

DIE SUID-AFRIKAANSE INSTITUUT VAN INTERNASIONALE VERBANDTHEDE
THE SOUTH AFRICAN INSTITUTE OF INTERNATIONAL AFFAIRS



Southern

Africa **Record**

Number 48

SOUTHERN AFRICA RECORD contains the original texts of, or extracts from, important statements by political leaders, government representatives and international organisations, concerning international relations in the southern region of Africa. In addition to statements on issues of current concern, some significant statements made in the past are included in the RECORD from time to time. The reproduction of these policy statements of the past and present is intended for information and reference purposes, not only for students, but also for all those who are concerned with the relations between the countries of Southern Africa.

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Compiler: Alan Begg

Published by the South African Institute of International Affairs. Four issues per year. Subscription rate R20,00 per annum (surface mail). R28,00 per annum (airmail) Africa and Europe. R30,00 US and elsewhere.
Price per copy R5,00 (plus postage for overseas airmail).

Uitgegee deur die Suid-Afrikaanse Instituut van Internasionale Aangeleenthede. Vier uitgawes per jaar. Intekengeld R20,00 per jaar (landpos). R28,00 per jaar (buitelandse lugpos) Afrika en Europa. R30,00 VSA en elders.
Prys per eksemplaar R5,00 (plus posgeld vir buitelandse lugpos).

ISSN: 0377 5445

SOUTHERN AFRICA RECORD

Number Forty-three, June 1986

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Southern Africa — Regional Considerations

Report on The Second International Conference on Peace and Security in Southern Africa: Arusha, Tanzania, 3–6 March 1986
by Hendrik W. van der Merwe

The Second International Conference on Peace and Security in Southern Africa was held at the Arusha International Conference Centre in Tanzania from 3 to 6 March 1986. Ten papers were presented.

It was organised by the International Peace Academy (IPA) in New York and held under the joint auspices of the IPA, the University of Dar es Salaam and the Centre for Foreign Relations in Dar es Salaam. Financing came from two of America's leading philanthropic sources: The Ford and Rockefeller Foundations.

Seventy-five participants came from a number of Western, Eastern, Communist and Third World countries. Academics and government officials from Africa, the United Kingdom, Europe and the USA were well represented and an Assistant Secretary-General of the United Nations played an active constructive role. Diplomats included several ambassadors and high commissioners. The Vice-Chancellor of the University of Dar es Salaam and the Director of the Centre for Foreign Relations attended the full conference, which was opened by the Prime Minister and First Vice-President of Tanzania, Ndungu Joseph S. Warioba, and closed by the Honourable Christopher Liunde, Regional Commissioner of Arusha.

The ANC, the PAC and SWAPO were represented.

Nine South Africans were considered for invitation. These included three academics, two journalists, two church leaders and two professionals (a medical doctor and an advocate).

Since South Africans are not normally allowed to enter Tanzania, the IPA applied for special clearance by the Tanzanian Government. While only one of the South Africans was not cleared, others were not able to attend. I turned

Professor Van der Merwe is Director of the Centre for Intergroup Studies at the University of Cape Town.

out to be the only South African currently resident in South Africa who was able to attend the conference.

I received a telegram inviting me to the conference on Monday 24 February, the day before I left Cape Town to give a talk to businessmen in Johannesburg. I decided that this paper, 'South African Society under Stress: Prospects for Negotiation', was suitable for both businessmen and liberation movements and decided to take the written paper with me.

I arrived at Dar es Salaam airport on Friday evening at 20h30 and my hosts promptly whisked me past the line of waiting people at immigration. But the Immigration Officer stopped us. He does not stamp a South African passport that easily. My name was not on his list and I was kept back until everybody had cleared the airport. My hosts and several immigration officials gathered in an office and when searches for my clearance through several folders were in vain, the official in a very friendly but firm way issued an official document declaring me a prohibited immigrant to be deported on the next plane.

Later that evening, after I had checked in at a bedroom in the transit lounge, a senior official from Dar es Salaam came to the airport to instruct them to let me in. After that I received VIP treatment, including the use of the VIP lounges at the Dar es Salaam and Kilimanjaro airports.

The Centre for Foreign Relations in Dar Es Salaam

The main programme offered by the Centre for Foreign Relations is the Post-Graduate Diploma in International Relations and Diplomacy.

The programme is designed to equip participants with the practical tools of analysing problems of foreign relations from an African perspective, and on that basis to enhance the management capabilities of those engaged in foreign relations.

The Post-Graduate Diploma in International Relations and Diplomacy is a twelve-month professional course in foreign relations conducted at the Centre for Foreign Relations, Kurasini, Dar es Salaam. The programme focuses on the increasing need of developing nations to have professional and competent personnel in the management of foreign relations.

The International Peace Academy

The International Peace Academy (IPA) is a non-political, non-profit, educational institute. The IPA's work is to design and conduct professional, international, and educational and training programmes for dispute settlement and conflict management. Since 1970 over 2250 diplomats, military officers, policymakers and academics from 125 nations have attended the IPA training seminars in Africa, Asia, Europe, North and Latin America.

Main activities include:

- Designing and conducting international training seminars for mid-career

professionals in the skills and procedures of peacekeeping, negotiation and mediation.

- Conducting action-research by organising off-the-record meetings of parties directly involved in disputes.
- Producing publications and teaching materials.
- Conducting research on issues of regional security in Africa, Asia, the Middle East, the Caribbean and Latin America.

It is devoted to *furthering the skills of conflict resolution through peacekeeping*, i.e. peaceful third-party intervention for containment of hostilities between states; *peacemaking*, i.e. efforts to settle conflict through mediation, negotiation and arbitration; and *peacebuilding*, i.e. efforts to avoid violence through social and economic development.

The IPA programme of conflict studies examines issues of peace and security in developing regions around the world. The meeting in Arusha was an example of one of the principal means: the initiation and organisation of off-the-record meetings.

The Academy brings representatives of specific conflicts together on neutral ground free from the pressures of the media to discuss options and suggestions for the peaceful resolution of their disputes. The result is a candid exchange of divergent views without the political constraints of normal diplomatic channels. The underlying concept is that conflicts can be settled within regions and sub-regions, thereby minimising the risk of involvement and confrontation by the superpowers.

The President of the IPA is Major General (Ret.) Indarjit Rikhye, the recipient of the 1985 UNESCO Prize for Peace Education and former Military Adviser to Secretaries-General U'Thant and Hammarskjöld.

Previous IPA involvement in the region

The IPA had previously sponsored a discussion of Southern Africa Peace and Security at Mohonk Mountain House in New Paltz, New York in December 1984. It was a follow-up on their previous workshop on African Security, held a year earlier, and was one in a continuing series of meetings on peacemaking in Africa.

There were thirty-six participants which included a number of prominent internationally known academics. The purpose of the Mohonk discussions was twofold:

- To understand recent developments in Southern Africa, including the impact of the Lusaka and Nkomati Accords; and
- To explore new ideas — and re-examine old ones — for the peaceful settlement of the conflicts in Southern Africa. Mohonk participants hoped to pass these ideas on, not only to third-party mediators but to the disputants themselves.

The five papers that were presented and a summary of the discussions were included in Report No 21 of the IPA entitled *Southern Africa Peace and Security: Foundations for the Future*, edited by Nosakhare O. Obaseki.

The Centre for Foreign Relations in Dar es Salaam had also sponsored a previous conference in May 1985 on the same theme of peace and security in Southern Africa. The report of this meeting has not been published.

The Papers presented at the Second Conference

Ten papers were presented. Some papers were sent to some participants before the conference. Others, including mine, were distributed at the conference.

The first paper was presented on Monday afternoon by Dr Kurt M. Campbell, Fellow of the Kennedy School of Government at Harvard University. In his paper entitled 'The Front Line States' Search for Security' he presented a critical and balanced analysis of the relations between South Africa and the Front Line States, conditions within these states, and their relations with the superpowers.

He argued that the elements of the current phase of South Africa's strategy towards the Front Line States are essentially five-fold:

- To induce or coerce the Front Line States to deny logistical support or refuge for the ANC.
- To discourage any efforts to relieve reliance on South Africa for economic development or integration, such as Southern African Development Co-ordination Conference (SADCC).
- To lessen the influence of the USSR and Cuba in Southern Africa.
- To generally weaken the conventional military capabilities of the Front Line States.
- To impede the process of nation-building by denigrating the Zimbabwe 'experiment' — thus hoping to deny critics of apartheid an example of a successful transition from white to black power. (Campbell, 1986: 5-6)

Neighbouring countries, especially Angola and Mozambique, 'have faced increasingly serious insurgencies from South African-backed rebels and the USSR now finds itself in the rather unusual role of seeking to preserve, rather than unseat, weak regimes. Soviet policymakers and Southern African élites have come to realise however, that it is easier to destabilise than it is to defend and preserve. Indeed, socialist military assistance has had only limited success in protecting the Front Line States from South Africa'. (Campbell, 1986: 11-12)

Campbell concludes that 'Zimbabwe's strategy of:

- maintaining close economic relations with the West;
- diversifying its military patrons to include Britain and North Korea;
- strengthening national military capabilities and bilateral defence co-operation with Mozambique;

- developing discreet lines of communication with Pretoria;
- and seeking not unfriendly relations with the USSR and its allies,

have all helped Zimbabwe to establish a degree of security. Given the current situation in South Africa, and the vast arsenal of power available to Pretoria, perhaps this is the best that can be expected or hoped for.' (1986, 17)

Ali Khalif Galaydh of Harvard University presented a paper entitled 'Peace and Economic Security Considerations in Southern Africa' in which he examined the internal development problems in these states and the prospects of sanctions against the Republic of South Africa.

He concludes, without citing convincing supporting evidence, that 'The question is not whether sanctions should be imposed, because the destabilisation and cross-border incursions of the SADF are obviously acts of aggression that violate regional peace, and because the occupation of Namibia is a blatant breach of international peace, but what type of sanctions should be applied.' (Galaydh, 1986: 21)

Condemning constructive engagement as 'diplomatic prodding', he concludes that: 'Cultural, sporting, political and economic sanctions, in the absence of other viable options, are the only means available to push South Africa to dismantle apartheid. The scope and intensity of the punitive measures have been changing recently and have still some distance to go in order to be effective.' (1986: 23)

He agrees that 'Sanctions would have costs for South Africa, neighbouring states and major trading partners of the Republic'. But 'The African people in the RSA and its neighbouring states are willing to absorb these costs, because there are no other options with lesser costs.' (1986: 29)

A paper on 'Pre-conditions Necessary for a Mediated Settlement by the UN in Namibia' by Dr V. Umbricht, Mediator in the East African Community, was tabled. While it was generally regarded as outdated and failing to take political power dynamics into account, it was believed that it could serve as a model for a mediated settlement.

The whole of Wednesday was devoted to the internal situation in South Africa.

In his paper 'Apocalypse Now? The Churches and Revolution in South Africa', Canon Burgess Carr, formerly General Secretary of the All Africa Conference of Churches, argues that 'while the political and economic significance of apartheid cannot be ignored, the feature of the South African reality which is more basic than either and which actually provides apartheid with its final justification is Afrikaner religion'. (1986: 3)

He traces Afrikaner religion back to Andries Pretorius, the 'illiterate' Voortrekker who had to rely on his Coloured secretary to do his writing. He refers to the DRC clergy, including the 'racist brother of former Prime Minister John Vorster', as a major force in politics. The DRC consistently adopts a conservative approach and is riddled with contradictions. 'It inter-

prets Scripture as upholding the essential unity of mankind, but claims also that ethnic diversity accords with the will of God; it rejects racial injustice and discrimination in principle, but accepts the policy of "separate development".' (1986: 6)

He refers to theological dissent as 'of no political significance'. He quotes an obscure conservative DRC clergyman who made a speech on the Day of the Vow in 1983, to support his conclusion that the South African 'people are preparing for the final apocalyptic battle between good and evil'.

Quoting the Kairos Document which points out that the struggle is a violent struggle, he distinguishes between the *institutional* church and the people's church and concludes that 'The latter are drawn together, not by doctrinal, racial or class commonalities, but by a commitment to the liberation struggle. It is they who offer reason to hope that after liberation, reconciliation and peace will come speedily.' (1986: 16)

Julie Frederikse, American journalist from Harare and author of *None but Ourselves: Masses vs Media in the Making of Zimbabwe*, presented a paper, 'Media and Change in South Africa'. Her presentation was one-sided, but she came to a sound conclusion: 'Just as today's political prisoner could become tomorrow's Prime Minister, it is not unthinkable that today's community newspapers could be training the journalists who will one day play a central editorial role in the media of a future, non-racial South Africa.' (1986: 15)

Mr Millard Arnold, a black American lawyer, President of Associates International, a business consulting firm with a thorough personal knowledge of the African continent, presented a balanced, objective assessment of the role of the international business community in South Africa. He distinguished between *their two options of either contributing to fundamental political change or to preserving white rule.*

He acknowledged the chasm and level of distrust that separates the corporate sector from the black population, but nevertheless believed that the business community did play an important part in putting pressure on the Government, and could do more so in the future.

Penelope Andrews, a young South African lawyer with a distinguished international career, now teaching in Australia, presented a paper, 'Inside South Africa: The Players and their Role in Social Change: The Labour Unions'.

She outlined current developments among trade unions. She deliberately made no mention in her written paper of the Trade Union Council of South Africa, which she believed serves only the interests of white workers.

She elaborated on the obstacles to genuine trade union development, the hostility of whites, of the Government and of employers (who 'persist in Union bashing'). She described the codes of conduct as patronising and irrelevant.

She concluded that the workers should ally themselves with popular

movements and should not only restrict themselves to economic matters.

In his paper, 'Peace and Security in Southern Africa: The role of Liberation Movements', Hamisi S. Kibola, Lecturer in International Law at the Centre for Foreign Relations in Dar es Salaam, referred to the constructive role of the ANC in recent 'symbolical contacts' with various interest groups from South Africa. 'Per se the contacts may appear insignificant, but considered together with other events taking place currently they cannot be easily ignored.' (1986: 5)

He also emphasized the hesitation with which the liberation movements and Frontline States have resorted to violence, by quoting Sam Nujoma who said: 'The decision to initiate armed resistance is by no means an easy one, and I for one was at pains to agree to such a decision, but when my people have said "enough" it is enough.' He also quoted the Heads of State in the Lusaka Manifesto: 'We have always preferred and we still prefer, to achieve it without physical violence. We would prefer to negotiate rather than destroy, to talk rather than kill.' (1986: 10)

He concluded: 'There is a need for liberation movements, the FLS, international organisations and all peaceloving peoples of the world to face the current complex situation with much innovativeness.' (1986: 15)

In my paper, titled 'South African Society under Stress: Prospects for Negotiation', I argued that the prospects for negotiation were much better than what was apparent from official statements, public rhetoric and the current escalation of violence.

While pressures — which may include boycotts or armed struggle — were necessary to bring about fundamental change, they did not exclude the process of negotiation being conducted at the same time.

Negotiation should not be seen as a substitute for, or alternative to, pressures for change, but as complementary.

I argued that the State President was sincere in his intention to negotiate with the leaders of all communities in South Africa, and these inevitably would eventually include the UDF and the ANC. I anticipated that the Government would take positive steps in 1986, possibly by way of a referendum among Whites, Coloured people and Indians, to give effect to its intentions to develop new political structures. A new constitution would be formulated which would make provision for the accommodation of Africans in the central government.

To the extent that these new structures would assure genuine power sharing — probably in a geographic federation — organisations such as Inkatha would be willing to participate. Others, such as the UDF, would not be willing, on the grounds that it had been imposed upon them by the whites.

I discussed and assessed three major obstacles to negotiations with the legitimate leaders of the masses in South Africa:

1. There were two major conservative, inhibiting elements in the govern-

ment: the apartheid, racist ideology, and anti-communism. In my view the pragmatic approach would prevail over the ideological within the Cabinet and the National Party.

2. The use of structural violence by the government and of political violence by guerrilla forces were major impediments. On the government side I noted the gradual phasing out of structural violence — such as mass removals and influx control — and saw that as a development that enhances the prospects for negotiation.

While the ANC publicly propagated the intensification of the armed struggle, and often denied that they were interested in negotiations with the government, I had no doubt that they would be willing to suspend political violence conditionally and temporarily.

3. The third obstacle to negotiations was the communist connection of the ANC. While I disagree with the view that the ANC is a front organisation for the communists and that all or most of the ANC leaders are communists, I argued that their alliance with the Communist Party of South Africa and their indebtedness to Soviet Russia had to be accepted and should not deter the government from negotiating with them. We could live with them as we do with Mozambique and as Ian Smith lives with Robert Mugabe. The legalisation of the ANC would, in fact, be the best way to rid it of the current hold of the communists. In exile it is heavily dependent on communist support, while within South Africa it could count on the support of millions of non-communists and Christians.

Dr Mwesiga Baregu of the Department of Political Science and Public Administration of the University of Dar es Salaam presented a paper on 'Reformist, Nationalist or Revolutionary Outcomes in the South African Struggle? The Leadership Factor'. He predicted that progressive forces across race and class would unite to the exclusion of the reactionary fascist elements and would institute a new democratic social order. He concluded that the ANC was in the best position to handle this situation through the processes of negotiation and the armed struggle.

Discussion

Discussion was lively for all three days and included boring political rhetoric as well as sound academic analyses. Since all discussions were off-the-record, nobody may be quoted without permission.

I will summarise some of the major themes of the discussion:

1. Negotiation

The major purpose of the IPA, that of promoting a negotiated settlement, was well presented by its president, Major General Indar Rikhye, by a senior official of the United Nations and by several black and white participants.

In a brilliant review of the situation in South Africa, Colin Legum, editor

of the Africa Contemporary Record and of Third World Reports, warned against despair and emphasised that he would continue to be hopeful.

While he agreed that there has not yet been a fundamental change in the structures of white supremacy, there has been a substantial change in many respects. There has been change in the internal balance of power and in the relationship between whites and blacks. While the whites were self-assured and arrogant in 1948, they are now on the defensive, unsure of the future.

The realisation that the present structures cannot last and the insecurity in ruling circles have led to government by manipulation.

The white political hegemony is disintegrating, and while there is not yet a revolutionary struggle, a revolutionary process is underway.

The ruling class has two options:

- (a) agree to negotiate seriously with the true representatives of the communities in order to achieve a non-racial democratic society, or
- (b) to defend their present privileged position.

Legum noted several factors that promoted the prospects for a negotiated transition:

- (a) There is no basic irreconcilable racial hostility among South Africans;
- (b) There are many white and black leaders of great competence with wide public support who could negotiate;
- (c) All leaders have a shared interest that the economy and the country should not be ruined by violence and a race war.

Legum concluded that bodies like the IPA should strengthen the forces for a negotiated transition by:

- (a) Exerting pressures for the release of political prisoners and the return of exiles;
- (b) Exerting pressures for the lifting of the ban on the Congress (ANC and PAC) organisations;
- (c) Promoting an agenda to bring an end to the structures of apartheid.

While the time may not be ripe for official negotiations, we should attempt to bring the leaders together.

The following views were contained in the concluding paragraphs of the resolutions of the conference:

The fundamental task of those interested in negotiation is to strengthen the forces that make negotiations possible and counter the opposing forces. There is thus an essential and growing role for the churches, the media, corporate investors and labour unions—both in the RSA and elsewhere—in urging the release of all political prisoners and the return of all exiles as well as the unbanning of all Congress movements; calling for the imposition of such non-violent means as sanctions and disinvestment to bring pressure to bear on the RSA; and seeking to define a negotiating agenda.

The RSA must be judged on its actions and not its words. Liberation movements should not be called upon to negotiate when negotiations are

diversionary from the point of view of the overall struggle. No opportunity exists for fruitful negotiations at this juncture. Existing contacts can be strengthened and new channels for communication opened among the various parties involved. The process leading to meaningful negotiations may be long and may require pressure against the RSA by various means available, including armed struggle as well as mass civil action and activities by trade unions, churches, mass media and other organisations. When this pressure has created opportune conditions for negotiations, then communication channels established may prove to be of considerable value. While there is scepticism about the success of initiatives such as the Commonwealth team, there is nonetheless a need not to overlook any possible opening. As a minimum, the issues should constantly be kept alive before the public.

2. Militancy

Objection to what was seen as 'excessive emphasis on peaceful means' was sometimes evident in conference discussions and in private conversation. Representatives of the liberation movements were reluctant to agree to negotiations for fear that they would appear weak or compromising.

3. Tendency to overemphasise conservative and evil elements, and to downplay reform in the government

This tendency was also evident in the First International Conference where 'Many participants warned that in formulating strategy in the war against apartheid, analysts and policymakers must never lose sight of the one immutable fact about Afrikaners: they will never agree to live in a racially integrated society.' Whites 'might retreat to the Cape Province as the last bastion of white control' and 'might accept a form of cantonisation'. (Obaseki, 1985: 40)

This negative, pessimistic interpretation of the government, of Whites, and more specifically of the Afrikaners, was often accompanied by a tendency to downplay or completely deny any meaningful reform by government, business and church. The historical decision of the Western Cape Synod of the Dutch Reformed Church denouncing apartheid was dismissed by an anti-apartheid activist as merely 'resolutions'.

4. Attacks on the West

It was fashionable to attack the West for promoting their own interests in Southern Africa at the cost of the indigenous people. Current American and British policies were especially under fire. (This apparently accounted for the conspicuous absence of American and British diplomats at the conference.)

5. Refusal to criticise self

While it was acceptable to apportion all blame to the South African,

American or British governments, strong objections were raised against any criticism of the Frontline States or the liberation movements. Even the mild criticism contained in the words 'inappropriate domestic policies' of the Front Line States was unacceptable, and the word 'inappropriate' had to be deleted from the final conclusions. The word 'regime' applied to the South African Government, but not to other African governments.

A casual reference to the influence of Russia on the liberation movements was heatedly disputed. While Americans were constantly held responsible for international pressures, mere mention of Russian pressures led to the emphatic statement by a representative of the liberation movements: 'We have nothing to do with the superpowers'!

When it was stated that ethnic conflict was no problem among the blacks, the chairman of the conference could not refrain from commenting in his wise, diplomatic way: 'That is not a pill, but a potato you are asking us to swallow.'

Conclusions

The emphasis on a negotiated settlement in Southern Africa promoted by the organisers of the conference and reflected in the concluding paragraphs of the Conference Resolutions, did not reflect some of the most eloquent utterances of anger, frustration, militancy and lack of trust in the intentions of the South African Government and its ability to change.

The conclusions are, however, in keeping with the aims of the International Peace Academy and the purpose of this conference. It is anticipated that the Academy will take steps to implement these conclusions.

The IPA acknowledges the obstacles to negotiate in conflict situations and appreciates the hesitation of conflicting parties to enter into such processes. For that reason, it regards skills-building among the leadership as of primary importance. Leaders must know when and how to negotiate. The IPA has fifteen years of experience in this field and is willing to assist with training and consultation within South Africa and in the Frontline States.

While training and consultation in conflict management have been well developed in the field of industrial relations in South Africa, almost nothing has been done in the field of political and community relations. During 1984 and 1985 the Centre for Intergroup Studies at the University of Cape Town, in co-operation with the national Committee on Conflict Management Skills (CCMS) and various organisations, has developed a comprehensive research, consultation and training programme in conflict management. A well-established institution such as the IPA can make a considerable contribution towards the development and professionalisation of this important field of consultation and training within South Africa as well as in neighbouring countries.

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South Africa, Lesotho and Swaziland

- A. Treaty Series No. 2/74 Monetary agreement between the Governments of South Africa, Swaziland and Lesotho, Pretoria, 5 December 1974.

The Governments of the Republic of South Africa, the Kingdom of Swaziland and the Kingdom of Lesotho—

Acknowledging the advantages of maintaining a common monetary area;

Desirous of formalising the monetary arrangements in the Rand Monetary Area in an agreement;

Considering that the monetary arrangements should provide for the sustained economic development of the Rand Monetary Area as a whole;

Desirous of ensuring, in particular, that the arrangements should encourage the advancement of the less developed members of the Rand Monetary Area and should afford to all parties equitable benefits arising from the maintenance and development of the Rand Monetary Area as a whole;

Recognising that each of the contracting parties is responsible for its monetary policy and the control of its financial institutions; and

Recognising that the South African authorities are responsible for the management of Rand currency and the gold reserves and foreign exchange reserves of the Rand Monetary Area;

Have agreed as follows:

Article 1—Definitions

In this Agreement, unless the context otherwise indicates:

“authorised dealer” means a person authorised by a contracting party to deal in gold and foreign exchange in terms of that contracting party’s exchange control provisions;

“exchange control provisions” means the exchange control laws, regulations and Manuals of Exchange Control Rulings of the contracting parties;

“financial institution” means a bank (other than the South African Reserve Bank), building society, insurer, pension fund or any corporate body or insti-

tution which accepts money from the public and which on account thereof is subject to legislative or any other form of governmental control or supervision;

“foreign exchange” means any currency other than Rand currency or currency issued in terms of Article 2.2;

“foreign exchange assets” means assets denominated in foreign exchange;

“foreign exchange transactions” means any transaction involving foreign exchange or foreign exchange assets;

“Lesotho” means the Kingdom of Lesotho;

“Rand currency” means the notes issued by the South African Reserve Bank and coin issued by the South African Mint;

“Rand Monetary Area” means the area in which Rand currency is legal tender;

“South Africa” means the Republic of South Africa;

“South African Reserve Bank” means the central bank of South Africa operating in terms of the South African Reserve Bank Act, No. 29 of 1944, as amended;

“Swaziland” means the Kingdom of Swaziland;
and cognate expressions shall be construed accordingly.

Article 2—Legal Tender

1. No currency other than Rand currency and currency referred to in paragraph 2 shall be legal tender in the Rand Monetary Area.

2. The Governments of Lesotho and Swaziland shall each have the right to issue currency in the form of—

(a) national notes and coin, and

(b) commemorative coin, in nominal amounts,

but such currency shall constitute legal tender only in its respective area;

Provided that any arrangements in respect of any national note and coin issue governed by this Agreement shall be subject to prior agreement between the Government of South Africa and the issuing Government.

Article 3—Transfer of funds within the Rand Monetary Area

A contracting party shall not apply any restrictions on the transfer of funds, whether for current or for capital transactions, to or from the area of any other contracting party, save that a contracting party may apply restrictions resulting from investment or liquidity requirements which may from time to time be prescribed by it for its financial institutions;

Provided that the Governments of Lesotho and Swaziland may introduce measures, including measures relating to the investments of funds or portions of funds in domestic securities, for the mobilisation of domestic resources in the interest of the development of their respective areas;

Provided further that, whenever a contracting party has reason to believe

that the effect of an inward or outward transfer of funds may be, is or has been to evade any such requirements prescribed or measures introduced by any other contracting party, it shall consult such other contracting party with a view to rectifying the matter.

Article 4 — Access to the South African capital and money markets and related matters

1. The Governments of Lesotho and Swaziland, corporations and statutory bodies owned or controlled by either such Government, and local authorities, public utilities, financial institutions and business enterprises in the area of either such Government shall, subject to the relevant financial laws and policies applicable to their counterparts in South Africa, have a right of access to the South African capital and money markets.

2. Stocks, bonds, notes, bills and other securities (hereinafter in this Article collectively referred to as "public securities") which may be issued or converted in respect of borrowings in such markets by either Government or any local authority referred to in paragraph 1, shall qualify as prescribed investments or approved securities in which South African financial institutions may invest in terms of the applicable legal requirements; and such public securities so issued or converted by any corporation, statutory body or public utility referred to in paragraph 1, shall likewise so qualify if the securities of a comparable class of South African issuer would so qualify:

Provided that such public securities held by any South African financial institution shall so qualify only to an amount not exceeding one and one half per cent of the minimum amount which such institution is required to hold in prescribed investment or approved securities;

Provided further that such public securities shall not qualify for purposes of the legal requirements applicable to South African financial institutions for compulsory investment in stock of the Government of South Africa and in liquid assets.

3. In order to promote the orderly management of the South African capital and money markets, the Government concerned shall, in respect of the issue or conversion of public securities by a Government, corporation, statutory body, local authority or public utility referred to in paragraph 1, reach agreement with the Government of South Africa on the timing, amounts and other relevant terms of such issue or conversion and the South African Government shall not withhold its agreement without reasonable cause.

4. With due regard to the need for the contracting parties to co-operate in preserving monetary stability in the Rand Monetary Area, each of the Governments of Lesotho and Swaziland shall have the right to enter into bilateral arrangements with the Government of South Africa whereby the latter shall in special circumstances cause the South African Reserve Bank in its capacity as lender of last resort to make available to either such Government tempor-

ary central banking credit facilities in such forms and amounts and on such terms as may be agreed upon at the time.

Article 5 — Gold and foreign exchange transactions

1. Each contracting party shall be the sole authority responsible for authorising gold and foreign exchange transactions relating to its area and for appointing authorised dealers therein.

2. The Governments of Lesotho and Swaziland shall exercise their authority in respect of gold and foreign exchange transactions in accordance with the policies from time to time adopted for the management of the gold reserves and foreign exchange reserves of the Rand Monetary Area.

3. The exchange control provisions of the Governments of Lesotho and Swaziland shall in all material aspects be substantially in accord with the exchange control provisions in force in South Africa as amended from time to time;

Provided that should either such Government consider that its national interest would be materially and adversely affected by any subsequent amendment introduced by the Government of South Africa, it shall not, unless so determined under Article 9, be obliged to incorporate such amendment into its exchange control provisions and if it does not so incorporate such amendment, it shall notify the other contracting parties accordingly.

4. Each contracting party shall require that the gold and foreign exchange accruing to its residents, other than nationals of countries outside the Rand Monetary Area, temporarily working in Lesotho and Swaziland, shall, subject to its exchange control provisions be sold to an authorised dealer appointed by it.

5. The Government of South Africa shall cause the South Africa Reserve Bank to make available to the Governments of Lesotho and Swaziland or to their authorised dealers the foreign exchange required for any foreign exchange transaction which is authorised by either such Government or by its authorised dealers.

The contracting parties shall at the request of any of them engage in immediate consultations should it appear that any foreign exchange application, transaction or balance may be, is being or has been, made, entered into or held, with the intent or effect of evading the exchange control provisions of another contracting party.

7. In the event of any amendment to this Article, any prior written undertaking provided to a third party or any transaction already authorised in writing by the responsible authorities of Lesotho or Swaziland pursuant to this Article, shall remain of full force and effect irrespective of such amendment.

Article 6—Compensatory payments

1. (a) The Government of South Africa shall, subject to the remaining provisions of this Article, make compensatory payments to the other contracting parties, which payments shall represent a return on the Rand currency circulating in their respective areas.

(b) (i) The first such payments shall be made within three months of the date of entry into force of this Agreement and shall amount to One million five hundred and thirteen thousand Rand (R1 513 000) in the case of compensation to the Government of Lesotho and to One million eight hundred and seventy-four thousand Rand (R1 874 000) in the case of compensation to the Government of Swaziland and shall in each case be in respect of the period 1 January 1972 to 30 June 1974.

(ii) Subsequent payments shall be made annually on the last business day of February of each succeeding year, shall be payable in respect of the twelve month period ending on the 30th day of June of that year, and shall be calculated in accordance with the provisions of sub-paragraph (e).

(c) Such payments shall be made in Rand and the amounts thereof shall be calculated in accordance with the formula: two thirds of X per cent of Y, where X represents the annual yield to redemption at which the most recent issue of long-term domestic South African Government stock was offered prior to the 31st day of December immediately preceding the annual payment date and Y represents the relevant agreed amount set out in sub-paragraph (d) or the relevant amount calculated in terms of sub-paragraph (e), as the case may be.

(d) The amounts of Rand currency calculated and agreed to have been in circulation in the respective areas of the contracting parties concerned as at the 31st day of December 1973 shall for purposes of this Agreement be as follows:

In Lesotho: Twelve million five hundred thousand Rand (R12 500 000).

In Swaziland: Fifteen million five hundred thousand Rand (R15 500 000).

(e) The amounts referred to in sub-paragraph (d) shall be annually increased or decreased, as the case may be, rounded to the nearest one hundred thousand Rand, in accordance with the following provisions—

(i) where the combined average month-end sum of the notes in circulation of the South African Reserve Bank and the coin liability of the South African Treasury for the calendar year preceding the date of payment exceeds the corresponding sum for the previous year, such amounts shall be increased by a percentage, equal to the percentage increase in such average month-end sum, multiplied by one and one-fifth;

(ii) where such average month-end sum is less than such corresponding

sum, such amounts shall be decreased by a percentage, equal to the percentage decrease in such average month-end sum, multiplied by four-fifths;

- (iii) for the purposes of this sub-paragraph, "notes in circulation" means the notes in circulation outside the South African Reserve Bank, as published in the weekly Statement of Assets and Liabilities of the South African Reserve Bank, and "coin liability" means coin held by the banking sector plus coin in circulation, as published in the Quarterly Bulletin of the South African Reserve Bank.

2. After the expiry of a period of two years from the date of entry into force of this Agreement, the amounts referred to in paragraph 1 (d) and the provisions of paragraph 1 (e) shall at the request of any contracting party concerned be reviewed in the light of information then available.

3. Should the Governments of Lesotho or Swaziland decide to issue currency referred to in Article 2.2 (a), the compensatory payments in terms of this Article shall accrue to either such Government on a *pro rata* basis up to the date of such issue and the making of any compensatory payments in respect of any period subsequent to such date shall be subject to negotiation between the Government of South Africa and the other Government concerned.

4. Should this Agreement terminate or a contracting party withdraw from it, the compensatory payments in terms of this Article shall accrue to the Governments of Lesotho and Swaziland in the case of termination, and to the contracting party withdrawing in the case of withdrawal, to the date upon which such termination or withdrawal, as the case may be, becomes effective, and shall be payable by the Government of South Africa *pro rata* to such date and within three months thereof.

Article 7— Collection and exchange of monetary statistics

The contracting parties shall co-operate with one another in the collection and prompt exchange of such statistical and other data as shall be required for the efficient administration of this Agreement and for the formulation and implementation of monetary and exchange control policies.

Article 8— Consultations and the Rand Monetary Area Commission

1. In order to facilitate the implementation of this Agreement, the contracting parties shall hold regular consultations with a view to reconciling their respective interests in the formulation, modification and implementation of the monetary and foreign exchange policies for the Rand Monetary Area and in regard to any other matter arising under this Agreement and shall for these purposes establish a Rand Monetary Area Commission (hereinafter referred to as "the Commission").

2. Each contracting party shall be represented on the Commission by one

representative and such advisers as it may appoint and decisions of the Commission shall be by consensus of the appointed representatives.

3. The Commission shall —

- (a) for the fulfilment of its functions, convene in regular session at least once in every year and, if so requested by any contracting party, at any other time as soon as possible after receipt of such request;
- (b) expedite as far as possible any business referred to it;
- (c) use its best endeavours to find a solution satisfactory to all the contracting parties in regard to any matter referred to it and make recommendations to such parties accordingly; and
- (d) determine its own procedures, including the establishment of such committees as may be necessary.

4. A contracting party shall respond promptly to any recommendation made to it by the Commission and, should it decide to implement such recommendation, shall do so promptly.

5. In order to enable the other contracting parties to take such action as may be necessary to implement their obligations and protect their interests under this Agreement, the Government of South Africa shall, in circumstances where the urgency of the matter precludes prior consultation with such parties through the Commission, notify them as long as possible in advance of any change in its monetary or foreign exchange policies or in the administration thereof, including any amendments of the exchange control provisions, which could affect the interests of such other parties; or, should notification in advance have been impossible because of the nature of the matter, shall notify them immediately after such change.

6. Should a contracting party wish to consult another contracting party on any major issue arising under this Agreement but not directly affecting all the contracting parties, it may consult with such other contracting party but shall in advance notify the remaining contracting party of its intention to do so and shall as soon as possible thereafter furnish it with a report on the results of the consultations and such report shall also be laid before the Commission at its following meeting.

Article 9— Settlement of disputes

1. Should any dispute arise between any of the contracting parties concerning the interpretation or application of this Agreement, they shall make every effort to settle the dispute amicably and in good faith and any dispute which cannot be so settled shall be submitted to an Arbitral Tribunal as hereinafter provided.

2. The Arbitral Tribunal shall consist of three arbitrators: one to be appointed by each of the parties to the dispute and the third, who shall be President of the Tribunal, to be appointed by agreement of the parties to the dispute.

3. (a) Any contracting party may institute arbitration proceedings by giving written notice thereof to the other party to the dispute and such notice shall set forth the nature of the dispute, the nature of the relief sought and the name of the arbitrator appointed by such contracting party.

(b) The other party to the dispute shall within 30 days of such notice appoint its arbitrator and advise the first party of the name of such arbitrator and, should it fail so to appoint an arbitrator within the time specified for such appointment, such arbitrator shall be appointed by the President of the Tribunal.

(c) Should the parties to the dispute fail to agree on the appointment of the President of the Tribunal within 60 days of the notice referred to in subparagraph (b), then, at the request of either party, the Managing Director of the International Monetary Fund or, failing him, the President of the Bank for International Settlements, shall appoint a person as President who shall, however, not be a national or former national of any contracting party or a resident or former resident in any part of the Rand Monetary Area.

(d) Any vacancy occurring in the Tribunal, whether before or after its proceedings have begun, on account of an arbitrator's death, resignation or incapacity to act, shall *mutatis mutandis* be filled in accordance with the procedure prescribed for the original appointment.

4. (a) The Tribunal shall convene at a time and place to be fixed by the President and shall then determine where and when it shall thereafter sit.

(b) Subject to the provisions of this Article and except as the parties to the dispute may otherwise agree, the Tribunal shall determine all questions relating to its competence and procedure.

(c) All decisions of the Tribunal shall be by a majority vote of the members but in the event of there being no majority vote, the President shall have a casting vote in addition to a deliberative vote.

(d) The Tribunal shall afford both parties to the dispute a fair hearing and may render an award by default.

(e) The deliberations of the Tribunal shall remain secret, unless the parties to the dispute otherwise agree.

5. (a) The award of the Tribunal shall be in writing and signed by the members who voted for it and shall constitute the award of the Tribunal, and a signed counterpart of such award shall be transmitted to each party to the dispute.

(b) The award of the Tribunal shall be definitive and binding on the parties to the dispute and shall be duly and expeditiously carried out by them.

(c) During a period of 30 days after the award has been communicated to the parties to the dispute, the Tribunal may, either of its own accord or at the request of either party, rectify any clerical, typographical or arithmetical error in the award, or any obvious error of a similar nature and shall forthwith communicate any such rectification to both parties.

(d) Any dispute between the parties as to the meaning and scope of the award shall at the request of either party and within 60 days of the rendering of the award be referred for decision to the Tribunal which rendered the award.

6. (a) The parties shall fix the amount of the remuneration of the arbitrators and such other persons as shall be required for the conduct of the arbitration proceedings and should the parties not agree on such amount before the Tribunal convenes, the latter shall fix such amount as may be reasonable.

(b) Each party to the dispute shall bear its own costs in connection with any arbitration proceedings and the costs of the Tribunal shall be borne by them in equal shares;

Provided that in the event of disagreement between the parties as to the amount or division or the procedures for the payment of any costs, the Tribunal shall at the request of either party to the dispute decide the matter on an equitable basis.

Article 10— Entry into force, accession, termination and withdrawal

1. The Agreement shall enter into force upon the date of its signature by all the contracting parties.

2. Any other State may with the agreement of all the contracting parties accede to this Agreement.

3. This Agreement shall terminate if and when the contracting parties shall so agree or it ceases to apply to the Government of South Africa.

4. Should a contracting party wish to withdraw from this Agreement, it shall give written notice of its intention to the other contracting parties and, unless the contracting parties shall otherwise agree, the Agreement shall, except in so far as is provided in paragraph 6, cease to apply to that party with effect from a date twelve months after the date of such notice.

5. Subject to the provisions of paragraph 6, and unless the contracting parties concerned otherwise agree, termination of this Agreement or withdrawal from it shall, until the date on which such termination or withdrawal, as the case may be, becomes effective, be without prejudice and subject to the performance of any rights or obligations already accrued or incurred in terms of this Agreement prior to such date.

6. Upon termination of this Agreement or upon withdrawal from it, the Government of South Africa shall at the request of another contracting party in the case of termination, or at the request of the party withdrawing in the case of withdrawal, exchange any Rand currency which at the relevant date is in circulation in the area of such contracting party or is held by it on deposit in South Africa and is presented by it for exchange within twenty-four months of such date, for acceptable Rand assets and acceptable convertible foreign

currencies in a ratio equivalent to the ratio of the total amount of the domestic assets of the South African Reserve Bank to the total amount of gold, special drawing rights and foreign exchange of the South African Reserve Bank as set out in its weekly statement published immediately prior to the relevant date;

Provided that the Government of South Africa shall not be obliged so to exchange any acceptable Rand assets received in terms of this paragraph.

7. For the purpose of this Article —

- (a) “acceptable convertible foreign currencies” means currencies which at the time of payment are convertible in terms of the Articles of Agreement of the International Monetary Fund and acceptable to a contracting party requesting an exchange in terms of paragraph 6;
- (b) “acceptable Rand assets” means any deposit with the South African Reserve Bank and/or any South African Government securities acceptable to a contracting party requesting an exchange in terms of paragraph 6;
- (c) “relevant date” means the date on which termination or withdrawal, as the case may be, shall become effective, or such other date as may be agreed upon between the Government of South Africa and another contracting party requesting an exchange in terms of paragraph 6;
- (d) in making any payments —
 - (i) the value of acceptable Rand assets shall be their market value on the date of exchange; and
 - (ii) the value of one currency in terms of another shall be determined on the basis of the preferential rate of exchange applicable to transactions of the Government of South Africa on the date of exchange.

Article 11 — Notices and Requests

1. Any notice, advice or request required or permitted to be given or made under this Agreement shall be in writing and such notice, advice or request shall be deemed to have been duly given or made to the contracting party to which it is required or permitted to be given or made at such contracting party’s address set out below, or at such other address as such party shall have designated by notice to the contracting party giving such notice or advice, or making such request —

- (a) if posted by first class mail, on the sixth day after the date of posting thereof;
- (b) if communicated by telegram, cable or radiogram, on the day following the date of dispatch thereof; and
- (c) if delivered by hand, at the time and date of such delivery.

2. The address of each contracting party shall, until otherwise designated by it, be as follows —

Lesotho:

The Permanent Secretary, Ministry of Finance
P.O. Box 395, Maseru, Lesotho
Cable Address: Finmin, Maseru
Telex Number: 5453-330

South Africa

The Secretary for Finance
Private Bag X115
Pretoria
0001
Cable Address: Findep, Pretoria
Telex Number: 3-618

Swaziland:

The Permanent Secretary
Ministry of Finance and Economic Planning
P.O. Box 443
Mbabane
Swaziland
Cable Address: Minfin, Mbabane
Telex Number: SAX 36

IN WITNESS WHEREOF the undersigned, being duly authorised thereunto by their respective Governments, have signed this Agreement.

Done at Pretoria, this fifth day of December 1974, in triplicate.

For the Government of the Republic of South Africa:
N. DIEDERICHS

For the Government of the Kingdom of Swaziland:
R.P. STEPHENS

For the Government of the Kingdom of Lesotho:
R. SEKHONYANA

B. Agreement between the Governments of the Kingdom of Lesotho, the Kingdom of Swaziland and the Republic of South Africa. Cape Town, 18 April 1986.

Preamble

WHEREAS on the 5th day of December 1974 the Governments of the Kingdom of Lesotho, the Kingdom of Swaziland and the Republic of South Africa

(hereinafter referred to as "the Contracting Parties") entered into an agreement (hereinafter referred to as "the Agreement") for the purpose of formalising and regulating monetary arrangements amongst themselves;
AND WHEREAS it is considered desirable by the Contracting Parties that the said Agreement should be amended so as to permit the application of that Agreement with modifications either as amongst all the Contracting Parties or in respect of any of them;
NOW THEREFORE, the Contracting Parties hereby agree as follows:

Article 1

This Amending Agreement shall come into force on the 1st April 1986.

Article 2

The Agreement is hereby amended —

- (a) by the substitution for the title of the Agreement of the following title:
"TRILATERAL MONETARY AGREEMENT BETWEEN THE GOVERNMENT OF THE KINGDOM OF LESOTHO, THE GOVERNMENT OF THE KINGDOM OF SWAZILAND AND THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA.";
- (b) by the substitution for the preamble to the Agreement of the following preamble:
"The Government of the Kingdom of Lesotho, the Government of the Kingdom of Swaziland and the Government of the Republic of South Africa (hereinafter referred to as the Contracting Parties) —
Acknowledging the advantages of maintaining a Common Monetary Area;
Desirous of formalising the monetary arrangements in the Common Monetary Area in an agreement;
Considering that the monetary arrangements should provide for the sustained economic development of the Common Monetary Area as a whole;
Desirous of ensuring, in particular, that the arrangements should encourage the advancement of the less developed members of the Common Monetary Area and should afford to all parties equitable benefits arising from the maintenance and development of the Common Monetary Area as a whole; and
Recognising that each of the Contracting Parties is responsible for its monetary policy and the control of its financial institutions;
Have agreed as follows:";
- (c) by the substitution for the expression "Rand Monetary Area", wherever it occurs, of the expression "Common Monetary Area" and for the expressions "contracting parties" and "contracting party", wherever

- they occur, of the expressions "Contracting Parties" and "Contracting Party", respectively;
- (d) by the insertion, in Article 1, of the following definitions after the definition of "authorised dealer":
 - "Central Bank of Lesotho" means the Central Bank of Lesotho established by the Lesotho Monetary Authority Act, 1978, as amended;
 - "Central Bank of Swaziland" means the Central Bank of Swaziland established by the Central Bank of Swaziland Order, 1974, as amended;
 - "Common Monetary Area" means the area in which exchange and monetary arrangements are co-ordinated in accordance with this Agreement;
 - (e) by the substitution, in Article 1, for the definition of "foreign exchange" of the following definition:
 - "'foreign exchange' means any currency other than currency issued in terms of Article 2.2;";
 - (f) by the deletion, in Article 1, of the definition of "Rand Monetary Area";
 - (g) by the substitution for Article 2 of the following Article:

Article 2—Legal Tender

1. No currency other than currency referred to in paragraph 2 shall be legal tender in the Common Monetary Area.
2. The Contracting Parties shall each have the right to issue currency in the form of—
 - (a) national notes and coin; and
 - (b) commemorative coin;

Provided that any arrangements in respect of any national note and coin issue other than Rand currency shall be subject to prior agreement between the Government of South Africa and the issuing Government. Such agreements shall define the area in which the respective currencies shall constitute legal tender.”;

 - (h) by the insertion, in paragraph 3 of Article 4, before the word "timing", of the word "conditions";
 - (i) by the deletion, in paragraph 4 of Article 4, of the words "in its capacity as lender of last resort";
 - (j) by the substitution, in paragraph 2 of Article 5, for the words "the Governments of Lesotho and Swaziland" of the words "the Contracting Parties";
 - (k) by the deletion, in paragraph 4 of Article 5, of the words "other than nationals of countries outside the Rand Monetary Area, temporarily working in Lesotho and Swaziland";
 - (l) by the substitution, for paragraph 5 of Article 5, of the following paragraph:

- “5. The Central Bank of Lesotho and the Central Bank of Swaziland as well as the authorised dealers in Lesotho and Swaziland shall have access to the foreign exchange market in South Africa. Such access shall be regulated in terms of bilateral agreements between the Government of South Africa and the Governments of the other Contracting Parties.”;
- (m) by the substitution, in paragraph 7 of Article 5, for the words “Lesotho or Swaziland” of the words “the Contracting Parties”;
 - (n) by the substitution, in paragraph 5 of Article 8, for the words “the Government of South Africa” of the words “a Contracting Party”;
 - (o) by the substitution, in paragraph 3(c) of Article 9, for the expression “sub-paragraph (b)” of the expression “sub-paragraph (a)”;
 - (p) by the insertion, in the heading to Article 10, of the word “**AMENDMENT**” after the word “**ACCESSION**”;
 - (q) by the substitution for paragraph 1 of Article 10 of the following paragraph:

“1. This Agreement shall enter into force upon the date of its signature by all the Contracting Parties, and may be amended by agreement of all the Contracting Parties.”;
 - (r) by the deletion, in paragraph 3 of Article 10, of the words “or it ceases to apply to the Government of South Africa”;
 - (s) by the insertion, in paragraph 6 of Article 10, after the word “circulation” of the words “as legal tender”, and by the substitution, in the said paragraph, for the word “weekly” of the word “monthly”;
 - (t) by the substitution in paragraph 2 of Article 11 —
 - (i) for the expression “The Secretary for Finance” of the expression “The Director-General: Finance”; and
 - (ii) for the expression

“The Permanent Secretary Ministry of Finance and Economic Planning”
of the expression
“The Principal Secretary Ministry for Finance”; and
 - (u) by the addition of the following Article:

“Article 12 — Bilateral arrangements

The Contracting Parties may on a bilateral basis conclude agreements on monetary matters which are not incompatible with the provisions of this Agreement provided that no two Contracting Parties shall, without prior notice to the remaining Contracting Party, enter into any such agreement.”.

IN WITNESS WHEREOF the undersigned, being duly authorised thereunto by the respective Governments, have signed this Agreement.

DONE at Cape Town this 18th day of April 1986 in triplicate.

For The Government of The Kingdom of Lesotho

For The Government of The Kingdom of Swaziland

For The Government of The Republic of South Africa

Zimbabwe

The following section is devoted to a series of extracts from recent official utterances by Zimbabwean members of government. It is hoped that their content will give some insight into Zimbabwe's attitudes on aspects of policy, both internal and external.

Extracts from a statement by the Zimbabwe Minister of State (Security), Cde Emmer-son Mnangagwa, at a press conference in Harare on 29 November 1985.

The Government of Zimbabwe categorically denies any knowledge whatsoever of the landmine incidents which South Africa has reported to have occurred on a road in the Northern Transvaal, and Zimbabwe reiterates its stance that its territory will not be used as a springboard against any neighbouring country. Zimbabwe has no military bases for the ANC or PAC. Our material and financial aid to our brothers is channelled through the OAU's Liberation Committee.

... The South African military has been itching for an excuse to invade Zimbabwe ever since independence 1980 and achieve the penultimate in its destabilisation policy in conformity with its regional strategy to bring all its black independent neighbours under its wings. Up till now, Zimbabwe had been the only outstanding neighbour that had not been overtly victimised, Pretoria being content with economic, political and psychological destabilisation in complementarity with its logistic support for banditry.

On the economic front the South African destabilisation activities have been directed against Zimbabwe's transport routes through Mozambique, including the oil pipeline. For the past five years the cost to Zimbabwe of the South African destabilisation policy ran into millions of dollars, ranging from the budget cost of maintaining an army in Mozambique to protect the oil pipeline — the cost of lost product — cost of repair to the damaged oil

pipeline, additional cost through re-routing of goods traffic in terms of increased tariff (paid in foreign exchange), the cost of delayed contracts, damaged goods and so on.

One of the main points to note, with the sabotage on the Selati Line, was that it invariably always happened when there were a number of Jet AI wagons somewhere on the line or awaiting transportation. Needless to say, that created 'a crisis' in Zimbabwe to a point where it was necessary to purchase Jet AI from South Africa, the worst being in early 1984 when one of the fuel suppliers informed British Airways that there was no fuel in Zimbabwe. This became politically embarrassing for Zimbabwe. Jet AI is now being transported through the oil pipeline.

The most overt of South Africa's destabilisation activities against Zimbabwe is its logistic support for bandits, specifically the 'Super-ZAPU' faction. Taking advantage of disgruntled political malcontents from Zimbabwe's minority parties the South African military establishment saw an opportunity to create a 'resistance movement' on the lines of MNR bandits in Mozambique, to achieve the same objective to destabilise the fledgling governments in its neighbours so that they forgo developmental projects.

Super-ZAPU bandits have been trained, equipped, and infiltrated into Zimbabwe. In addition to this, specialised commando groups have been sent on missions within Zimbabwe, one of which was accounted for by the Zimbabwe security forces in the Sengwe Communal Lands in 1984. Units are still being infiltrated into the country to identify so-called training camps and logistic facilities in Harare itself and the country at large. Going by the modus operandi of the SADF mere diplomatic officers of South African liberation movements would be targeted for attack and planted evidence of 'captured' weapons and incriminating documents shown to selected journalists as proof and justification of the attack.

On several occasions the South African Air Force (SAAF) has violated Zimbabwe air space for the purpose of gathering intelligence on the deployment of ZNA troops. The latest of such violations was on 24 September 1985, when jet fighters and helicopters crossed over 100 kilometres into the south-east corner of Zimbabwe. The intelligence gathered is used in the deployment of both SADF specialised reconnaissance and commando groups and is inevitably passed on to Super-ZAPU bandits.

The capture and interrogation of Super-ZAPU bandits has supplied evidence of South African support, through the provision of training facilities for anti-Zimbabwe Government elements, in the Northern Transvaal, and the re-supply of weapons and ammunition.

One such group was detected in the Mwenezi area in December 1982, when a number were killed and two captured. The captured bandits admitted having infiltrated, with other members of their gang, from the Republic of South Africa, with weapons and explosives. Both captives were subse-

quently convicted and sentenced to death by the High Court.

An examination of their rifles showed that the original maker's numbers had been removed from the weapons and new numbers had either been stamped or engraved onto them, to disguise their origins.

... Between December 1982 and the middle of 1983, when RENAMO bandits were making a concerted effort to close the lines of rail and the oil pipeline in Mozambique, Super-ZAPU bandits mounted attacks against railway trains on our line to Botswana, using small-arms, rockets and explosives, and, on one occasion, an anti-tank landmine.

Thus, the only line of rail which remained unaffected, at that time, was that link which passes through the Republic of South Africa.

A further example of direct South African destabilisation occurred in August 1982, when a group of black and white soldiers, all members of the South African Defence Force, were detected while en route through the Sengwe Communal Land, in the south-east of Zimbabwe, to Nyala Siding. Three white soldiers were killed in a contact with the Zimbabwe National Army and explosives and sabotage devices were recovered. It is common cause that Nyala Siding was the base for a Railways of Zimbabwe repair team, who had responsibility for maintaining a section of the line within Mozambique, and their heavy equipment was the probable target.

The South African government tried to dismiss the incident as being the work of disillusioned former-Rhodesian servicemen, who had acted without the knowledge or authority of their superiors, and although admitting that the group were members of the South African Defence Force, they claimed that they were intent on freeing detainees from an unnamed detention centre.

This was a blatant distortion of the truth, as no such centre exists, and neither has one since the days of the Smith regime, which ran the notorious Gonakudzingwa Camp, in that general area.

The South African intelligence services continue to recruit agents and run spy networks into Zimbabwe, as they have from the outset of independence, and seem determined to obtain an over-view of Zimbabwean affairs by clandestine means.

It will be recalled that, during the first year of our independence, a Captain Gericke, who was an army engineer, was arrested for espionage, and was later helped to escape from custody by South African intelligence agents and a white police officer.

Early in 1982, two white Zimbabwean intelligence officers were arrested for spying on behalf of the South Africans, to whom they provided information on the activities of members of South African liberation movements, one of whom, Joe Goabi, the ANC representative in Zimbabwe, was assassinated, earlier in the year, when unidentified gunmen shot him to death outside his home in a Harare suburb.

While these cases have received wide publicity, they are not isolated inci-

dents and, earlier this year, another South African spy ring was discovered to be operating in the Beitbridge area. They had been tasked to obtain military intelligence regarding the movement and disposition of our forces.

In the past three years, there have been ten cross-border incidents, involving South African Defence Force personnel and white farmers, who have engaged in random shootings at persons and domestic animals across the Limpopo River in the Beitbridge area. In one incident a young girl was killed, and in another, a woman was seriously injured. Members of the South African Defence Force have crossed into Zimbabwe illegally, to recover allegedly stolen cattle and, in one instance, to abduct an alleged stock thief, whom they took back into the Republic of South Africa.

On two occasions, Security Force patrols, operating inside the Zimbabwe border, have been fired upon by South African troops from within South Africa.

The latest incidents occurred on November 25 and 26, this year [1985], when South African Defence Force personnel crossed illegally into Zimbabwe, in the vicinity of Chicualacuala, to the east of Beitbridge, and carried out checks of the area, before returning into South Africa.

Extracts from Prime Minister, Cde Robert Mugabe's New Year Message to the people of Zimbabwe, 31 December 1985.

... As a nation we have accepted a democratic political order enshrined in our Constitution. Twice now, first in 1980 and second in June this year, we have gone to election and, on both occasions, the free and fair election exercise has yielded a resounding victory for my party. Let me once again thank you, the people of Zimbabwe and our nation, for your confidence in my party, in my leadership, and in my Government. May I assure you that your wishes will remain our law of action! For, Government is Government by your wish!

There are those very few amongst you who will not allow themselves to be bound by the wishes of the majority of our people and who continue to resort to lawless acts of brutality and harassment in Matabeleland in order to achieve their political objective of putting their party and leadership in power. At the same time South Africa, in addition to being a sponsor of these dissident and bandit activities destabilising our country, is now seeking to attack us for the irreversible insurgence of non-whites caused by her own evil system of apartheid.

Forces

In these circumstances of external and internal hostility the role of our security forces, that is, of the army, air force, police and prison forces, becomes

crucial. I take this opportunity, on behalf of our Government and the people of Zimbabwe, to commend the people's forces very highly for their loyalty, dedication to service, vigilance, discipline and efficiency. I trust they will keep these ideals afloat! For we cannot afford to be complacent in circumstances in which both the internal and external enemies of Zimbabwe are plotting to destabilise and ruin our sovereign independence.

This also is an opportunity for me to commend our defence forces for their high-level performance in the joint military operations we are engaged in with the FAM forces in the protection of our communications lines in Mozambique. The enemy has indeed been dealt a series of severe blows. I trust our gains will soon be consolidated so the enemy can be completely annihilated.

Our involvement in the Mozambican anti-bandit operations is neither an *act of charity nor an act merely to enhance Mozambican independence and our own*, but one which also will help to create peace in our region. We harbour no aggressive designs against our neighbours, all of whom, except the South African apartheid regime, reciprocate in maintaining the policy of peaceful co-existence with us.

At our independence we became a member of the Frontline States forum; a member of the OAU; of SADC and of the PTA; to mention only those organisations in Africa. But as you know, in 1980 we also became a member of the United Nations, the Commonwealth, and the Non-Aligned Movement. Although non-aligned, we have maintained diplomatic and other bilateral relations on the basis of friendly and reciprocal co-operation in various fields with both Western countries, and Eastern socialist countries, as, indeed, with developing or Third World countries.

I have, in order to enhance Zimbabwe's friendly relations abroad, paid official visits to most socialist countries (and only early this month to the Soviet Union and Austria). I have visited most Western countries (including the United States); have paid visits to China, India, Pakistan and Japan and recently to Cuba, Nicaragua and Guyana. Over and above these visits there have been those to several African countries. We thus have now established ourselves as a nation among other nations, big and small. It is not surprising, therefore, that Zimbabwe has been chosen as the venue for the next non-aligned summit. Let us strive to live up to the expectations of our friends and allies of the Third World.

Extracts from a speech by His Excellency, the President of Zimbabwe, Rev. the Hon. Canaan Banana in Mbare, 19 January 1986.

... The church has a mission in society, the mission of renewal, reassurance and reaffirmation of basic human rights among the oppressed, the

wretched and the marginalised. As Christians, our primary focus and commission is service to man, and our concern is with his liberation from all physical and spiritual impediments that hinder his becoming fully human. The problems that undermine man's humanity have, of necessity, to be tackled on a wider and multi-dimensional front, including the political, social, economic as well as spiritual fronts. Therein must the church find its mission and calling.

The church is part and parcel of society. It is not — or should not be — an institution apart. Christians and non-Christians must march together with the world, and in the world. Some wise people say the world is the agenda of the church. John Wesley put it even more graphically when he said, 'The world is my parish'.

True Christians have an added perspective to the world problems which they derive from the gospel of Christ, which impels them to act as catalysts for human transformation. The gospel challenges us Christians to witness in the here and now to humanity in all its wretched as well as its sublime condition. Too often Christians have reduced the church to an archival and archaeological repository in which the faithful are engaged in digging up past traditions and rituals, and Christianity has become an anachronism of our time.

... There are many catastrophes and challenges facing mankind today to which the churches and all those who profess to be Christians must respond in a new and fresh manner. Churches, especially in socialist Zimbabwe, are tasked to bring about meaningful change in the structural basis of our inherited systems — the economic, social, moral and religious environments of our society. Time is not on our side to ponder and meditate over the condition of mankind in a leisurely manner.

The need for change is urgent and immediate. Evolutionary and leisurely pace must be replaced by revolutionary tempestuous strides. Our political revolution that overthrew the suffocating yoke of colonialism and settlerism ushered in a new era of hope and aroused our people's expectations. If the church leadership is not responsive to this new mood, it will be swept aside by the torrent tide of the people's stampede as they briskly march forward to new horizons.

... There has been so much talk about whether the churches should involve themselves in the secular issues of society. But the churches are of this world. They have to be part and parcel of the people they seek to serve, or they will be like fish out of water — lifeless and irrelevant. In Zimbabwe, the church has to be part of the transformation process. Christians should be better placed to respond to our situation, since the Christian church has a much longer history of socialism than the five or so years of Zimbabwe's independence.

... You cannot find a more practical example of fellowship and common

solidarity than this. This is socialism at its best, people living as a collective and being sustained by their collective efforts. Is it not ironic that while Government talks of a socialist society in Zimbabwe, Christians raise their hands in horror? In my view, Christians should be the ones in the forefront of the socialist transformation of this country, and be in the vanguard of the country-wide co-operatives movement in our agricultural and industrial ventures.

It would appear to me that the Christian traditions have become contaminated by the western cultural values of individualism and the so-called sanctity of private property. African theologians have a duty and a responsibility to cleanse Christianity of the garbage of outmoded dogmas that have polluted it. Our own African way of life, our traditions and our cultural values have always emphasised our inter-dependence, co-operation and mutual solidarity. The tendency towards individualism and cut-throat competition is foreign to us. We are by upbringing adverse to individual progress and individual advancement at the expense of and to the detriment of the other people in the collective. Government's socialist ideal is aimed at promoting the greatest good for the greatest number in our society. One would hope that the churches would also seek to promote the same.

Christianity in our churches is really still western in culture, with its theology largely based on abstract principles and dogmatic assertions which do not repond to the new situations of the people of the developing countries such as Zimbabwe. Traditional theology tends to domesticate God whereas our God is a universal God who transcends geopolitical and cultural boundaries. Thus today we need a strategy to decolonise our churches, to cleanse the believers' minds from religious imperialism. There are many in our midst who still bear the scars of our colonial past. The message of the gospel must be a message of hope capable of healing the bleeding wounds of the victims of political and socio-economic injustice. Let us not forget that there is many an African who was deformed by a sense of self-rejection, and many a white who was deformed by a false sense of superiority.

There have been some administrative, structural and organisational changes in the Zimbabwean Christian churches, but very little in terms of content. The human resources have not been sufficiently cultivated and developed. We still lack sufficient theologians and scholars who can analyse and develop the new theology of a liberated people, who can relate theology to development. We need indigenous cadres who in the final analysis must determine an essentially African *raison d'être*, who can speak from experience rather than history. There is the need to liberate Christianity from the stranglehold of western cultural values.

South Africa and the UN: the Cross-Border Raids

Revised Draft Resolution of the Security Council on South Africa's Aggression against Botswana, Zambia and Zimbabwe. No. S/18087, submitted during the UN Security Council Meeting on South Africa, 23 May 1986

The Security Council,

Having considered the requests of the Permanent Representative of Senegal to the United Nations and the Chargé d'affaires a.i. of the Permanent Mission of Zambia to the United Nations (S/18072 and S/18076),

Bearing in mind that all Member States are obliged to refrain in their international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State or in any other manner inconsistent with the purposes and principles of the United Nations,

Gravely concerned at the tension and instability created by the hostile policies and aggression of the *apartheid* régime throughout Southern Africa and the mounting threat they pose to the security of the region and its wider implications for international peace and security,

Recalling its Resolution 418 (1977) of 4 November 1977 in which it determined, having regard to the policies and acts of the South African Government, that the acquisition by South Africa of arms and related *matériel* constitutes a threat to the maintenance of international peace and security and, therefore, established a mandatory arms embargo against South Africa.

Recalling also its Resolutions 567 (1985), 568 (1985), 571 (1985), 572 (1985) and 580 (1985), by which, *inter alia*, it condemned South Africa's aggression against Angola, Botswana and Lesotho,

Recalling further its Resolution 581 (1986) of 13 February 1986 by which, *inter alia*, it strongly condemned racist South Africa for its threats to perpetrate acts of aggression against Frontline States and other States in Southern Africa,

Gravely concerned also at the threats to peace and security in Southern Africa created by the acts of aggression by the racist régime of South Africa in Botswana, Zambia and Zimbabwe on 19 May 1986,

Deeply shocked at the loss of life and damage to property caused through these wanton unprovoked military raids into Botswana, Zambia and Zimbabwe,

Convinced that the root cause of racial violence in South Africa is the perpetuation of the obnoxious system of *apartheid*, which has already been termed by the international community a crime against the conscience and dignity of mankind,

Cognizant of the fact that peace and stability in Southern Africa will only be attained when the *apartheid* system has been completely eradicated,

Convinced also that the system of *apartheid* is encouraged and maintained by the political and economic support which the racist régime of South Africa receives from certain countries,

Noting that the so-called policy of constructive engagement has not succeeded,

Bearing in mind also that the racist régime in South Africa has blatantly ignored numerous calls by the international community to effect peaceful change in South Africa,

Reiterating that people of all races, colours and creeds throughout the world are entitled freely to determine their political, social and economic structures,

Reaffirming its recognition of the legitimacy of the struggle of the South African people for the elimination of *apartheid* and the establishment of a democratic society in accordance with their inalienable rights as set forth in the Charter of the United Nations and in the Universal Declaration of Human Rights,

Reaffirming also the right of all countries to give sanctuary to refugees fleeing from the oppression caused by the *apartheid* system,

Taking note of the communiqué of the Ministers of the Frontline States issued in Harare, Zimbabwe, on 20 May 1986 in which, *inter alia*, they called for the imposition of mandatory and comprehensive economic sanctions against the South African régime,

Taking note also of the efforts of the Eminent Persons Group in the search for a peaceful solution to the situation in Southern Africa,

Recalling further its Resolution 569 (1985) of 26 July 1985 by which, *inter alia*, it urged States Members of the Organization to adopt economic measures against South Africa,

1. *Strongly condemns* the racist régime of South Africa for the recent military raids into Botswana, Zambia and Zimbabwe;
2. *Expresses* condolences to the Governments and peoples of Botswana and Zambia for the loss of life resulting from the recent military raids by the racist régime of South Africa;
3. *Demands* full and adequate compensation by South Africa to Botswana, Zambia and Zimbabwe for the loss of life and damage to property resulting from such acts of aggression;

4. *Commends* the Governments of Botswana, Zambia and Zimbabwe for the support being rendered to refugees from South Africa;
5. *Expresses further* its solidarity with the people of South Africa in their struggle for freedom and justice in the land of their birth;
6. *Acting in accordance* with the provisions of the Charter of the United Nations:
 - (a) *Determines* that the policies and acts of the racist régime of South Africa constitute a threat to international peace and security;
 - (b) *Decides* to impose the following selective economic and other sanctions against the South African régime as an effective means of combating the *apartheid* system and bringing peace and stability to Southern Africa:
 - (i) Suspension of all new investments in South Africa;
 - (ii) Prohibition of the sale of kruggerands and all other coins minted in South Africa;
 - (iii) Suspension of guaranteed export loans;
 - (iv) Restrictions in the field of sports and cultural relations;
 - (v) Prohibition of all new contracts in the nuclear field;
 - (vi) Prohibition of all sales of computer equipment;
7. *Requests* the Secretary-General to continue to monitor the situation in Southern Africa and to report thereon by the end of August 1986;
8. *Decides* to remain seized of the matter.

Statement by the South African Ambassador to the UN Mr K. Von Schirnding during the UN Security Council Meeting on South Africa, 22 May 1986

As members of the Council are of course aware, on 19 May small elements of the South African Defence Force attacked a terrorist operational centre and transit facility in Harare, a terrorist transit facility situated at Mogaditsano, outside Gaborone, and a terrorist operational centre 15 kilometres south-west of Lusaka.

It will be recalled that we informed the Council during its meetings on 10, 20 and 21 June last year, and again on 30 December 1985, that South Africa had been obliged, and would be obliged, to take action against terrorist bases from which violence in South Africa is planned and implemented. The South African Government has issued frequent warnings that it will have to take action if Governments tolerate the harbouring of terrorists engaged in hostile actions against South Africa.

After a meeting of the South African State Security Council on 20 December 1985, it was stated that repeated representations by the South African Government, based on irrefutable evidence concerning the presence and activity of terrorist elements in those countries, had been to no avail. Terrorist elements continue to operate in Zimbabwe, Botswana and Zambia.

Frequent representations have been made to the Governments concerned to curtail the activities of the ANC inside their territories, and in particular the planning and execution of violence from their territories. They were requested to take appropriate measures to prevent the infiltration of terrorists from those territories. I repeat that the South African Government has issued frequent warnings that it will have to take action if Governments tolerate the *harbouring of terrorists engaged in violent actions against civilians in South Africa.*

It cannot be expected of the South African Government that it should continue its reform process while terrorist forces remain adamant that they are not interested in a negotiating process, but will continue their violence until power is handed over to them in order that they may rule the country on the basis of norms and standards which no one in the free world could support.

It has always been the South African Government's belief that the problems of Southern Africa should be solved in a peaceful way by the leaders of the region. For that reason urgent appeals have been made to neighbouring Governments to give urgent attention to the problem, with a view to reaching an understanding on effective and practical arrangements between the respective security forces to ensure that the countries of the region were not used for the planning or execution of acts of sabotage or terrorism against each other.

In that context President Botha stated during an address to the South African Parliament on 19 June 1985:

It is simply unacceptable to us that our neighbours pay lip-service to the principle that States should not make their territories available for the launching of terrorist attacks against their neighbours, while at the same time harbouring terrorists in their countries . . .

President Botha went on to say:

On behalf of the South African Government I once again offer to all our neighbours a hand of friendship and a readiness to come to an understanding on the basis of certain ground rules which in my opinion ought to form the guidelines for regulating and normalizing our relations. These ground rules include an unqualified prohibition on support of cross-border violence or the planning of such violence, the removal of foreign forces from the region, the peaceful resolution of disputes, regional co-operation in meeting common challenges, and toleration of different socio-economic and political systems within our region.

During his address to the South African Parliament on 31 January 1986, President Botha reiterated the South African Government's desire to live in friendship with its neighbours. He said:

Let us come to an agreement on the specific rules of the game regulating the conduct of neighbours towards one another, rules that are honoured by all civilized nations. The Governments should give tangible expression

to such a common desire for peace and stability.

I want to propose, therefore, that we give urgent and serious consideration to the establishment of a permanent joint mechanism for dealing with matters of security, particularly threats to the peace and prosperity of our subcontinent.

It makes no difference in which capital the secretariat of such body will be located. What matters is that the countries in the region should find a way to promote our joint security to everyone's advantage. Should this offer by the Republic of South Africa be rejected, we would have no choice but to take effective measures in self-defence to protect our country and population against threats.

On 17 April 1986 a statement was made by President Botha in Parliament in which evidence was presented of the use by South African terrorist movements of neighbouring countries as bases for operations against South Africa. Excerpts from that statement were sent on 18 April 1986 to the Governments of neighbouring States with the request that they co-operate with South Africa in eradicating the terrorist threat to all of Southern Africa. To date no response has been received from those Governments.

In the actions of 19 May the greatest care was taken not to involve local citizens. The South African Government has no quarrel with the peoples of our neighbouring countries, but they are often used as a shield behind which terrorists seek to shelter.

The international community has made it clear that it rejects terrorism and that violence should not be used for the achievement of political aims. Terrorism cannot be deplored in one area and condoned in another. And yet it has been stated frequently by the Governments of South Africa's neighbouring States that they support the aims and actions of the ANC in what they see as that terrorist organization's so-called legitimate struggle to bring to an end the present system of government in South Africa.

The members of the Council would do well to refer to the statement made by President Botha during the opening of Parliament on 31 January, from which I have already quoted, when he confirmed the South African Government's commitment to negotiation to bring about further constitutional development to broaden the basis of democracy in South Africa. Negotiation between all South Africa's peoples, not violence, will bring about the new and better South Africa we all wish to see created and to which end the South African Government is committed.

My Government has clearly stated that *apartheid* is disappearing. We have stated that we accept power sharing by all the communities up to the highest level of Government. We accept equal treatment and equal opportunities. We accept sovereignty of the law as the basis for the protection of the fundamental rights of individuals as well as of minorities. We accept the sanctity and indivisibility of law and the just application thereof. We accept equality be-

fore the law, protection of human dignity, life, liberty and property of all, regardless of colour, race, creed or religion. We are committed to a democratic system of government, which must be negotiated and must accommodate all legitimate political aspirations of all the South African communities. We accept participation by all South Africans in government through their elected representatives. We are committed to the sharing of power between all communities, but also to the devolution of power as far as possible and the protection of minority rights, without one group dominating another.

Negotiation is the key to the resolution of our internal problems. What we need now is for the outstanding issues to be addressed around a table.

In returning to the issue before the Council, namely, South Africa's action against ANC bases in Zimbabwe, Botswana and Zambia, permit me to emphasize in conclusion that South Africa will not tolerate activities endangering our security. Although we are committed to resolving our differences with our neighbours by peaceful means, we will not hesitate to take whatever action may be appropriate for the defence and security of our own people and for the elimination of terrorist elements who are intent on sowing death and destruction in our country and in our region. We will not allow ourselves to be attacked with impunity. We shall take whatever steps are appropriate to defend ourselves. South Africa, nevertheless, remains convinced that the problems of our region cannot and will not be resolved by violence.

Extracts from Statements by the UK Representative, Sir John Thomson, to the UN during the Security Council Meeting on South Africa 23 May 1986

... I come to a sad subject. My country, Britain, shares the outrage of our Commonwealth partners in Botswana, Zambia and Zimbabwe at the attacks carried out within their countries by the South African Defence Forces. In the words of my Prime Minister, we totally and utterly condemn those raids. We have expressed to our Commonwealth friends not merely our sympathy but our support. We have stood by them, we have been active in our help to them, we shall continue to stand by them. Let South Africa be in no doubt of this. Let South Africa understand that we have never countenanced and shall never countenance cross-border violations and South Africa's illegitimate use of force against its neighbours. The recent threats to renew such attacks are totally unacceptable to my Government.

These attacks have been condemned in the United Kingdom and throughout the international community. Acts such as these can only deepen South Africa's isolation. They are tragically contrary to the long-term interests of all — I repeat, all — South Africans.

How can anyone show understanding of an attack, for example, against a refugee camp in Zambia which is administered by the United Nations High

Commissioner for Refugees? How can anyone show understanding of yet another raid on Botswana, a country which poses no conceivable threat to South Africa and indeed maintains minimal armed forces — a raid which occurred in the middle of discussions between the Governments of Botswana and South Africa designed precisely to prevent such occurrences? These acts raise immediately a question of good faith. How can anyone show understanding of South African complaints about bombs in their own country when they themselves plant bombs in the neighbouring capital of Harare? As I have said repeatedly in this Council and as recent events within South Africa have so tragically reinforced, violence of this kind begets more violence. The South Africans should recognize that they have more interest than anyone else in promoting peaceful political evolution.

These attacks must be condemned by the Council; they must be condemned unanimously so that the South African Government will understand that there is no support at all for its policy of destabilization and aggression. Similarly, it is important that the resolution as a whole should be a unanimous expression of insistence by the international community that *apartheid* should be brought to an end peacefully. The South African attacks have raised questions of the utmost seriousness which the people of South Africa themselves must answer. Even the South African press — for example, the *Cape Times* newspaper in its editorial of 21 May — has said that no convincing military rationale had been offered for the attacks.

What judgement was made by those who ordered those attacks? What was their objective? What sort of future do those now in power in South Africa want? How can it possibly make sense to violate the sovereignty and territorial integrity of Commonwealth neighbours when those same Commonwealth neighbours and their partners are doing all they can to avert further bloodshed and violence, indeed to promote a process of dialogue which would lead to the ending of *apartheid* in the context of a suspension of violence on all sides?

These are very serious questions. They are the questions on which the happiness and prosperity of white and black South Africans are going to depend. Those who gave the orders for these raids, precisely at the time when the Commonwealth group of eminent persons was travelling on its crucial mission between Lusaka and Cape Town, made a grave miscalculation. Time is very short if the Commonwealth initiative is to succeed in its objectives. I hope that the South African Government realize that if they frustrate the Commonwealth initiative they can expect no support from any quarter. They must realize that the British people abhor *apartheid*. We are willing to help to end it peacefully, but there is a limit to this willingness if the South African Government will not co-operate.

At Nassau, last October, Commonwealth Heads of Government agreed to review progress and to consider their further actions after a six-month

period. Arrangements are already being made for a meeting to that end. In this context, I would remind the South African Government of what I said in the General Assembly on 29 October. I noted that change in South Africa would come about principally as a result of the tremendous pressures within, rather than through external sanctions. But I said that those of us outside South Africa had at the same time an important part to play. I said that we should encourage those who were actively seeking to make constructive changes. While taking positive steps of many kinds, I said that we must maintain strong pressures for change. At the present time, these pressures include the mandatory arms embargo and the measures adopted by my Government and our partners in the Commonwealth and the European Community. I emphasized that the objective of our policy was to impress upon the South African Government the urgency and absolute necessity of implementing the five points set out in the Commonwealth Accord.

Those points were that South Africa must (a) declare that the system of *apartheid* will be dismantled and specific and meaningful action taken in fulfilment of that intent; (b) terminate the existing state of emergency; (c) release immediately and unconditionally Nelson Mandela and all others imprisoned and detained for their opposition to *apartheid*; (d) establish political freedom and, specifically, lift the existing ban on the African National Congress and other political parties; (e) initiate, in the context of a suspension of violence on all sides, a process of dialogue across lines of colour, politics and religion, with a view to establishing a non-racial and representative government.

A great deal remains to be done if those five points are to be enacted, and there is not much time in which to do it. By its actions this week, the South African Government have made the task of the Commonwealth group much harder. This is inexcusable. If the South African Government — I say 'if' — made those attacks with the deliberate intention of undermining the Commonwealth group they will find that they have undermined the future of their own people. General Obasanjo, one of the group's co-chairmen, has said that while the group is not yet dead and buried, it has been badly hurt. He said that the ball was now in the court of the South African Government. That is true, and their reply must be constructive. The other co-chairman, Mr Malcolm Fraser, has also said that there is still hope for the Commonwealth exercise. There had better be, or the future of white South Africa is bleak.

I urge the South African Government to consider very seriously — for it is the future of their people which is at stake — the consequences, both domestically and internationally, should they not now respond in a positive sense to the Commonwealth group. They should take nothing for granted — certainly not the support of my country. The prospects for South Africa will be dismal if it does not assist this major international effort, which is designed to avert further violence and to promote peaceful and just solutions, to succeed.

... All members of the Council, I am sure, will regret that the Security Council cannot represent its united condemnation of South Africa's recent actions through the adoption of a unanimous resolution. Nevertheless, all members of the Council do condemn South Africa's recent actions against its neighbours. There should be no doubt about that. It is, unfortunately, the result of a tactical situation that this message is not coming out as loudly and clearly from this Council as my delegation had hoped.

The draft resolution as put to the vote has incorporated in its passages which we warned the sponsors were unacceptable to us and for reasons which we gave. Those reasons are well known. I need not repeat them because we have put them forward repeatedly. I need only refer to my statement earlier today, to my statement in the Security Council on 15 November 1985 and to that in the General Assembly on 29 October 1985.

There are, however, one or two points that I think it useful to emphasize. First, despite this unfortunate outcome, the Council has demonstrated during the debate its strong and unanimous condemnation of South Africa's actions. My delegation would have voted in favour of all those operative paragraphs except operative paragraph 6. Secondly, we believe that nothing must be done that would undermine the chances of a successful outcome, however hard to achieve, to the Commonwealth initiative. This initiative, after all, deals with the main point: it deals with the peaceful abolition of *apartheid*, and this Council has said again and again that *apartheid* is at the root of the problems of South and Southern Africa. That is so. Of all that is being done and that has been tried for many years, the Commonwealth initiative holds out the best prospects of there being, through negotiation with the right people, a peaceful solution to the problems of South Africa through the abolition of *apartheid*. We feel that that is the overriding objective. We are not prepared to take short-term steps which may endanger that long-term and fundamental goal. It is our goal and we would like the Government of South Africa to be in no doubt that its response to the proposals put to it by the Eminent Persons Group of the Commonwealth is crucial. It is crucial to the attitude that the international community will take. That is important — and I will not attempt to say what actions will flow if the South African Government does not give a positive reply — but it is even more crucial to its own people, to both the white and the black populations of South Africa and the Coloureds.

My delegation regrets that the sponsors of the draft resolution were not prepared to accept my proposal for a paragraph-by-paragraph vote. I believe that had they been we would have achieved a consensus resolution. This, I think, would have carried a convincing and potent signal to the Government of South Africa and to its people. As it is, the Council has sent a divided signal. We regret this. It is a pity. Nevertheless, the position of my Government

remains unchanged: We condemn the South African actions which caused this Security Council to be summoned. We condemn *apartheid*. We support the Eminent Persons Group and their effort and we warn the Government of South Africa that much — indeed, the whole future of its country — depends on the way in which it responds to that Commonwealth initiative.

Extract from a Statement by the US Representative, Mr Okun, during the UN Security Council Meeting on South Africa, 22 May 1986

... The representative of Zambia has charged that the United States practised State terrorism in its response to Libyan terrorism and implied that, as South Africa's alleged master, my country inspired the raids on the capitals of Zambia, Zimbabwe and Botswana.

He is under a misapprehension on two counts.

In the first place, there is no parallel. The United States acted in self-defence under the provisions of Article 51 of the United Nations Charter against State terrorism directed by Libya. In the case at hand action was taken against the Governments of Botswana, Zambia and Zimbabwe, which were engaged in discussions with South Africa to end cross-border violence.

The United States also rejects the assertion that we were somehow responsible for the events of 19 May. Indeed, my Government issued a statement on the morning of 19 May expressing our sense of outrage at these events. That statement, issued by the White House, said in part:

On the occasion of South African military strikes into Zambia, Zimbabwe and Botswana the United States stands with the Governments and the peoples of those countries in expressing our sense of outrage at these events and our condolences to the families of the victims.

My delegation will have more to say about this tomorrow.

In the meantime I deplore the tendency of some delegations to divert attention from the event at hand. I also wonder if by recalling the question of Libyan terrorism they wish to demonstrate to the people of my country that they sympathize with the terrorist acts committed by Libya. If so, we will duly take note and draw the appropriate conclusions.

Statements by the US Representative, Miss Byrne, during the US Security Council Meeting on South Africa, 23 May 1986.

We have listened today to yet another effort by the Soviet Union, Libya and Iran to stand truth on its head. As we well know, those three countries continue their established practice of the big lie — that is, the more frequently

an untruth is repeated, the greater the chance it will be accepted. My delegation will not permit such lies to pass unchallenged.

There is an old English proverb that fits the concoction of distortions, evasions and outright inventions we have heard today from those three delegations: 'Birds of a feather flock together'. I trust it will also not have escaped notice that the representative of Iran called for the elimination by military force of a sovereign Member in good standing of this Organization — Israel.

To catalogue this sorry list of insults would, however, take more of the Council's time than they merit. Suffice it to say that we reject them totally.

My delegation rejects the lie that there is a connection between the United States action against Libya and the South African raids against Botswana, Zambia and Zimbabwe. Libya is the world's principal proponent of State-sponsored terrorism. Iran is not far behind. Every week brings fresh reports of Libyan diplomats — I use the term warily — expelled from one or another country for 'activities incompatible with their status'.

On the other hand, the Governments of Botswana, Zambia and Zimbabwe have made serious efforts to end the vicious cycle of cross-border violence directed at South Africa. It should therefore be obvious to all that there is no similarity whatsoever between the terrorist-dominated foreign policy of Libya and the efforts to promote dialogue and co-operation made by the three Frontline States.

We also reject as a perversion of the truth the allegation that the United States policy of constructive engagement — that is, the active promotion of dialogue and co-operation among the States of Southern Africa — is responsible for the South African raids. The United States condemns the actions of the South African Government, and today took concrete measures to express our condemnation. The United States Government's expulsion of the South African military attaché in Washington and recall of our military attaché in Pretoria are evidence of our outrage over the violation by the South African military of the sovereignty of Botswana, Zambia and Zimbabwe.

The constructive approach of the United States and the other industrialized democracies to the African continent will be evident next week during the special session of the General Assembly. It will be interesting to observe during the debate what, besides words and weapons, the Soviet Union and its allies offer the nations of Africa.

On numerous occasions in the past, before this body and elsewhere, the United States has explained the reasons underlying our opposition to mandatory economic sanctions. We do not believe that the destruction of the South African economy serves anyone's interests, least of all those who suffer under *apartheid*. My Government further believes that a severance of economic ties would lead ineluctably to the severance of political ones, depriving us of any leverage over Pretoria, depriving the international community of any ability

to work for the timely and complete dismantling of *apartheid*. The United States will not turn its back on the millions of Blacks in South Africa and on a growing number of Whites there who look to the West to lead the South African Government out of its crude and inhuman political system into one where the voice of the majority participates directly in the formulation of national and international policy.

For the aforementioned reasons, my Government cannot support language calling for the imposition of mandatory sanctions. We believe that all States should be able to decide for themselves what measures are most appropriate as we pursue our common goal of destroying *apartheid*.

Statements by the French Representative at the UN, M. de Kemoularia, during the Security Council Meeting on South Africa, 23 May 1986

I shall not refer in detail to the events which led to the present series of meetings of the Security Council. Once again South Africa has used armed force to launch attacks against the territory of its neighbours. After Angola, it was Botswana and Lesotho in 1985; now it is Zambia, Zimbabwe and once more Botswana that are victims of that aggressive policy.

As soon as it learned of these incursions by South African armed forces against sovereign countries, the French Government condemned them most firmly. Our embassy in Pretoria was instructed to convey that firm condemnation to the Government of South Africa and to lodge a strong protest against military actions that endanger the peace and stability of the region.

I extend my Government's sympathy to the Governments of those three countries and its condolences to the victims and their families.

The attacks of 19 May on targets in the capitals of three countries of Southern Africa demonstrate the level of serious tension and danger that the situation in South Africa and in the region has reached.

These military actions have taken place at a time when South Africa's neighbouring countries are demonstrating great moderation in their relations with the Pretoria Government. Those countries are facing the dignity and generosity the problems posed by the growing flood of refugees fleeing the tension and violence within South Africa.

The policy of *apartheid* of the Government of South Africa constitutes the very cause of the troubles afflicting that country and the region as a whole. France has spared no effort, as the Council is aware, to induce the South African Government to put an end to that policy. The French delegation is firmly convinced that armed action by South Africa beyond its borders can in no way resolve the problems of Southern Africa. It is above all important to dismantle *apartheid* through dialogue and negotiations.

Efforts to create the conditions for that dialogue were under way in the

region when the attacks took place. My delegation can only hope that those efforts will continue and that they will make possible a peaceful transition by South Africa towards a democratic, non-racial régime.

... The delegation of France would have very much hoped that the unanimous condemnation by the international community of the raids by South Africa against Botswana, Zambia and Zimbabwe could have been expressed through a resolution clearly indicating the unequivocal reprobation of all members of the Security Council.

My delegation takes the view that, in the circumstances, there are no grounds for replacing national measures by mandatory sanctions. Hence we could not accept the original draft resolution. Furthermore, my delegation cannot accept certain formulations used in the present draft resolution now before us.

The French delegation made its position known to the sponsors of the draft resolution. Some of our proposals have been taken into account, but my delegation sincerely regrets the fact that the changes that have been made are not sufficient to enable us to vote in favour of the draft resolution. In these circumstances, my delegation will be compelled to abstain in the voting.

Extracts from a Statement by the Zambian Representative, Mr Ngo, in the UN Security Council Meeting 22 May 1986

... In February of this year we came to the Security Council with a complaint that South Africa was planning military attacks against Frontline and other States in the Southern African region. Speaking in this Council Chamber on 5 February 1986, I told the Council that the threats by South Africa were real. I also informed the Council that the only reason why South Africa intended to attack us was that we had continued to abide by our international obligations to give sanctuary to South African refugees who were fleeing from the brutal system of *apartheid* in search of the peace and dignity they could not find in the country of their birth.

For some reason South Africa's allies in the Security Council did not believe our reading of the situation. Some even indicated, although quietly, that there was no need to call a Security Council meeting because no actual attack had occurred. For our part, however, we felt then, as we do now, that there was a threat to peace and security in our region, and we impressed upon the Security Council the need to take appropriate measures to ensure that South Africa did not go ahead with its threats. If South Africa's allies had listened to us and used their influence to dissuade South Africa, this Council meeting would not be taking place today.

We have come to the Security Council again because on Monday, 19 May,

South Africa, in flagrant violation of all international norms of conduct and in blatant violation of the sovereignty and territorial integrity of our countries, attacked my country Zambia, Botswana and Zimbabwe. In the case of my country, the attack took place at approximately 8.50 a. m. Zambian time. In that attack the racist murderers used two unmarked South African Defence Force aircraft and bombed a United Nations refugee transit centre in Makeni, 15 kilometres from Lusaka, causing extensive damage to one building. In a continued attack on another place in the same vicinity, a public bar called 'New Nkana Bar' was bombed. Approximately 24 cluster bombs were dropped, again causing extensive damage to property. In that attack one person, a Namibian refugee, was killed and eight others were injured. Among those injured were three Angolan refugees, two of them children aged 2 and 5, three Namibian refugees, one South African refugee and one Zambian national.

The truth is that the place that South Africa attacked in Zambia was a United Nations transit centre. That centre operates under a tripartite agreement involving the United Nations High Commissioner for Refugees, the Government of Zambia and the Christian Council of Zambia. The centre is a temporary dwelling place for refugees while their documentation is being processed for permanent arrangements such as transit to other countries, settlement in appropriate places in Zambia or return to their own countries of origin if they so opt. This is therefore not an African National Congress of South Africa (ANC) camp, as South Africa would like its friends to believe. That has in fact been confirmed by a spokesman of the United Nations High Commissioner for Refugees.

Earlier on, at about 6.30 a. m., South Africa had attacked Botswana. Using South African Defence Force helicopters, the crews fired at the Botswana Defence Force barracks at Mogoditshane. At the same time, there was a simultaneous attack by ground forces supported by helicopters on a civilian housing complex in Mogoditshane. The Botswana Defence Force repelled the attack by engaging the helicopters with anti-aircraft fire. The helicopters then withdrew. One member of the Botswana Defence Force suffered a bullet wound during that attack.

During the attack on the housing complex property was extensively damaged and a lot of household effects were destroyed. A citizen of Botswana who was on the staff of the Ministry of Agriculture and also taught at a night-school, was killed. Two other Botswana were shot and critically injured. The South African helicopters also dropped leaflets addressed to members of the Botswana Defence Force and the people of Botswana in general, in which they accused the Botswana Government of supporting the ANC.

In Zimbabwe, the South African racist and *apartheid* régime carried out midnight attacks on ANC targets located at two places in Harare. The barbarous acts were perpetrated at 16 Angwa Street in the city and at 19 Eve's Cres-

cent in Ashdown Park. At 16 Angwa Street, the racists caused damage to a public building used partly as a restaurant and hairdressing salon and partly as executive offices. There was injury to one private security guard. At 19 Eve's Crescent, no one was injured as the former ANC house was not occupied. At both places the racists, in panic, left various equipment, including communication items, vehicles and explosives when the Zimbabwe Defence Force reacted to the attacks.

... Many times we have heard from friends of South Africa, who are also members of the Council, argue that South Africa was slowly moving towards peaceful change, though they admit that they do not like the pace at which it is moving. However, when it comes to decisive action to end *apartheid*, they speak with forked tongues. Indeed, many times we have been entertained and lectured to on the merits of the policy of 'constructive engagement'. We are grateful for the lectures, but we have now seen what 'constructive engagement' can lead to — the killing and maiming of innocent men, women and children. This policy is simply wrong. Those with power and whose belief is 'in God we trust' should in the interest of international peace use power reasonably and should avoid setting dangerous examples. The bombing of Libya by the United States administration has no doubt encouraged the racist régime of South Africa to step up its acts of aggression. The Pretoria régime has now followed its master's tactics of finding the flimsiest reasons to take innocent lives. Like the United States of America, South Africa has grossly abused its power. We have again witnessed State terrorism at its worst.

We have stated many times before that we would like to see South Africa join the community of truly civilized countries in which all men, of whatever colour or creed, are free and equal. Indeed, we have been advocating peaceful change in South Africa. However, the recent cowardly, criminal and unforgivable acts show not only that South Africa is as unrepentant as ever, but also that South Africa does not want to live in peace with its neighbours. Having failed to contain the situation inside South Africa, the racist régime, in a desperate effort to appease its minority supporters of *apartheid*, decided to attack its peaceful neighbours.

At the last Commonwealth Summit Conference of Heads of State and Government, after one member had blocked the surest way of ending *apartheid*, namely, the imposition of economic sanctions against South Africa, we, in a spirit of compromise, went along with the decision to establish an Eminent Persons Group of the Commonwealth, whose role was to find peaceful solutions to the problems of *apartheid*. Again, in line with our desire to see peaceful change in South Africa, we gave the Commonwealth group our fullest co-operation. South Africa, on the other hand, was looking for an excuse to break off the talks and, when it found none, it decided to launch

attacks on Zambia, Zimbabwe and Botswana and it chose a time when the Commonwealth group of eminent persons was in South Africa. Its intention was, no doubt, to pollute the atmosphere for peaceful negotiations. This, we submit, is the strangest way of working for peace.

We have repeatedly said that the situation in Southern Africa has three dimensions, namely, the existence of *apartheid*, the illegal occupation of Namibia and South Africa's aggression against and destabilization of the neighbouring independent States. The root cause of all this, is, of course, the existence of *apartheid*. The central issue that the Council should therefore address is the elimination of *apartheid* for, if *apartheid* were completely eliminated, peace would return to the region and Namibia would be independent. In seeking solutions, the Security Council should be aware of the fact that we are dealing with a régime which is an outlaw, a régime which has for many years defied international opinion, a régime which is prepared to kill in order to sustain itself and, indeed, a régime which has chosen to be deaf and unwilling to listen to the voice of reason.

Having failed to eliminate *apartheid* through peaceful negotiations, what does the international community do next? If we still want peaceful change in South Africa, we still have one last peaceful option: the imposition of mandatory and comprehensive economic sanctions against South Africa. We have of course heard the argument that sanctions will most hurt the people of South Africa and the economies of neighbouring States. We do not deny the fact that the majority of Frontline States are dependent on South Africa for the survival of their economies; neither are we unaware of the temporary effects such measures will have on the people of South Africa. What is perhaps not fully appreciated by our Western friends is the fact that the people who are supposedly being shielded from the repercussions of economic sanctions are prepared to suffer a little now, rather than much more later. In fact, the black people of South Africa are already suffering.

The lame excuse by some Western countries that economic sanctions would hurt the people of South Africa is intended to hide their real, selfish reason for refusing to apply sanctions against South Africa. The real reason is that they regard South Africa to be stable and, therefore, safe for their investments. They do not seem to care about what is happening in South Africa as long as their multinational companies continue to earn huge profits from their investments in South Africa. Let them be advised that their investments are not safe, because the situation in South Africa is explosive. We would like them to understand that, if the situation does not change for the better, their investments will go up in flames. This, however, is not what we want to see; it can be avoided, but only if western countries take keen interest in what is happening in southern Africa.

At 0630 hours today, helicopters of the South African Defence Force started firing at the Botswana Defence Force Barracks at Mogoditshane. There was a simultaneous attack by ground forces supported by the helicopters on a civilian housing complex in Mogoditshane. The Botswana Defence Force repelled the attack by engaging the helicopters with anti-aircraft fire. The helicopters then withdrew. One member of the Botswana Defence Force suffered a bullet wound during the attack.

The housing complex, which belongs to a citizen of Botswana, was extensively damaged and a lot of household effects destroyed. A citizen of Botswana who was on the staff of the Ministry of Agriculture and also taught at a night school in Mogoditshane was killed during the attack on the housing complex. The name of the deceased will not be released until his next of kin are informed.

Two other Botswana were shot and critically injured. They are Mr Gololame Makoba and Mr Alexander Koka, both of Mmadinare. Mr Koka arrived at Mogoditshane from Mmadinare only yesterday.

The South African helicopters also dropped leaflets addressed to members of the Botswana Defence Force and the people of Botswana in general. The leaflets accused the Botswana Government of supporting the African National Congress.

The Government of Botswana strongly condemns this naked act of aggression against our country and the wanton murdering of an innocent civilian and maiming of others. The attack was completely unprovoked and unwarranted. It was just another attempt to terrorize the people of Botswana *and to impress a fringe element of misguided white South African racists.*

This wanton attack is typically treacherous. Like the attack on 14 June 1985, today's raid comes only a few days before Botswana officials were due to meet with their South African counterparts to discuss security matters. The meeting was due to be held on Friday, 23 May.

Botswana does not contribute and has never contributed to the violence in South Africa. Attacks on Botswana can therefore not contribute to the cessation of violence in South Africa. Those in South Africa who believe the fantasy that attacking Botswana will bring peace to South Africa have failed to grasp the reality of their situation.

The actions of the South African Government contribute to a tremendous escalation of violence that is likely to culminate in a brutal and senseless confrontation.

Joint statement dated 22 May 1986 by the twelve member States of the European Community on the South African military actions against Botswana, Zambia and Zimbabwe, submitted to the UN Security Council by the Permanent Representative of the Netherlands, 23 May 1986

The Twelve strongly condemn the South African military actions on 19 May against Botswana, Zambia and Zimbabwe and threats, officially expressed, to strike again. The attacks of 19 May are a serious violation of the sovereignty of the three countries. The Twelve deplore the loss of human lives resulting from these actions.

The Twelve express their deepest concern about the negative effects of these actions on the possibilities for a peaceful solution of the grave problems of South Africa.

The Twelve once more reiterate their views on the situation in Southern Africa as set out in the joint communiqué with the Frontline States, issued in Lusaka on 4 February 1986. They urge the South African Government to initiate the necessary political dialogue with the genuine representatives of those South Africans now excluded from the present government structures, with the aim of abolishing the *apartheid* system.

To this end, the Twelve consider it essential that the ban on the ANC, the PAC and other political parties should be lifted and that all political prisoners in South Africa should be freed immediately.

Statement by the Director-General for Public Information and Cultural Affairs of the Foreign Ministry on the across-the-border attacks launched by the South African military forces against Zambia, Zimbabwe and Botswana and presented to the Security Council by the Chargé d'Affairs of the Japanese Mission to the UN 21 May 1986.

1. It is regrettable that on 19 May the South African military forces crossed the borders and attacked Zambia, Zimbabwe and Botswana, and the Government of Japan condemns these attacks.
2. The Government of Japan is deeply concerned that such use of its armed forces by the Republic of South Africa would have adverse effects on various international efforts that are being made for a peaceful solution of the *apartheid* problem, and hopes strongly that these acts will never be repeated in the future.

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