole community, for Black and White". "You are certainly aware of the important role of the Churches in this country and our pledge to strive for the freedom of our people. Our Church membership together constitute more than two thirds of the total Black population. (And the Black population constitutes 90% of the total population).

"In a letter to Dr H. Kissinger dated 18th June, 1976, before his meeting with the South African Prime Minister, M: B J Vorster, we staaed:

"'We are convinced that the vast majority of the Black population of our country fervently desires that the South African Police, Army and Administration should rapidly leave this country. South Africa has done some good and generous things here.... but these are overshadowed by the discriminatory political policies which have been so callogslly implemented here. "'This is still our conviction today. Furthermore, We believe that the present line of development will lead this country into a sitaation of increased bloodshed and suffering.

a negligible chance of success. Certainly one cannot any longer sanely gamble with the future of a nation and sub-continent at such long odds'.

The Situation in Northern Namibia:

"Besides military activity, SA is engaged in an extensive propaganda drive (mainly through Radio Wambo) against SWAPO, Communism, and the Churches too.

"The support of sympathy towards SWAPO seems to be increasing, and hatred towards SA also, because of the activities of the Army and Police against "People here show very little sympathy towards the Turnhalle. The Turnhalle representatives are not representative. The proposed interim Government is 'considered a bluff, as are the homeland Government which have no real power. The blacks have not been asked nor are they being asked whether they want the Turnhalle or not. The Referendum is for Whites only.

"The United Nations has passed many good resolutions, but implemented very little. Much hope was earlier set on the UN but there is not much hope any more as there seems to be no outcome because of the inaction or lack of commitment of the Western Nations.

"America and other Western Nations are losing the image and prestige they once had as they only try to secure their business interests for a while without any interest for the people of the country. A radical and practical change in the policies of the Western Nations is needed if they want to get an independent and neutral Namibia, otherwise the country is lost to those who are interested in helping. Action is needed, not only words. Freedom can be achieved by:

1) Turnhalle, which will, however, not bring peace to the country and will ultimately lead to chaos.

2) SWAPO forcing SA out with the assistance of other nations. This will mean a bloody war and the country would have to start from nothing as in Angola.

3) Peaceful transition with direct negotiations and agreement between SWAPO and SA along the lines of UN Resolution 385. Other parties should of course also be heard but the main parties are SWAPO and SA. All points of 385 should be realised. UN supervision is necessary. Only this can bring a real and lasting solution and all options should be used to achieve this. ;

"Therefore, we want to state following:

1) We are grateful for the initiative taken by the representatives of the USA, Britain, France, West Germany and Canada to help this country reach a peaceful solution.

2) We plead that the interim Government as planned by the Turnhalle should 'not be established as it will lead to civil unrest in the country. The Turnhalle Constitutional Conference was itself without any moral or legal standing.

3) We believe that a TurnhalleOinspired Government can only maintain power with the might of the South African Forces, which will be an open invitation to opponents to unseat such a Government with the aid of another Foreign power.

4) That the South African Government should not be allowed in any way to implement any resolution of the Turnhalle as we see this as a continuation of the Bantustan policy of South Africa.

5) That, as a matter of urgency, the people of SWA/Namibia, the UNO and South Africa must find a way to co-operate in the working out of a plan or procedure for the peaceful and democratic transition of pOWer to the people of SWA/Namibia.

6) That part of such a transition should be a general election in which all parties should be allowed to participate peacefully. We believe that to create a reconciliatory and peaceful atmosphere for such elections, political prisoners should be released and exiles allowed to return. We propose that elections should take place under United Nations supervision.

7) That the elections should have as their aim the establishment of a Constituent assembly which will have the responsibility of ruling the country during the interim period and preparing a constitution for the independence of the country.

SIGNED: DR J L DE VRIES

President of United Evangelical Lutheran Church in SWA/Namibia

SIGNED: FR PROVINCIAL H HUNKE OMI

On behalf of Bishop R. Koppmann, Catholic Church

SIGNED: REV E S MORROW

Vicar General for Bishop C O 8 Winter, Anglican Church

SIGNED: BISHOP DR L AUALA

Evangelical Lutheran Owambokavango Church

STATEMENT TO THE SOUTH AFRICAN PRIME MINISTER, MR B J VORSTER, FROM THE CHURCH BOARDS OF THE EVANGELICAL LUTHERAN OWAMBOKAVANGO CHURCH AND THE EVANGELICAL LUTHERAN CHURCH IN SWA DATED 30th JUNE, 1971

5

His Honour,

After the decision of the World Court at the Hague was made known on 21st June, 1971 several leaders and officials of our Lutheran churches were individually approached by representatives of the authorities with a view to making known their views. This indicates to us that public institutions are interested in hearing the opinions of the Churches in this connection. Therefore we would like to make use of the opportunity of informing your Honour of the opinion of the Church Boards of the Evangelical Lutheran Church in SWA and the Evangelical Lutheran Owambokavango Church which represents the majority of the indigenous population of South West Africa.

We believe that South Africa in its attempts to develop South West Africa has failed to take cognizance of Human Rights as declared by UNO in the year 1948 with respect to the non-white population. Allow us to put forward the following examples in this connection:

1) The government maintains that by the race policy it implements in our country, it promotes and preserves the life and freedom of the population. But in fact the non-white population is continuously being slighted and intimidated in their daily lives. Our people are not free and by the way they are treated they do not feel safe. In this regard we wish to refer to Section 3 of Human Rights.

2) We cannot do otherwise than regard South West Africa, with all its racial groups, as a unit. By the Group Areas Legislation the people are denied the right of free movement and accommodation within the borders of the country. This cannot be reconciled with Section 13 of the Human Rights.

3) People are not free to express or publish their thoughts or opinions openly. Many experience humiliating espionage and intimidation which has as its goal that a public and accepted opinion must be expressed, but not one held at heart and of which they are convinced. How can section 18 and 19 of the Human Rights be realized under such circumstances?

4) The implementation of the policy of the government makes it impossible for the political parties of the indigenous people to work together in a really responsible and democratic manner to build the future of the whole of South West Africa. We believe that it is important in this connection that the use of voting rights should also be allowed to the non-white population. (Section 20 and 21 of the Human Rights).

k)

- 151 -

5) Through the application of Job Reservation the right to a free ChOICC of profession is hindered and this causes low remuneration and unemployment. 'There can be no doubt that the contract system breaks up a healthy family life because the prohibition of a person from living where he works, hinders the cohabitation of families. This conflicts with sections 23 and 25 of the Human Rights. '

The Church Beards' urgent wish is that in terms of the declarations of the World Court and in cooperation with UNO of which South Africa is a member, your government will seek a peaceful solution to the problems of our hand and will see to it that Human Rights be put into operation and that South West, Africa may become a self-sufficient and independent State.

With high Esteem,

Bishop Dr. L; Auale

Chairman of the Church Board

of the Ev. Luth. Owamhokavango Church

.Moderator Pastor P. Gowaseb.

'Chairman of the Church Board

of the Ev. Luth. Church in SWA

(Rhenish Mission Church)

INTRODUCTION TO NAMIBIA QUESTION AT PRAYER SERVICE  
ECUMENICAL CENTER ON FRIDAY, 9 JANUARY 1981

The question of Namibia as it is called in international circles has been with the wider community for about 60 years.

After the First World War, German South West Africa as it was then called was made a trust territory but the League of Nations with the mandate to be exercised by South Africa. The government of South Africa was to provide the kind of educational assistance and social structure enable the trust territory to become independent. That did not happen. Instead, South Africa attempted to annex the territory, which is rich in minerals, and failing that, it imposed its own laws and social structures on the land and its people.

After World War II, the South African Government refused to become accountable to the United Nations and while virtually every other colonial regime in Africa and elsewhere transferred its authority to independent governments, South West Africa or Namibia as it is now called remains under political administration of South Africa or people placed in office by its internally-sponsored elections.

Literally hundreds of resolutions by United Nations GA and SC have addressed this question, but with limited results. This year, June 21, will be 10th anniversary of the announcement of an opinion of the ICJ that Namibia is ruled illegally by South Africa and that South Africa is under obligation to withdraw its administration from that territory.

But it is still there with its Administrator General and military forces. For the last two years the UN has been working on another proposal which would bring Namibia to independence. It is embodied in a resolution of the UN Security Council no 435. The implementation of the resolution calls for a cease-fire between the South Africa Defense Force and the South West African Peoples Organization (SWAPO) which has been engaged in armed struggle. Largely on the Northern border of Namibia with Angola. Following the Cease-fire, the UN is prepared to field a peace keeping force of about 7,500 troops and a civilian force of over 1,000 who will supervise the electoral process culminating in the election of a constituent assembly to draw up a constitution and proceed with an independent government.

The CCN has consistently supported this plan and called on brothers and sisters throughout the world to support it also. The South African Government and some people in Namibia, however, have taken the position that the United Nations cannot be impartial in this process because its General Assembly has recognized SWAPO as the sole legitimate representation of the people of Namibia. The UN points out that the resolutions of the GA carry only the authority of world opinion and that the Security Council, under whose jurisdiction the electoral process will take place, has never made this judgment. It is this question of trust and confidence which is being addressed at the current meeting in Geneva.



C;

C

-153-

ANC CALL TO THE NATION

THE FUTURE IS

WITHIN OUR GRASP!

Events in our country are moving with astonishing speed. In our January 8th message we issued a call for the intensification of our liberation offensive on all fronts, the transformation of more and more localities into mass revolutionary bases, and the need to take further strides towards rendering the country ungovernable.

Only three months have passed since that call was made and already the surge of peoples resistance and active defiance have reached new heights. The face of our country is changing before our very eyes.

i: In the black ghettos of the urban areas the legitimacy of authority of all types is not just under attack, it has been largely destroyed. Most of those who served white rule in so-called urban councils have suffered the wrath of the people. But many have respected the demands of the people by resigning.

t The tri-cameral parliament has exposed its complete impotence in the present crisis and continues to be shunned. The Bantustans are universally held in contempt.

t Well-organised stay-aways in localised areas have once again drawn attention to the potential of the organised workers to bring the ruling class to its knees.

t The people, by their actions, are teaching black police and soldiers that there is no place in our communities for those who wear the uniforms of apartheid and who carry out orders to kill, maim and torture their brothers and sisters.

10: All attempts to tame our fighting students have failed and more and more schools and universities are becoming flashpoints for freedom.

1: The continuing street confrontations with the enemy's armed forces show that our people, in massive numbers, not only want a new order in our country but are also prepared to sacrifice life, if need be, to bring it about.

at Fired by the heroic example of Umkhonto we Sizwe, more and more of our youth are searching for ways to organise themselves into effective combat units to defend the people, deal with the collaborators, and to hit back selectively at the enemy's armed personnel.

I Struggle IOI llberatlon anu suctdumu. I \_

1 pro-  
time!

. The  
llion.

sing.

0 buy

'5 bag

nic

trade

fallen

'. The

force

re in-

)f our

nonto

vs in

out.

what

)f the

2 and

Class

:1 the

)rces

'e, to

theid

st be

lld

le

INTRODUCTION TO NAMIBIA QUESTION AT PRAYER SERVICE  
ECUMENICAL CENTER ON FRIDAY, 9 JANUARY 1981

The question of  
with the world  
After the First  
was made a truth  
be exercised by  
the kind of  
territory to be  
attempted to achieve  
that, it imposes  
people.

After World War  
able to the United  
in Africa and  
South West African  
administration  
sponsored election  
Literally hunched  
this question,  
anniversary of  
ruled illegally  
to withdraw it  
But it is still  
For the last time  
would bring Namibia  
UN Security Council  
cease-fire between  
Peoples Organisation  
largely on the  
fire, the UN  
troops and a  
process culminated  
constitution  
The CCN has  
sisters through  
Government  
that the United  
General Assembly  
of the people  
carry only the  
under whose  
made this judgment

The people, undaunted by massive state repression, are openly  
demonstrating over and over again that the ANC is their  
legitimate and overall leader on the road to People's Power.  
On the side of the people the conditions for a revolutionary leap  
forward are beginning to mature. On the side of the ruling class  
the economic and political crisis has reached new heights.  
It is clear that the racists cannot continue to rule in the old way.  
The bankrupt and dying regime is being kept alive by those who  
carry arms in its defence. All attempts by it to find alternative solu-  
tions have landed on the rocks. All Botha's reforms, designed to  
defuse the developing revolutionary assault, trigger off even more  
vigorous mass opposition. The promised alteration of the sex laws  
is the latest pathetic manoeuvre. It is another gesture to help the  
external allies of apartheid to stem the mounting international tide  
for the total isolation of South Africa. There will be real love across  
the colour line only when South Africa is completely free.  
The growing ferment from below and the deepening crisis from  
above demand the urgent attention of our whole liberation from and  
all sectors of our struggling peoples.  
The historic conditions which are necessary to ensure the col-  
lapse of the apartheid system and the creation by the people of a  
new social order are beginning to take shape in greater measure  
than ever before in our history. Yet much more remains to be done.  
It is the urgent task of our liberation movement and of all patriots  
to stimulate the further growth of those conditions which could  
bring the day of the peoples seizure of power within our sight.  
It is against this background that we once again call on all sec-

tions of our people to make the apartheid system more and more unworkable and the country less and less governable. At the same time we must work endlessly to strengthen all levels of mass and underground organisation and to create the beginnings of popular power.

More particularly:

0 We call on our nationally oppressed working class to strengthen and unite the trade union movement and to sharpen the weapon of workers' power at the point of production in the struggle for national liberation. A long-lasting national work stoppage, backed by our oppressed communities and supported by armed activity, can break the backbone of the apartheid system and bring the regime to its knees. All patriots active in industrial organisation must examine the lesson of the recent successful stay-aways in the Transvaal and Eastern Cape and must set their sights on combining national

2

being addressed at the current meeting in Geneva.

stay-away action with countrywide mass popular actions.

O We call on our communities in the black ghettos to replace the collapsing government stooge councils with peoples committees in every block which could become the embryos of peoples power

O We call on our people and, more especially, our fighting youth in every black community, school and university to find ways of organising themselves into small mobile units which will protect the people against anti-social elements and act in an organised way in both white and black areas against the enemy and its agents. Every black area must become a no go area for any isolated individuals or pockets of the enemys police or armed personnel. The people must find ways to obtain arms by whatever means from the enemy and from any other source. Appropriate forms of combat tactics must be developed for situations in which the enemy is on the rampage against the people. The proliferation of such units and their functioning in accordance with all the rules of underground secrecy will add inestimable power and strength to the armed wing of our liberation movement - Umkhonto we Sizwe.

O We call on all those among the black oppressed who serve in the machineries of apartheid to resign now. The Bantustans, the so-called parliaments for the Coloured and Indian people, the community councils and other organs of racist power must cease to function. They must find fewer and fewer participants as patriots join in the bitter struggle for power. At a time when so many have fallen and are falling to racist bullets, those who continue to sell their people's birthright will be shunned and made to feel the anger of the masses in both town and countryside.

O We call on the unemployed blacks now sitting in uniform to stop shooting their brothers and sisters in defence of white rule. They must refuse to carry out such orders. They must organise secretly to turn their guns against their masters.

C We call on those in the white community who have been conscripted into the army to refuse, in their own interests and those of their children, to be used as instruments of massacres and military domination over their black fellow citizens and over the people of Namibia, Angola and other parts of Southern Africa.

O We call on all social institutions, religious, cultural, civic and sporting, which retain a belief in the true brotherhood of man, to side even more vigorously with the cause of peoples liberation and stand firm against racist intimidation.

O We call on the people everywhere to defy, in an organised way, the imposition of laws founded on race discrimination, to resist all

3

Umsebenzi. Use it as a weapon in the struggle for liberation and socialism.

pro-  
me!

The  
.ion.  
ing.  
buy  
; bag  
ic  
rade  
allen  
. The  
iorce  
'e in  
rfour  
lonto  
vs in  
Out.  
what  
If the  
and  
class  
i the  
)rces  
'e, to

:heid  
st be  
ing  
of  
)y  
Iough .  
m  
ent  
of  
:he  
;0

INTRODUCTION TO NAMIBIA QUESTION AT PRAYER SERVICE  
ECUMENICAL CENTFD m. ,

The question of  
with the world  
After the First  
was made a truth  
be exercised in  
the kind of em  
territory to m  
attempted to m  
that, it imposi  
people.

After World War  
able to the Un  
in Africa and  
South West Afr  
administration  
sponsored elec  
Literally hund  
this question,  
anniversary of  
ruled illegall  
to withdraw it  
But it is stil  
For the last t  
would bring Nm  
UN Security Co  
cease-fire bet  
Peoples Organi  
largely on the  
fire, the UN i  
troops and a c  
process culmin  
constitution a  
The CCN has to  
sisters throug  
Government  
that the Unite  
General Assemb  
of the people  
carry only the  
under whose ju  
made this judgment.

. It is the trust and confidence which is  
being addressed at the current meeting in Geneva.  
attacks on their living conditions and to promote united resistance  
and action against the apartheid system and its agencies.

0 We call on the white community in whose name racist barbarities  
' are being perpetrated daily against the black majority, to move  
away from its support of apartheid and to increase the ranks of the  
growing number of democratic whites who are participating in our  
liberation struggle.

0 We call, in this Year of the Cadre, on all political and military  
activists to work unceasingly to strengthen the ANCLs underground  
presence and to reinforce our leadership core in every part of the  
country. The ANCLs liberation movement is the indispensable  
guide to the whole revolutionary process.

0 We call on Umkhonto we Sizwe to intensify the armed struggle  
with all the means at its disposal and, more particularly, to concen-  
trate more and more on actions against the enemy armed forces  
and police. We also call on our underground to help make such  
an intensification of armed activity possible by working day and  
night to create and strengthen our internal political revolutionary  
bases.

The period ahead presents all of us - whether in or out of  
the ANC - with an awe-inspiring challenge. Under the  
leadership of our liberation movement we can and must  
answer this call of history. Let the blood of our martyrs who  
are falling before the enemy bullets nourish our battle for  
freedom. Let our watchwords be:

Unity in Mass Action! Confront the Enemy on all Fronts!  
MAKE APARTHE'D UNWORKABLE!  
MAKE THE COUNTRY  
UNGOVERNABLE!  
Forward to People's Power!  
Long Live the ANC - the ,  
Vanguard of Our Revolution  
ISSUED BY THE NATIONAL EXECUTIVE COMMITTEE OF THE ANC  
PO BOX 31791 LUSAKA ZAMBIA 2514185

2 Wm  
SlLt/IO  
#4716911 )gleQIZ  
-153-

SEIZE THE TIME!

The enemy is in deep trouble. It is swaying with economic and political problems. The time is ripe to deliver some stunning blows. Let us seize the time! The economy is in its worst mess for fifty years. Prices are out of control. The Rand is tumbling. Gold keeps going down. Unemployment is over four million. The wage packet buys less and less each week. Rents and fares keep rising. Botha's political crisis grows. Divisions at the top are widening. All attempts to buy collaboration with so-called reform have struck the rock of people's resistance. Botha's

bag of tricks to keep up White domination looks more soiled than ever.

FORWARD WITH

UMSEBENZI!

Organisation is everything! To meet the enemy we have to be organised. And the spread of understanding is the very beginning of organisation. That is why we look upon our newspaper as an organiser.

Without a revolutionary theory the struggle is like a ship without a compass. But political theory is of little use unless it leads to revolutionary practice. Our job as revolutionaries is not just to explain the world; we have to change it!

An understanding of Marxist-Leninist thinking and the way our Party applies it to South African conditions will help us organise the path towards the future.

We aim through Umsebenzi to create a bond between all revolutionary units and cadres and guide those still searching for a way of struggle. We aim, above all, to stimulate revolutionary understanding and commitment leading to organisation and action.

The liberating ideas which we South African Communists are spreading are truly hated by the racist enemy. They will do all in their power to stop our people from reading and circulating our message. You must therefore be careful. Work out safe ways to spread Umsebenzi. Use it as a weapon in the struggle for liberation and socialism.

t The bantustans have remained comic book countries.

lr The attempts to create a good-boy trade union movement has failed.

iv The new minority constitution has fallen flat on its face.

i The constellation of states remains a still-born idea.

it Nkomati fever has not spread - the African states have seen that a kiss from Botha is a kiss of death.

Power is in Your Fist

Resistance and defiance are spreading. The whole army is now acting like a police force as we saw in Sebokeng. The people are inspired by the example and leadership of our liberation front and its armed wing. Umkhonto we Sizwe. The mass movement grows in strength. Our youth continue to hit out. November's stayaway strike showed what enormous power there lies in the fist of the worker. The workers in factory, mine and



farm can undoubtedly bring the ruling Class  
to its knees.

The economic and political crisis and the  
growing strength of the revolutionary forces  
have opened the way, as never before, to  
people's advance. Capitalism and apartheid  
equal oppression and misery; both must be  
smashed.

Botha is in trouble!

Let us intensify the offensive t

Forward to People's Power!

ling

of

)y

tough.

)n

ant

of

be.

)ul d

"e

3

IN.  
EU  
The  
M"  
Af'  
wa:  
be  
tht  
tet  
at'  
the  
pet  
Aft  
in  
Som  
adt  
Sp(  
th'  
am  
ru'  
to  
But  
For  
WOL  
UN  
cee  
P6(  
lat  
fit  
trt  
pm  
cor  
Thf  
sis  
Gox  
Ger  
of  
car  
um  
mac  
bet  
-152-

OLIVER TAMBO

We print short extracts  
from the speeches of  
Oliver Tambo  
President of the ANC  
and Moses Mabhida  
General Secretary of  
the SACP

on the occasion of  
our 63rd anniversary  
President of the African National Congress 1  
11 15 a matter of record that for much of its  
history, the South African Communist Party  
has been an integral part of the struggle of the  
African people against oppression and ex-  
ploitation in South Africa. We can all bear  
witness that in the context of the struggle  
against colonial structures, racism and the  
struggle for power by the people, the SACP  
has been fighting with the oppressed and  
exploited.

Notwithstanding that it has had to concen-

MOSES MABHIDA

General Secretary

South African Communist Party

Our Party's stand as far as national liberation  
goes in South Africa is quite clear. It fully sup-  
ports the same programme of liberation as the  
African National Congress, for the seizure of

power and majority rule. The National Liberation Movement, to quote Lenin, is a necessary ally of the proletarian revolution'. Our Party's relationship with the African National Congress is based on mutual trust, on thwarting the efforts to destroy it, ; cadres of the SACP have always been ready to face the enemy in the field. Because they have stood and fought in the front ranks. they have been amongst those who have suffered the worst brutalities of the enemy, and some of the best cadres have sacrificed their lives. I And so, your achievements are the achievements of the liberation struggle. Your heroes are ours. Your victories, those of all the oppressed The relationship between the ANC and the SACP is not an accident of history, not 1 is it a natural and inevitable development. Ours is not merely a paper alliance. created at conference tables and formalised through the signing of documents and representing only an agreement of leaders Our alliance is a living organism that has grown out of struggle. We have built it out of our separate and common experiences.

Today the ANC and SACP have common objectives in the eradication of the oppressive and exploitative system that prevails in our country: the seizure of power and the exercise of their right to self-determination by all the people of South Africa.

We share the strategic perspective of the task that lies ahead.

**STRENGTHEN THE ALLIANCE!**

reciprocity, comradeship in battle and a common struggle for national liberation. Our unity of aims and methods of struggle are a rare instance of positive alignment between the forces of class struggle and national liberation.

We are clear about the priorities of our struggle. first national liberation and then an advance towards socialism.

The Freedom Charter, our people's document and programme of the ANC. sets out a scheme for the desired democratic liberated South Africa. We know full well that the racist regime in 1956 shouted 'Treason' when the programme was declared and it imprisoned 156 leaders of the liberation movement.

This document is now widely accepted as the people's vision of a free South African society. The Charter emphasises People's Power, it is against all forms of discrimination. it guarantees equal rights. freedom of movement, residence. occupation and religious affiliation.

The struggle of our people and our Party is thus a struggle against racism. colonialism. imperialist exploitation and oppression, for liberation, human dignity and peace.

SOUTH AFRICAN  
COMMUNISTS MEET

NOTES OF A SIXTH CONGRESS DELEGATE:

Towards the end of 1984 I was a delegate to the Sixth Congress of the South African Communist Party. The years between the Fifth and Sixth Congresses had been full of hardships and trials for our Party. Many of our leading comrades had been jailed or exiled. Some had been executed or killed in action against the enemy. Leading comrades like I B Marks, Moses Kotane, Yusuf Dadoo and others had died of natural causes.

We are a part of the liberation movement of South Africa headed by the African National Congress. The racist regime knows that our Party, founded in 1921, is one of its most dedicated and committed opponents. Our Party was the first to be banned by the regime in 1950. But the enemy did not kill us off, as it hoped. The Sixth Congress of the reconstituted South African Communist Party demonstrated that the ideas of Marxism-Leninism and proletarian internationalism enjoy more widespread support among our people than ever before.

I have attended previous Congresses of our Party, but never have I been so confident of the future of our Party and the eventual triumph of socialism in South Africa. The delegates to the Sixth Congress, chosen by a combination of election and selection to ensure a proper balance, were a blend of youth and experience. The proceedings were dominated by the fire and enthusiasm especially of the young. And these young militants were not mere armchair radicals or adventurers. Most of them were, despite their youth, battle-hardened and tested in action. Their ideas were the fruit not just of books learning but of political and military struggles with the enemy. Our cadres are tried and tested, committed and dedicated, disciplined and determined.

The composition of the delegates shows that our Party has become firmly rooted in the people. The bulk of the delegates, 64%, were African, 18% Indian, 6% Coloured and 12% White. The discussion was dominated by the realistic optimism of young people of working class origin. They have seen action and know what danger means, and are ready to sacrifice everything for the advancement of our cause.

-153-

r NXST PART Y

V5b

The Congress took place over a period of several days. The following are some of its decisions:

19: Congress was of the opinion that the mood among the oppressed people in South Africa is one of revolt. A state of incipient civil war exists in the country. The urgent task of the liberation movement is to raise the all-round political and military offensive against the apartheid regime. The country must be made ungovernable, paving the way for the victory of the national democratic revolution. i Congress called for the strengthening of the revolutionary alliance of the ANC, SACP

and SACTU to achieve this goal.

Vk Congress called for the strengthening of the Party internally so as \_to enable it to lead the working class more effectively to carry out its historic mission.

i: Congress condemned the militaristic adventurism of the imperialists, headed by the US administration. Congress also called for the convening of a conference of the international communist movement to strengthen the world forces working for peace and social progress.

i' Congress called for the unconditional release of all political prisoners.

at Congress adopted a constitution to regulate the work and functioning of the SACP. This is the first constitution adopted by the Party since its reconstitution in 1953.

i: Congress unanimously re-elected comrade Moses Mabhida as general secretary, and also unanimously elected a national chairman of the Party in secession to the late comrade Yusuf Dadoo. In a future issue the name of the new National Chairman will be announced. The Congress elected anew central committee and laid down guidelines for its work during the coming period.

DEDICATION, DISCIPLINE AND DRIVE!

Iuld

IN  
EC1

— THE NEW CONSTITUTION

The new constitution adopted by our Sixth Congress is another milestone in the history of the South African Communist Party. The aims of the Party which are set out in Section Two of the constitution should be studied by all revolutionaries.

M AIMS or THE

SOUTH AFRICAN COMMUNIST PARTY

be

wi-

The Communist Party is the leading political force of the South African working class and is the vanguard in the struggle for national liberation, socialism and peace in our time. The ultimate aim of the Party is the building of a communist society, towards which it is guided by the principles of Marxism-Leninism. The establishment of a socialist republic in South Africa requires that political and economic power be firmly placed in the hands of the working class in alliance with the rural masses.

To this end the Communist Party aims:

A) To end the system of capitalist exploitation and establish a socialist republic based on the common ownership of the means of production;

B) To organise, educate and lead the working class in pursuit of this strategic aim and the more immediate aim of winning the objectives of the national

democratic revolution which is inseparably linked to it. The main content of the national democratic revolution is the national liberation of the African

people in particular, and the black people in general, the destruction of

the economic and political power of the racist ruling class, and the

establishment of one united state of Peoples Power in which the work-

ing class will be the dominant force and which will move uninterruptedly

towards social emancipation and the total abolition of the exploitation of

man by man;

C) To participate in and strengthen the liberation alliance of all classes and

for strata whose interests are served by the immediate aims of the national

democratic revolution. This alliance is expressed through the liberation

front headed by the African National Congress;

D) To spread the widest possible understanding of the ideology of Marxism-

Leninism and its application to South African conditions;

E) To combat racism, tribalism, sex discrimination, regionalism, chauvinism

and all forms of narrow nationalism;

F) To promote the ideas of proletarian internationalism and the unity of the

workers of South Africa and the world and to participate in and strengthen

the World Communist Movement.

COF

BUILD THE PARTY!

The

is

it; JUNE 26

Our People's Freedom Day

Ger

of

car

and Mobilise to mark the 30th Anniversary of

the Freedom Charter!

MAY 1st - WORKERS DAY

On May 1st 1896 over 340 000 American workers went on strike in support of a demand for an 8-hour working day. The police killed eleven workers. Four workers were falsely charged with killing a policeman and hanged. Workers throughout the world demonstrated support for their American brothers. From that time workers everywhere began to celebrate May 1st as their day. In the capitalist countries May Day is a commemoration of past victories which workers won in militant struggles. It is also a rededication to defend those gains and to continue the struggle for socialism. In the socialist countries May Day is a celebration of the progress possible when the working class seizes state power, takes over the means of production and ends all oppression and exploitation. It is also a day of support and solidarity with all those fighting for peace, freedom and socialism.

i l k t i'

For us May Day is a day on which we demonstrate against the inhuman apartheid system and the super-exploitation of the black working class; against the millions of unemployed, starvation wages, increases in the general sales tax, the uprooting and dumping of millions into the Bantustans, and malnutrition and infant mortality which wipes out our children, the denial of skilled jobs and the system of inferior education for blacks. On May Day 1985 we must intensify the struggle for freedom. With a long and proud record of struggle our working class is today more organised, united and militant than ever. The use of troops, the murder of over 170 people, the injuring of thousands, the sackings, victimisations and arrests have failed to curb the militancy of the people. It is the working class which must show the way to all the oppressed and democratic forces in our fight to destroy the racist system. May Day is a day of struggle.

OF

YUSUF MOHAMED DADOO

Dr Yusuf Mohamed Dadoo was born in Krugersdorp in 1909 and, after attending school in South Africa and India, qualified as a doctor in Edinburgh. Returning to South Africa in 1936, he was one of the founders of the Non-European United Front in 1938 and joined the Communist Party in 1939. He was elected President of the Transvaal Indian Congress in 1945 and President of the South African Indian Congress in 1950. In 1947 he was a co-signatory of the Dadoo-Xuma-Naicker Pact pledging co-operation of Africans and Indians in the struggle against discriminatory and oppressive laws and demanding full franchise rights for all. He was jailed for taking part in the passive resistance campaign of 1946, defiance campaign of 1952 and on several other occasions. After the 1960 state of emergency was declared, Dadoo was sent abroad to organise the external apparatus of the CP and SAIC. Elected National Chairman of the SACP in 1972, he died in 1983. He was awarded Isitwalandwe-Seaparankoe in 1955 and received many other international orders.

PEN PICTURES

SOUTH

AFRICAN

COMMUNISTS

WORKES, OFxTHE WORLD UNITE!

JOHN 'BEAVER' MARKS ('J B')

John lBeaverl Marks - J B \_ was born in Ventersdorp, Western Transvaal, in 1903. He startedwork asateacherbutwas sackedafterap-  
pearing on the platforms ofthe ICU, the ANC and the Communist Party. which he joined in 1929. He played a big pan in reviving the Transvaal ANC in the thirties and was elected Transvaal President ofthe ANC in 1950. In 1942 he was elected Presi-  
dent of the African Mineworkers Union and led the strike of 100 000 workers which paralysed the mines in 1946A member ofthe executive ofthe ANC and elected chairman ofthe Communist Par-  
ty at its 5th Congress in 1962,J B Marks was sent abroad in 1963 to join the. external mission ofthe ANC. He died in 1972.

'JI

ing

of

lough.

in

.of

)uld

te



IN  
 ECl  
 Th!  
 wi  
 Af  
 wa:  
 be  
 tht  
 tei  
 thi  
 pm  
 Aft  
 in  
 SOL  
 adr  
 Sp(  
 th'  
 am  
 rui  
 to  
 But  
 For  
 WOL  
 UN  
 cea  
 Pec  
 lat  
 ft r  
 trc  
 prc  
 cor  
 The  
 sis  
 Gov  
 tha  
 Ger  
 of  
 car  
 und  
 mad  
 bei  
 IS STRENGTH t THEORY AND PRACTICE  
 -152-  
 This section of Umsebenzi begins the first part of a series on topics of great importance to every revolutionary. Limited space forces us to be very short. But we hope that readers will be stimulated to think more about the questions raised, to discuss them with their comrades and to find ways of studying further.  
 EORY 1:ND PRACTICE t KNOWLEDGEISSTRENGTH t THEORYANDPRACTICE tr KNOWLEDGE IS STRENG  
 HOW TO MASTER  
 This is a series about the role of secrecy in solving the tasks of the Revolution. Secrecy in work helps us overcome the difficulties created by the enemy. Secrecy gives us protection by starving the enemy of information about us. Secrecy helps us build a strong revolutionary movement to overthrow the enemy.  
 There is nothing sinister about using secret methods to help win freedom. Through the ages the ruling classes have made it as difficult as possible for the oppressed people to gain freedom. The oppressors use the most cruel and sinister methods to stay in power. They use unjust laws to ban, banish, imprison and execute their opponents. They use secret police, soldiers, spies and informers against the people's movements. But the people know how to fight back and how to use secret methods of work.

The early history of struggle in our country is full of good examples. Makanda, Cetshwayo, Sekhukhuni, Bambatha made use of secret methods to organise resistance. Bambatha, for instance, prepared his rebellion against colonialism in great secrecy from the Nkandla forest. Secrecy has Helped us Outwit the Enemy: The enemy tries to give the impression that it is impossible to carry out illegal work. The rulers boast about all our people they have killed or captured. They point to the freedom fighters locked up in the prisons. But a lot of this talk is sheer bluff. Of course it is impossible to wage a struggle without losses. The very fact, however, that the SACP and ANC have survived years of illegality is proof that the regime cannot stop our noble work. It is because we have been mastering secret work that we have been able, more and more, to outwit the enemy.

#### SECRET WORK

##### 1. INTRODUCTION

##### Discipline, Vigilance and Self-Control:

Secret methods are based on common sense and experience. But they must be mastered like an art. Discipline, vigilance and self-control is required. A resistance organiser in Nazi-occupied France who was never captured said this was because he never used the telephone and never went to public places like bars, restaurants and post offices'. He was living a totally underground life. But even those members of a secret movement who have a legal existence must display the qualities we have referred to.

##### Study and Apply the Rules of Secrecy:

Most people know from films and books that secret work involves the use of codes, passwords, safe houses and hiding places. Activists must study the rules of secrecy and apply them seriously. This enables us to build up secret organisations linked to the people. This secret network becomes a vital force in helping to lead the people in the struggle for power.

In our series we will discuss such topics as:

1. How to set up a secret network;
2. The Rules of Secrecy;
3. How to overcome surveillance (i.e. observation);
4. Secret forms of communication;
5. Technical Methods - such as secret writing, hiding places etc.
6. How to behave under interrogation (i.e. when being questioned by the enemy)

These are among the main elements of secret work. To organise in secret is not easy, but remember: The most difficult work is the most noble!

Next Issue: Setting up the Secret Network

m

(i

i KNOWLEDGEISSTRENGTH iv THEORYANDPRACTICE i K74

#### iv THEORY AND PRACTICE s

I suppose everyone at some time or another has met the man - usually a hawker or small shopkeeper - who thinks he has discovered the secret of this world. Buy cheap and sell dear! Those who do get rich. Those who don't stay poor. It sounds obvious. But is it? Let us look at the majority of the people, who are workers of one kind or another - in factories, farms, mines and offices. They all buy things, it is true. But not to resell them at a profit but to use them, eat them, wear them. So the secret of the world cannot apply to them.

But what about others - the bosses and owners of the farms, factories and mines? They buy many things to put together into the products they sell - raw materials, machines, buildings and so on. And some no doubt buy these commodities cheaply - below their real value and some buy them above their real value. But they buy these things all the time from one another - not from those of us who work.

So if all those buying cheap are getting rich, and all those selling cheap getting poor, half the bosses and the owners would be growing richer - and the other half poorer.

But our eyes tell us this isn't so. All of them are getting richer, or staying rich. Very few of them are growing poor. So here is a puzzle! How can almost all of them get rich when they are all buying and selling to each other? Where does the profit come from?

This is not a new puzzle. Over 150 years ago Karl Marx spent his life trying to solve this puzzle and so get to really understand the secret of our world. And his solution, when he reached it, was both very important and very simple.

He looked away from the goods the bosses sell to one another, and towards the one thing they buy from the working people - labour! And suddenly the puzzle began to come clear. Labour, work was the clue! Work is the secret ingredient that is buried in every product brought to the market. Labour - buried deep in the process of production.

END EXPLOITATION OF MAN BY MAN!  
KNOWLEDGE IS STRENGTH t THEORY AND PRACTICE t KNOWLEDGE IS STRENGTH i THEORY AND PRACTICE v:

- 153 -

duct - is what changes sand into bricks, and sticks into furniture!

Marx was the first to see that when a boss buys your power to labour for a fixed number of hours each day, he pays you the minimum he possibly can to make sure that you can continue working and that you will produce future generations of workers. But when you have finished a day's work, the wage which you get is always less than the value you have added to the product which the boss sells on the market.

Marx saw our world clearly divided into two great classes - the bosses who own all of what he called the means of production (mines, factories, machines etc) and

the workers who have nothing to sell but their ability to work. This is the society called capitalism. In it, he saw, the workers will forever be poor and the bosses will forever be stealing for themselves that part of the workers' labour for which they have not paid.

Here is the real solution to the puzzle. It is one we will return to in future issues of this paper.

It is as if a man buys a cow at a market and pays its full value. But overnight, in his barn, it goes into labour and in the morning he finds he has a cow and a new-born calf \_ more value than he had bought and paid for. So too Labour Power - bought and paid for at its full value, produces greater value when converted into products for the market in which labour is buried.

Marx called this greater value surplus value. And the puzzle was solved! Surplus value is created out of the toil of the workers. But it is taken by the employers for themselves, because they own the land, the machines, and thus also the products brought to market. Workers therefore, are always being robbed of that part of their day's work which creates these surplus values. This is what we mean when we say that the workers are exploited, and that the rich of this world make their profits from the sweat of the working people.

THEORY AND PRACTICE w KNOWLEDGE ISSUES  
POLITICAL ECONOMY

1. WHAT IS EXPLOITATION?

ing  
of  
W  
ough.  
un  
:nt  
of  
:he  
:0

ll  
E(  
Tl  
w.  
Al  
we  
be  
ti  
te  
al  
tl  
pe  
Al  
at  
it  
5(  
at  
5!

THEORY AND PRACTICE 1

LEDGE IS STRENGTH a

-152-

I . Different

Our enemies try hard to paint communists as violent people. They spread the lie that communists prefer to use the gun rather than peaceful means to achieve their aims. But history has shown us that, of all political theories, it is Marxism which has the deepest respect for human life, its protection and its liberation from violence, exploitation and oppression.

It would be completely un-Marxist to follow theories which glorify violence for its own sake. Yet, communists are not pacifists. There are examples where communists have supported or led armed struggles for national and social liberation. What then is the real attitude of communists to violence? When and under what conditions do communists support the strategy of armed struggle or violent revolution? Before we can answer these questions we must take a brief look at the variety of forms in which violence appears. The school-teacher who relies on the stick to make his students pass their exams is not solving a problem. The drunken bully who, dagger in hand, terrorises ordinary people is rightly regarded as a criminal who deserves punishment. If a policeman were to use violence to stop this bully, he would certainly be applauded by the people. But if the same policeman shoots a worker who is on strike for higher wages, the action of the policeman is completely different. And if the people who are on the scene hit back by stoning the policeman, their violence is understandable.

These are just a few examples to show that violence comes in different forms. It is of course violence in every case, but some acts of violence are unjust and some are just. Revolutionaries support the just forms of violence more especially in situations where the ruling class relies on brute force to conquer a people and to remain in power. There are other situations in which the political system makes it impossible for the people to bring about social change without armed struggle and violent revolution. It is for the revolutionary movement

KNOWLEDGE IS STRENGTH & THEORY AND PRACTICE & KNOWLEDGE IS 5"!

MARXISM AND

VIOLENCE

Kinds of Violence

in each country to decide what strategy is best for its own struggle.

Just and Unjust Wars

European capitalism has been responsible for the most murderous wars in the history of humanity. In 1914 the imperialists went to war with one another, like a group of robbers who fight over their stolen goods. Led by Lenin, true revolutionaries the world over refused to support this unjust imperialist war and called upon the workers in both camps to overthrow their capitalist rulers.

Africa has also experienced the brute force of capitalism and imperialism. Every inch of our continent's soil was colonised by foreign military expeditions which seized the land and forcibly subjugated the people.

In South Africa it began with the arrival of Jan van Riebeeck. Our capitalist ruling class conquered us by force and relies on force to remain in power. Whatever the people have tried to do in the past in order to bring about real change has been met by the naked terror of the regime's police and army. And at this very moment the killing goes on in almost every area where black people live.

It is clear that in a case such as ours the people have every moral and political right to take up arms against those who know only force as an instrument of rule. It is in this kind of situation that we communists are committed to revolutionary wars waged by a majority in the interest of the majority. That is why in 1961 our Party helped to bring Umkhonto we Sizwe into existence. Our racist enemy is engaged in an unjust war on the people. And the people must be prepared to wage a just war to win back their birthright. There is no other way forward at the moment.

It has been said that war is a continuation of politics by other means. In our next issue we will deal with the way we communists see the connection between political and military struggle.

DEFEAT RACIST TERROR. '

N

THEORY AND PRACTICE & KNOWLEDGE IS STRENGTH & THEORY AND PRACTICE &

1

"f

1'1

In a short book called What Is To Be Done?, written in 1902, Lenin explained his idea of a party of a new type - one able to lead the revolution for freedom and the building of socialism.

Lenin divided working class politics into trade union politics and revolutionary politics. On their own the workers would fight for better pay and conditions. But Lenin wanted not just better pay for the workers, but an end to the whole system in which a few capitalists own all the wealth, while the workers must sell their labour to live.

For such a socialist revolution, a revolutionary theory is necessary. This theory can only be provided by those who have made a scientific study of how capitalism works, who understand the ideas of Marx and Engels and the nature of a communist society. This revolution can only be led by a party of professional revolutionaries - people who devote their lives to making revolution. The revolutionary party - the part of a new type - has to be secret, highly disciplined and centralised.

The trade union movement, on the other hand, has to be as big, as broad and as open as possible. Trade unions arose out of the conditions which workers faced when factories were first built. They were created by the workers themselves, as a weapon to be used in their struggles, to make it possible for workers to protect themselves against the united power of the bosses, the government and the courts.

The strength of the workers lies in the fact that workers are many and the bosses and their allies are few. Workers found that on their own, as individuals, they could not succeed. Only by coming together with the other workers in the factory, could they win better wages and other improvements. The unity of workers does not come about on its own. Workers all over the world have found that trade unions are

(4

-153-

necessary to unite workers in struggle. The slogan Unity is Strength is the basis on which trade unions are formed.

Trade unions, wrote Lenin, are an indispensable school of communism, - a school that trains workers to organise and prepares them for the role they must play in bringing about the socialist revolution and in the building of a socialist society. There are many organisations which call themselves trade unions: yet they have different ways of working, they do different things and have different policies. Are they all trade unions? How must a trade union work and what must it do? Which trade union policies are correct and which are wrong? What are the tasks of trade unions in the struggle for national liberation? In this series we will be looking at these questions to understand the role trade

unions must play to increase the strength  
of the working class movement: a strength  
which lies entirely in its political con-  
sciousness and its mass character.

WE SALUTE THIRTY YEARS OF SACTU!

THEORY AND PRACTICE IS STRENGTH t THEORY AND PRACTICE IS STRENGTH  
THEORY AND PRACTICE IS STRENGTH t THEORY AND PRACTICE IS STRENGTH  
THEORY AND PRACTICE IS STRENGTH t THEORY AND PRACTICE IS STRENGTH  
TRADE UNIONISM

. Trade Unions and the Party

U

ing

of

ough.

nt

uld



lN

EC

-152-

# LESSONS OF THE STAYAWAY

For two days last November the wheels of industry and commerce in the Transvaal came to a total stop. We saw one of the most successful political general strikes in our country's history. Actions of this sort shake the ruling Class. They also help to teach and to organise the people for even greater struggles. In this way they become paving stones on the path to final victory. What are the lessons of this mighty workers demonstration? What does it teach?

The stayaway experience has given the hundreds of thousands who went on strike a feeling of great confidence in their collective strength. It has sent a message to all our working people that political and economic demands cannot be separated. It has exposed those meddlers who have been trying to stop the trade union movement from playing a part in the national liberation struggle. The role of the organised youth is encouraging. Organisations like Cosas and Azaso helped to organise the stayaway and to make it a success. School children joined with factory workers to distribute leaflets at work places.

The unity in action between the trade union movement, the youth, community organisations and the UDF points the way to future advances in mass struggle. Headed by our working class, the strengthening of this type of patriotic alliance is a major task for all revolutionaries.

Those honest people who are still active in organisations like Azapo and Inkatha can now see where their leaders are taking them. Instead of supporting the workers, the political backwardness and careerism of these leaders pushed them into the enemy camp during the stayaway. Those who believe in liberation must start to move away from such so-called leaders.

Like all mighty weapons, the political general strike must be used with great care and skill. When the situation is ripe the national withdrawal of labour can combine with other mass actions, including the use of revolutionary violence, to destroy the racist regime. We should, however, not be tempted to play about with strike actions. If we use the political general strike unwisely or as a routine form of demonstration, we will be reducing its potential when the right moment comes.

Those who organised the Neil Aggett protest and the November stayaway read the mood of the people correctly and on time. This shows that the leadership cadres inside the country are growing in maturity. It is more urgent than ever for

more and more experienced leaders of  
our liberation movement to be where the  
action is - inside the country.

The November protest has shown that  
the people, and especially our workers,  
are ready to make big sacrifices in the  
cause of freedom. If properly handled  
the strike weapon can become one of  
the key factors in the struggle for  
People's Power.

1 . WORKERS UNITE TO SMASH RACISM!

11)

SOUTHERN AFRICAN  
ROUNDUP

The Pretoria regime continues to attack neighbouring states, to support bands of murderers in Southern African countries and to sabotage economic progress and independence all over the region.

In Angola the South African Defence Force is still occupying parts of the south and gives massive military help and air support to Unita. But with the help of the Soviet Union, Cuba and other Socialist countries the Angolan people are bravely resisting.

In Mozambique, despite the Nkomati Accord which was supposed to end Pretorials help to the armed bandits of the MNR, the acts of terror and destruction go on.

In Lesotho and Botswana massive pressure is being used to force these two brave countries to knuckle under. Direct military attacks are supplemented by economic blackmail. So far, however, Pretoria has not succeeded in forcing these countries to sign non-aggression pacts.

In Swaziland they did succeed in getting such a pact, but it has not brought peace to the Swazi nation. On the contrary, ever since the death of King Sobhuza, a friend of the ANC, the Swazi people have known nothing but political dog-fights and increasing poverty.

And in Zimbabwe the forces of destabilisation and chaos are being steadily prepared. According to Africa Magazine, Pretoria is building up a destabilisation force of former Muzorewa men and other dissidents in camps at Mandimbo Gumbo, Spencer and Pafuri along the Limpopo.

julius Nyerere

Chairman,

Front Line States

Why is Pretoria doing these things? There are three main reasons:

First: The racists want to drive the ANC out of the neighbouring states. They want to make the governments of those states do Pretoria's DEATH TO BOTHAS' BANDITS!

dirty work by acting as policemen against the ANC, just as Matanzima and Sebe do. They want to go back to the times when the Portuguese and Ian Smith guarded South Africa's borders.

Second: The government is terrified that the peoples of Southern Africa will build socialist societies in the region which will be a strong rear-base of the ANC and an example of the benefits of socialism. That is why Angola and Mozambique were first on their hit-list.

Third: The South African capitalist class is not only the ally and handIanger of imperialism worldwide, but also an imperialist force in its own right. South African big business wants to extend its economic control over the rest of Africa. Today its influence stretches as far as Zaire and Malawi - but this is not enough. South Africans capitalists want to bring all the Southern African countries firmly under their control. This is the real meaning of Bothas tconstellation of states.

Pretoria wants Mozambique to join the Rand

Area and the Southern African Customs Union. That will give South Africa control over Mozambique's trade with the world. Then it wants Maputo to join the Southern African Development Bank so it can control Mozambique's internal economic policies. After that, the next target will be Zimbabwe.

South Africa is carrying out these aggressive policies with the encouragement and help of the United States. Pretoria correctly understands that President Reagan's iconoclastic engagement policy, really means 'licensed to kill'.

The United States and South Africa are powerful enemies for our people. What weapons do we have to fight back with? First: We must strike where the enemy is weakest - right inside South Africa itself. Only the complete overthrow of the Pretoria regime and the white colonial state will bring peace and security to Southern Africa.

Second: The peoples and leaders of the region must keep up their brave resistance to the Pretoria bullies. It is now perfectly clear that coming to terms with the militarists in Pretoria is the road to disaster. They will only demand one concession after another.

But in the long run the only solution is to break out of the world capitalist system, of which South Africa is a part, and begin the long process of building socialism. However difficult, this is the only sure way to economic progress and political freedom.

1 1

ng

ugh.

iri-

ld

ID

EC

-152-

## THE VICTORY

### THAT SAVED MANKIND

It is forty years since the Second World War ended. That historic event will be celebrated in many lands. The most significant celebrations will take place in Moscow on May 9th. This is the day when Hitler Germany surrendered unconditionally to the Soviet army. The anti-communist West tries to belittle the Soviet Union's wartime role and talks about its own efforts. They try to hide the fact that it was mainly the Soviet Union that saved the world from fascist domination.

#### The Forces Behind Hitler

The imperialists try to hide the true causes of the war and the fact that Hitler owed his rise to power to the assistance given by international capital. For it was capitalism's aim to see a militarised Germany crush the Socialist Soviet Union. Hitler at first enjoyed the support of the Western rulers. But later sharp differences between them led to Britain and France declaring war on Germany in September 1939. No serious fighting followed, however, until Hitler's massive invasion of the Soviet Union on June 22, 1941.

#### On the Soviet-German Front

It was now that the real battles began. The Soviet Union fought almost single handed against Nazi Germany and its fascist allies. The main events of the war were taking place on the Soviet-German front. It was here that Hitler concentrated 250 divisions, millions of troops, thousands of tanks, planes, artillery. Until June 1944, 95% of the German army was on the Soviet front. Hitler's armies had easily overrun Poland, France and most of Europe. The world now saw the fascist armies grind to a halt and then saw them being thrown back. The myth that Hitler could not be beaten was smashed. Through four grim years the Soviet forces fought the gigantic military machine of the fascist bloc and bled it white. The invader was expelled from Soviet land. A dozen countries enslaved by fascism were liberated and the Red Army went on to capture Berlin and crush Hitler's Germany. No-one living through those times could forget the major battles at Moscow, Leningrad, Stalingrad, Kursk, etc. where Hitler's armies were destroyed. Yet those battles are deliberately minimised in today's capitalist history books.

#### The Source of Victory

What was the source of Soviet strength? It was the Soviet people - organised, inspired and led by their communist party - that were the creators of that victory. They fought a just war,

I 3

May 8th, 1945

A Soviet soldier

raises the

red flag

on Hitler's

Reichstag

in Berlin

in defence of their own Soviet power and socialist system. The Soviet people were

united under their great party, determined and ready to sacrifice. By contrast their enemy was fighting for false promises and unjust aims.

The cost of the war was tremendous. Of 50 million that died, 20 million were Soviet. Thousands of cities, towns and villages in the Soviet Union were destroyed. The cost of the war to the Soviet economy was calculated at 2.5-trillion rubles. The USA gained \$52-billion profit and lost 340 000 soldiers.

In Defence of Peace and Freedom

All this explains why the Soviet people work so hard for peace. The victory over Hitler Germany is the victory of all progressive forces. The Soviet victory helped Socialism to become a world system. It also meant that the national liberation movements were strengthened and colonialism collapsed. This had dramatic results in Africa and Asia and in South Africa too.

It is useful to remind our people that the Verwoerds and Vorsters supported the Nazis. Botha's party idolised Hitler and tried to sabotage South Africans opposition to him. Communists and ANC members such as Slovo, Bunting, Hodgson and David Mashigo, who this government attacks as unpatriotic, were in the South African army fighting for freedom.

Communists today remain in the forefront of the fight to crush Botha's fascist racism. SMASH SOUTH AFRICA'S FASCISTS!

On Wednesday, the Secretary-General of the UN delivered an address appealing to everyone to settle their differences and proceed with the plan. Yesterday the delegation invited by South Africa consisting of members of some of the internal political parties in Namibia - 8 in number - was introduced by the South African appointed Administrator General of Namibia, Mr. Danie Hough. The Secretary-General made it clear both before and after the introduction that this delegation came at the invitation of the South African Government and speaks for South Africa at the meeting. Mr. Sam Nujoma, the president of SWAPO, then introduced his delegation collectively, saying SWAPO is one - SWAPO is united -. They stood as a group and gave the clenched fist salute. Mr. Nujoma then noted that some of the delegations were absent since they are in SA prisons and have not been released, but nevertheless SWAPO is ready to sign a cease-fire and participate in the UN electoral process as outlined in UN SC Resolution 435.

The introductory session adjourned and the first working session was convened. It was designed to give further details about how the UN operation would proceed. The intention is then to clarify and discuss any points which are raised and hopefully to arrive by next Wednesday at a date for the cease-fire and the initiation of the electoral process. The likelihood of that happening is in question and the spectrum of informal opinion ranges from cynicism to cautious optimism.

Your continued personal and collective intercessions for the success of the meeting are solicited not only in the interest of justice for all but also out of concern for our brothers and sisters in Christ who form an overwhelming proportion of the population.

Edward May

"A prayer for this time" which has been read in all Sunday services of the Evangelical Lutheran Owambokavango Church since 1974.

In that year more than 5000 of youth fled the country.

Since that time and continuing today many thousands more have crossed the borders for various reasons.

A hymn added in 1976 is sung by the congregation as response to the prayer. He will sing it in Oshiwambo.

Our Father and Lord, ruler of all nations, you lead and govern the whole world with your power. We pray to you as great decisions concerning our country are being made by the nations. Help those who are responsible for resolving these questions to use their power according to your will and righteousness. Guard them from all evil thoughts and actions. Strengthen all proposals which aim at the good of your people, who have been saved through the blood of your Son and called to be your disciples and citizens of your kingdom.

Ta-te Ka-lu-nga tal' 0-shi-gwa-na she-tu Ne-ho lyo-lu-ke-no. Omu-wa tu sil' o-he-nda.  
(Our Father and Lord, be gracious to our nation. Lord, have mercy upon us.)

Merciful Father, we praise you for your Gospel which in times passed brought the message of peace to our people. We pray during this difficult time-that you will renew us with your Gospel. Free us from greed and hatred and so restore peace among us. Liberate us from slavery to sin so that we may walk your ways. For your great name's sake help us all to be servants so that our nation may seek not only its own good but also the good of all people.

Mevi ndi lyetu, maluhodhi tu ga na, Mbinzi oya tika. Omuwa tu sil' ohenda.

(In our country we have sorrow. Blood is flowing. Lord, have mercy upon us.)

Christ, the hope of the world and ruler of all people, we pray to you for the youth of our country. Protect them and guide them in developing our nation and advancing its cause. In your mercy protect all who have crossed the borders, save them from every danger of body and soul and make it possible for them to return to their country in peace.

Tate u tu shi otse aadhinwalela, Mokati kiigwana. Omuwa tu sil' ohenda.

(Father you know us, we are least among the nations. Lord, have mercy upon us.)

Our Father and Lord, we intercede for all those whose beloved ones have left the country. Comfort them. Give them strength and courage to carry their loved ones in constant prayer. Help us all to humble ourselves before you. Give your peace among all nations and people as we await the coming of your kingdom.

Tate dhima po mayonagulo getu, Twa yono kungoye. Omuwa tu sil' ohenda.

(Father forgive us our trespasses. He have not followed your will.

Lord, have mercy upon us.)

Tate lotitha iihuna mevi lyetu, Nkugo yetu uva. Omuwa tu sil' ohenda.

(Father guard us from evil ways. Hear our cry. Lord, have mercy upon us.)



-155-

Urgent attention Friedrich Koenig

Lutheran World Information

Windhoek 12il.1981

While the talks on the implementation of resolution 435 are continuing in Geneva, Switzerland, the enacted conscription of young Namibians hangs like a sword of Damocles over Namibia.

Local newspapers, last week, carried reports on the heavy penalties for anybody refusing conscription or anybody attempting to influence people to refuse conscription.

Latest reports indicate a growing exodus of young Namibians: those conscripted or those who fear to be called up for military service. It is believed that these youngsters, including kids, are going to neighbouring countries in order to dodge compulsory military service.

i

The presence of military police is very marked. There are reports that youngsters are being taken from the streets for military service, as seemingly only a few of those who were called up, have so far reported. Even those who go to ask about their conscription are immediately enlisted.

Chief Nguvauva Munjukgtii, of the Mbanderu tribe, is on record having rejected the conscription of people from his tribe.

Reports of the Geneva talks here hails the international success (sic?) of the South African delegation, and contains little of the actual discussions at the conference.

You will receive a report on any new developments, if any.

Greetings

ccn-information

1") in township

-156-

Special Message to LNF - NCC

COVERING LETTER TO THE PETITION OF THE 5 CHURCHES TO THE STATE PRESIDENT  
OF SOUTH AFRICA, 29 OCTOBER, 1980

January 15, 1981

to whom it may concern:

we, the leaders of the undeveloped churches, having met in  
Windhoek on the 15th January, 1981 to re-assess the developments  
on the subject of compulsory military service in OUP country,  
feel that it is now our imperative duty to inform the members of  
our church congregations as to the opinion that we as churches  
have unanimously agreed to.

we therefore remove the seal of confidentiality on our letter of  
petition to the state president of the Republic of South Africa,  
dated on the 29th October 1980, and make the said document  
public, basing our reasons therefore on the following grounds:

1. apart from receiving a letter of acknowledgement of receipt,  
we have received no further communication from the addressee to  
date.
2. in spite of our petition, compulsory military service is being  
implemented and large numbers of young men have already been  
drafted into the territorial force for military training.  
all arrived safely

greeting

African Methodist Episcopal Church

Athican Church

Evangelical Lutheran Church

Evangelical Lutheran Owambokavango Church

Roman Catholic Church

CONFIDENTIAL

LETTER OF PETITION

His Excellency

The State President of the Republic of South Africa

PRETORIA

Re: COMPULSORY MILITARY SERVICE IN THE TERRITORY OF SWA/NAMIBIA

---

THE FOLLOWING DOCUMENTS HAVE REFERENCE:-

- Circular No. 13 of 1980 dd. 30 September 1980 ex the Secretariat of the Department of National Education, Windhoek
- Proclamation AG 149 of 1980: Official Gazette extraordinary No. 4300 dd. 17 October 1980
- Act 40/1957 as amended
- Act 44/1957 as amended

Your Excellency,

We, the leaders of the African Methodist Episcopal Church, the Anglican Church, the Evangelical Lutheran Church, the Evangelical Lutheran Owambokavango Church and the Roman Catholic Church, representing the majority of the population, met in Windhoek on the 22nd, 23rd, 24th and 25th of October 1980, to discuss the effects and repercussions of the abovementioned circular, Proclamation and Acts. We are of the unanimous and informed opinion that if registration for compulsory call-up were to be proceeded with in the manner dictated by circular 13 of the Department of National Education, (which we feel is in any event ultra vires the power of the Department), then a very substantial number of parents and pupils will be alienated from the schools, of which some are run by the Churches, and a conflict situation will be created, not only between the Churches and their adherents, but also between governmental authority and the people generally. It is our united opinion that we would find it extremely difficult to co-operate or support such directive and/or legislation without having certain clarifications made beforehand.

We therefore appeal to you as the signatory of Proclamation AG 149/80 to reconsider the effects that such legislation will have, not only on the lives of the

people directly involved, but also on the security and stability of our nation.

1) In support of our appeal we humbly make the following submissions:

1.

1.

(i) It is understandable, if not entirely desirable, that the Defence Act be made applicable to this Territory should there be the need to defend our country from the threat of an onslaught by a foreign power upon her sovereignty. However, in view of the nature of the opposing factions involved in the present guerilla war, the enlistment of SWA/Namibia nationals for compulsory military service would result in that war becoming a Civil War. The situation now being created is entirely different to the present position where armed incursion is combatted by military personnel voluntarily enlisted from amongst the SWA/Namibian people.

(ii) The introduction of compulsory service at this stage of the settlement negotiations could be interpreted as being in direct conflict with and as a block to the much desired settlement through the medium of UN-supervised elections. We further beg leave to express our doubts on the compatibility of the Proclamation AG 149 with the provision of the Mandate placed on the Territory of SWA/Namibia.

(iii) There is considerable confusion related to the matter of citizenship-qualification and rights in relationship to the sovereignty and independent Government of this Territory.

(iv) In view of the nature of the conflict situation and the agonies of conscience that will be forced on a large number of nationals, in particular in the Northern areas, it is doubtful whether the provisions of the Law are sufficiently adequate to deal with the matter of conscientious objection on a sympathetic basis.

(v) Likewise, the doubt is expressed as to the provision of adequate facilities in Law and in Defence Infrastructure for those who, on grounds of conscience, would opt for non-combatant military service.

(vi) It is respectfully submitted that the status quo, i.e. voluntary enlistment, would circumvent the problem listed in 1. (iii), (iv) and (v) above. However, should the response to voluntary enlistment not be adequate to supply the defence system, we beg to request that consideration be given to the possibility of this being a rejection by the majority of the people of the political 'status quo'

2) We further wish to respectfully submit the possible consequences of the enforcement of compulsory military service.

2. (i) The immediate exodus of large numbers of our people, both men and women, coupled to the resultant dangers of injury and death as well as imprisonment from this "illegal" activity.

2. (ii) The further polarization of the people of this Territory at a time when consensus and reconciliation are being sought. This could well further escalate the proportions of a bloody, civil war and anarchy.

2. (iii) The increase of attacks on governmental institutions and installations, as well as military installations, and the requirement of large resources of time, equipment and man-power to protect these from such attacks.

2. (iv) The strong possibility of strikes emanating from educational and industrial sectors must be borne in mind especially as the student boycott-tragedies are still very much a reality.

2. (v) Damage to the educational system, so vital to the future development of an emergent independent nation, would be enormous, as parents would withhold their children from schools in an attempt to protect them. To introduce compulsory education would prove futile as there would not be sufficient facilities or personnel to provide adequate schooling for all the population thus requiring it.

We therefore, in the light of the above, ask Your Excellency to review Proclamation AG 149 and seek alternate means to bring a cessation to the armed conflict by a peaceful and supervised electoral process in conjunction with the United Nations Organization in terms of the provisions at their Proposals (Security Council Resolution 435, 1978 and subsequent agreements) and with an absolute minimum of delay.

We hold ourselves available to meet with you or your accredited representative at your convenience.

Your Excellency, we express our gratitude to you for considering our petition and assure you of our prayers for the guidance of Almighty God in the decisions that you, in co-operating with others, have to make on the future of our nation.

- 160 -

"Now may the Lord of Peace himself give you Peace at all times in all ways".  
(2 Thessalonians 3 v 16 (a)).

With respect,

African Methodist Episcopal Church

Anglican Church

Evangelical Lutheran Church

Evangelical Lutheran Owambokavango Church

Roman Catholic Church

c.c. - The Prime Minister of the Republic of South Africa

- His Excellency the Administrator General of South West Africa/Namibia

P.S. Please direct correspondence to: General Secretary

Council of Churches in Namibia

P 0 Box 41

Tel. 32976

WINDHOEK 9000

-161-

BUITENGEWONE  
OFFISIELE KOERANT  
VAN SUIDWES-AFRIKA  
OFFICIAL GAZETTE  
EXTRAORDINARY  
OF SOUTH WEST AFRICA  
UITGAWE OP GESAG  
30c Vrydag 17 Oktober 1980

INHOU D:

Hi'ut/H

GOEWERMENTSKENNISGEWING:

Nu AG. 149 (chublick) Tweede Proklamasie Op Verde 1  
digingsaanglcncnthe in Suidwes At'rika.  
1980

WINDHOEK

PUBLISHED BY AUTHORITY

Friday 17 October 1980 No. 4300

CONTRNTS:

Pugt'

GOVERNMENT NOTICE:

No. AG. 149 (Republic) Second Defence Matters in 1  
South West Africa Proclamation. 1980

Goewermentskennisgewing

K aleOI van die

ADMINISTRATFUR GENERAAL VIR IHF

(ilibll-II) Slhl)Wlis Alt'RIKA

DEPARTEMENT VAN VERDEDIGING

NO. AG. 149 1980

Proklamasie 198 van 1980 van die Staatspresident  
van die Republiek van Suid-Afrika in SIaa/skoaranl  
7259 van 17 Oktober 1980 gepuhlisecr. word hicrhy tcr  
inligting gcpuhlisccr.

PROKLAMASIE

van die

STAATSPRESIDIZNT VAN DIE REPUBLHK X AN

SUIDAFRIKA

NO. 198. 1980

PROKLAMASIE OM IN SUIDWES AFRIKA

DIENSPLIG INGEVOLGE DIE VIZRDEDIGINGS

WET. 1957. UIT TE BREI

Kragtens die bevoegdhcnd my vcr\_lcen by artikcl 38  
van die Wct op die Konstitusie van Suidwes-Afrika.  
1968 (Wet 39 van 1968). maak ek hierby die wcttc in  
die Bylae vervat. h'

\_ Q I Government Notice

Office of the

ADMINISTRATOR GENERAL FOR lhl:

'I'lthl'lORY ()1: SOUTH WEST AFRICA

DEPARTMENT OF DEFENCE

Nu. AG. 149 1980

Proclamation 198 of 1980 by the State President of  
the Republic of South Africa published in (qu'lw  
7259 Of 17 October 1980. is hereby puhlishcd for inlbrt  
mutitm.

PROCLAMATION

by the

STATI' PRESIDENT OF THE REPUBLIC OF

SOUTH AFRICA

No. 198. 1980

PROCIAMATION TO EXTEND IN SOUTH WEST  
AFRICA LIABILITY FOR SERVICE IN TERMS  
OF THE DEFENCE ACT. 1957

Under the powers vested in me by section 38 Of the  
South West Africa Constitution Act. 1968 (Act 39 of  
1968). I hereby make the laws set out in the Schedule.

Gegee onder my Hand en die 8661 van die Republiek van Suid-Afrika te Pretoria op hede die sewende dag van Oktober eenduisend negenhonderd-en-tagtig.

M. VILJOEN

Staatspresident

Op las van die Staatspresident-in-rade:

P. W. BOTHA

BYLAE

Toepassing van We! 44 van 1957 in Suidwes-Afrika

1. (1) By die toepassing van die Verdedigingswett 1957 (hieronder die Wet genoem). in die gebied Suidwes-Afrika ingevolge artikel 153 daarvan \_

(a) word dit geag dat paragraaf (a) van subartikel (1) van artikel 2 daarvan ook van toepassing is op ,n lid van die Nasionale Vergadering van Suidwes-Afrika, in uitvoerende owerheid, §005 in artikel 1 van die Proklamasie op Verteenwoordigende Owerhede. 1980 (Proklamasie AG. 8 van 1980). omskryf. an wetgewende owerheid, soos aldus omskryf. of die Kapteinsraad of Volksraad v-an Rehoboth;

(b) word die woorde "persone wat nie blankes. §005 in artikel een van die Bevolkingsregistrasiewet. 1950 (Wet No. 30 van 1950). omskryf. is nie? die woorde "persone wat nie blankes. soos aldus omskryf. is nie of enige kategorie van sulke persone" en die woorde "niemand wat nie in blanke. soos aldus omskryf. is nie in genoemde subartikel (1), geag nie deel van daardie artikel uit te maak nie;

(c) word die woorde "blankes is, soos in die Bevolkingsregistrasiewet, 1950 (Wet No. 30 van 1950), omskryf. en in subartikel (3) van daardie artikel. geag nie deel van daardie artikel uit te maak nie en die verwysing in genoemde subartikel (3) na die Staatspresident, uitgele as in verwysing ook na die Administrateur-generaal: Met dien verstande dat met betrekking tot die Administrateur-generaal in verwysing in daardie subartikel 9-

(i) na die Slaarskoerant, uitgele word as in verwysing na die Offisiële Koerant van die gebied Suidwes-Afrika;

(ii) na die Republiek, uitgele word as in verwysing na die gebied Suidwes-Afrika;

(d) word artikel 63 daarvan geag, gewysig te wees deur die byvoeging by subartikel (1) van die volgende paragraaf; -

IbZ -

2 Buitengewone OmsiEie Koerant 17 Oktober 1980 No. 4300

Mam

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this seventh day of October one thousand nine hundred and eighty.

M. VILJOEN

State President

By order of the State President-in-Council:

P. W. BOTHA

SCHEDULE

Application of Act 44 of 1957 in South West Africa

v 1. (1) In the application of the Defence Act, 1957 (hereinafter referred to as the Act), in the territory of South West Africa in terms of section 153 thereof \_

(a) it shall be deemed that paragraph (a) of subsection (1) of section 2 thereof shall apply also to a member of the National Assembly of South West Africa, an executive authority, as defined in section 1 of the Representative Authorities Proclamation. 1980 (Proclamation AG. 8 of 1980). a legislative authority, as so defined, or the Kaptein's Council of Legislative Council of



Rehoboth:

(b) the words uor persons who are not white persons as defined in section one of the Population Registration Act, 1950 (Act No. 30 of 1950)? the words uor to such persons who are not white persons. as so defined, or any class of such persons" and the words ttor any person who is not a white person as so def'med<sup>33</sup> in the said subsection (1). shall be deemed not to form part of that section:

((5) the words tlwhite persons as defined in the Population Registration Act, 1950 (Act No. 30 of 1950), and are" in subsection (3) of that section. 0 shall be deemed not to form part of that section and the reference in the said subsection (3) to the State President, shall be construed as including a reference to the AdministratoreGeneral : Provided that in relation to the Administrator-General a reference in that subsection -

(i) to the Gazelle, shall be construed as a reference to the Official Gazette of the territory of South West Africa;

(ii) to the Republic, shall be construed as a reference to the territory of South West Africa;

(d) section 63 thereof shall be deemed to be amended by the addition to subsection (1) of the following paragraph:

Official Gazette Extraordinary 17 October 1980 3

"(c) voor 1 Januarie 1981, indien hy op of na 1 Januarie 1956 maar voor 1 Januarie 1965 gebore is en in die gebied Suidwes-Afrika woonagtig is en) nie ingevolge paragraaf (a) of (b) verplig was om aldus aansoek te doen

H

nie. .

(2) (a) Iemand in paragraaf-(c) van subartikel (1) van artikel 63 van die Wet. soos ingevolge subartikel (1)(d) van hierdie artikel toegepas, bedoel, wat voor of op die datum van inwerkingtreding van hierdie Proklamasie ingevolge artikel 3 van die Wet op Identifikasie van Personet 1979 (Wet 2 van 1979). van die Nasionale Vergadering van Suidwes-Afrika. om 'n identiteitsdokument aansoek gedoen het. word geag ingevolge daardie paragraaf. soos aldus toegepas. om registrasie aansoek te gedoen het.

(b) 3n Verwysing in artikel 64 van die Wet na ,n adres wat ten tyde van in aansoek Om registrasie ingevolge Hoofstuk VIII van die Wet op die betrokke aansoekvorm gemeld moet word. word.

met betrekking tot 3n persoon in genoemde paragraaf (c) bedoel. uitgele as in verwysing na die woonadres wat ten tyde van die in paragraaf (a) van hierdie subartikel bedoelde aansoek om 3n identiteitsdokument op die aansoekvorm ten opsigte van die aldus beddelde aansoek gemeld is.

(3) Die registrasiebeampte in artikel 62 van die Wet hodoel. stel so gou doenlik vir die doeleindes van registrasie in Hoofstuk VIII van die Wet bedoei. in iys Op van alle persone wat. volgens inligting vervat in bedoelde identiteitsdokumente en die betrokke aansoeke Om die uitreiking daarvan. ingevolge subartikei

(2)(a) van hierdie artikel geag word aansoek om registrasie ingevolge paragraaf (c) van subartikel (1) van artikel 63 van die Wet, soos deur subartikel (1)(d) van hierdie artikel toegepas. te gedoen het.

Kort tile!

2. Hierdie Proklamasie heet die Tweede Proklamasie Op Verdedigingsaangeleenthede in Suidwes-Afrika. 1980.

2(c) before 1 January 1981, if he was born on or after 1 January 1956, but before 1 January 1965 and is resident in the territory of South West Africa and was not obliged to so apply in terms of paragraph (a) or (b).".

(2) (a) Any person referred to in paragraph (c) of subsection (1) of section 63 of the Act, as applied in terms of subsection (1)(d) of this section. who has applied for an identity document in terms of section 3 of the Identification of Persons Act, 1979 (Act 2 of 1979), of the National Assembly of South West Africa, before or on the date of commencement of this Proclamation, shall be deemed to have applied for registration in terms of that paragraph, as so applied.

(b) A reference in section 64 of the Act to an address which is. at the time of an application for registration in terms of Chapter VIII of the Acts required to be furnished on the relevant form of application, shall, in relation to a person referred to in the said paragraph (C), be construed as a reference to the residential address which has ; been furnished at the time of the application referred to in paragraph (a) of this subsection for an identity document. on the form of application in respect of the application so referred to.

(3) The registering officer referred to in section 62 of the Act shall as soon as possible for the purposes of registration referred to in Chapter VIII of the Act, compile a list of all persons who, according to information contained in the said identity documents and the relevant applications for the issue thereof, in terms of subsection (2)(a) of this section are deemed to have applied for registration in terms of paragraph (C) of subsection (1) of section 63 of the Act, as applied by subsection (1)(d) of this section.

Short title

2. This Proclamation shall be called the Defence Matters in South West Africa Proclamation of 1980.

#### IMPARTIALITY - A NON-ISSUE

Impartiality was the code word that ran through closed sessions and press conferences at the United Nations Pre-Implementation Meeting held in Geneva, Switzerland from 7-14 January 1981.

It was the new non-issue raised by the South Africa sponsored delegation of Namibia's internal parties. They had exhausted all others in the three years that the latest UN plan to bring Namibia to independence has been under consideration. Having nothing more substantial to argue about and so delay implementation of the comprehensive plan for Namibia's independence. (UN Security Council resolution 435 of 1978) The largest of the 8 political parties in the delegation challenged the impartiality of the United Nations. This was done under the umbrella of one of the purposes of the meeting, namely, to build confidence and establish trust among the participants. The intemperate manner in which the non-issue was raised did little to advance that purpose (let alone the radical demands which accompanied the charges). In order for the South West Africa Peoples' Organization of Namibia (SWAPO) to prove itself trustworthy the Democratic Turnhalle Alliance (DTA) demanded that SWAPO relinquish its United Nations' General Assembly status as "the sole and legitimate representative of the people of Namibia" before a cease-fire is signed and the implementation of UNSC 435 would get underway. This also involved giving up \$ 15 million of UN funding (South Africa's figures). In order to prove its impartiality the UN GA must rescind the resolution which granted this status and funding as a pre-condition to a cease-fire.

SWAPO argued that it was ready to sign a cease-fire and cooperate with the UN in the implementation of UN SC 435. It pointed out repeatedly that once a cease-fire is signed and the implementation of UN SC 435 begins, its UN status is no longer relevant. The whole purpose of the exercise is to bring Namibia to independence and through fair and free elections to enable the people of Namibia to choose their own leaders.

In this process all parties will participate on an equal basis. It is SNAPO's contention that trust and confidence cannot be built while a state of war exists. but that it can be developed after a cease-fire is effected.

SWAPO's bold move early in the meeting to announce its readiness to end the war and participate in an election put the South Africa-sponsored delegation on the defensive. They then chose the strategy of raising irrelevant issues to a level of crucial concern.

In an unusually stern speech Mr. Brian Urquhart, UN Assistant Secretary General for Political Affairs and Chairman of the meeting, reprimanded the DTA. He said in part: "Yesterday a great deal was said about the problem of partiality and impartiality and the need to create trust and confidence. Regrettably, some of the comments were expressed in terms, which, measured by any international standards, left much to be desired. In some statements, it was said that the United Nations had to prove itself before it could be trusted with the supervision of the proposed elections in Namibia.

I feel obliged to say here that this seems to me to be putting the problem the wrong way around. It is precisely because the decisions of the United Nations concerning Namibia, which date back as far as 1947, have not been heeded, that the situation has reached the present pass. In fact, in the eyes of the international community, a state of illegality exists. "

The President of SNAPO, Sam Nujoma, responded to the UTA in a press statement in which he reflected on the situation as it now exists in Namibia and noted that South Africa must be tested for impartiality also. He said: "The concern of the international community and those who have helped in drawing up the UN Plan for Namibia's independence was to ensure that South Africa does not use its administrative machinery, police force and various other armed security agencies to intimidate the Namibian people and thereby prevent them from exercising their democratic rights in electing leaders of their choice. It is absurd that the colonial power which in actual fact is responsible for organising the elections should be the one to demand "impartiality" from the United Nations. It is rather that the UN and the international community should require assurances from South Africa."

- 166 -

And so the conference closed not with a bang but with a whimper. The DTA had an opportunity to use its rhetoric in an international forum. South Africa asked for more time before signing a cease-fire since the impartiality issue was not settled. The real reasons for its refusal to sign are left unspoken. So, in the days ahead people will die, property will be destroyed, and suffering will increase. In this instance, at least, it is clear where the responsibility lies for such needless trauma.

Edward May

Geneva

Martin Luther King's Birthday

15 January ,1981

-167-

statement

15.1.1981

from council of churches in namibia

windhoek

the executive committee of the council of churches in namibia, (representing the majority of the people of namibia), meeting in Windhoek on january 15th, 1981. and hearing of the outcome of the preliminary implementation meeting in geneva, wants to express its disappointmenteeeeeee deepest disappointment at the failure of the conference. in not being able to bring about a cease-fire and full implementation of un resolution P 435, we feel that the door has now been opened to an escalation of violence, murder and bloodshed. as we have stated and appealed in the past, we are concerned that in the absence of an agreement for a cease-fire and the full implementation of resolution 435 the suffering of the people of namibia through war will continue and escalate.

we feel strongly that minor matters concerning status and/or partiality/impartiality should not be allowed to affect the peaceful future of our nation and that every effort should be made to rise above such pettinesses. endless negotiations on such minor grounds prolong the acute agony and suffering of our people, as they only increase the numbers of our people who die as a result of the war.

it is in the interests of all our people therefore that every effort be made to immediately re-convene discussions aiming for a cease-fire date and a start of implementation in accordance with security council resolution 435, 1978. we reiterate that it is our continued conviction and confidence that the only practical peaceful solution lies in the hand of the united nations. :

we feel that any party involved in the negotiations who does not have the faith to cooperate in the national interest and who is insensitive to the suffering of our people should be held responsible for any failure of a peaceful solution.

we therefore again appeal to our congregations and all Christians throughout the world to pray without ceasing for the peace of namibia (COL. 4:2).

Yours

f

-168 -

UJ

Eieneya, 16.1.1981

Llld'ocumentation : wa statement on u n namibia conference  
L&me Lutheran worLd federation together with its member churches aLL  
ver the worLd has been foLLowing the un pre-impLementation meeting  
or namibia's independence heLd in geneva, SwitzerLand from  
an. 7-14.1981, with great concern and hope.

Lkhe meeting cLearLy provided an opportunity for an earLy cessation  
of hostiLity and an end to the tragic vioLence that is the ruLe  
of the day in namibia. the meeting was to set in motion the pLan  
of the united nations for a peaceful settLement, Leading to a  
Lgeasefire, free eLections and finaLLy the independence of namibia.  
Eggis pLan had the support of our member churches in namibia, and  
e Lutheran worLd federation itseLf. with great care and skiLL  
Lbegotiations have been Led by un staff that cuLminated in the  
zgetding of this meeting.

Eet is therefore with deep regret and sadness the wa must note that  
e meeting did not succeed. a great opportunity for peace has been  
issed and this must sadden aLL peopte who Long for peace.

zane of the parties, nameLy the government of south africa, was not  
anady to sign a ceasefire and impLementation agreement. that party, w  
with a heavy investment of troops and armaments, continues to impose  
its ruLe on a peopLe who wish to end the vioLence. at the moment  
south africa is stepping up an iLLegal conscription of young  
.ngmibians over 15 years of age for service in the territoriaL  
iLitia, which wiLL undoubtedLy pit brother against brother in  
ggany cases.

u.

e strongLy support and endorse the january 15 statement just issued  
y the namibian counCiL of churches and continue to offer our fuLL  
ssistance for any effort to achieve a non-vioLent soLution of  
he crisis in this troubLed Land.

Lu

C) - dr. cart h. mau jr.

2: generaL secretary 1

"J Lutheran worLd federation

LEkom Lutheran worLd information koenig

Ub3423y oik ch

2!

Ln

\$13831tops g

423y oik ch



NEWS ANALYSIS:

by Friedrich Konig

(Konig, LNI senior editor, was an accredited correspondent at the UN's Namibia conference.)

GENEVA, Jan. 22 (Twi)--The United Nations Geneva Conference on Namibia ended in mid-January after a

week's talks without achieving any result. Five Western governments (the United States, Great Britain,

France, the Federal Republic of Germany and Canada) had collaborated with the African Frontline States

(now including Zimbabwe), Nigeria and the Organization of African Unity (OAU) in arranging this conference,

which had been carefully planned over a period of more than two years with the full participation of the

Republic of South Africa.

It was hoped the conference could get the conflicting parties to agree to the United Nations' peace

plan for Namibia and a cease-fire between Pretoria and the South West Africa People's Organization (SWAPO).

At the opening of the Geneva conference SWAPO stated its unconditional readiness to sign an agreement

on the basis of what had been agreed in prior negotiations. But Pretoria waited until the last day before

the conference ended to declare through the mouth of its administrator general in Namibia, Danie Hough,

that in its opinion the time was not yet ripe for such an agreement.

Another thing that was to have been settled in Geneva was the date on which the United Nations security

forces and United Nations non-military administrative staff should start to organize free elections in

Namibia under international supervision. According to PTA this orderly and peaceful process of political

transition should be accomplished by this September, and Namibia should become independent before the end

of the year. The first task of the representatives elected in these first free elections by the people of

South West Africa would be to set up a constituent assembly to establish the juridical basis, guaranteeing

freedom and equality of all the citizens of the new state.

These objectives had been accepted by the Republic of South Africa in the preparatory phase of the

Geneva conference. Before the conference met, everyone concerned had agreed on the implementation of

UN Security Council Resolution 435 of 1978 for a peaceful transfer of power in the territory of South

West Africa.

It would be wrong to say that the United Nations initiative concerning Namibia has failed. UN

Secretary General Kurt Waldheim won a point in getting a meeting at AT and in persuading the hostile

parties, the Republic of South Africa and the South West Africa People's Organization, to meet one another

for the first time at the conference table. Until now Pretoria had rigidly refused to talk to the

"terrorists" of the liberation movement, while the acrimony of South Africa's opponents also made any open

discussion seem impossible. The Geneva conference is thus a first step towards reason and moderation. True,

the representatives of the "internal political parties" continually made statements to the press abusing

SWAPO, but the freedom organization refused to be provoked and remained calm. Although no firm agreements

could be reached in the conference room, the way is still open to a peace agreement later. And Resolution

435 is still accepted by all as the basis for an international solution.

Continuing diplomatic initiatives therefore do not need to start from scratch but can take into

account certain gains. The Geneva conference offered the opportunity for many unofficial meetings between

the two sides, hitherto immovably confronting one another, and the SNAPO representatives succeeded in overcoming many prejudices by their dignified behavior and well-weighted political arguments. This applies particularly to the German minority in Namibia, to whose representatives the SNAPO president Sam Nujoma gave reliable assurances if his multiracial people's party were victorious in the elections.

The "black sheep" at the Namibia conference was the leader of the Democratic Turnhalle Alliance (DTA), Dirk Nudge. This clever non-back politician, who has a markedly authoritarian style, was born in South West Africa, but his party is utterly dependent on Pretoria financially and otherwise. Obviously Nudge had been instructed to gain time for the Republic of South Africa over Namibia. Right from his arrival in Geneva he said quite openly that he would ensure the failure of the conference. But he succeeded only in as far as no written agreement was reached. He was not really successful, for in the course of the conference it became evident how much opposition there is to the "internal parties" in Namibia, and that even the largest party, the DTA, is losing ground. In the last racially-separate elections in South West Africa the UTA lost a considerable number of its white supporters. The splintering of the "internal parties" was shown in Geneva by the fact that they were under the control of Namibia's South African appointed administrator general, Danie Hough, and he decided whether they could speak. In really free elections, in fact, it is obvious that the only real possibility would be SNAPO, with its structure as a true people's party with unified aims. But South Africa is not ready to accept an

(M O R E)

Lutheran Norid Information 3/81

electoral victory of SNAPO at this point, and this explains its delaying tactics at Geneva.

By gaining time Pretoria is speculating on a number of factors:

--South Africa will try, after the change of government in Washington, to induce the five Western countries to change course.

--South Africa is going to step up its military offensive against the SWAPO guerrillas, it is said, to eliminate SWAPO as an armed factor in Namibia before the end of the year.

--South Africa believes it is economically strong enough to stand up against threats of sanctions. And it intends to try to strengthen its position as an important trading partner with black Africa including some of the Frontline States.

--South Africa expects a sharpening of international involvement in armed conflicts in the Middle East and East Africa and that the United States will consequently need South Africa as a reliable strategic base.

--South Africa wants to keep control of Namibia as long as possible to guard its own western

borders from the immediate pressure of those liberation movements that are fighting for a Republic of Anzania with a black majority rule.

--South Africa has its own internal problems. Elections are coming up and President Pieter

Botha wants to win in order to carry out his reform ideas in the country. Botha thinks he can only win the next election if he stands firm over South West Africa.

--South Africa is going to step up its "disinformation" campaign against SWAPO, denigrating SNAPO as a "communist-infiltrated organization" and provoking SNAPO to more intransigent reactions.

Altogether the Geneva Namibia conference has shown that at the moment the "hawks" obviously

have the say in Pretoria, and their tactic is to prevent any solution being reached. In the long run this game of

chance will not be to the advantage of South Africa, which is becoming more and more isolated from all

those political elements in the United Nations working for a reasonable solution acceptable to all

parties. So far at any rate the Frontline States and the five Western powers are all pulling together

in the direction of a non-violent solution.

South Africa will not be able to maintain its position over Namibia alone forever. Pretoria must

come to realize that. It would be most regrettable if those who say no confidence can be placed in the

Republic of South Africa and that the only language it understands is that of violent compulsion proved

to be right. That must be prevented, even though the unscrupulous maneuvering of the South African

delegation in Geneva seems to confirm the skepticism resulting from earlier experience.

The United Nations will go on with its efforts at mediation, knowing it can count on wide support

throughout the world.

Who is ready to die for Namibia? The greatest sufferers in the continuing war in South West Africa

are always the Christians of Northern Namibia. But after South Africa's behavior toward SWAPO at the

Geneva conference the liberation war will now probably spread to the whole of the country. An aggravating

factor is that three months ago Pretoria began to organize a territorial army in Namibia, instituting

obligatory military service for all Namibians over 15 years of age, though this is illegal. They plan a

"home army" of up to 60,000 men under white officers and South African command to help the administrator

from Pretoria.

Many feel in this critical situation it is the responsibility of the churches everywhere to support

the further initiatives of the United Nations for Namibian independence through international control of

free elections. South Africa must be made to understand that the pursuit of its racial and economic

motivated special interests cannot be pawned off as a "Crusade for Christianity" against communism. The

churches must make it quite clear that the Republic of South Africa is indeed a bastion of

f multinational

capitaiism but by no means a true witness for Jesus Christ in Africa.

(TRANSLATED BY MARGARET MANGAN)

- 170 A -

Recent Statements by WCC

The following text was adopted by the CENTRAL COMMITTEE of the World Council of Churches at its meeting

in Geneva, Switzerland, 14-22 August 1980.

#### STATEMENT ON NAMIBIA

Three years of negotiations between the United Nations and South Africa, between the United Nations

and the South West Africa People's Organization (SWAPO) and between the five-nation Western contact

group (United States, F.R.G., France, Britain and Canada) and South Africa have still not resulted

in the holding of free and fair elections in Namibia as envisaged by the United Nations plan.

The implementation of this plan remains paralyzed by South Africa's continued intransigence.

In spite of all parties agreeing to the creation of a demilitarized zone between Angola, Zambia

and Namibia, and despite some progress on Security Council Resolution 435 (providing for a United

Nations controlled cease-fire followed by elections leading to independence) there seem to be

more obstacles now in the way of a Namibian settlement than before. These obstacles are:

i) The South African demand that SWAPO bases inside Namibia be eliminated, and

ii) The South African demand that the United Nations General Assembly position of SWAPO

as the authentic representative of the Namibian people be dropped and that "all

participants in the political process be placed on an equal footing".

of Namibian mineral deposits without the consent of the United Nations Council for Namibia, a

number of transnational corporations are increasing their exploitative activities in Namibia,

including several corporations located in the five-nation Western contact group.

On 12 June 1980, the South African Government through its Administrator General proclaimed its

own version of a unilateral declaration of independence (U.D.I.) by establishing a multiracial

twelve-man Ministers Council with executive powers in Namibia. The new Council will be

empowered to administer any affairs vested in the Namibian administration by the South African

Government.

There is an increased South African military build-up and mounting repression inside Namibia.

A significant part of this repression has been aimed at the interruption of church activities

and the destruction of church property by the South African security forces. Many pastors,

church workers and business leaders have been detained and tortured. In addition, a list of

Namibians marked for assassination has been given publication. This list includes prominent

church leaders.

#### Recommendations

6.

In view of the above and in following upon the recommendations of the World Consultation on

Racism held in June 1980 in the Netherlands, the Central Committee calls upon its member churches to:

a) encourage and support the Council of Churches in Namibia and its member churches in the

exercise of their prophetic ministry;

b) observe "Namibia Month" (of the entry of Namibia and Zimbabwe in the Ecumenical Prayer

Cycle) in the Spirit of ecumenical solidarity;

c) increase pressure upon the members of the United Nations Security Council, especially those from the West, for a speedy implementation of United Nations Resolution 435 (1978);

d) support the people of Namibia in their determination to:

(i) resist the Bantustanization by the South African government, illegally occupying the country, and affirm the territorial integrity and unity of Namibia;

(ii) boycott the tribal elections;

(iii) denounce the exploitation of Namibia's natural resources by some transnational corporations.

Furthermore, the Central Committee:

(e) reaffirms its action taken in 1977 calling upon the churches "to press their governments

and the South African Government to comply with the United Nations recognition of SWAPO as the authentic representative of the Namibian people".

iii

#

- 17() B -

DOCUMENTATION FROM  
WCC EXECUTIVE COMMITTEE

9-13 February 1981

STATEMENT ON NAMIBIA

The Churches in Namibia have increasingly become targets of attack from the South African authorities as a result of their identification with the people of Namibia in their struggle

for independence. In a statement of January 15, 1981, the Executive Committee of the Namibian

Council of Churches (representing the majority of the people of Namibia) expressed "its deepest

disappointment at the failure of the conference on Namibia held in Geneva under UN auspices in

January. The statement appealed to "all Christians throughout the world to pray without ceasing

for the peace of Namibia".

The Central Committee of the WCC, in its statement on Namibia in August 1980, said that "the implementation of the plan (the UN plan for Namibia) remains paralysed by South Africa's

continued intransigence". It called upon its member churches to "encourage and support the

Council of Churches in Namibia in the exercise of their prophetic ministry", "increase pressure

upon the members of the United Nations Security Council, especially those from the West, for

a speedy implementation of the UN Resolution 435 (1978)" and to reaffirm support for the UN

position on SWAPO "as the authentic representative of the Namibian people".

(Text of the Statement follows)

Development related to Namibia during the period after the Central Committee have made the

situation extremely serious, destroying hopes for an early settlement of the conflict and prolonging the agony of the Namibian people. The "pre-implementation conference" on Namibia

failed because the government of South Africa refused to sign a cease-fire agreement and blatantly defied the UN. The SWAPO declared its willingness to comply fully with the UN resolution and to sign the cease-fire agreement immediately.

While intensifying repression inside Namibia, South Africa's operations in Southern Angola have

been extended in such a way that it is now waging a full-scale war, deliberately killing and

terrorising Angolan citizens in any area where SWAPO might find support. As part of a strategy

of destabilisation of the front-line states, South Africa is also attacking other countries

including Mozambique.

A new aspect of concern in Namibia, especially for the churches, is the illegal conscription of

young Namibians over 16 years of age for service in the territorial militia under white South

African officers. As the Churches of Namibia pointed out in a petition to the President of

South Africa this has resulted in the immediate exodus of a large number of young people and

"the further polarization of the people of the territory".

The Executive Committee calls upon its member churches

- to reaffirm their support to the churches and people of Namibia in all their efforts to achieve freedom and justice for their country;

- to support generously programmes for humanitarian assistance to the victims of the conflict

inside Namibia, Angola and neighbouring countries, in particular by supporting the CICARWS

appeal of January 1981;

- to increase pressure, by concerted efforts, on governments of their countries, especially

the Western governments, to ensure that there is no further delay in the implementation of

the UN plan for Namibia and to impose comprehensive and mandatory sanctions on South Africa

(including a withdrawal of investments, an end to bank loans, arms embargo and oil sanctions)

ons)  
since it continues to block the implementation of the plan.  
The Executive Committee assures the Churches in Namibia that at this critical time in the  
history of  
their country, as they continue to affirm Christ's victory over sin and evil as the motive power for  
their struggle, they are being upheld in intercessory prayers by churches around the world.



, evamatmg the  
. mthxesu-N- 'Pre:  
,mntatlou Meet lng

. . . if. H -171 -

a . '/'

.w

(I 1

71. J

s

A WK

A2

.

e

v V

t vs u

x e

e

( 1e

NATIONS (NEW; 2 UNITED NATIONS

--'., .9, \_.\_r.wumo-ovw\_-. -v vp-M. 've--- ....- ----

v -- -. - .- .wm.--Aprme-.y -eww a -

. \_ .---.---. ' -, ; ; -242 \_.\_.\_' --.2.L.v- \_.\_-- \_.\_.\_, -2 .u...

---.I.r&. -44. \_ . 5...m...

' /' l'Ul /'f. 1', x'N'WU '3' 2"1'4 X Wu. " 15W V7'77'I5'5 I"x/' '1 I (II VILVI

W

,

J

,

Vfi .Z

-012 ' 2

EEEEIISH n 1 Press Release SG/79

17;m.:/3 7

21 January 1981

FURTHER REPORT OF THIS SECRETARY-GENERAL CONCERNING THE IMPLEMENTATION

WM

OF SECURITY COUNCIL RESOLUTIONS 435 (1978) AND 430 (1973) 2

CONCERNING THE QUESTION OF NAMIBIA

(The following report of the Secretary-General (5/14333) is being reproduced as received from New York:)

1. In my report of 24 November 1980 to the Security Council (5/14266), I stressed the vital importance of Namibia achieving independence in accordance with Security Council resolution 435 (1978) in 1981. I added that, in order to achieve that aim, a date for the cease-fire and a start of implementation should be set in the early part of 1981. As a means of facilitating agreement, I stated the intention to hold a pre-implementation meeting under the auspices and Chairmanship of the United Nations.

2; The proposed meeting was held at the Palais des Nations in Geneva from 7-14 January 1981. In accordance with paragraph 24 of my report of 24 November 1980, South Africa and the South West Africa People's Organization (SWAPO) were contacted concerning the composition of the respective delegations that would participate in the meeting. The front-line States and Nigeria, the Organization of African Unity (OAU) and the Contact Group of the Western Five were also contacted about the sending of observers.

But the two delegations participating in the meeting were led respectively by the South African Administrator-General of Namibia, Mr. Danie Hough, and by the President of SWAPO, Mr. Sam Nujomat. The observer delegations were represented at a high level, including some at the ministerial level. OAU was represented by its Secretary-General, Mr. Edem Kodjo. In addition, the Minister of State for Foreign Affairs of Sierra Leone attended the meeting on behalf of the President of Sierra Leone, the current Chairman of OAU, Mr. Siaka Stevens.

4. In view of the importance that I attached to the meeting, I personally chaired the opening sessions held on 7 and 8 January 1981. The working sessions were thereafter chaired by Mr. Brian Atuah, Under-Secretary-General for Special Political Affairs.

(more)

Lb rnmuzzi ;;;x-- H'ilil dawix 1- . MHMHHAIK :. s no (Orr' :mm i0 d' 2 MM stun o'f, \_ 1x  
For UH: of MY mun W lm? t. :20! An wfnxn1 ;2 (NJ

5. In my opening statement on 7 January 1981, I reiterated the central purpose of the meeting as set out in my report of 24 November 1980. I emphasized that a very large area was already covered by a general consensus and noted that the problems remaining related in one way or another to confidence, and especially to confidence in the future. I expressed the hope that the courage and vision that had brought the participants to Geneva would carry them over that obstacle as well. I reiterated that our main aim was to set a firm agreement on a date for a cease-fire and the start of implementation of the Proposal which would allow for the achievement of Namibian independence before the end of 1981. It was made clear that basic agreement on the Proposal and the demilitarized zone had already been reached and that there could be no question of renegotiating those fundamental arrangements or of going back on agreements previously reached.

6. In a meeting on 8 January 1981, following consultations, I called upon the leaders of the two delegations to introduce those members of their delegations whom they wished to introduce.

7. Mr. Hough, the Administrator-General, whom South Africa had designated to lead the delegation, then introduced his personal staff and the delegation led by him, "pursuant to paragraph 24 of the report of the Secretary-General (S/14266) and consisting of parties who are present here to discuss with the United Nations and to participate in the Conference, on an equal basis with those who would take part in the elections, the implementation of Security Council resolution 435 and other practical proposals". I thereupon recalled the precise wording of paragraph 24 of my report of 24 November 1980, indicating that it was on that basis alone that the meeting had been convened.

8. Mr. Nujoma, President of SWAPO, in introducing his delegation, stated that some of its members were still in prison, not having been released by the South African Government. Mr. Nujoma reiterated acceptance by SWAPO of Security Council resolution 435 (1978) and added that SWAPO was "ready to sign a cease-fire with the delegation of South Africa, so that peace can come to Namibia" and to "co-operate with UFTAG, both military and civilian components, in order to ensure implementation of Security Council resolution 435 (1978)".

9. Working sessions with the two delegations, in the presence of the observers, commenced on 8 January. In his opening statement, the Chairman, Mr. Urquhart, recalled the framework within which the meeting was being held. He described the wide area of agreement which had been reached with the Government of South Africa during more than two years of consultations in connexion with the implementation of Security Council resolution 435 (1978). He stated that the United Nations believed that the technical issues relating to implementation had essentially been resolved and that none existed which could possibly justify any failure to decide to go forward. The Chairman reiterated that the meeting had not been called to re-negotiate matters already agreed. He pointed out that in any conflict situation or prolonged dispute there was inevitably a legacy of distrust and lack of confidence among the parties. To overcome such a legacy a high degree of statesmanship was called for. It was not only the future of Namibia that was at stake, it was also the future of the entire region and the prospects for peace and progress in Africa as a whole.

(more)

10. On 8 and 9 January, detailed presentations were made on behalf of the United Nations regarding the manner in which the Special Representative for Namibia of the Secretary-General, appointed under Security Council resolution 431 (1978), and the United Nations Transition Assistance Group (UNTAG), would fulfil their various responsibilities under the settlement Proposal as approved in Security Council resolution 435 (1978). In the course of those presentations the over-all structure of UNTAG and the Special Representative's duties, the functions of the office of the High Commissioner for Refugees, the election supervisory role of UNTAG, the tasks and deployment of UNTAG police monitors and the tasks and deployment of the UNTAG military component were described by Mr. Martti Ahtisaari, Special Representative of the Secretary-General; Mr. Poul Hartling, High Commissioner for Refugees; General Prem Chand, Commander-designate of the UNTAG military component; and other senior United Nations Officials. Points of clarification arising from those presentations were dealt with during a working session held on 10 January.

11. A number of statements were also made by members of the delegation led by the South African Administrator-General. It was asserted, inter alia, that the United Nations had disqualified itself from supervising free and fair elections in Namibia, in particular, by recognizing SWAPO as the sole and authentic representative of the people of Namibia and by its attitude towards other political parties in the Territory. The general tenor of many of those presentations was that only after an unspecified period, in which the United Nations would demonstrate its impartiality, would a definite date for implementation be acceptable. Anxiety was also expressed as to the nature of the laws and related arrangements which would govern the Territory in the future.

12. At the meeting on Saturday, 10 January, the Chairman made a number of general comments on the statements heard from the delegation led by the South African Administrator-General during the previous meetings. In particular, he referred to the context in which the United Nations had been involved in the Namibia problem and to the central purpose of the meeting, namely, the setting of a firm date for the cease-fire and the commencement of implementation of resolution 435 (1978). -

13. In referring to the questions that had been raised about the "impartiality" issue and the need to create trust and confidence, the Chairman pointed out that this seemed to be putting the problem the wrong way around and that, in any case, the matter of trust and confidence was a two-way street. He explained that it was precisely because the decisions of the United Nations concerning Namibia, dating back as far as 1947, had not been heeded that the situation had reached the present pass. He pointed out that the fundamental

aim of the membership of the United Nations was to enter a new phase, in

which all concerned would co-operate with the international community to attain the goal of independence of Namibia through an act of self-determination. The key was a definite agreement to proceed on a specific date with the implementation of resolution 435 (1978), at which time a number of things would change

because there would be a completely different situation.

At that time, both South Africa and the United Nations would be required to make the necessary arrangements for the impartial discharge of their respective responsibilities under the settlement Proposal.

U)

(more)

14. The Chairman concluded his statement by urging the participants not to be distracted from the main objective of the meeting, namely, in the words of the Secretary-General's report of 24 November to attain the independence of Namibia in 1981, in accordance with resolution 435 (1978) and, to achieve this aim, to set a date for the cease-fire and a start of implementation in the early part of 1981.

15. In intensive consultations after the meeting on Saturday, 10 January, a course of action was discussed which was designed to lead, at the conclusion of the meeting, to a declaration of intent by the parties to the cease-fire. This would have provisionally established a cease-fire at an early date - 30 March 1981 was suggested - to be confirmed in writing by 10 February 1981. It was also suggested that in the meantime, specific measures could be taken to ensure - and to reflect in public decisions - the impartiality of the United Nations, as well as South Africa, from the time of agreement on the implementation date. '

16. It became clear, from a statement by the South African Administrator-General in the meeting on 13 January, that it would not be possible to achieve such a declaration of intent at the meeting in Geneva. In that meeting, the Administrator-General stated that, in the light of the proceedings thus far, it was clear that the questions raised in paragraph 19 of the report of the Secretary-General (8/142(6)) had not been resolved, and it would therefore be premature to proceed with the discussion on the setting of a date for implementation.

17. At the closing meeting on 14 January, the leader of the SYAPO delegation, 1--

fr. Nujoma, reiterated that SUAPO was ready to proceed, at the meeting in Geneva, to sign a cease-fire and to agree to a target date for the arrival of UHTAG in Namibia. Since South Africa had not agreed, SVAPO had no alternative but to continue with the liberation struggle.

13. In his closing statement, the Chairman reviewed the developments at the meeting and commented that it was clear that the date for the commencement of the implementation of resolution 435 (1978) still remained to be agreed upon. His concluding statement contained the following remarks:

"In the light of all that has taken place during our meeting, the question arises whether the obstacle is the matter of trust and confidence which the South African Government informed us in Pretoria last October was the core issue affecting the setting of a date. If that is so, I am sure few will challenge the fact that this meeting has provided the participants not only with a better understanding of the international effort for a settlement of the Namibia question but also valuable opportunities for continued discussion. In my view, this has been a most unusual meeting. An enormous effort has been made, in many forms and at many levels, to demonstrate good faith, reasonableness, a will to co-operate in the future and an understanding of the pre-occupations and anxieties of others. It is a matter for regret that these extraordinary efforts have not yet succeeded in facilitating an agreement on a date for implementation and that a great opportunity has thus been missed... I believe that all participants and observers (Halve)

here will wish to consider urgently the events of the last few days and the course which must be taken to expedite the attainment of the objective we have set ourselves. In particular, and on behalf of the Secretary-General, I appeal to those who have been unable so far to assent to the proposals made by the Secretary-General to reconsider their position at the earliest possible time.

"The Secretary-General has been kept fully informed on the efforts made at, and on the outcome of this meeting. He sincerely hopes that means will soon be found to go forward, as we had intended to do, to the early implementation of resolution 435 (1978), so that our time and efforts here will prove to have made a positive contribution to the solution of the question of Namibia.

Although it has not proved possible here to secure agreement on a cease-fire date and on the commencement of the implementation of resolution 435 (1978), the United Nations will not relax its efforts to ensure for the people of Namibia their right to self-determination and independence through free and fair elections under United Nations supervision and control."

#### Observations

19. The pre-implementation meeting which concluded in Geneva on 14 January did not succeed in achieving the objective set for it in my report of 24 November 1980, namely, the setting of a date for the cease-fire and a start of implementation in the early part of 1981. It became clear in the course of the meeting, that the South African Government has not yet prepared to sign a cease-fire agreement and proceed with the implementation of resolution 435 (1978).

20. The meeting was, nevertheless, important in many ways. Participants were informed in detail of the manner in which the United Nations would discharge its responsibilities during the implementation process. Further, through contacts and exchanges at a variety of levels, a remarkable effort was made to demonstrate good faith and reassurance, with a view to proceeding towards implementation in a spirit of co-operation and understanding. I wish, in this connexion, to express my particular appreciation to OAU, represented in Geneva by its Secretary-General and by the Minister

for External Affairs of Sierra Leone to the front-line States,

Q

Nigeria and the Contact Group of the Western Five.

U)

21. I believe that the outcome of the meeting in Geneva must give rise to the most serious international concern. Members of the Security Council, and all those concerned, will wish to consider the proposal for the settlement which is now in issue. I wish urgently to appeal to the Government of South Africa to review, with the utmost candour, the implications of its position.

OT - Gnu of t1?

meeting and to reconsider its position with a view to the earliest possible implementation of resolution 435 (1978) at the earliest possible time.

PERMANENT DELEGATION OF  
THE ORGANIZATION OF AFRICAN UNITY  
DELEGATION PERMANENTE DE  
L'ORGANISATION DE L'UNITE AFRICAINE  
A GENEVE IN GENEVA

Gabl : OUAGE Geneve .. t .. . . 13, avenue de Bude

Teleephone : 33 8560 W M avb-Jn W 1202 Geneva

Telex ' 28 866 ouage ch Suisse (Switzerland)

Reference :

GVA/POL/3/473.81

The Permanent Delegation of the Organization of African Unity in Geneva presents its compliments to all African Permanent Missions and has the honour to present to the latter copy of a telex from the GAO Executive Secretary in Dar-es-Salaam giving the text of the resolution on Namibia, adopted by the Liberation Committee in Axusha.

Quote: resolution on namibia

the co-ordinating committee for the liberation of africa,  
meeting in its 36th ordinary session in arusha, tanzania between  
19th - 23rd january, 1981,

recalling security council resolutions nos. 435 (1978)

and 439 (1978) which established the united nations plan for the  
independence of namibia based on free and fair elections in the  
territory under the supervision and control of the united nations,  
cognisant of the report of the united nations secretary general  
to the security council (3/14266) of 24th november, 1980, which  
envisaged independence for namibia in 1981 and on the basis of which  
direct talks were held in geneva from 7 - 14 january, 1981  
between swapo and south africa aimed at reaching agreement on  
the ceasefire and date for the emplacement of untag in namibia in  
march 1981,

having heard the report of the observers from oau, nigeria  
and the frontline states to the geneva talks on namibia, held  
from 7 - 14 january, 1981, under the auspices and chairmanship  
of the united nations,

having also heard the statement by swapo on the developments  
of the struggle for the liberation of namibia,

noting the persistent refusal of racist south africa to  
co-operate with the secretary-general of the united nations in the  
implementation of the united nations plan,

disappointed with the inadequate efforts of the western five  
to achieve a negotiated settlement of the namibian situation and to  
convince racist south africa of the need for a peaceful and speedy  
solution to the namibian question so as to enable the people of the  
territory to exercise their right to genuine self-determination  
and independence,

noting that the western initiative fora negotiated settlement of the namibian situation has regrettably failed due to their vested interest in southern africa, which clearly accounted for the apparent impotence of western five at the geneva pre-implementation meeting,

noting with satisfaction swapo's acceptance of security council resolutions 435 (1978) and 439 (1978) and its willingness at the outset of the geneva talks to sign a ceasefire agreement and to agree on the target date for the emplacement of untag in namibia,

deploring racist south africa's refusal at the geneva talks to agree to the date for ceasefire and the emplacement of untag and its arrogant defiance of the peaceful overtures of the international community as reflected in its statements at the talks,

indignant that three years of talks between the united nations and racist south africa aimed at achieving a negotiated settlement of the namibian question have so far failed due to the prevarications and machinations of racist south africa,

appalled by racist south africa's continued aggression against frontline states, and in particular its persistent and most recent attacks against the peoples republic of angola,

satisfied with the untiring efforts of the secretary general of the united nations in defending the inalienable rights of the people of namibia to self-determination and independence,

1. commends swapo for its statemanship and the positive efforts it has made in the last three years of negotiations aimed at achieving a negotiated settlement of the namibian question,
2. congratulates swapo for its patience and forbearance at the geneva meeting,
3. welcomes swapo's declared readiness at the geneva meeting to agree to the date for a ceasefire and the emplacement of untag in namibia in accordance with security council resolutions 435 (1978) and 439 (1978),
4. commends swapo for sacrifices made and victories scored by the peoples liberation army of namibia in the battle-field,
5. condemns the unwarranted provocative and malicious utterances made by the racist south african delegation at the geneva meeting against the united nations secretary general, oau member states and swapo,



6. strongly condemns the position of the racist south african delegation at the geneva meeting and holds it fully responsible for the failure of that meeting,
7. deplores the apparent impotence and halfhearted effort of the western five in bringing the necessary pressures on racist south africa during the geneva meeting,
9. pledges full moral, diplomatic and material assistance to swapo in order to enable her to intensify further the armed struggle,
10. calls for the establishment of an emergency namibian liberation fund and urges all can member states to contribute voluntarily over and above their normal assessed contribution to the special fund,
12. condemns in the strongest terms possible the flagrant violations of the territorial integrity of frontline states by racist south africa through attacks by land and air aimed at destabilizing african states in their resolve to support the heroic struggle of the namibian people for self-determination and independence,
13. vehemently condemns in particular south africa's persistent and most recent outrageous and criminal aggression perpetrated against the people's republic of angola resulting in the wanton and indiscriminate loss of human life and property,
14. expresses its profound gratitude and appreciation to the frontline states for their steadfast support of the oppressed people of namibia and for the sacrifices they have made and continue to make on behalf of africa to ensure genuine self-determination and independence for namibia,
15. calls on all can member states to extend all necessary financial and material assistance to the frontline states in conformity with the can and the united nations resolutions on the strengthening of the defensive capabilities of the 5c countries,
16. calls upon all can member states, non-aligned countries and other friendly countries to be ready to give immediate and effective response to any eventual appeal from swapo or the frontline states which may feel their sovereignty threatened by south africa's acts of aggression,
17. expresses its profound gratitude to the united nations secretary general for his consistent defence of the right to self-determination

- 179 -

( .

Geneva, 10th February, 1981

To All African Permanent Missions I ;n  
in Geneva.

Extracts from a Press Conference Given by the South African Administrator-General for Namibia in Windhoek after his Return from the Namibia Conference of the United Nations in Geneva.

Published by the Windhoek Advertiser, 23 January, 1981

Danie Hough, SWA's AG answers some

SWA DID not stand any closer to UN- supervised elections in the Territory, at the , conclusion of the Geneva talks. but clarity had been achieved in certain areas, the AG Mr Danie Hough, told newsmen at a Press conference in Windhoek on Monday.

A greater degree of trust had emerged between the SA Government and the various internal SWA parties, and the internal parties now had 'a clearer understanding of the . UN's position and the implementation of Resolution 435.

Mr Hough said that it had become clear to all those present at the talks, that the internal SWA parties were not merely puppets of the SA regime, and it was generally accepted that we succeeded 100 percent in gaining equal status for the internal parties viz- a- viz Swapo.

It was premature to continue with the negotiations with regard to UN Resolution 435, because the basic question of mutual trust had not been resolved at Geneva.

Mr Hough said that the UN had not managed to respond substantially to any of the problems which the internal parties had spelt out quite clearly at the conference.

Mr Hough then answered questions put to him by the media, and his replies to some of these are reproduced in an edited version.

Q: Could you comment on local dissatisfaction about SA's secret talks with the Angolan Government without consulting the internal political parties?

AG: I'm sure we were all aware that Pretoria holds secret talks with many countries on different issues. I am not aware, however, of any such talks between the SA and Angolan Governments concerning SWA.

Q: Is there any substance to the speculation that Pretoria is in the process of dumping the UTA as the answer to Swaw

in SWA 7

AG: The SA Government is not intending to drop any internal party. It has now generally agreed that the internal parties should assume a stronger role in the process towards independence and SA should maintain a low profile.

Q: Is it not true that the main purpose of the Geneva talks was to sign a ceasefire?

AG: This is one possible interpretation of the Waldheim report compiled after negotiations between the UN visiting team and SA which took place in Pretoria in October last year. We went to Geneva chiefly to do away with the major obstacle standing in the way of a settlement in SWA, namely, the distrust of the UN as 'neutral arbitrator'

We are prepared to discuss a ceasefire provided that the UN first demonstrates its impartiality. The problem of mistrust is also described in the Waldheim report.

Q: How accommodating was the UN to the internal parties at the Geneva talks?

AG: My impressions were that some individuals in UN quarters were prepared to make certain concessions to the internal parties. The matter was never really clearly spelt out, however. Instead, we were confronted by attempts to negotiate a ceasefire on a Quid pro quo basis.

x

Q: It has been rumoured that the Western Five had a package of some sort prepared at Geneva. Any comment? -

AG: I did hear about such a package deal, and in fact, several others.

The Western Five did mention that it was working on some form of package deal. Before presenting it, however, they would want SA to state all its remaining objections and its reservations to an internationally-sponsored settlement in SWA. down to the bottom line.

Q: What possibilities of a second round of talks exist at present?

- AG: No idea.

Q: Could you comment on the internal dynamic of the local SWA delegation in Geneva with reference to party political differences that ex

listed as a result of its com  
position?

AG: I gained the impression  
that the presence of the comA ,  
mon enemy in the conference  
hall created a form of cor

pertinent questions \_' pOSed by the media ordination among the various internal groups.

Q: In the light of SA Minister. Pik Botha and Mr Dirk Mudge's demands for certain constitutional guarantees before Swapo before agreeing to the UN-supervised elections in the Territory, does Resolution 435 still stand for SA? That Resolution makes no mention of any constitutional guarantees for an independent S WA. \_

AG: It is premature to talk further about 435,5 implementation. 'A decision must be made by the SA Governman

Q: Do you think there will be consultations with the internal S WA parties before SA formulates its reply to the UN on the Geneva talks?

AG: For me it is desirable.

Q: What about the threat of sanctions now' that Geneva talks have failed to reach a compromise?

. AG: No comment.

Q: What about Swapo's threat to escalate the war?

\_ AG: Threats should never be taken lightly, no matter from whom, but I am not particularly worried about this one.

Q: Do you see the future role of the AG also as leading an internal delegation in forthcoming negotiations that might materialise?

AG: The position of an AG is defined as part of UN Resolution 435, and his future role cannot be excluded. '

Q: How do you interpret Mr Brian Urquhart's statement during the Geneva talks, and referring to SA, which said that after the mountain of mistrust had been cleared. a another Himalaya would come into sight?

AG: I think he meant that the implementation of Resolution 435 is the most difficult task that lies ahead after the creation of mutual trust.

Q: How serious is SA about allowing UN-supervised elections in S WA?

AG: SA has always spelt out its willingness to let UN-supervised elections take place in the Territory, provided that there is mutual trust. b

Q: SA has always seen Red (Communism) when it looked at the UN. 1: it not rather

strange that SA is now demanding that a situation of mutual trust should be brought between SA and the UN? Is there a chance of another type of solution apart from Resolution 435 .7

AG: We are now at a point where total re-evaluation is re-exceedingly complex, and demands deep thinking by SA and the internal parties.

Q: Are you satisfied with the manner with which Mr. Uthman chaired the Geneva talks?

AG: ...

Q: Who makes the next move - SA or the UN?

AG: It is not so much a question of a first step, but of different steps to be taken. I cannot say who will take the first step.

Q: Could you comment on the meeting that took place between Swapo and the 16 while the Geneva talks were in progress?

. AG: I shall be meeting with the IG shortly to find out more.





tius and Nigeriafm to extend an invitation to Mr. Sam Nuloma under rule 39 Of the provisional rules of procedure.

At the same meeting, the Council further decided, at the request of the representatives of Gabon, Mauritius and Nigeriaf0 to extend an invitation to Mr. Edem Kodjo under rule 39 Of the provisional rules of procedure.

Resolution 435 (1978)

of 29 September 1978

The Security Council,

Recalling its resolutions 385 (1976) of 30 January 1976 and 431 (1978) and 432 (1978) of 27 July 1978,

Having considered the report of the Secretary-General submitted pursuant to paragraph 2 of resolution 431 (1978)<sup>01</sup> and his explanatory statement made in the Security Council on 29 September 1978 (S/12869),<sup>62</sup>

Taking note of the relevant communications from the Government of South Africa to the Secretary-General,

Taking note also of the letter dated 8 September 1978 from the President of the South West Africa People's Organization to the Secretary-General,<sup>63</sup> Reaffirming the legal responsibility of the United Nations over Namibia,

1. Approves the report of the Secretary-General on the implementation of the proposal for a settlement of the Namibian situation<sup>64</sup> and his explanatory statement;

2. Reiterates that its objective is the withdrawal of South Africa's illegal administration from Namibia and the transfer of power to the people of Namibia with the assistance of the United Nations in accordance with Security Council resolution 385 (1976);

3. Decides to establish under its authority a United Nations Transition Assistance Group in accordance with the above-mentioned report of the Secretary-General for a period of up to 12 months in order to assist his Special Representative to carry out the mandate conferred upon him by the Security Council in paragraph 1 of its resolution 431 (1978), namely, to ensure the early independence of Namibia through free elections under the supervision and control of the United Nations;

<sup>59</sup> Ibid., document 8/12866.

<sup>60</sup> Ibid., document S/12872.

<sup>61</sup> Ibid., document 5/12827.

<sup>01</sup> Ibid., Thiruv-Ilu'rd er, 2087th meeting, paras. 11422.

<sup>63</sup> Ibid., Supplement for July, August and September 1978, document 5/12841.

<sup>64</sup> Ibid., Supplement for April, May and June 1978, document 5/12636.

182 -

13

4. Welcomes the preparedness Of the South West Africa People's Organization to co-operate in the implementation of the Secretary-General's report, including its expressed readiness to sign and observe the cease-fire provisions as manifested in the letter from its President of 8 September 1978;

5. Calls upon South Africa forthwith to co-operate with the Secretary-General in the implementation of the present resolution;

6. Declares that all unilateral measures taken by the illegal administration in Namibia in relation to the electoral process, including unilateral registration of voters, or transfer of power, in contravention of resolutions 385 (1976), 431 (1978) and the present resolution, are null and void;

7. Requests the Secretary-General to report to the Security Council not later than 23 October 1978 on the implementation of the present resolution.

Adopted at the 2087!!! meeting by 12 votes to none, with 2 abstentions (Czechoslovakia. Union of Soviet Socialist Republics).<sup>5</sup>

#### Decisions

At its 2088th meeting, on 30 September 1978, the Council decided to invite the representative of Guinea to participate, without vote, in the discussion of the question.

At its 2092nd meeting, on 31 October 1978, the Council decided to invite the representatives of Burundi, Egypt and Ghana to participate, without vote, in the discussion of the item entitled:

ttThe situation in Namibia:

u(a) Report of the Secretary-General submitted pursuant to paragraph 7 of Security Council resolution 435 (1978) concerning the situation in Namibia (5/12903);<sup>66</sup>

9(b) Letter dated 24 October 1978 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council (S/12906)?<sup>88</sup>

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the provisional rules of procedure, to a delegation of the United Nations Council for Namibia, composed of the President and three Vice-Presidents of that body.

<sup>65</sup> One member (China) did not participate in the voting.

<sup>66</sup> See Official Records of the Security Council, Thirty-third Year, Supplement for October, November and December 1978.

At the same meeting, the Council further decided, at the request of the representatives of Gabon, Mauritius and Nigeria,<sup>07</sup> to extend an invitation to Mr. Theoban Gurirab under rule 39 of the provisional rules of procedure.

At its 2094th meeting, on 1 November 1978, the Council decided to invite the representatives of Bangladesh, Benin, Guyana, Saudi Arabia, Somalia and Zambia to participate, without vote, in the discussion of the question.

At its 2095th meeting, on 2 November 1978, the Council decided to invite the representatives of Cuba, Mozambique and Yugoslavia to participate, without vote, in the discussion of the question.

At its 2096th meeting, on 6 November 1978, the Council decided to invite the representative of Algeria to participate, without vote, in the discussion of the question.

Resolution 439 (1978)

of 13 November 1978

The Security Council,

Recalling its resolutions 385 (1976) of 30 January 1976, 431 (1978) and 432 (1978) of 27 July and 435 (1978) of 29 September 1978,

Having considered the report of the Secretary-General submitted pursuant to paragraph 7 of resolution 435 (1978),<sup>03</sup>

Taking note of the relevant communications addressed to the Secretary-General and the President of the Security Council,<sup>69</sup>

Having heard and considered the statement of the President of the United Nations Council for Namibia,<sup>70</sup>

Taking note also of the communication dated 23 October 1978 from the President of the South West Africa People's Organization to the Secretary-General,<sup>1</sup> Reaffirming the legal responsibility of the United Nations over Namibia and its continued commitment to the implementation of resolution 385 (1976), in particular the holding of free elections in Namibia under United Nations supervision and control,<sup>6</sup> Ibid., document 8/12909.

<sup>08</sup> Ibid., document S/12903.

<sup>'39</sup> Ibid., documents 5/12900 and 8/12902.

<sup>70</sup> Ibid., Thirty-third Year, 2092nd meeting.

<sup>'11</sup> Ibid., Supplement for October, November and December 1978, document 5/12913.

83-

14

Reiterating the view that any unilateral measure taken by the illegal administration in Namibia in relation to the electoral process, including unilateral registration of voters, or transfer of power, in contravention of the above-mentioned resolutions and the present resolution, is null and void,

Gravely concerned at the decision of the Government of South Africa to proceed with unilateral elections in Namibia in clear contravention of resolutions 385 (1976) and 435 (1978),

1. Condemns the decision of the South African Government to proceed unilaterally with the holding of elections in the Territory from 4 to 8 December 1978 in contravention of Security Council resolutions 385 (1976) and 435 (1978);

2. Considers that this decision constitutes a clear defiance of the United Nations and, in particular, the authority of the Security Council;

3. Declares those elections and their results null and void and states that no recognition will be accorded either by the United Nations or any Member States to any representatives or organs established by

that process;

4. Calls upon South Africa immediately to cancel the elections it has planned in Namibia in December 1978;

5. Demands once again that South Africa cooperate with the Security Council and the Secretary-General in the implementation of resolutions 385 (1976), 431 (1978) and 435 (1978);

6. Warns South Africa that its failure to do so would compel the Security Council to meet forthwith to initiate appropriate actions under the Charter of the United Nations, including Chapter VII thereof, so as to ensure South Africa's compliance with the aforementioned resolutions;

7. Calls upon the Secretary-General to report on the progress of the implementation of the present resolution by 25 November 1978.

Adopted at the 2098th meeting by 10 votes to none, with 5 abstentions: (Canada, France, Germany, Federal Republic of, United Kingdom of Great Britain and Northern Ireland, United States of America).

#### Decisions

At its 2103rd meeting, on 4 December 1978, the Council decided to invite the representatives of the Congo and Angola to participate, without vote, in the discussion of the item entitled 'The situation in Namibia: letter dated 1 December 1978 from the Charge' of the Permanent Mission of the Congo to the United Nations addressed to the President of the Security Council (S/12945) 11.72

72 Ibid., Supplement for October, November and December 1978.

\_ 184 -

' r

mu

h A

-H --v-.. N

--

.. . ' ' r

umrw NAHQ-Ns t

lm

Distr.

GENERAL

C; I

VECURETV SW

C O U N C E L 10 Aprll 1978

ORIGINAL: ENGLISH

m Mu."

L

LETTER DATED 10 APRIL 1978 FROM THE REPRESENTATIVES OF CANADA, FRANCE,  
GERMANY9 FEDERAL REPUBLIC OF, THF UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND AND UNITED STATES OF AMERICA ADDRESSED TO THE  
PRESIDENT OF TH? SECURITY COUNCIL

On instructions from our Governments we have the honour to transmit to you a  
proposal for the settlement of the Namibian situation and to request that it be  
circulated as a document of the Security Council.

The objective of our proposal is the independence of Namibia in accordance  
with resolution 385 (1976), adopted unanimously by the Security Council on  
30 January 1976.

We are continuing to work towards the implementation of the  
proposal.

(Signed) William H. BARTON

Permanent Representative of Canada

to the United Nations

M. Jacques LEPRETTE

Permanent Representative of France

to the United Nations

thiger von WECHMAR

Permanent Representative of the

Federal Republic of Germany to

the United Nations

James MURRAY

Deputy Permanent Representative of the

United Kingdom of Great Britain and

Northern Ireland to the United Nations,

Charge d'Affaires, a.i.

Andrew YOUNG

Permanent Representative of the

United States of America to the

United Nations

78-o7h88 /.

## I. Introduction

1. hearing in mind their responsibilities as members of the Security Council of the United Nations, the Governments of Canada, France, the Federal Republic of Germany, the United Kingdom and the United States have consulted with the various parties involved with the Namibian situation with a view to encouraging agreement on the transfer of authority in Namibia to an independent government in accordance with resolution 385 (1976), adopted unanimously by the Security Council on 30 January 1976.

2. To this end, our Governments have drawn up a proposal for the settlement of the Namibian question designed to bring about a transition to independence during 1978 within a framework acceptable to the people of Namibia and thus to the international community. While the proposal addresses itself to all elements of resolution 385 (1976), the key to an internationally acceptable transition to independence is free elections for the whole of Namibia as one political entity with an appropriate United Nations role in accordance with resolution 385 (1976). A resolution will be required in the Security Council requesting the Secretary-General to appoint a United Nations Special Representative whose central task will be to make sure that conditions are established which will allow free and fair elections and an impartial electoral process. The Special Representative will be assisted by a United Nations Transition Assistance Group.

3. The purpose of the electoral process is to elect representatives to a Namibian Constituent Assembly which will draw up and adopt the Constitution for an independent and sovereign Namibia. Authority would then be assumed during 1978 by the Government of Namibia.

h. A more detailed description of the proposal is contained below. Our Governments believe that this proposal provides an effective basis for implementing resolution 385 (1976) while taking adequate account of the interests of all parties involved. In carrying out his responsibilities the Special Representative will work together with the official appointed by South Africa (the Administrator-General) to ensure the orderly transition to independence. This working arrangement shall in no way constitute recognition of the legality of the South African presence in and administration of Namibia

## II. The electoral Erocess

5. In accordance with Security Council resolution 385 (1976), free elections will be held, for the whole of Namibia as one political entity, to enable the people of Namibia to freely and fairly determine their own future. The elections will be under the supervision and control of the United Nations in that, as a condition to the conduct of the electoral process, the elections themselves, and the certification of their results, the United Nations Special Representative will have to satisfy himself at each stage as to the fairness and appropriateness of /...

all measures affecting the political process at all levels of administration before such measures take effect. Moreover the Special Representative may himself make proposals in regard to any aspect of the political process. He will have at his disposal a substantial civilian section of the United Nations Transition Assistance Group, sufficient to carry out his duties satisfactorily. He will report to the Secretary-General of the United Nations, keeping him informed and making such recommendations as he considers necessary with respect to the discharge of his responsibilities. The Secretary-General, in accordance with the mandate entrusted to him by the Security Council, will keep the Council informed.

6. Elections will be held to select a Constituent Assembly which will adopt a Constitution for an independent Namibia. The Constitution will determine the organization and powers of all levels of government. Every adult Namibian will be eligible, without discrimination or fear of intimidation from any source, to vote, campaign and stand for election to the Constituent Assembly. Voting will be by secret ballot, with provisions made for those who cannot read or write. The date for the beginning of the electoral campaign, the date of elections, the electoral system, the preparation of voters rolls, and other aspects of electoral procedures will be promptly decided upon so as to give all political parties and interested persons, without regard to their political views, a full and fair opportunity to organize and participate in the electoral process. Full freedom of speech, assembly, movement and press shall be guaranteed. The official electoral campaign shall commence only after the United Nations Special Representative has satisfied himself as to the fairness and appropriateness of the electoral procedures. The implementation of the electoral process, including the proper registration of voters and the proper and timely tabulation and publication of voting results will also have to be conducted to the satisfaction of the Special Representative.

7. The following requirements will be fulfilled to the satisfaction of the United Nations Special Representative in order to meet the objective of free and fair elections:

A. Prior to the beginning of the electoral campaign, the Administrator General will repeal all remaining discriminatory or restrictive laws, regulations, or administrative measures which might abridge or inhibit that objective.

B. The Administrator General shall make arrangements for the release, prior to the beginning of the electoral campaign, of all Namibian political prisoners or political detainees held by the South African authorities so that they can participate fully and freely in that process, without risk of arrest, detention, intimidation or imprisonment. Any disputes concerning the release of political prisoners or political detainees shall be resolved to the satisfaction of the Special Representative acting on the independent advice of a Jurist of international standing who shall be designated by the Secretary-General to be legal adviser to the Special Representative.

C. All Namibian refugees or Namibians detained or otherwise outside the territory of Namibia will be permitted to return peacefully and participate fully and freely in the electoral process without risk of arrest, detention, intimidation or imprisonment. Suitable entry points will be designated for these purposes.

/...

D. The Special Representative with the assistance of the United Nations High Commissioner for Refugees and other appropriate international bodies will ensure that Namibians remaining outside of Namibia are given a free and voluntary choice whether to return. Provision will be made to attest to the voluntary nature of decisions made by Namibians who elect not to return to Namibia.

8. A comprehensive cessation of all hostile acts shall be observed by all parties in order to ensure that the electoral process will be free from interference and intimidation. The annex describes provisions for the implementation of the cessation of all hostile acts, military arrangements concerning the United Nations Transition Assistance Group, the withdrawal of South African forces, and arrangements with respect to other organized forces in Namibia, and with reSPect to the forces of SWAPO. These provisions call for:

A. A cessation of all hostile acts by all parties and the restriction of South African and SWAPO armed forces to base.

B. Thereafter a phased withdrawal from Namibia of all but 1500 South African troops within 12 weeks and prior to the official start of the political campaign. The remaining South African force would be restricted to Grootfontein or Oshivello or both and would be withdrawn after the certification of the election.

C. The demobilization of the citizen forces, commandos, and ethnic forces, and the dismantling of their command structures.

D. Provision will be made for SWAPO personnel outside of the territory to return peacefully to Namibia through designated entry points to participate freely in the political process.

E. A military section of the United Nations Transition Assistance Group to make Sure that the provisions of the agreed solution will be observed by all parties. In establishing the military section of UNTAG, the Secretary-General will keep in mind functional and logistical requirements. The Five Governments, as members of the Security Council, will support the Secretary-General' s judgement in his discharge of this responsibility. The Secretary- -General will, in the normal manner, include in his consultations all those concerned with the implementation of the agreement. The Special Representative will be required to satisfy himself as to the implementation of all these arrangements and will keep the Secretary-General informed of developments in this regard.

9. Primary responsibility for maintaining law and order in Namibia during the transition period shall rest with the existing police forces. The Administrator General to the satisfaction of the United Nations Special Representative shall ensure the good conduct of the police forces and shall take the necessary action to ensure their suitability for continued employment during the transition period. The Special Representative shall make arrangements when appropriate for United Nations personnel to accompany the police forces in the discharge of their duties. The police forces would be limited to the carrying of small arms in the normal performance of their duties.

/...



10. The United Nations Special Representative will take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter.

11. Immediately after the certification of election results, the Constituent Assembly will meet to draw up and adopt a Constitution for an independent Namibia. It will conclude its work as soon as possible so as to permit whatever additional steps may be necessary prior to the installation of an independent Government of Namibia during 1978.

12. Neighbouring countries shall be requested to ensure to the best of their abilities that the provisions of the transitional arrangements, and the outcome of the election, are respected. They shall also be requested to afford the necessary facilities to the United Nations Special Representative and all United Nations personnel to carry out their assigned functions and to facilitate such measures as may be desirable for ensuring tranquillity in the border areas.

/...

1...  
lg!  
E  
SY  
Timing  
(1) At date unspecified:  
(2) As soon as possible,  
preferably within  
one week or Security  
Council action:  
(3) Transitional period  
formally begins on  
date of UNSC passage  
of resolution  
adopting SYG's plan:  
0  
SC  
I Administrator General; SAG I  
- Secretary-General of the United Nations;  
I United Nations Security Council; UNTAG - United Nations  
SAG  
General cessation of  
hostile acts comes  
under UN supervision.  
Restriction to base  
of all South African  
forces including  
ethnic forces.  
ANNEX  
SVAPO  
General cessation of  
hostile acts comes  
under UN supervision.  
Restriction to base.  
South African Government; SHAPO - South Heat Africa  
g! - United Nations; UNSR I United Nati  
9.".  
UNSC passes resolution  
authorizing SYG to  
appoint UNSR and  
requesting him to  
submit plan for UN  
involvement. SYG  
appoints UNSR and  
dispatches UN  
contingency planning  
group to Namibia. SYG  
begins consultations  
with potential  
participants in UNTAG.  
SYG reports back to  
UNSC. UNSC passes  
further resolution  
adopting plan for UN  
involvement. Provision  
is made for financing.  
As soon as possible:  
umsn and staff (UNTAG)  
arrive in Namibia to  
assume duties. UN  
military personnel  
commence monitoring of  
cessation of hostile  
acts and commence  
monitoring of both  
South African and  
SHAPO troop  
restrictions. Begin  
infiltration prevention  
and border surveillance.  
Begin monitoring of

police forces. Begin  
Other action  
Release of political  
prisoners/detainees  
wherever held begins  
and is to be  
completed as soon  
as possible.  
People 'a Organization  
on: Special Representative;  
Transition Assistance Group  
English  
Annex  
8/12635  
-189-

1...

(h)

Within six weeks:

SAG

Restriction to base  
continues. Force  
levels reduced to  
12,000 men.

ANNEX (continued)

SVAPO

Restriction to base  
continues.

2!

monitoring of citizen  
forces, ethnic forces,  
and military personnel  
performing civilian  
inactions.

UNSR makes necessary  
arrangements for  
co-ordination with  
neighbouring countries  
concerning the  
provisions of the  
transitional  
arrangements.

Appropriate action by  
UN High Commissioner  
for Refugees outside  
Namibia to assist in  
return of exiles. All  
UN activity continues.  
Other action

---

Establishment in  
Namibia of  
provisions to  
facilitate return  
of exiles.

Establishment and  
publication of  
general rules for  
elections.

Completion of repeal  
of discriminatory  
laws and restrictive  
legislation.

Dismantlement of  
command structures  
of citizen forces.  
commandos and ethnic  
forces, including  
the withdrawal of  
all South African  
soldiers attached  
to these units.

All arms, military  
equipment, and  
ammunition of  
citizen forces and  
'commandos confined

Annex

Fuse 2

3/12636

English

190 -

(5) Within nine weeks:

(6) Within 12 weeks:

/...

SAG

Restriction to base continues. Force levels reduced to 8,000 men. Force levels reduced to 1,500 men, restricted to Grootfontein or Cshivello or both. All military installations along northern border would by now either be deactivated or put under civilian control under UK supervision.

ANNEX (continued)

SWAPO

Restriction to base continues. Peaceful repatriation under UN supervision starts for return through designated entry points.

Restriction to base continues.

All UK activity continues.

All U! activity continues. Military Section of UITAG et IlliIUI deployment.

We.

to drill halls under UN supervision. AG to ensure that none of these forces will drill or constitute an organized force during the transitional period except under order of the AG with the concurrence of UNSR.

A6 with concurrence of URSR deterudnea whether and under what circumstances those niliary personnel perfonning civilian functions will continue those functions.

Completion of release of politicel prionera/deteineel wherever held.

English

Annex

Page 3

8/12636

191

ANNEX (continued)

Timing SAG SHAPO

E1

Other action

Facilities which

depend on then

(e.g., hospitals,

power stations)

would be protected

where necessary by

the UN.

(7) Start of thirteenth Official start or

week: election campaign

of about four

months' duration.

(8) on date "tabliated --

by AG to

satisfaction of

URSR:

(9) One week after date Canplction of Closure of all bases.

of certification of withdrawal.

election:

(10) At date WBPecified: -

Election to

Constituent

Assembly.

Convening of

Constituent

Assembly.

Conclusion of

Constituent

Assembly and

whatever additional

steps may be

necessary prior to

installation of new

government.

(11) By 31 Decelber 1978

It Intent:

Independence.

English

Annex

Page h

5/12536

- 192 -

DECLARATION OF THE INTERNATIONAL CONFERENCE IN SOLIDARITY  
WITH THE STRUGGLE OF THE PEOPLE OF NAMIBIA

UNESCO House, Paris 11 - 13 September 1980

The International Conference in Solidarity with the Struggle of the People of Namibia was organized on the initiative of the South West Africa People's Organization (SWAPO), the sole and authentic representative of the people of Namibia, and with the support of the United Nations Council for Namibia, the legal administering authority of the international territory of Namibia.

It brought together governments, organizations and individuals who have demonstrated by action their unequivocal commitment to the struggle of the Namibian people for independence.

It met at a crucial time in the history of the struggle for liberation in Southern Africa. On the one hand, the triumph of liberation in Zimbabwe acted as a powerful spur for the liberation of Namibia and South Africa. On the other hand, the South African racist regime, unnerved by the defeat of its manoeuvres to preserve Zimbabwe as a buffer, sought to reverse the irreversible tide of liberation.

With the independence of Angola, Mozambique and Zimbabwe the struggle of the people of Namibia and South Africa assumed new significance. The people of these countries heightened their mobilization for final victory, and support to them becomes today an urgent task for the international community.

The racist regime of South Africa has resorted to desperate acts and devious manoeuvres to continue its illegal occupation of Namibia, consolidate its illegitimate rule over the great majority of the people of South Africa, and to reverse the march of freedom in Africa. It has armed itself to the teeth and sought to acquire nuclear capability, with the collaboration or complicity of powerful governments, such as the United Kingdom, United States of America, France and the Federal Republic of Germany and their transnational corporations, in order to intimidate and blackmail the governments and peoples of the entire region.

Southern Africa, therefore, is at the crossroads. The racist regime of South Africa poses a serious challenge to the entire international community which has assumed special responsibility for Namibia and declared its solemn commitment to the oppressed people in South Africa.

The international community is faced with a threat and challenge which it cannot fail to meet with all its strength. The Conference was, therefore, organised to mobilise all progressive forces of the world to ensure international action for the independence of Namibia and to bring closer the destruction of white racist domination in South Africa,

and pledged that their courage shall be matched by the determination of all forces of solidarity.

' The President of the South West Africa People's Organisation, Mr Sam Nujoma, told the Conference:

"This collective manifestation of your support for and solidarity with the just cause of our people and the struggle for national and social liberation being waged by SWAPO in Namibia, is a living testimony that our cause is a universal cause and that our people are not suffering and sacrificing alone; it tells us that imperialism and colonialism are enemies of all mankind; it is proof that racism and exploitation of man by man are abhorrent, denounced, condemned and rejected; and that the overwhelming majority of the international community is ready, prepared and willing to render all-round material, financial, military, political and moral support and assistance to the Namibian people under the leadership of SWAPO, to intensify, expand and prosecute the struggle for Namibia's national independence on all fronts - military, political and diplomatic."

The Conference benefitted from the guidance of the President of the United Nations Council for Namibia, H. E. Mr Paul Lusaka, who identified the main directions for urgent action to reinforce the heroic struggle of SWAPO and the efforts of the Council as the instrument for the discharge of the special responsibility of the United Nations, for the independence of Namibia.

The United Nations General Assembly terminated South Africa's mandate over Namibia on 27 October 1966, the year of the launching of the armed struggle by SWAPO. In 1967, it established the Council for Namibia as the legal administering authority of Namibia. In 1971, the International Court of Justice delivered its advisory opinion on Namibia. In 1973, the General Assembly recognized SWAPO as the sole and authentic representative of the people of Namibia and renewed the commitment of the United Nations towards the people of Namibia. These decisions and solemn commitments, in the discharge of the "sacred trust", must remain the basis of all actions by the international community. Any deviation from them must be exposed, condemned and firmly resisted.

1. The South African racist regime is illegally occupying Namibia in violation of international law, the Charter and the authority of the United Nations. It has engaged in brutal repression of the Namibian people and the ruthless exploitation of the natural resources of the Territory. It has used the Territory as the base for aggression against the Republic of Zambia and the People's Republic of Angola. It is guilty of crimes against humanity; it is the main enemy of Africa and the United Nations; it must be expelled from the international Territory of Namibia.



2. SWAPO, the national liberation movement of Namibia, is the sole and authentic representative of the Namibian people. This status, which was earned by struggle and sacrifice, and by the blood of the Namibian patriots, was confirmed by the United Nations in 1973. SWAPO is today a respected member of the international community.

3. The national unity and territorial integrity of Namibia - including Walvis Bay and Penguin and other off-shore islandst - must be preserved.

4. The United Nations Council for Namibia is the legal administering authority of Namibia until independence. Its authority must in no way be undermined.

5. Any collaboration with the illegal occupying power in Namibia, direct or indirect, and any exploitation of Namibian natural resources in violation of the United Nations Decree No. 1, is a hostile act against the Namibian people and against the United Nations and the international community.

The threat to the peace in Southern Africa, arising from the policies and actions of the racist regime of South Africa have been a source of grave concern to the United Nations and the international community for two decades. By increasing their collaboration with aDartheid and persistently protecting the Pretoria regime from sanctions, the Western Powers have reinforced its destructive power, undermined the effectiveness of the United Nations and aggravated the threat to the peace. Their continued collusion with the racist regime, even after the termination of the mandate in 1966, and the Advisory Opinion of the International Court of Justice in 1971, has now helped precipitate the most severe challenge to the authority of the United Nations.

The efforts of the Council for Namibia as the legal administering authority for the Territory, have been constantly frustrated by these Powers, who have thereby showed contempt for their obligations under the United Nations Charter. They persisted in this attitude even after the Security Council unanimously adopted resolution 385 (1976), with the -full support of SWAPO, on the process of transition to independence through free and fair elections under the supervision and control of the United Nations.

Yet, when the five Western powerstHt offered their good offices in 1977 to promote the implementation of that resolution, SWAPO and the Frontline States responded in good faith, in order to  
'k

Ichaboe, Hollamsbird, Mercury, Long, Seal,  
Halifax, Possession, Albatross Rock, Pomona,  
Plum Pudding, Sinclairs

tt Canada, France, the Federal Republic of Germany, United Kingdom,  
the United States of America

facilitate a speedy transfer to power to the people of Namibia. Their cooperation made possible the United Nations plan for the independence of Namibia, endorsed unanimously by the Security Council in resolution 435 (1978).

But the Western Powers enabled the South African regime to defy the plan, by once again failing to exercise pressure on it, and by embarking on protracted talks which tended to undermine the integrity of United Nations resolutions and the status of SWAPO, and the authority of the Council for Namibia. They enabled the South African regime, under the cover of these talks, to consolidate its hold over the Territory, to create puppet institutions and to undermine the territorial integrity of Namibia. The increased militarization of the Territory and its use as the base for aggression against independent African States has, in fact, heightened the threat to international peace and security.

Thus the Western Powers have not only failed to promote a solution in accordance with the Security Council resolution but contributed to the creation of a graver crisis.

Moreover, despite the mandatory arms embargo against South Africa, military equipment and technology from these countries continue to be supplied to South Africa, and an increasing number of mercenaries are also being recruited from them.

The governments and peoples truly committed to freedom, must, therefore, take the initiative and act in full solidarity with SWAPO. All efforts must be directed at the imposition of mandatory sanctions, including an oil embargo, under Chapter VII of the United Nations Charter, against the South African regime in order to secure the implementation of Security Council resolutions 385 (1976) and 435 (1978) and its unconditional withdrawal from Namibia. The Conference calls for co-ordinated action by all committed governments and organizations for this purpose. The international community should not in any way recognize the authority of the illegal occupying regime. It should take firm action to counter its manoeuvres to prevent genuine independence of Namibia by creating puppet institutions and providing them with military, police and other repressive powers. It should reiterate Security Council resolution 435 (1978) and prevent any recognition of, or relations with, any authorities or institutions created by the illegal occupying regime.

All who support the genuine aspirations of the Namibian people for freedom and independence should provide full and unconditional political and material support for SWAPO in its legitimate struggle by all means - including armed struggle - to drive out the aggressive illegal regime from Namibia.

corporations which are involved in illegally plundering the natural resources of Namibia. They should take action to ensure that the United Nations Decree No. 11 is effectively implemented by governmental and public action to punish the transnational corporations, airline and shipping companies and other interests guilty of violation of the Decree. They should provide all necessary political and material support to the Frontline States which have faced persistent acts of aggression and subversion by the Pretoria regime because of their commitment to African Liberation and their loyalty to the United Nations.

Towards this end, the Conference calls for the following urgent actions by Governments and organizations:-

1. The Conference urges the Security Council to meet not later than 15 October 1980 to impose comprehensive mandatory sanctions, including an oil embargo, against South Africa in order to enforce its compliance with Security Council resolutions 385 (1976) and 435 (1978).

It further urges the Security Council to declare categorically that Walvis Bay and all the off-shore islands of Namibia are integral and uncontestable parts of the Territory and to reject any moves intended to leave the matter for negotiation between an independent Namibia and South Africa.

2. The Conference affirms the authority of the United Nations Council for Namibia as the legal administering authority and supports its Algiers Declaration. The Council must be given all necessary co-operation and support in order to discharge the mandate conferred upon it by the General Assembly.

The Conference pledges full cooperation with the Council in its efforts to mobilize world public opinion in support of independence of Namibia, with the support of the solidarity organisations.

3. The Conference calls on all governments and organisations to support this Declaration and to take all necessary action in the light of the conclusions of the Conference. It invites all solidarity organisations to mobilize public opinion in support of the struggle for the independence of Namibia, particularly during the Week of Solidarity with the People of Namibia, proclaimed by the United Nations General Assembly, beginning 27 October 1980.

a Decree No 1, for the Protection of Natural Resources of Namibia inter alia prohibits exploitation, export, etc., of any natural resource of Namibia without the consent and permission of the United Nations Council for Namibia. Resources exported without such permission, and ships etc., carrying them, are subject to seizure on behalf of the Council, to be held in trust for the benefit of the People of Namibia.

-198 -

The Conference requests its Praesidium to appoint a delegation to present this Declaration to the SecretarynGeneral of the United Nations, the Security Council and the United Nations Council for Namibia, as well as other appropriate bodies.

000

STATEMENT BY THE CHURCH GROUP AT THE INTERNATIONAL CONFERENCE FOR SOLIDARITY  
WITH THE PEOPLE OF NAMIBIA, Paris, 11 - 13 September 1980

SECTION A

Participants at the International Conference on Namibia from Churches, Church groups and agencies (t), or present as concerned Christians, have learned much from the statements of the member churches of the Cogncil of Churches in Namibia over the past few years concerning the social and political developments in that country. The strength of their witness has been of great encourage-ment to many, and their position could be summed up as follows -

1. The presence of South Africa in Namibia is illegal, and in affirming the opinion of the International Court of Justice in 1971 the churches re-iterated that South Africa is under obligation to withdraw immediateLy.

2. The continued South African presence is maintained only by an occupation army and a brutal police terror due to the abandonment of the rule of law.

3. From the beginning the church warned the international community that the "Turnhallee Conference" lacked any legitimacy because of its totally non-representative character.

4. Because of South Africa's intransigence the Council of Churches in Namibia welcomes and supports resolutions of the United Nations calling for an end to the illegal occupation and the holding of free and fair elections under United Nations supervision and control.

5. The churches have accordingly been involved in international consultations on the holding United Nations supervised and controlled elections, most particularly in the so-called western initiative since April 1977.

6. At that time the five western countries made it clear that their initiative was aimed at holding of U.NQ supervised elections so as to prevent South Africa from establishing its own "internal government" in Namibia. With this understanding the churches have loyally given their support to the plans for a cease-fire to be followed by U.N. elections in Namibia.

7. In spite of this the churches have been forced to raise their voices in denouncing South Africa's continued undermining of the negotiations by escalating repression in Namibia, by the introduction of martial law, the (t) Including:

World Council of Churches, All Africa Conference of Churches Lutheran World Federation, British Council of Churches, United Evangelical Lutheran Church of Germany, Christian Peace Conference, Ecumenical Commission tor Church and Society in the EEC - Belgium, Anglican Diocese of Namibia Council of Churches in Namibia, Entraide et Fraternite - Belgium, Broederlijh Delen - Belgium, Reformed Youth Work - Netherlands, Werkgroep Kairos - Netherlands Pre-Paid Reply - Netherlands, Fax Christi - Netherlands, Department of Inter-Church Aid - Netherlands Reformed Church, IDOC - Italy, Lut ran Church in America - USA Reformed Church of Switzerland COWnHQ 1 gee Cox Zq\_dewlef/  
PGUJeazC&WL&m%Laani3&1985M53A4t0L ) 9 4h

by-passing of the courts of law, torture and police brutality and military ruthlessness, the staging in December 1978 of divisive tribally-based j'ethnic elections which have no international recognition, and the systematic installation of an "internal government" of a legislative assembly and a Council of Ministers with executive powers dominated by the South African controlled Democratic Turnhalle Alliance. In particular the churches were shocked and horrified at the callous brutality of the South African Army raid on the Namibian refugee camp at Cassinga, Angola in May 1978 in which some 800 Namibians were killed.

It is clear that there is a general loss of confidence and trust among the Christians in Namibia in the whole process surrounding the implementation of the plan for U.N. elections. This loss of confidence is due to South Africa's delaying tactics and the attitude of the five western countries which have too often in the past refused to act against South Africa's undermining of the negotiations. These five countries have encouraged this undermining by their statements to the U.N. maintaining that a solution was imminent and therefore no punitive action against South Africa should be taken.

More particularly since the installation of a de facto internal government in Namibia on 1st July 1980 a major aim of the western initiative as expressed in April 1977 has failed. As the policy of negotiating with South Africa has produced no results, it is clear that in order to re-kindle hope the U.N. Security Council must impose the sanctions it has threatened against South Africa for its non-compliance with Res 435 to force it to hold U.N. elections in Namibia.

#### SECTION B

The Churches in Namibia repeat again and again their dedication to the all embracing liberation of all people as spelled out by the Gospel. Loyalty to this belief calls for a truthful confrontation with all powers of oppression.

Loyalty to truth calls for a clear identification of propaganda lies, tricks and labelling which systematically reverses the truth of the facts, making the inhabitants of a country appear to be the aggressors and the invaders of Namibia the rightful administrators.

Loyalty to justice calls for a courageous denouncement of a structure of exploitation when the privileged whites possess wealth, power and control administrative and judicial structures. and condemn the black Namibians to poverty, a life as second-class beings, and criminalised detainees.

loyalty to peace calls for an intrepid confrontation with the accomplices of a colonial war machinery which supports the war of the aggressor and condemns the arms of the defendants.

It is only after being faithful to this over-all imperative of truthful confrontation, and after having defeated the system of injustice and lies that the churches will be able to work towards a further step of liberation - the work of Namibian nation-building in the light of national reconciliation. Oppressor and oppressed, aggressor and aggressed cannot be reconciled by the Church except in the context of a just society under the scrutiny of truth. The aggressor must be resisted; the Oppressed has not only the right, but is urgently called on by Christ to stand up and take freedom.

#### SECTION C

Because of their commitment to justice and liberation the Namibian churches and their members, in solidarity with all other patriots, have suffered. Many Namibian church leaders, pastors, teachers and medical personnel have been among those imprisoned; some lives have been threatened even to the extent of the names of prominent church leaders appearing on a "death list"; women have been raped and otherwise sexually abused; property has been destroyed; church records confiscated and worship services monitored. Some who have fled the country render their services in refugee camps, both clergy and laity; while expatriate church workers have been expelled and re-entry visas denied and others have been refused re-entry to Namibia.

In this repressive situation the Council of Churches in Namibia continues to serve by developing a ministry to the oppressed and preparing for the rebuilding of a just and liberated Namibia. To support them in this work the Namibian churches have appealed to their brothers and sisters in the international community. Some churches have heard this appeal and responded in a variety of ways, namely:

- sponsoring occasions for prayer and other support activities.
- supplying humanitarian assistance to the refugee camps administered by SWAPO. This takes the form of food and clothing as well as supplies for agricultural, medical and educational projects.
- supporting Chaplaincy services in camps in Zambia and Angola to take care of the spiritual needs of the refugees.
- supporting legal aid and prison visitation programmes run by the Council of Churches in Namibia, and humanitarian assistance to the unemployed because of political victimization.
- providing funds for educational and community development programmes.
- offering scholarships and other hospitality in their own countries.
- organising programmes for churches in many countries to inform their people about the situation in Namibia and the goals and aspirations of the Namibian people.
- pressing their governments to support the will of the Namibian people for their immediate independence from South African rule.

- 202 -

- organising programmes and campaigns exposing the growing economic involvement of predominantly Western countries in South Africa and Namibia, and calling for an end to these economic links with South Africa and the end to the exploitation of Namibia's mineral resources.

- pressing their governments to enforce strictly the United Nations Security Council arms embargo against South Africa.

#### SECTION D

In spite of the efforts of some national and international church organisations to support the liberation of Namibia, this is minimal compared with the intense involvement of the Namibians themselves.

There are some churches and individual Christians both inside and outside of South Africa and Namibia who even support the South African government's view which claims that it is the guardian of Christianity on the African continent. The Council of Churches in Namibia has unmasked "Christian nationalism" as contrary to the Gospel which celebrates the unity of mankind in a society built on justice and freedom.

All churches are urged to support the Council of Churches in Namibia in its witness, and the Catholic Church internationally is further urged to affirm the Council of Churches in Namibia's work, and in Namibia to associate fully in its membership.

Churches are further called on

- to respond to the requests of the Council of Churches in Namibia to intercede on behalf of the people of Namibia in their quest for justice and peace by services of prayer.

- to increase pressure upon members of the United Nations Security Council, especially those from the West, for a speedy implementation of Res. 435 calling for a cease-fire followed by U.N. supervised elections. In this regard the churches in the five western countries have a special responsibility.

- to press their governments to negotiate with the only internationally recognised representative of the Namibian people, the South West African Peoples Organisation (SWAPO of Namibia), and following on from this to confer no legitimate status on those who claim it by virtue of their co-operation in any South African sponsored internal election in Namibia, either held in the past or to be held in the future.

- to examine their relationships with corporations and banks which operate in South Africa and Namibia by dissociating themselves from these institutions which undergird the apartheid regime in an effort to force their withdrawal from South Africa and Namibia, and in particular cases end the mining operations in Namibia which are contrary to Decree No. 1 of the U.N. Council for Namibia which is designed to protect the natural resources of Namibia.



International  
Defence and  
Aid Fund  
for Southom Africa  
In consulmdvo status  
with the Economic and  
Social Council (ECOSOC)  
of the United Nations and  
UNESCO

2 Amen Court  
Lmdon E04" 73X  
Tolod'lon0 01 -606 6123  
Cable. DEFENDAID  
London EC4

President  
Canon L John Collins  
Executive Ofleu  
Mr Wilfrid Gronvillwerey  
Gonna! Secretary  
Mrs Phyllis Altman

Treasure:  
Mr R C B Goro  
CONSTITUTIONAL DEVELOPMENTS IN  
TTAMIPIA - SOUTH ATRICA'S  
"ITWFVAL STTmTme"

AJh .wl .JA'A

Paper prepared by the Research and Information Department  
of the International Defence and Aid Fund for Southern  
Africa for presentation to the International Conference  
in Solidarity with the Struggle of the People of I'amibia,  
held in Paris in September 1980.

#### CONSTITUTIONAL DEVELOPMENTS IN NAMIBIA - SOUTH AFRICA'S INTERNAL SETTLEMENT

On 1 July 1980, constitutional changes were implemented in Namibia which amount to a de facto Unilateral Declaration of Independence. The most notable feature of these changes is that they are the logical outcome of policies which South Africa spelt out long ago and began to formally implement in 1964. Under various guises, the South African government has imposed its apartheid policy on the Territory it illegally occupies, while claiming that this is the wish of the Namibian people. Cosmetic changes have been presented as genuine moves towards Namibian independence, and have given the West excuses for avoiding any effective pressure on South Africa. In fact, the "homelands policy", first formally spelt out in the Odendaal Report of 1964, lies at the basis of all South Africa's subsequent activities in Namibia.

A "government" loyal to South Africa has now been installed which is itself based on tribal and racial divisions and is willing to implement this policy. This "government", consisting of a Council of Ministers and National Assembly at the central, first tier level and eleven "representative authorities" (ethnic governments) at the second tier level, remains under the overall control of the South African-appointed Administrator General. He has the power to intervene at any given moment in the affairs of the territory and to make laws by proclamation. The move towards what South Africa calls "responsible self-government" in Namibia is in fact the setting up of a client state fragmented into ethnic and racial components to prevent an internationally acceptable settlement.

#### The Homelands Policy

The concept of "homelands" has been, from its inception, synonymous with the alienation of land from the black population of Namibia (and South Africa) to ensure the availability of cheap labour for the white-controlled economy while reserving the wealth and natural resources of Namibia for the white minority.

In 1962, South Africa appointed a "Commission of Inquiry into South West Africa" with the brief to review the future of the various "population groups" of Namibia. In its Report and Recommendations in 1964, the Odendaal Commission spelt out the basic premises of separate development. These assert that there exist many distinct, culturally incompatible and mutually antagonistic black nations in Namibia which can only develop harmoniously if each "nation" progresses separately towards "self-determination". Whites, made up of 55,000 Afrikaans, 20,000 German and 15,000 English and Portuguese-speaking people, are assumed to be one nation.

On this basis, the Odendaal Report recommended that "home areas" be given to each population group with the exception of the Coloureds. 437/1 of the total land area of Namibia, including the best agricultural land and most known mineral deposits, was to be reserved for the whites.

10 "homelands", comprising a total of 40% of the area of the territory and including the poorest land, were demarcated for habitation by blacks. The rest was to be returned to direct South African control. The Odendaal Report admitted that at least one half of the "homelands" area could not be made economically viable, since large parts suffered from soil erosion, lack of water and overcrowding. South Africa's economic objective of ensuring a constant flow of migrant labour to the white economy, while disposing of all those Africans considered "undesirables" by restricting them to the poverty-stricken homelands, was thus formally established. Its political objective of reversing Namibia's progress towards genuine independence and unitary nationhood was defined in the Development of Self-Government for Native Nations in South West Africa Act no. 53 of 1958, which provided the general structure of homeland governments. It defined six "nations" and provided for the establishment of other homelands by presidential proclamation. The six "nations" were the Damara, East Caprivians, Hereros, Kaokovelders, Okavango and Ovambo. Each "homeland" would have a legislative council with nominal ordinance-making powers and an executive council with corresponding administrative powers. Their powers were restricted to dealing with some 50 subjects within the "homeland" and excluded such vital matters as the military, the police, foreign affairs etc. In any case, any enactment of the legislative council needed the approval of the South African State President who could in all cases repeal or amend new legislation. Amendments to the Act in 1973 gave the South African State President powers to grant self-government to a Namibian "homeland" without recourse to the South African Parliament. By 1976, South Africa had conferred "self-governing" status on three "homelands" - Ovamboland (where elections in 1973 to return a Legislative Assembly were boycotted by 92% of the population), Kavango and Caprivi. Other "population groups" were given various forms of tribal authority, such as an Advisory Board for Bushmen (Oct. 1975), a Kama Advisory Council (July 1976), and a Damara Representative Authority (1977). Elections for a Chiefs' Council for the Behoboth Basters were held in 1977 and 1979. Negotiations took place for a Tswana Council in early 1977, and meetings were held with Herero tribal leaders in May 1977. The powers of the white SWA Legislative Assembly, which since 1925 had dealt with matters relating to whites in the territory, were in large part transferred to the South African parliament, thus effectively incorporating Hamaribia into the South African central legislative and administrative machinery as a fifth province (EVA Affairs Act 1969). The Odendaal Report and its subsequent implementations have been condemned by the international community on numerous occasions. In 1965 the United Nations General Assembly declared that any attempt to partition the territory, or to take any unilateral action, directly or indirectly, reparatory thereof, constituted a violation of the Mandate for SNA . Res. 2074 xx).

In October 1966, the General Assembly terminated South Africa's Mandate (by Bee. 2145 XXI) and in March 1969 the UN Security Council declared that South Africa's continued presence in Namibia was illegal and that her actions in the territory, designed to destroy the national unity and territorial integrity of Namibia, were contrary to the UN Charter and that South Africa had no right to enact the SWA Affairs Act (Res. 264).  
The Turnhalle Conference

On 1 September 1975, a long prepared and much publicised constitutional conference opened at the Turnhalle in Windhoek, ostensibly called to give the "peoples" of Namibia the opportunity to decide the constitutional future of their country. The idea of a constitutional conference was first aired by the white Nationalist Party in Namibia in an attempt to suggest that it arose from within the territory. In reality, it was but the latest in a long series of manoeuvres to sidestep mounting internal and external pressures on South Africa to withdraw its illegal administration from Namibia and to suspend the implementation of the homelands policy. The proposed Conference also provided Western powers with new pretexts for stalling decisive action against South Africa.

While South Africa claimed that the Conference could debate all Options for independence, only those leaders who accepted the initial tribal and racial divisions and were prepared to represent specific "population groups" were invited. Political parties such as SWAPC, whose membership cuts across ethnic and regional boundaries, were deliberately excluded. Within some of the homelands, opposition from political groups to the Turnhalle led to the hasty promotion of more compliant "leaders".

The Conference was marked by slow progress, avoidance of controversial issues, internal wrangles and adherence to the bantustan concept under the guise of "multi-racialism". 31 December 1978 was fixed as the target date for Namibian "independence". A 36-person Constitutional Committee, appointed in March 1976 and comprising delegates from all eleven "national groups", produced a draft constitution which was adopted by the Turnhalle conference in March 1977. It proposed the establishment of an interim government on the basis of a three-tier structure.

The "multi-racial" central government would consist of a President appointed and removable by the South African State President after consultation with a Namibian Council of Ministers consisting of eleven Ministers, each representing an ethnic or tribal group. Legislative authority would be vested in a National Assembly whose 60 members would be appointed by "representative authorities" or electoral colleges of their respective tribal groups. The powers of the Assembly would be severely restricted in the matters it could deal with, since the South African government would retain legislative and executive powers over all vital matters such as defence, foreign affairs, transport, internal security, post and telecommunications etc. The Namibian "central government" would in fact constitute a federation of "self-governing" ethnic bantustans.

The second tier of the interim government would be composed of the "representative authorities" of the eleven population groups of the Turnhalle - in effect the tribal authorities or bantustan governments already established under the Odendaal Plan. The homeland system was thus adopted in the interim constitution under the guise of "representative authorities". In fact, since the beginning of the Turnhalle talks, South Africa has speeded up the implementation of the Odendaal master plan, thus belying any claims that the Turnhalle Conference was a new departure.

The local authorities would form the third-tier government in urban or municipal or metropolitan areas.

Pressure grew throughout the conference period that South Africa abandon the plan for an ethnically divided government. On 26 November 1975, the UN General Assembly strongly condemned South Africa's manoeuvres to consolidate its illegal occupation by organising the so-called constitutional conference with a view to creating divisions among ethnic groups and furthering its policies of bantustanisation (Res.3399,XXX). In January 1976, the UN Security Council unanimously adopted Resolution 385, condemning South Africa's continued illegal occupation of Namibia and setting out conditions for UN-supervised and controlled elections. It also demanded that South Africa put an end to its policy of "bantustans" aimed at violating the national unity and territorial integrity of Namibia. In an attempt to forestall the repeated demands by African states at the UN for the imposition of full economic sanctions against South Africa, the five Western members of the Security Council (w.Germany, France, UK, USA, Canada - the "Contact Group") began to negotiate with South Africa for a Namibian settlement. These negotiations resulted in the apparent abandonment of the Turnhalle formula and agreement by South Africa to hold UN-supervised elections. In reality, the negotiations have been used by South Africa as a delaying tactic while it has continued to implement the policy of separate development set down in the Odendaal Report. Since 1977, South Africa has steadily proceeded with the creation of a client state through the setting up of structures and institutions to whom power can be seen to be transferred. At the same time, it has promoted an internal leadership whose members adhere to the concept of 'separate development and collaborate closely with South Africa.

The 1978 internal elections

On 1 September 1977, South Africa installed an Administrator General (AG) in Windhoek whose role was, according to an agreement reached with the Western Contact Group, to prepare conditions in Namibia for the holding of UN-supervised elections. In practice, the AG became the executor of South Africa's strategy which has led to the present state of affairs. He was vested with extensive legislative powers enabling him to amend, repeal and make new laws by proclamation.

On 28 September 1978, the South African Prime Minister rejected the UN Report on the implementation of the Western Plan for a Settlement in Namibia with the excuse that it deviated from that Plan. South Africa announced that it would unilaterally hold elections in Namibia in December 1978, without UN supervision. The elections, which took place from 4 to 8 December 1978, were marked by widespread intimidation and the arrest of hundreds of SWAFC supporters. The Democratic Turnhalle Alliance (ETA), a political party formed by the groups who had taken part in the

'Turnhalle Conference and dominated by the leader of the white Republican Party, Dirk Nudge, was strongly backed by South Africa. As a result, it gained 41 out of the 50 seats in the Constituent Assembly set up after the elections. While the elections were condemned by the international community and the results rejected by the United Nations, no effective pressure was exerted on South Africa to withdraw from Namibia. Instead, South Africa proceeded with the creation of structures which have been developed into a fully-fledged illegal government.

#### Divisions of powers and functions

Shortly after the AG took office in Windhoek, a gradual transfer of government departments under South African control to the AG began. By the end of 1977, the Departments of Agriculture, Prisons, Social Welfare and Pensions, Labour and Agricultural Economics and Marketing had been transferred. By 1980, virtually all functions with the exception of foreign affairs, defence and internal security were under the direct control of the AG. In March 1979, the AG appointed five Directors who would be responsible for the executive functions of government in the Territory. They were to assist him in the transition to independence. The five Directors would deal with Agriculture and Forestry, Community Services and Manpower, Physical-Infrastructure and Economy, Finance and Constitutional Development. By March 1980, there were 10 Directorates dealing with various government functions, and in July 1980, the Government Service Act, providing for the organisation and administration of an "independent" government service for Namibia, came into effect. The existing Directorates are known as government departments.

Further steps to create an illegal government were taken in 1979. with the transformation of the Constituent Assembly into a National Assembly in May and the appointment of an Advisory Council to the AG in June. Neither body had any real power. The National Assembly was given authority to repeal or amend all existing legislation, including that enacted by the South African Parliament. It could not, however, deal with law and order, defence, foreign affairs, security, its own status, competence and composition and the international status of the Territory. In fact, its other "powers" were (and are) largely illusory in that all legislation debated in the National Assembly requires the approval of the AG to become law. The AC can still pass laws by proclamation as can the South African State President.

The AG's Council, a quasi-cabinet assisting the AG, was appointed in a purely advisory capacity, but formed the embryo for later moves towards UDI.

#### Legislation

A large number of Proclamations have been issued by the AG since his appointment. During 1977 and 1978, these were supposedly designed to facilitate UN-supervised elections by removing racial discrimination and restrictions on movement and of political expression.

Shortly after taking office, the AG repealed a number of laws including the Immoraliti Proclamation (No. 19 of 1934) and the Prohibition of Mixed Marriages Ordinance (No. 19 of 1953), as well as sections of the notorious Pass Laws (Native Administration Proclamation No 11 of 1922) and other restrictive laws. In practice, most of these changes had little effect. The main constraints imposed on migrant workers for instance were still in operation. They still had to have their contracts registered, and a fine for employers who failed to register their black employees was raised from 3100 to R300 at the same time as the reforms were implemented. Africans no longer had to carry passes and could in theory stay without limit in urban areas. In practice, new laws were being introduced to control their movement.

Emergency legislation in force since 1972 in the north of Namibia (317 of February 1972 and R89 of May 1976) was repealed in November 1977 but immediately replaced by a new security law which initially appeared somewhat less stringent but has since been amended several times and is widely used by police and army to search, arrest, detain and control the movement of people (Proclamation AC9 of November 1977, as amended). A new law (Proclamation A026 of 18 April 1978) was added which allows for indefinite detention without trial. These two laws have been used to periodically arrest and detain SWAPO supporters and curb all political activities in opposition to the regime in Namibia.

The National Assembly debated a number of laws which were promulgated with the approval of the AG. The main pieces of legislation passed include the Abolishment of Racial Discrimination Urban Areas and Public Amenities Act 1979, which provided that residential urban areas and public amenities should be open to all races, and the Identification of Persons Act, 1979, which made it compulsory for every Namibian over 13 years of age to carry an identity document.

In practice, the anti-discrimination law was sufficiently watered down to prevent it from being effective. For instance, the sections dealing with the Opening of public amenities, and a penalty clause providing for a fine of 3300 or three months imprisonment, for refusal to obey the law, would not come into force unless a further proclamation by the AG was issued. In July 1980, these clauses did come into effect, but the provision for a prison sentence was dropped. In practice, many facilities continue to be segregated or deny black people access.

Other provisions of the Act, giving black people the right to buy homes in any area previously reserved for whites, have in practice only extended privilege to a few blacks rich enough to buy property, such as the members of the National Assembly and the new "government". The majority of black people live at or below the poverty datum line and any such "privileges" are clearly out of their reach. In contrast, members of the National Assembly receive R8900 per annum, of which R2,000 is tax free (W0 26.7.80). The Act thus benefits mainly those prepared to co-operate with the South African government.

'The Identification of Persons Act enables the security forces to keep a check on political activities and in effect replaces the parts of the pass laws which were theoretically abolished in 1977.

"Responsible self-government"

--L

Towards the end of 1979, plans for an internal settlement which would perpetuate white privilege and entrench the policy of separate development were outlined in proposals tabled by the AG and debated in the National Assembly. The AG's proposals coincided in time with South Africa's reply to the UN Secretary General in which it conditionally accepted the concept of a demilitarised zone (DMZ) along the Namibian-Angolan border as an ingredient in the continued efforts towards UN-supervised elections. The move clearly demonstrated South Africa's policy of continuing international negotiations while accelerating the pace towards an internal settlement which is totally unacceptable to the main participant in genuine elections, SWAPO.

The AG's proposal, accepted by the National Assembly without amendment and further elaborated in the following months, was essentially a continuation of the Odendaal Plan and the Turnhalle constitutional proposals. It provided for second tier (ethnic) authorities with absolute power in respect of land tenure, agriculture, education, health services and social welfare and pensions for members of their own ethnic group. The National Assembly would be specifically barred from passing legislation impinging on the second-tier authorities in these spheres. Consequently, the structure would give the white second-tier authority (the Legislative Assembly), the power to continue racial discrimination in the so-called white areas.

On 7 December 1979, the AG announced that elections for second-tier governments would be held for each ethnic group. Though it was stressed that no population group would be forced to establish second tier authorities, in practice new "ethnic leaders" loyal to South Africa were appointed in several cases, notably for the Damara and Nama, to ensure compliance with South Africa's plans.

"Self-government" came into effect on 1 July 1980. Each second tier authority is receiving a new constitution, formalising the cosmetic changes. The homeland "governments" no longer have "cabinet ministers" and a "chief minister" but a "legislative assembly" and an "executive committee". Their powers are of course subject to approval by the AG. Ethnic elections will be held in November 1980, except for the Ovambo, Bushman and Rehoboth Easter "population groups". The reasons given for excluding these three groups are the war in the north, particularly in Ovamboland where nearly 50% of the total population in Namibia live, the fact that "elections" were held for a Karabin of the Rehoboth Basters in 1979, and the claim that the Bushman are too backward for this exercise in "democracy". The elections are to establish whether or not the "population groups" want a representative authority. People are expected to go to the polls if only to make clear that they do not wish to go to the polls in an ethnic election.



The "central government" consists of a Council of Ministers as the executive organ and the National Assembly as the legislative organ. The 12-man Council of Ministers replaced the previous AC's Advisory Council, but it in fact consists of the same 12 DTA members representing each "population group" as sat on the Advisory Council. The "Chairman", also referred to as Prime Minister, is Dirk Hodge. The powers of the Council of Ministers are largely illusory since the AG can override any decisions it takes. As head of the executive authority, he retains overall power, and through his authority to make laws by Proclamation, also legislative control. He can veto legislation drafted in the National Assembly, and executive decisions taken by the Ministers Council, by referring such matters back to each body with recommendations for reconsideration. The AC also retains the powers vested in him directly by the South African President, and acts effectively as a head of state. He has discretion - in times of national emergency for instance - to act without consulting the Ministers Council and can intervene at any moment in the executive and legislative process (WA 3.6.80). For the time being, South Africa retains control over the overall security situation, foreign affairs and railways and harbours. On 1 August 1980, a Namibian Department of Defence was established which assumed control over the SWA/Namibian defence units which are now called the "SWA/Namibian Territory Force". South Africa started setting up tribal armies in 1977 to help the South African Defence Force carry on its military occupation of Namibia and participate in operations against SWAPO. Compulsory military training for all Namibians is envisaged to begin in 1981 (WA 2.6.80). The AG made it clear however that the SADF and the SA Police would continue to play a major role in the territory, and overall control of security remains vested with the South African Defence authorities. A "Combined Operational Committee", comprising representatives of the South African government, the Ministers' Council, the SADF, and the SWA Territory Force, is to co-ordinate the activities of the SWA Territory Force and its co-operation with the SADF. South Africa envisages further moves in the process towards what it calls "responsible government" in Namibia. These were outlined by the AG at a press conference on 3 June 1980. At a future stage, the AG may approve legislation passed by the National Assembly without exercising a veto, and similarly he may not veto executive decisions of the Ministers' Council. Additional functions may be transferred to the Namibian regime. The SWA division of the Supreme Court, still controlled by the South African Minister of Justice, will most probably come under that heading. Once the client state has been fully established, South Africa may well withdraw the AC from Namibia and claim that the Namibian people are now controlling their own affairs, just short of independence. With a compliant regime installed in Windhoek, South Africa would be assured of continued loyalty while appearing to have relinquished constitutional control.

Despite these developments, the South African government and its appointed representative, the AG, insist that South Africa is still keen to implement an internationally acceptable settlement and assert that the present structures in Namibia present no impediment but would in fact aid a constituent assembly elected in a UN-supervised poll to decide the future. Clearly, this is not an option for SWAPO nor for all those who support a democratically elected national government in a future Namibia. The structures that have been established are demonstratively aimed at perpetuating South African apartheid by fragmenting Namibian society along racial and ethnic lines.

Prepared by the Research and Information Department of the International Defence and Aid Fund for Southern Africa.

20 August 1980

Abbreviations

WA - Windhoek Advertiser

WO - Windhoek Observer

NAMIBIAN CONVICTED

PO LITICAL PRISONERS

A list of 60 names and biographica! details of Namibians serving prison terms under the Terrorism Act and other South African security legislation. AH except three persons named are known or believed to be held on Robben Island, off Cape Town, South Africa.

Research and Information Department

INTERNATIONAL DEFENCE AND AID FUND

FOR SOUTHERN AFRICA

Decem ber 1980

-Z14-

NAMIBIAN CONVICTED  
PO LITICAL PRISONERS

The following is a list of all Namibians currently known to be serving prison sentences under South African security laws for offences connected with the armed liberation struggle. The great majority have been convicted and sentenced under the Terrorism Act. Biographical information, as well as details of trials and convictions, has been given where ever possible. This list contains 60 names, including one woman. In nine cases, listed at the end, details are vague and insufficient, and it is possible that the persons concerned may have been released, or are duplicates, due to the use of aliases or alternative spellings, of persons previously listed. With the exception of three persons sentenced in October 1980, all those listed are either definitely known to be on Robben Island or can probably be assumed to be held there. (According to the South African Minister of Prisons, there were 53 Namibians on Robben Island in March 1980. One Namibian prisoner, David Shikomba, a SWAPO youth leader, was released from Robben Island that same month).

The prisoners have been grouped chronologically, into:

0 27 SWAPO members remaining on Robben Island from an original 37 accused at the 1968 Pretoria Terrorism Act Trial. 15 of these are serving life imprisonment.

0 Six SWAPO members sentenced in 1969 by the Windhoek Supreme Court under the Terrorism Act. Two of these are serving life imprisonment.

0 18 persons sentenced at various trials from 1973 onwards, including one person under sentence of death.

0 Nine persons for whom details are unclear or insufficient. Some of these may have been on Robben Island since 1968.

The sources used in compiling the list are:

1DAF Information Service 1967-1974

FOCUS on Political Repression in Southern Africa, 1DAF News Bulletin, 1975-1980

SWAPO Information on Namibian Political Prisoners, SWAPO, May 1978

Prisoners of Apartheid - A biographical list of po/it/ca/ prisoners and banned person in South Africa, 1DAF, October 1978

1968 PRETORIA TERRORISM TRIAL

The largest single group of Namibian political prisoners on Robben Island are 27 sentenced in February 1968 at the Pretoria Terrorism Act Trial. Out of an original 37 accused, 20 were sentenced to life imprisonment, nine to 20 years imprisonment, two to five years, and three to five years, all but one month of which was conditionally suspended, on alternative charges under the Suppression of Communism Act. One person died in the course of the trial, and two were found not guilty and discharged. Two subsequently died on the Island. The prisoners include SWAPO founder member Herman Toivo ja Toivo, serving 20 years imprisonment.

The Pretoria Trial was the first to be held under the Terrorism Act, enacted by South Africa in June 1967, less than two months before the trial commenced, and made retrospective specifically to cover the case of the 37 SWAPO members and the situation created by the Namibian liberation struggle. All the accused faced possible death sentences.

The main charge was that together with SWAPO and 81 other persons listed on the charge sheet, they had taken part in guerilla activities between June 1962 and May 1967. Specifically, the charges in the 11-page indictment included:

0 taking part in a conspiracy aimed at inciting revolution and armed resistance against the government and administration of Namibia.

0 receiving training in guerilla warfare.

0 practising terrorism in the USSR, Egypt, Algeria, Ghana and Tanzania.

encouraging and advising others to go for guerilla training. intimidating Namibian headmen sympathetic to the South African government.

0 entering Namibia fully armed with intention of creating violent revolution and hostility between the races. The 37 accused first appeared before a magistrate's court in Pretoria in June 1967, after being flown secretly from Windhoek. Some of them had been detained in Nar'nibia under the 180 day law for well over a year, since February/ March 1966. They were charged under the Terrorism Act, with alternative charges under the Suppression of Communism Act, and formally indicted for trial before the Pretoria Supreme Court.

The illegal trial, which commenced in August 1967, attracted widespread international attention. Numerous protests were received from abroad, calling for the release of the 37 SWAPO members. On 16 December 1967 the UN General Assembly approved by 110 votes to two (South Africa and Portugal) a resolution condemning "the illegal arrest, deportation and trial in Pretoria" of the men as "a flagrant violation" by South Africa of Namibia's international status. The resolution called on South Africa to discontinue "this illegal trial" and to release and repatriate the defendants. On 26 January 1968, the great majority of the men were found guilty. The judge stated, however, that he had decided not to impose the death penalty. Sentences were passed on 9 February 1968, and those sentenced to life imprisonment were given leave to appeal.

In September 1968 an appeal was heard by a full bench of 11 judges in the Appellate Division of the Bloemfontein Supreme Court against, firstly, the competence of a South African court to try Namibians for offences committed in Namibia and secondly, the severity of the sentences.

In November 1968 the appeal judges ruled unanimously that the Terrorism Act did apply to Namibia, and that the trial court had no jurisdiction to inquire into, or pronounce on, its validity. On the second point, a majority of the judges decided that the life sentences on five of the accused should be reduced to 20 years imprisonment, but confirmed the sentences imposed on others.

The accused still in prison, whose ages range from the 305 to the 705, have now been held on Robben Island for more than 12 years. According to the charge sheet they had made the decision to join the armed liberation struggle in the early 19605. At the time of the trial, 21 of the 37 men were described as labourers or unemployed, four as peasants, three farmers, two teachers, one mechanic and one clerk. Most of them came from northern Namibia and in many cases have relatives living there.

Serving life imprisonment:-

Abel HALUTENI

From Okalongo in Ovannboland, he was arrested at the end of 1966. His mother is living in Angola.

Rudolph KADHlKWA

From Ondangua in Ovamboland. Arrested in late 1966. He has been reported as seriously ill and has received hospital treatment in Cape Town during his period on Robben Island.

Petrus KAMATI

From Ondangua in Ovamboland.

Matheus Elia KANYELE

From Odibo, Ovamboland. He was captured in the Caprivi Strip in March 1967.

Michael lfingilwa MOSES

From Ovamboland, he has a teenage son and a daughter. He was captured in the Caprivi Strip in March 1967. Judgement was deferred in his case until April 1968 on the grounds that he was too ill to attend the trial proceedings.

Rehabeam Olavi NAMBINGA

Johannes Otto NANKUDHU

Betuel NUNJANGO

Immanuel Augustus SHIFIDI

His brother lives in Ukwanyama, Ovamboland.

Simeon K. SHIHUNGILENI

From Ovamboland. He was knocked down by a police vehicle at the time of his capture in the Caprivi Strip in January 1967, and his arm was broken.

Julius Israel SHILONGO

From Ovamboland.

Johannes Samuel SHIPONENI

From Ovamboland. He was captured in the Caprivi Strip in March 1967. While in custody before his trial, he suffered an injury to his knee which was aggravated during 1968 while working in the lime quarry on Robben Island. A month later he was taken to Cape Town and his leg was amputated without his prior knowledge or consent.

Kaleb Hangane TJIPAHURA

Elizar TUHADELENI

He evaded arrest in 1966 during a South African raid on a SWAPO camp in northern Namibia but was eventually captured. He is married and his wife is living in Ovamboland.

Malakia Shivute USHONA

From Ovamboland. Captured in the Caprivi Strip in March 1967.

Sentenced to life imprisonment, subsequently reduced to 20 years on appeal:

Simeon Namuganga HAMULEMO

From Oshikango in Ovamboland.

Sakeus Phillipus ITIKA

From Ovamboland. Detained in mid-1966. He suffers from high blood pressure.

Shinerna NAILENG

Philemon SHITILIFA

He was suffering from goitre at the time of his trial, having been arrested in 1966.

Njabula TSHANINGAU (71)

He is the oldest of the Namibian prisoners on Robben Island and is reported to be nearly blind from trachoma, and seriously ill. Sentenced to 20 years imprisonment:

Naftaie AMUNGULU

From Ombalantu in Ovamboland, arrested late 1966.

Eino Kamati EKANDJO

From Ovamboland, arrested in March 1966.

Nghidipo Jesaja HAUFIKU

Arrested in March 1966, he suffers from high blood pressure.

David Hamuneme SHIMUEFELENI

Arrested early 1967.

Joseph Helao SHITYUVETE

Herman TOIVO JA TOIVO (56)

Founder member of SWAPO, arrested in 1966 and held in solitary confinement until brought to trial. He is the only Namibian prisoner on Robben Island to be held in the "single cells" section, along with Nelson Mandela and others from the Rivonia Trial in South Africa. Ja Toivo was born in 1924, the son of an African teacher on a Finnish mission in Ovamboland. During the 1950s he achieved prominence as a leader of the Namibian contract workers employed in and around Cape Town, South Africa. He was deported back to Namibia in 1953 after smuggling a tape-recorded message to the United Nations. He was subsequently actively involved in the formation of the Ovambo-Iano People's Organization, the forerunner of SWAPO.

In May 1980, the leader of the South African parliamentary opposition Helen Suzman interviewed Ja Toivo on Robben Island, and reported that 12 years imprisonment there had not altered his political views and convictions. He is married and his wife lives in northern Namibia.

Lazarus ZACHARIAH

His parents are now living in Angola. He was arrested in 1966 and held for 14 months in solitary confinement. He suffers from T8.

OTHER EARLY TRIALS

A second group of Namibians were sent to Robben Island towards the end of 1969, following a trial before the Windhoek Supreme Court under the Terrorism Act. An original eight accused were charged with undergoing military training in the USSR and Egypt, entering Namibia with 96 others with the aim of creating violent revolution and taking over the government; engaging in guerilla activities between June 1966 and January 1968; establishing guerilla training camps inside Namibia; and inciting others to undergo training. The guerillas were alleged to have been given orders to destroy police stations, road and rail links, and to eliminate police commanders, and to have set up a guerilla training camp at Ongulumbashe. Witnesses in court described attacks on white farms and other settlements in northern Namibia. Six of the eight accused were found guilty in August 1969 and two acquitted. Five were sentenced to life imprisonment and one to 18 years. In October 1969 three were granted leave to appeal against their life sentences and one against both sentence and conviction. The six convicted, all of whom are on Robben Island, are:

Justus Festus HAITA

From Endola, Ovamboland. Arrested in January 1968. Sentenced to life imprisonment, reportedly reduced to 20 years on appeal.

Solomon Festus HAITA

Younger brother of the above, also arrested in January 1968. Sentenced to life imprisonment, reportedly reduced to 20 years on appeal.

Joseph IMPANGELUA

Detained in the first half of 1968 and held in Pretoria Central Prison before being brought to trial. Sentenced to life imprisonment, reportedly reduced to 20 years on appeal.

Gaus SHIKOMBA

Sentenced to life imprisonment. He told the court at his trial that he had not been trained as a soldier and was a SWAPO secretary. He had been shot and severely wounded by the police in January 1968 following which he had suffered heavily. A doctor examined him in court and reported that he had had a skin transplant on a severe bullet wound, but that he still had the use of his legs.

Jonas Shishileni SHIMUEFELENI

He was arrested in March 1966 and detained in Pretoria Central Prison for two and a half years before being brought to trial in Windhoek. Sentenced to 18 years imprisonment. He suffers from a severe kidney condition and on numerous occasions his release has been recommended by doctors.

Messiah VICTORY

Arrested in September 1967 and held in Pretoria Central Prison before being charged with his co-accused in February 1969. Sentenced to life imprisonment.

It is possible that other trials took place in secret during this period, leading to further SWAPO members being sent to Robben Island. A number of Namibians were known to

be detained in Pretoria in early 1970, for example, and SWAPO subsequently reported its belief that a secret trial had been held in Pretoria under the Terrorism Act. Nothing further has ever been definitely learned of the fate of the ten persons believed to have been accused.

#### MORE RECENT TRIALS

The next major trial to be reported in the press took place before the Swakopmund Supreme Court in November 1973, when a number of SWAPO youth leaders were charged under the Sabotage Act with inciting the crowd at a SWAPO rally in Katutura township to attack whites and disrupt law and order.

Trials under the Terrorism Act commenced again on a significant scale in 1976, reflecting the advent of independence in Angola and the stimulus this presented to the armed liberation struggle. In May 1976, SWAPO's National Organising Secretary Aaron MUCHIMBA, and SWAPO activist Hendrick SHIKONGO, were sentenced to death by the Swakopmund Supreme Court for their alleged involvement in the assassination of Ovamboland Chief Minister Filemon Eliyas, and for taking part in guerilla activities. Two women accused with them were sentenced to prison terms. All the sentences were set aside in 1977 following widespread international protests and the publication of evidence of gross irregularities in the trial proceedings. Aaron Muchimba and Hendrik Shikongo were the first people to receive the death penalty under the South African Terrorism Act.

Other political trials under the Terrorism Act and other security laws have continued, resulting in at least 15 more Namibians being sent to Robben Island. Most recently, in October 1980, a farmworker from northern Namibia, Markus KATEKA, has been sentenced to death under the Terrorism Act for assisting SWAPO guerillas, with his co-worker given a 10 year prison term for the same offence, while a woman member of SWAPO, Ida JIMMY, has received a seven year prison term for inciting the crowd at a SWAPO rally to assist guerillas.

Willem BIWA (28)

Six years/probably on Robben Island

A farmer from Hanaus, Gibeon, in Namaland, and married with five children. He was arrested in August 1978 and charged with harbouring and assisting two SWAPO guerillas, Petrus Iiionga and Johannes Pandeni (see below). An explosives and arms cache was discovered on the farm. Biwa was tried together with Pandeni and Iiionga before the Windhoek Supreme Court, and sentenced in November 1978 to six years imprisonment. He is probably on Robben Island.

Jeremiah EKANDJO

Eight years/Robben Island

He was the Chairman of the Windhoek branch of the SWAPO Youth League at the time of his arrest, and comes from Okahandja. He was detained in Katutura in August 1973 in connection with a SWAPO rally held in the township two days previously, at which he had appeared on a platform together with other SWAPO youth leaders (see cases of Martin Kapawasha and Jacob Nghiduna, below). He was charged under the Sabotage Act with inciting the crowd to violence by encouraging them to injure or kill their opponents or to take up arms against the white minority. On the first day of the trial before the Swakopmund Supreme Court, Ekandjo challenged the court's right to try the case. In an address to the Judge President he said: "We don't recognize the punishment we get from this court. If we are sent to Robben Island like the people already there, it does not matter how many years we get". He was sentenced in November 1973 to eight years imprisonment and is now on Robben Island.

Lazarus Carl GUITEB (38)

Eight years/Robben Island

A SWAPO member since 1966, an active SWAPO organiser and secretary of the Otjiwarongo SWAPO branch at the time of his arrest. He was sentenced to eight years imprisonment by the Windhoek Supreme Court in July 1977 on conviction of assisting guerillas. He was alleged to have led a South African patrol into a guerilla ambush,



and to have received a message from Michael Shikongo in connection with SWAPO guerillas Ruben Itenguia and Johnny Angula (see below). Guiteb told the court: "The present order must go, and in the new order there must be equal rights for all. That is what I want!". He is now on Robben Island.

Petrus Nangoia IILONGA (27)

18 years/probably on Robben Island

A SWAPO guerilla who together with his companion Johannes Pandeni (see below) was described in court as a "highly trained saboteur". He was arrested in August 1978 together with Pandeni and William Biwa (see above) following the discovery by police of an explosives and arms cache on a farm in Namaland. He and Pandeni were charged with the sabotage of a road bridge near Keetmanshoop and the derailment of a train near Karibib earlier in the year. They were alleged to have been trained as guerillas in Angola, Zambia, and Tanzania during 1974-75. He was sentenced in November 1978 to 18 years imprisonment by the Windhoek Supreme Court and is now probably on Robben Island.

Naboth IMENE

Five years/Robben Island

A middle-aged married man and a missionary evangelist in the Ovambo-Kavango Lutheran Church. He was arrested in January 1977 and sentenced in August 1977 by the Windhoek Supreme Court to five years imprisonment for aiding and abetting SWAPO guerillas in the Oniipa and Onyulaye areas of Ovamboland. At the time of his arrest he was working among the Bushmen at Onyulaye, and had allegedly written a letter to the district caretaker of the church at Oniipa, asking for clothing and other supplies for "the men of the bush". He was also convicted for failing to report the presence of SWAPO guerillas to the SADF or the police.

Pastor Imene was taken to Robben Island following his conviction.

In December 1977, in the presence of a Commissioner of Oaths, he signed a declaration describing his treatment during the eight months in which he was held in custody before his trial. He had been taken to Oshakati, where he was subjected to electric shock torture, suspended by his arms and legs on an iron rod slung between two petrol drums, and repeatedly assaulted. An appeal against conviction and sentence was dismissed by the Bloemfontein appeal court in March 1978.

Ruben ITENGULA

12 years/Robben Island

A SWAPO guerilla, sentenced to 12 years imprisonment in July 1977 by the Windhoek Supreme Court, on conviction of infiltrating into northern Namibia in 1976 with a sub-machine gun and rocket launcher, participating in guerilla activities and cavassing support for SWAPO. His companion, Johnny Angula, was shot dead in a gun battle with SA police. (see also Lazarus Guiteb and Michael Shikongo).

Ida JIMMY (35)

Seven years/place of imprisonment not known

A SWAPO activist, she was sentenced to seven years imprisonment by the Windhoek Regional Court in October 1980, on conviction of "inciting or encouraging people to harbour or aid terrorists". She had been arrested in August 1980 immediately after making a speech at a SWAPO rally held in Luderitz to mark Namibia Day. At the time of her trial she was seven months pregnant. In 1979 she was arrested and detained for several months in solitary confinement, together with her nine month old child.

Martin Mwula KAPAWASHA

Eight years/Robben Island

A Chairman of the SWAPO Youth League at the time of his arrest. He was detained in August 1973 in connection with a SWAPO rally held in Katutura two days previously. He was brought before the Swakopmund Supreme Court together with Jeremiah Ekandjo (see above) on charges under the Sabotage Act of inciting others to commit violence through speeches made from the platform. He was sentenced in November 1973 to eight years imprisonment.

Andjengo KAPU LO

Eight years/probably on Robben Island.

Sentenced by the Ondangua Regional Court in August 1978 to eight years imprisonment for taking part in guerilla activities.

Hendrik KARISEB (45)

10 years/Windhoek Central Prison

A foreman on a white-owned farm in the Grootfontein area of northern Namibia, tried before the Windhoek Supreme Court in 1980 together with fellow worker Markus Kateka (see below). Both men were convicted on a main charge of participating in guerilla activities and alternatively of harbouring and assisting SWAPO guerillas. They were both arrested in May 1980 in connection with a guerilla attack on the farm in February, in which property had been damaged and destroyed but in which no one had been killed or injured. The two men were alleged to have supplied SWAPO guerillas with food

-Z17-

and accommodation on the farm and to have urged the guerillas to murder their employer and his relatives. They were also said to have given information to the guerillas about the layout of the farm. Kariseb was sentenced to 10 years imprisonment.

Markus KATEKA (40)

Death penalty/Windhoek Central Prison

A foreman on the same white-owned (farm as Hendrik Kariseb (above)). He was sentenced to death at the same trial in October 1980. Leave to appeal was refused in the case of both defendants.

Marius Isak MELCHEOR (28)

Eight years/Robben Island

Sentenced to eight years imprisonment by the Windhoek Supreme Court in October 1976, on conviction of aiding and abetting two guerillas, Filemon Nangolo and Kanisius Heneleshi. Nangolo was sentenced to death on conviction of the murder of four whites on farms in northern Namibia, and hanged in May 1977, while Heneleshi, who was mortally wounded in a gun battle with police in Katutura in which a black police detective sergeant was killed, died evading capture. A total of ten people appeared in court in connection with these events, all of whom were initially charged under the Terrorism Act (see also the cases of Solomon Mbango, Risto Nakanya/a and Sacharia Nashandi, below).

Jacob Shinkuku NGHIDUNA

Eight years/Robben Island

Vice-Chairman of the SWAPO Youth League at the time of his arrest in September 1973. He was charged under the Sabotage Act with inciting others to violence, arising out of speeches made by himself and other youth leaders at a SWAPO rally in Katutura in August 1973 (see the case of Jeremie Ekand/a and Martin Kapawasha, above). He was sentenced to eight years imprisonment by the Swakopmund Supreme Court in November 1973.

Johannes Alfons PANDENI (30)

18 Years/probably on Robben Island

A SWAPO guerilla, tried before the Windhoek Supreme Court together with William Biwa and Petrus lilonga (see above). He was sentenced to 18 years imprisonment in November 1978. Before joining the armed struggle he was a teacher.

Michael SHIKONGO (42)

Five years/Robben Island

A Damara farm worker in the Otjiwarongo district of northern Namibia and a SWAPO supporter. Sentenced to five years imprisonment by the Windhoek Supreme Court in July 1977, on conviction of participating in guerilla activities. He had allegedly provided food to two SWAPO guerillas, Ruben ltengula (see above) and Johnny Angula, when they crossed into Namibia from Angola in 1976. He was also alleged to have carried a message from the guerillas to Lazarus Guiteb, SWAPO branch secretary at Otjiwarongo and also now serving a sentence on Robben Island (see above).

Nakali SHILENGELUA

Eight years/probably on Robben Island

Sentenced in the Ondangua Regional Court in August 1978 to an effective prison term of eight years, on two counts of encouraging or inciting civilians to go for guerilla training.

SHILILIFA, Heikkie (40)

Five years/probably on Robben Island

A school teacher and shop owner in Ovamboland, and an active SWAPO member. He was sentenced by the Otjiwarongo Regional Court towards the end of 1978 to five years imprisonment for aiding and abetting people to leave Namibia illegally for guerilla training. He had allegedly taken recruits from his shop at Ukwadongo and handed them over to SWAPO supporters on the Angolan side of the border. Appeals were dismissed in June 1979 and again in September 1980.

Benjamin Crispus UULENGA (28)

15 years/Robben Island

Sentenced to fifteen years imprisonment in July 1977 by the Windhoek Supreme Court on conviction of undergoing guerilla training abroad, crossing into Namibia from Angola together with other guerilla and equipped with an AK 47 and two rocket launchers, and attempting to ambush members of the police. He was born in Ovamboland in 19

and was alleged to have trained as a SWAPO guerilla in Angola, Zain and the USSR before reentering Namibia in June 1976. He operate in the Tsumeb area before being apprehended while shooting at South African Puma helicopter. He was badly wounded in the le( leg and hip at the time of his capture, and underwent several month of treatment at Grootfontein military base, including having a stee pin inserted, before being brought to trial.

DETAI LS UNCLEAR

Insufficient information is available to confirm the existenc of the nine people named below, or whether they are sti in prison.

Zacharius ALFEUS

A shop owner from the Efidi district of Ovamboland, he was sentence: to eight years imprisonment by the Windhoek Supreme Court in Ma' 1978 on conviction of assisting SWAPO guerillas. He had allegedl' supplied blankets, towels, soap and other items to guerillas who calleo at his shop in September 1977. An appeal against conviction an sentence was upheld in the Bloemfontein Appeal Court in March 197% but the details of the ruling are not known. He has possibly bee released.

Eliaser ANABANO

Reported to be serving 20 years on Robben island. No further details.

Emmanuel AUGUSTUS

Reported to be serving 20 years on Robben Island. No further details.

Kafeni GAVENI

Reported to be serving life imprisonment on Robben Island since 19681 No further details.

Claudia HANUJERO

Reported to beserving 20 years on Robben Island since 1968. N further details.

Sakeus LITUKA

From Bandi, Ovamboland, Reported to be serving life imprisonmem on Robben Island. No further details.

Solomon MBANGO (25)

He appeared before the Windhoek Magistrates Court in May 1976 on charges under the Terrorism Act relating to the deaths of fou whites on farms in northern Namibia and a black policeman. Nina others were charged including Marius Isak Melcheor (see above). He was later reported to be due to appear before the Keetmanshoon Supreme Court in August 1976 for summary trial but no furthe- details are known. Four of the original 10 accused were convicted before the Windhoek Supreme Court in October 1976.

Risto NAKANYALA (38)

Believed to have been sentenced to a prison term towards the en of 1976, either in Keetmanshoop or Windhoek. One of an origina 10 accused under the Terrorism Act, together with Marius lsa Melcheor (see above). In 1979 he was reported to be on Robbe Island.

Sacharia NASHANDI

Believed to have been sentenced to a prison term towards the end 04 1976, either in Keetmanshoop or Windhoek. One of an original 1 accused under the Terrorism Act, together with Marius lsak Melcheon (see above). in 1979 he was reported to be on Robben Island.

International  
Defence and  
Aid Fund  
forSouuuuanuHca  
In consultative status  
with the Economic and  
Social Council (ECOSOC)  
of tho Unlted Nations and  
UNESCO

2 Amen Coon  
London Ec4M 73x  
Telephone 01 \$00 8123  
Cable: DEFENDAID  
London E64  
President  
Canon I. John Collins  
General Secretary  
Mrs Phyllls Altman  
Treasurer  
Mr R C 8 80:0

-Z18-

POLITICAL PRISONERS AND  
DETAINEES IN NAEIBIA'

Background information prepared by the  
Research and Information Department of the  
International Defence and Aid ?und for  
Southern Africa  
January 1981

# INTRODUCTION

"We find ourselves here in a foreign country, convicted under laws made by people whom we have always considered as foreigners. '.-Ie find ourselves tried by a Judge who is not our countryman and who has not shared our background."

- from Herman Toivo ja Toivo's speech

from the dock at the trial of 37 SWAPO

freedom fighters in Pretoria, South Africa, 1968.

An unknown number of Namibians - certainly running into the hundreds - are currently detained without charge by the South African authorities, or are serving prison terms for their part in the liberation struggle. These political prisoners and detainees illustrate two crucial features of South Africa's occupation of Namibia:- firstly, that they are prisoners of an oERressive regime, which has enforced its apartheid laws and practices in the territory with particular harshness and brutality; and secondly. that that regime is illegal. Those Namibians who have been tried and convicted for the opposition to-the South African government have been brought before courts which have no standing in international law. Their prison sentences are illegal. Those who have been arrested, detained, interrogated and tortured are being held by soldiers or police-men who have no right to be in Namibia at all.

The situation of Namibia's political prisoners and detainees, the arbitrary way in which they have been removed from participation in political activities, and the brutal treatment they have frequently been forced to endure, further expose the fallacy of South Africa's claim to have conceded the principle of Namibia's independence and to have created the conditions for parliamentary democracy.

In reality more than 8% of Hamibians are living under de facto martial law, through which the South African police and army, and other South African-controlled security forces and paramilitary units, possess sweeping powers to arrest and detain without charge, search without warrant, and harass and intimidate suspected supporters of SHAPO'S liberation struggle. All Namibians are subject in addition to a wide range of politically-motivated security laws, some extended from South Africa itself, others designed especially for Namibia.

This paper deals specifically with Yamibian political prisoners and detainees. Further information on other aspects of South African political repression in the territory - as a result of which SWAPO, though never a banned political party, has been forced underground - can be found in:

TCCUS on ?Clitical Renression in Namibia,

bimonthly news bulletin of the International Defence and Aid Fund

Vamibia - The Facts, IDAF, September 1980

The Workers of Namibia, by Gillian and Suzanne Cronje, IDAF, February 1979.

## CATEGORIES OF PRISONERS

As in South Africa itself, Namibian political prisoners fall into a number of categories:-

t Persons convicted and sentenced to Drison terms under the Terrorism W

Act or other South Afrlcan securlty leglslatlon. The bulk of those who are known - between 50 and 60 persons - are being held on Robben Island, off Cape Town, South Africa. Others are held in prisons in Hamibia or elsewhere in South Africa.

t Persons detained without charge or trial by the South African police, army or other security forces in the territory, under one of a number of South African security laws or proclamations, detailed below.

The number of detainees held at any time is not known but is probably several hundred.

t Prisoners of war and abductees - in recent years, as the armed liberation - struggle has intensified, significant numbers of people - in most cases Namibian refugees and exiles but also including some Angolan citizens - have been kidnapped by South African forces during raids into the front line states, and brought back to Namibia. In some cases these abductees have subsequently disappeared without trace; others are believed to have been brought to trial under the Terrorism Act or other laws, or are known to be detained in Namibia. The South African authorities are also believed to be holding an unknown number of SWAPO combatants captured in the\_course of engagements in the operational areas.

The largest known group of abductees is of approximately 200 people kidnapped during the South African attacks on Kassinga refugee camp and other installations in southern Angola during May 1978, and brought back into Namibia. A third of the prisoners were reported to have been released after some weeks but nearly three years later, approximately 120 of them are still held captive in a detention camp near Mariental in the south of Namibia.

## INFORMATION ABOUT PRISONERS

The South African authorities have always exercised close control over information about the security situation in Hamibia, particularly in the north of the territory. The severity of such censorship has varied - from time to time journalists have been completely barred from entering the northern "homelands" of Cvamboland, Kavango and Caprivi, while at other times, such as during the December 1978 internal elections, restrictions have been relaxed for public relations reasons.

It nevertheless remains practically impossible to give an exact figure for the number of people detained without charge at any time, p vticularly \_those held under the "martial law" regulations which now cover more than 50% of the territory and affect over 80% of its population. The whereabouts of many detention centres and the circumstances of their inmates,

are shrouded in secrecy. Many Namibians reported missing by their relatives following incidents in the operational areas or in other unexplained circumstances, are quite possibly being detained incommunicado in police stations or military camps.

(In the course of 1980 the International Defence and Aid Fund submitted information on the growing numbers of missing persons in Namibia, to the United Nations Centre Against Apartheid. Further information is available on request).

It is also very difficult to obtain information about political trials which take place in local and regional courts in the north of Namibia.

#### RELEVANT SOUTH AFRICAN LEGISLATION IN FORCE IN NAMIBIA

The laws and proclamations used to imprison and detain supporters of the Namibian liberation struggle fall into two categories:-

t South African laws extended to Namibia as if it were a province of the Republic

h legislation specifically designed for Namibia and enacted by one or other of the South African authorities appointed to administer the territory - notably the Administrator General. This includes the various emergency proclamations enacted over the years.

These laws taken together give the South African authorities in Namibia a wide range of repressive measures to choose from in enforcing "law and order". A person may be arrested under one law, and the terms of his or her detention order subsequently altered in prison. In practice detainees are likely to be unaware of the precise legislation under which they are being held.

The most important laws in force are as follows:-

t Terrorism Act No. 83 of 1962 - this was first introduced in the South African parliament specifically to cover the new situation created by SWAPO's decision, in 1966, to launch the armed struggle.

It was made retroactive to 1962 to allow for the trial of 37 SWAPO members, including founder member Herman Toivo ja Toivo, accused of inciting revolution and armed resistance to South Africa's occupation of Namibia.

Conviction under the Terrorism Act carries a mandatory minimum sentence of five years imprisonment. It provides for the death penalty for a very broadly defined range of "terrorist activities" likely to "endanger the maintenance of law and order", including activities calculated to result in embarrassment to "the administration of the affairs of the State", obstruction to the "free movement of traffic", or "hostility between the white and other inhabitants". Such activities might be committed in Namibia, in South Africa, or in some other country.

The great majority of Namibian political prisoners serving sentences have been convicted under the Terrorism Act.



Section Six of the Terrorism Act provides for the indefinite detention without charge of any person suspected of "terrorism", of having aided a terrorist" or of possessing information about "terrorism". Any high ranking police officer is empowered to carry out such an arrest. Detainees under the Terrorism Act are held incommunicado until they have "satisfactorily" answered all questions put to them by their interrogators. No court of law may pronounce upon the validity of any detention or order the release of any detainees.

t Emergency Proclamation AG 26 - Proclamation AG 26 was enacted by the SHA Administrator General on 18 April 1978, following weeks of violent incidents and clashes in Namibia's townships between SNAFU supporters and the SA government-Sponsored Democratic Turnhalle Alliance (DTA). On 27 March 1978, Chief Clemens Kapuuo, the Herero tribal leader and President of the DTA, was assassinated in Katutura by two unidentified gunmen.

Under Proclamation AG 26, the Administrator General has unqualified powers to detain indefinitely and without charge, any person whose actions are felt to promote violence or intimidation". Those held have no recourse to lawyers or the law courts. Other provisions are:

t any police officer may make an arrest under AG 26, and, once a warrant has been issued by the AG, detain that person indefinitely  
t a detainee will only be told the reasons for his/her arrest at the AG's discretion

t under the terms of the original proclamation the police were not entitled to interrogate AG 26 detainees. Powers of interrogation were introduced in May 1979, however, through ' an amendment authorising a justice of the peace to conduct interrogations

t an AG 26 detainee may make written representations to a three-person review committee comprising a judge or magistrate and two other persons appointed by the Administrator General. The review committee meets in secret and its deliberations are not disclosed; no person, including a lawyer, may attend; no court of law may rule on the committee's recommendations, which can in any case be ignored or overruled by the Administrator General at his discretion.

t Emergency Proclamation AG 9 - the Security Districts Proclamation AG 9 was introduced by the Administrator General on 11 November 1977 to replace emergency measures which had been in force in northern Namibia since the contract workers strike of 1971-72 (ie. Emergency Proclamation R 17 of February 1972, covering Ovamboland, and its successor R 89 of May 1976, under which repressive emergency measures were extended to all three northern "homelands" of Ovamboland, Eavango and Caprivi).

AG 9 initially applied through Ovambo, Kavango and Eastern Caprivi, giving the police and army wide scope to suppress political activity. It has been amended and added to on a number of occasions, most notably on 10 May 1979, when the magisterial districts of Windhoek, Tsumeb, Outjo, Okahandja, Otjiwarongo and Grootfontein were all declared security areas.

On 19 December 1979, certain sections of AC 9 were extended to Kaokoland in north-western Namibia, including powers of arrest and detention for up to 30 days.

As a result, more than 51% of Namibia's land area, including major urban centres, and over 80% of its population, are subject to *de facto* martial law.

Under AG 9 the security forces in security districts (broadly defined to include members of the "SNA/Namibia Territory Forces" and other indigenous tribal forces as well as the SAD?) are empowered to arrest, search and interrogate any person without-warrant on suspicion that s/he has committed, or is planning to commit, any crime, or has relevant information. Persons so arrested can be detained without charge for up to 30 days without access to legal counsel.

While from time to time figures are issued by the South African authorities in Namibia for the numbers of detainees held under AG 26, these are never revealed for AG 9 detainees.

Two additional and far-reaching South African laws have been used on only a limited scale in Namibia:-

1. the General Law Amendment Act No.76 of 1962 (the "Sabotage Act").

This was applied to Namibia with retroactive effect in 1966 and has since been largely superseded by the Terrorism Act

2. the Internal Security Act of 1950, embodying the provisions of the 1950 Suppression of Communism Act, it provides for indefinite preventive detention and the banning of any persons deemed likely to "endanger the maintenance of public order".

#### CONVICTED POLITICAL PRISONERS

The largest group of Namibian political prisoners serving prison terms are on Robben Island, off Cape Town, hundreds of miles from their home and families. Between 50 and 60 Namibians are imprisoned here, including Herman Toivo ja Toivo and 26 others remaining from the 1967-8 Pretoria Terrorism Act trial. Another small group were sent to the Island in 1969 following a second terrorism trial in Windhoek. Following a temporary lull, more Namibians were sentenced to prison terms from 1973 onwards.

(A list of Namibian convicted political prisoners prepared by IDAF in December 1980 names, and gives biographical details for, 60 Namibians, all but three of whom are known or are believed to be held on Robben Island. The list is available on request).

Convicted Namibian women political prisoners have been held in Kroonstad prison, in the Orange Free State, South Africa. Other Namibians are serving their sentences in prisons in Namibia, such as Swakopmund and Windhoek.

The Namibians on Robben Island are held as a group separately from the South African prisoners. Herman Toivo ja Toivo is held in isolation in the "single cells" section, as are Nelson Mandela and others from the Rivonia Trial in South Africa.

The Namibian prisoners suffer the same hardships and ill treatment as the South African prisoners on Robben Island, with the added privation that it is extremely difficult for their relatives to visit them, due to distance and bureaucratic obstruction. Letters smuggled out from Namibian prisoners on Robben Island in 1970 and 1976 describe the arduous manual labour required of the prisoners - working in the lime quarries, breaking stones, and gathering and packing seaweed in the icy seas. Diet is basically mealie meal, porridge and black coffee. Medical treatment is minimal and at least two Namibian prisoners have died on the Island. Despite harsh conditions, prisoners somehow manage to maintain their morale. Helen Suzman, the South African parliamentary opposition spokesperson on civil liberties, who met Herman ja Toivo on Robben Island in May 1980, subsequently described him as "a man of remarkable fortitude and very forceful ideals". He was "not the type of man who would change his beliefs", or his attitude to the Namibian situation. He remained extremely hostile to the South African authorities and more concerned about the problems facing other Namibians than about himself, being particularly anxious that his fellow Namibians on the Island should continue their studies.

Little is known about the mental and physical condition of other individual prisoners. The conditions under which both those serving sentences and detainees are held, and the interrogation techniques, beatings and torture to which prisoners are subjected, must inevitably inflict permanent damage in some cases.

#### THE DEATH PENALTY

Despite its illegal status in Namibia, the South African regime has not refrained from imposing the ultimate penalty on Namibians. The first use of the death penalty under the Terrorism Act was in fact against Namibians - SHAPO National Organiser Aaron Euchimba, and SWAPC member Hendrik Shikongo, who were sentenced to death by the Swakopmund Supreme Court on 12 May 1975. The sentences were subsequently set aside in the face of evidence of gross irregularities in the conduct of their trial and of other SWAPC members sentenced to prison with them at the same time.

Q1

Filemon Yangolo, a eJAPC guerilla hanged on 30 Kay 1977 for the murder of four whites had faced alternative charges under the Terrorism Act, but these did not fi.'re in the final judgement.

?ollowing the international protest campaign generated by the trial of Aaron Muchimba and others, South Africa did not use the death penalty again for more than four years. On 13 October 1980, however, despite the advanced stage reached in the international negotiations for Hamibia's independence and the worldwide attention focussed on the territory, a Yamibian farm worker, Markus Vateka (40), was sentenced to death by the Windhoek Supreme Court. Hendrik Kariseb (45), also employed on the same white-owned farm in the Grootfontein area of northern Namibia, was sentenced to 10 years imprisonment. Both were convicted on charges under the Terrorism Act of supplying SWAPO combatants with food and accommodation, assisting them to attack the farm and urging them to murder members of the owner's family.

In passing sentence, the presiding South African judge justified the use of the death penalty on the grounds that farmworkers must be made to realise that it was their duty to report the presence of armed insurgents and not to get involved with SWAPO. He refused leave to appeal. A petition against this ruling is understood to be proceeding.

Markus Kateka and Hendrik Kariseb are believed to be currently held in Windhoek Central Prison. Internationally, the imposition of the death sentence has prompted widespread p;otests and demands for Mr Kateka's release. The Windhoek Observer, for example, which has given considerable coverage to the campaign, has received large numbers of protest letters, from the Scandinavian countries, the Netherlands, Western, Central and Eastern Europe, the Iberian peninsula, the Balkans, the United States, Canada and. the United Kingdom (we 29.11.80).

#### DETAINEES

The South African regime has consistently used the technique of arresting leading officials, supporters and grass-roots activists, and detaining them without charge or trial under one or other of the various laws at its disposal, to disrupt and ultimately neutralise SWAPC and other organisations actively opposed to its illegal occupation. These tactics, combined with systematic harassment and intimidation by the police or other security agents in the territory, had virtually forced SHAF0 underground by 1979.

SHAPO officials and members have been exposed to a series of nationwide police purges in which up to several hundred people have been arrested and detained at a time. In recent years such swoops have included:

a

% August 1975 - when virtually the entire leadership 0: SWAPO and the Namibia Yational Convention were arrested and detained in Windhoek and other centres under the Terrorism Act e.d ?eneral Law Amendment Act. The arrest followed the assassination of the Cvamboland Chief Minister Filemon Zlifas. Nany more were detained in the north of Namibia under the Emergency Proclamation R 17 of 1972.

e March/April 1978 - a wave of arrests following the assassination of Herero Chief Clemens Kapuuo, in which virtually the entire leadership of SWAPO was again rounded up. Proclamation AG 25 was introduced during this time. Some SWAPO officials were detained until the end of October 1978.

t December 1978 - many arrests during the run-up to the South African-organised "internal" elections in the territory, under Section Six of the Terrorism Act and other legislation.

t April 1979 - SWAPO's leadership inside Namibia, amounting to over 50 top officials and senior members, arrested and detained under AG 25. The purge immediately preceded an announcement by the Administrator General that a tribally-based National Assembly was to be established in the territory. Some SWAPO officials and members picked up at this time were still in detention more than 15 months later;

t June 1979 - up to 2,400 people arrested in Katutura, ostensibly as a crime prevention measure by the police, and detained under the "martial law" Proclamation AG 9.

The total number of people detained without charge at any time under the "martial law" provisions of AG 9, AG 26 or Section Six of the Terrorism Act, is unknown. It is highest in the north, where arrest and detention of guerilla suspects and others believed to have information about guerilla activities form an important part of the SADF's counter-insurgency programme in the operational areas. In the "security districts" proclaimed under AG 9 - these now include Windhoek itself - the small but influential elite of wealthy black businessmen appears to have joined church and political leaders as a special target for arrest and detention. A number of such business figures are known SWAPO sympathisers. Arrests have even taken place in the Kalahari Sands, a well-known Windhoek hotel.

Information on harsh conditions under which detainees are held, the poor diet, lack of medical treatment, physical violence, torture and interrogation, has been published from time to time by church and humanitarian bodies, SWAPO and other organisations, based on the accounts of prisoners in regular prisons, such as Windhoek, Gobabis and Swakopmund; in detention camps such as that at Hardap Dam near Mariental (see below under KASSIFGA DETAINÉES); in major military bases, such as Oshakati, Grootfontein, Rundu, Ondangwa, Tsumeb, Cgongo and Cnuno; in police stations; or in security force bases in the operational areas - where they may be handcuffed to trees, kept in pits in the ground, in wire "cages" or corrugated iron huts.

iDetailed information on the conditions in which detainees are held has been provided by SWAPO'S Administrative Secretary inside Namibia, Axel Johanne . He has spent nearly a third of his life in prison or detention and has been repeatedly interrogated and tortured in an apparent attempt

to break his allegiance to the liberation struggle. Most recently, he was arrested at the end of April 1979 and detained without charge until the end of July 1980, when he was placed under house arrest in Katutura township. During this 15 month period of detention, he was held incommunicado and in solitary confinement in a cell measuring approximately two metres by one and a half metres in Cobabis prison. The only furniture in the cell was a bed and the only window a grating high up on the wall. Except during the last three weeks of his detention he was allowed no reading material other than a Bible and was - even after protests - only allowed to receive two and write two letters a month. He was kept in the cell for 23 hours a day, being allowed out for 30 minutes exercise, during which he had no contact with other prisoners. During his whole period in detention he in fact saw only white prison officials or warders, including a prison doctor and a matron.

In March 1979, shortly before being rearrested and detained, Axel Johannes was asked while on a brief visit to London why, in view of the treatment he had endured, he kept returning to Namibia. He replied:

"When I am in gaol I think I am going to leave the country as soon as I am released, I can't carry on like this. But as soon as I come out there is the support of the people and I forget everything. I can't believe it myself really. One day in 1975 I nearly became mad. I went 14 days and nights without sleep. I think it must be a record. At one stage I started fighting the police.....

So on the day I was released I said, "30 more - I must leave this country. I can't carry on like this". But I didn't! This was in 1975. It's always like this. People come to greet me. Then, sometimes on the very same day, we organise a public meeting. When I'm on the stage and I see the crowd - a very big crowd - I can't leave. People are always surprised. They say, "All the other people have left the country, why not you?"

(Anti Apartheid News, May 1979)

#### WOMEN IN PRISON AND DETENTION

Many women are among those arrested and detained without charge. They receive the same harsh treatment as men, while being exposed to additional risk of rape and assault at the hands of the security forces. In recent months a significant number of cases of rape by members of the South African Defence Force have been brought before the courts. Given the almost total lack of means of redress for women victims in martial law areas, these are undoubtedly only the tip of the iceberg. The Windhoek Advertiser recently quoted the investigating officer from Ondangwa as saying he was "tired" of cases of this kind. (WA 12.12 80)

One woman leader known to be held in detention at the present time is Gertrude Kandanga, the Deputy Secretary of the SWAPO Women's Council. She has been detained without charge under AG 25 since January 1980 and is now reported to be seriously ill. She is being held in solitary confinement in Windhoek Central Prison.

Only one convicted woman political prisoner is currently known.

She is Ida Jimmy (35), a SWAPO activist sentenced to seven years imprisonment in October 1980 on conviction of inciting a crowd to support the armed liberation struggle. She had been arrested in August, immediately after making a speech at a SWAPO rally held in Luderitz to celebrate Namibia Day. At the time of her trial in October she was seven months pregnant.

Ida Jimmy was previously detained in solitary confinement and without charge for several months in 1979, together with her baby. At that time she joined with other SWAPO detainees in a protest hunger strike.

#### TORTURE AND ASSAULT

Considerable evidence has been amassed over the years, much of it in the form of sworn affidavits and detailed factual descriptions compiled by lawyers, church bodies and humanitarian organisations, of the systematic use of torture and brutality by the South African police and security forces during interrogation. SWAPO, together with other Namibian organisations and political parties opposed to South Africa's occupation, has also made frequent allegations of the use of torture.

Much of this evidence has been published and made available to public scrutiny. For example:-

4"submissions made each year to the UN Commission on Human Rights  
tsworn affidavits from 13 witnesses presented to the Windhoek  
Supreme Court in December 1977. following the arrest and detention  
of a number of leading SNAFU officials in northern Namibia  
tthese affidavits, together with other material, were subsequently  
published by church bodies - the book was banned by the SA

Director of Publications two days later (Torture - A C  
Cur Societiz, Catholic Institute for International Relations in  
British Council of Churches, 1978).

tEvidence made available to the International Defence and Aid  
Fund by SVAPC's National Organiser Axel Johannes, Lucia Hanutenya,  
V

S.APO Secretary for Legal Affairs, and others,  
itEvidence, published in the London Guardian in August  
Bill Anderson, a former serving member of the SAD? i  
Namibia and southern Angola.

Despite the magnitude and well-documented nature of the case against  
the SA police and other forces, the South African government has  
consistently refused to allow any independent inquiry into the use  
of torture. In February 1978, for example, following the release of  
Torture - A Cancer in Our Society by the church in Namibia, the

Administrator General, Mr Justice Steyn rejected the idea of a judicial commission of inquiry into torture as "unnecessary at this stage". The police and security forces appear to use a number of strategies to break detainees' resistance, to extract information, "confessions" or renunciations of the liberation struggle. Detainees held under AG 9 can be held for up to 30 days with no restrictions on interrogation, and appear to be frequently subjected to torture and assault. The pretext for arresting people under AG 9 is often that they are to be kept at a police station to establish their identity. There they are interrogated and after 30 days may be re-detained under AG 2/. People held under AG 26 are not generally subjected to severe physical violence but are put under sustained psychological pressure to force them to renounce their beliefs and to "resign" from SWAPO, kept in solitary confinement or forced to make statements. It seems that the police, from their knowledge of the people concerned, select whom to assault and whom to "persuade" during interrogation, and draw on the varying legal grounds for detention accordingly.

#### BANKING AND RESTRICTION ORDERS

In contrast to South Africa, banning orders have not in the past been widely used in Namibia as a form of repression. The only Namibian to have-in practice been banned under the Internal Security Act is SWAPO's Acting President inside Namibia, Nathaniel Naxuilili. He has been under house arrest in Walvis Bay since July 1972. (Since its annexation by South Africa in 1977. walvis Bay, under South African law has been administered as part of Cape Province). His ban, which Was renewed in 1977 and is due to expire on 31 May 1982, restricts him to the Walvis Bay magisterial district, prohibits him from entering factories and schools or from attending any social gathering or political meetings, and bars him from any kind of involvement in writing or publishing.

Some Vamibians have been issued with restriction orders on being released from detention, and this now seems to be happening more frequently. In January 1980 the Administrator General announced that persons detained under Proclamation AG 26 might in future be released "under certain conditions", namely: restricted to a stipulated municipal area or town; prohibited from attending meetings of more than five people; restricted in receiving visitors; and restricted in their movements and occupational activities.

A number of AG 25 detainees have since been released on terms of this kind. Three prominent trade unionists, for example, - Arthur Pickering (a SVAPO member and a senior official of the Yational Union of ?amibian Workers CIDYD), Henry Eoonzaier (Assistant General Secretary of XUNW) - and Gerson Kapuka (Chairman of NUNW) - were released from several months in detention in 1980. They were all



to the Windhoek municipal area and banned from t kzns emDIOV-

A...o

or:

ment or from being in the company of more than four persons at any time. Axel Johannes, who was released at the end of July 1980 after 15 months in detention, was restricted to his home in Katutura township. He was not allowed to work, to have anyone else living at the house, to receive visitors, or to leave the municipal area of Katutura without the written permission of the commander of the Katutura police station. He had to remain indoors from 8pm to 5 am and during this time the police would frequently raid his house, wake him up and search the premises.

Hanna Nambinga, a qualified nurse, has been restricted to Swakopmund following her release from detention and required to work as a messenger in a shop. Her home is in the extreme north of Namibia. In 1976 she was one of the co-accused in the trial of Aaron Muchimba and Hendrik Shikongo.

#### PRISONERS OF WAR - THE KASSINGA DETAINEES

After nearly three years in detention, incommunicado and without any access to lawyers, the condition of the Namibian prisoners abducted from Angola during the May 1978 Kassinga raid is cause for serious concern. In June 1980, two officials of the International Red Cross who were permitted by the South African authorities to visit Hardap Dam camp near Henties reported that 118 SWAPO members were being held there under Proclamation AG 9. Up to this time South African spokesmen had repeatedly denied the detainees' existence.

It is believed that further prisoners from Kassinga may be held elsewhere. In 1979 it was reported that 40 of them had been transferred from Hardap Dam to Gobabis prison.

A total of 200 prisoners were reported to have been brought back from Angola at the time of the raids in May 1978. 68 were released about three weeks later. There have been no subsequent reports of releases.

A number of Kassinga detainees at Hardap are believed to have suffered physical mutilation due to assault. They are required to do hard labour such as digging, road construction and felling trees. Their conditions, and the terms of their capture and detention, are a clear violation of the Geneva Conventions relating to the treatment of captured prisoners of war - even this is quite apart from the illegality of South Africa's presence in Namibia in the first place, and its "right" to hold prisoners in the course of allegedly preserving "law and order" in the territory. In December 1980, nine detainees managed to escape from Hardap Dam. Eight of them were recaptured by South African forces shortly afterwards (Windhoek Advertiser 9.12.80).

1

Note

Most of the material in this paper is taken from FCCYC, the IDA news bulletin. Other references are given in the text.

-231-

LIST

OF MAJOR MULTINATIONALS

DEFYING INTERNATIONAL LAW

BY OPERATING IN

NAMIBIA

January 1981

In 1974 the UN Council for Namibia, the de jure authority for the country, enacted Decree No.1 for 'The Protection of Natural Resources in Namibia'. The Decree provides that any licence or concession granted by South Africa was null and void, that any natural resource taken from Namibia without the Council's consent was liable to seizure and forfeiture and that any person or Corporation contravening the Decree might be held liable for compensation by the future government of an independent Namibia.

The companies listed below are only the major corporations that are operating in Namibia in total defiance of the U.N. and are all liable to have to pay heavy compensation once independence is achieved.

The resources that account for the majority of economic life in Namibia are in the ground. Mining yields over half the country's gross domestic product. All but a tiny handful of mining operations are carried out by international companies in conjunction with the major South African corporations.

Terminale Mineral et Metalurgie de Penarroya ( a subsidiary of the French metals trading company Imetal, itself 10% owned by the US corporation AMA: Inc) mines copper and silver through Vendome S.A. This is a joint venture with the US company Nord Resources and the South African mining investment company 'Johnnies'.

Another French company, Minatome, is involved in two uranium mines; one at Tubas in conjunction with Anglo-American Corp. and Omiharamines (also based in France) and in the giant Rossing mine run by RTZ.

Minatome is owned by CO.Francais des Petroles which has substantial French government involvement.

The major West German corporation operating illegally in Namibia is Metallgesellschaft A.G. It, along with another German company, Kleckner, mines beryl, bismuth, columbite, lepidolite and petalite through SWA Lithium Pty. German national banks are major shareholders in both the German companies. Another subsidiary of Metallgesellschaft, Otavi Minen und Eisenbahn has a stake in S.W.A.C.O and markets Namibian minerals in Germany.

SNACO, the South West Africa Company, is British registered and is owned by Charter Consolidated, British Petroleum (via selection Ernst) and Consolidated Gold Fields. SWACO mines lead, vanadium, zinc, tin and tungsten on its own account and has shareholdings in other mining companies operating in Namibia. Greatest among these is the Tsumeb Corporation, in which S.W.A.C.O. now has a 15% stake, which mines vanadium, copper, lead, tin, silicates and vanadates. Consolidated Gold Fields, 'Consgold', produces zinc oxide via a company called Kiln Products and has a major stake in the zinc smelting company, Zincor.

The most obvious British involvement in Namibia is that of Rio Tinto Zinc who operate, and part own, Rossing Uranium. The story of how RTZ obtained this contract, how the uranium oxide, or yellowcake, gets to Britain, and elsewhere, and how British governments have been implicated in this, despite the UN Decree, is graphically portrayed in "The Rossing File" (available from Namibia Support Committee, 188 North Gower St., London NW.1, U.K.) RTZ also have five other companies operating in Namibia doing exploration and construction.

U.S. companies are well represented in Namibian mining. Bethlehem Steel has a joint venture with Tsumeb at Grootfontein mining fluorspar which they presumably use in their South African operations. The company also mines tungsten at Krantzberg in a joint project with another US firm, Nord Resources. Nord themselves have four such ventures and another US corporation, '8 Steel has a share in African Triangle which mines copper and silver. The same minerals are mined by Oamites mining Co. which is owned by the Canadian corporation, Falconbridge Nickel Mines. Another US company, AEAX, owns 29% of Tsumeb.

Diamonds, and particularly gem diamonds, are the product which account for much of the value of Namibian mineral production. It is mostly, South African companies, and principally de Beers, which operate this business.

t. r

Except in rare cases it is not possible to eat minerals. It is however possible to eat fish and the coasts off Namibia used to abound with pelagic. That is before they were over-fished. Although it is largely South African companies that control the fishing industry they are not the sole beneficiaries. For example the Italian company Ind.3uitoni Perugia markets Namibian pilchards in the UK via

-234-

the Princes Foods brand names. Much fish processing occurs and until recently Metal Box, a UK company, operated a canning factory at Walvis Bay.

Alongside these extraction industries there is a small manufacturing and servicing sector. Nevertheless its meagre size has not deterred foreign investors who, legally, are in the same position as the mining companies given that they are usually repatriating profits. The list of such firms is very long, here we have included but a few, the tip of the iceberg.

Acrow Industries (UK)  
AEG Telefunken (Germany)  
Air Liquide. (France)  
Associated British Foods (UK)  
Associated Engineering (UK)  
Banque de l'Indochine (France)  
Bata Shoe Corp (Canada)  
3.0.0. International (UK)  
Conoco (US)  
Delta Metal Co. (UK)  
Dura International BV (Holland)  
Fiat SpA (Italy)  
Ford Motor Co. (US)  
Lead Industries Group (UK)  
Lonrho (UK)  
Mitchell Cotts (UK)  
Ohlthaver Gruppe (Germany)  
Pechiney Ugine Kuhlman (France)  
Peugeot SA (France)  
Phelps Dodge (US)  
Phillips Petroleum (US)  
Philips NV (Holland)  
Reed International (UK)  
Royal Insurance Group (UK)  
Taylor Woodrow (UK)  
Thorn at: (UK)  
Total Oil (France)  
Toyota (Japan)  
Unilever (UK/Holland)  
Union Carbide (US)  
Volkswagen (Germany)



