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NEGOTIATIONS ON SOUTH WEST AFRICA/NAMIBIA

A. Statement by Mr Sam Nujoma, President of Swapo, in the UN Security Council, on 27 July 1978

Once again, Mr President and distinguished members of the Council, it is my privilege and pleasure to be accorded an opportunity to address the Security Council on the question of Namibia.

This privilege was initially bestowed on us when I appeared before this esteemed Council in 1971, in this very chamber, as the first freedom fighter to be so honoured. Since then, my colleagues and I have been making frequent appearances to put our view across to the Security Council and to galvanize the world community in support for and solidarity with the struggle of the Namibian people, under the leadership of Swapo, for national and political liberation, social emancipation and economic self-determination.

Indeed, I felt on that first occasion in 1971, and I feel today even more intensely, that it is the inevitable historical successes and victories of our people in Namibia which have compelled nations, countries and peoples of the world to recognize and appreciate the devotion, determination and commitment, as well as the willingness and preparedness to suffer, to sacrifice and to die in order to liberate our fatherland and to reassert our dignity and national sovereignty.

That the Namibian people have assumed the direct responsibility and duty to liberate themselves by any and all means at their disposal, in particular armed struggle, is now part of contemporary history. This is a proven fact.

The fact that I appear this time before the Security Council is not, in our view, accidental. Rather, it is a result of many years of untold sufferings, sacrifices and hardships of our men and women, and children — born and unborn — as well as the elderly, at the hands of the racist rulers of our land and their imperialist masters, who support and abet them in the perpetuation of colonial oppression, racial domination and foreign exploitation of our country and people. Without their heroism, patriotism and selfless readiness to pay the price for freedom, it would not have been possible for me to receive this recognition and honour.

For my own part, the dynamics of the historical and political situation inside Namibia and the wishes of Swapo have combined to put on my shoulders the responsibility and challenge to represent and defend the legitimate interests and inalienable rights of the oppressed people of Namibia here, and at all stages throughout the decolonization process, which is now unfolding in the

Security Council and through the Secretary-General of the United Nations.

While we, in the first instance, believe in and draw courage and inspiration from the gallantry and magnanimity of our own oppressed masses and from the patriotism of the militants of the People's Liberation Army of Namibia (PLAN), we have over the years of the struggle received material, political, diplomatic and moral support from the overwhelming majority of the world community. This has, indeed, enhanced our integrity and standing and has further strengthened our own efforts to liberate Namibia.

During the past five months, we have been extremely pleased to witness and welcome, with sincere thanks and appreciation, political support, and concrete, material assistance from the United Nations, the Organization of African Unity, socialist countries, from the African front-line states and from other progressive countries, international organizations, support groups and individuals.

For example, the United Nations Council for Namibia, meeting in its plenary sessions held in Lusaka in March, renewed its support of and co-operation with Swapo in the struggle until general independence is achieved in Namibia.

Then in April the General Assembly met in a special session and at the end adopted a Declaration and a Programme of Action, in which the continuing special responsibility of the United Nations concerning Namibia was underscored and consecrated. These documents express full support for and reaffirm unequivocal political solidarity with and material assistance to Swapo, as the sole and authentic representative of the Namibian people.

Furthermore, on 10 - 11 June 1978, the African front-line states convened a summit meeting in Luanda, also attended by my colleagues in the central committee and me. In a final communiqué issued at the end of the summit, the African leaders stated, in part:

"The front-line states call upon the international community to intensify their moral, political, diplomatic and material support for the just struggle of the people of Namibia under the leadership of Swapo."

They concluded:

"Finally, the front-line states reaffirm their continued support for Swapo and the liberation struggle of the Namibian people."

Only a few days ago, the fifteenth summit of the Assembly of Heads of State and Government of the Organization of African

Unity concluded its annual meeting. This was an historic gathering for a number of reasons, least of them being the record attendance by African leaders.

Regarding Namibia, all the Heads of State and Government or Heads of delegations who addressed the Assembly were unanimous in their expressions of appreciation to Swapo for having stood steadfast and unrelenting over the years in the gallant and courageous struggle for the total liberation of Namibia.

Moreover, they commended Swapo for its statesmanship and spirit of principled flexibility it demonstrated in the diplomatic arena, with a view to finding a negotiated settlement for Namibia on the basis of relevant resolutions and decisions of the United Nations, especially Security Council resolution 385 (1976).¹

At the end, the Assembly unanimously adopted two important resolutions on Namibia. The first one is a strong, comprehensive, political resolution on all aspects of the question of Namibia, in the context of the ongoing struggle, and on all fronts — military, political and diplomatic. The second one is a special resolution in which the African leaders welcomed the Luanda joint communiqué of 12 July 1978 between Swapo and the representatives of the five Western Governments, whereby the two delegations agreed to proceed to the Security Council in order to open the way for the initiation of the decolonization process regarding Namibia.

We feel it is necessary and proper to put these developments over the last five months on record, in the light of what we are going to be engaged in henceforth.

The Security Council is now seized formally of the item on the agenda: The situation in Namibia. Obviously, this meeting is most important and unprecedented, with regard both to the problems it must address and resolve at this stage, and to the guarantees it must ensure for a genuine and satisfactory settlement in Namibia.

Namibia is a unique and special responsibility that the United Nations has assumed in the interests of the colonized and oppressed people of the Territory.

Since that historic decision of the General Assembly in 1966 — but even before then and certainly thereafter — the international community has taken unequivocal and far-reaching decisions of legal and political significance in defence of the just rights and legitimate interests of the Namibian people. Certain basic principles and notions have emerged over the years during which the United Nations has been grappling with the question of Namibia. Today, as exemplified by the references made earlier, there is overwhelming agreement that Namibia must be free and independent, with scrupulous adherence to the principles and notions that were adopted and have been persistently followed by the world community.

1. See: *Southern Africa Record*, no. 4, February 1976, pp. 40-42

A situation should never be allowed to occur in which euphoria and expediency would replace political acumen and careful administrative planning, in order to ensure now, at this stage, that there are no pitfalls, gimmicks and chaos later when the process has already started. It will be too late then, and the likely options are equally costly in terms of life and limb for the Namibian people and of the integrity and the very existence of the United Nations itself.

The process of exploratory talks, proximity talks and indirect and direct negotiations over the last fifteen months has been cumbersome and difficult. It provided an opportunity for Swapo to present, articulate and defend the position of the oppressed people of Namibia. In this regard Swapo has always and throughout sought to differentiate, as a matter of principle, between the just rights and legitimate interests of our suffering masses on the one hand and the unfounded claims of the racist South African colonial aggressor and usurper on the other.

During all the stages of the talks the occupation régime employed the so-called two-track strategy of political character assassination, manipulation of mass media, false pretensions and public relations gimmicks, all aimed at presenting racist South Africa in a positive light and suggesting that it has gone a long way in making so-called concessions. But actually, inside Namibia, the régime remained intransigent and uncompromising. The actions and activities of the régime remain contradictory to the spirit of the talks and destructive of efforts towards a negotiated settlement. Suffice it to bring to the attention of the world community the following repressive measures and illegal acts carried out by the racist South African régime in Namibia during the period when the talks between the five Western members of the United Nations Security Council and Swapo aimed at finding a negotiated settlement of the Namibian problem were going on.

Firstly, the unilateral and illegal appointment of the so-called Administrator-General in August 1977; secondly, on 28 February 1978, the enactment and re-enactment of numerous repressive measures and emergency regulations — for example, AG 26 of April 1978 under which Swapo leaders, members and sympathizers have been arrested and detained; thirdly, on 4 May 1978, a wanton act of aggression against the People's Republic of Angola and a barbaric attack on a Namibian civilian settlement at Kassinga, killing and wounding over one thousand Namibians, mainly women, children and elderly persons; fourthly, in June 1978, an illegal proclamation for the so-called registration of voters in preparation for so-called elections in Namibia; fifthly, the pouring of huge sums of money into the pockets of the

puppets and quislings of the so-called Democratic Turnhalle Alliance (DTA) in preparation for the so-called elections; sixthly, continued organized terror campaign and violence against Swapo; arrests, detentions, and intimidation of Swapo members.

Despite the fact that we agreed in good faith to proceed to this Council in search of a negotiated settlement, arrests and detention of Swapo leaders and members continue unabated. The latest in this series is the re-arrest of our colleagues who took part in the Luanda meeting, among them Swapo Secretary for Foreign Relations, Comrade Festus Naholo, and Swapo Secretary for Transportation, Comrade Franz Kambangula.

Even at this late stage the régime is threatening to withdraw from the whole exercise and to put into operation the second track of its strategy — so-called internal settlement. We wish to bring these points out in order to caution that there is still much that remains to be done. During this debate of the Council we shall no doubt hear the voices of the spokesmen of the occupation régime threatening to withdraw, or actually withdrawing, all the so-called concessions made. It is misleading to say at this stage, when we are just starting the serious business, that the diplomatic process has already succeeded in Namibia. Hope is no certainty.

The situation is still pregnant with many uncertainties, imponderables and dangers. If we are serious about the business of solving the problem of Namibia in the face of the continued double-talk and intransigence of the occupation régime, then we should not regard the problem as an intellectual exercise or an occasion for administrative experimentation. We cannot and will not entertain such an undertaking. The lives of our people and their future and that of our country are at stake. We accept seriously the responsibility and duty to defend and protect the safety of our people and the territorial integrity of our country.

Should this exercise end in fiasco or should it, at worst, fail, the end result would be tragic in either case for the people of Namibia. Equally dangerous would be a situation akin to a cover-up, in which case certain actions or intrigues would be conscientiously overlooked as aberrations or minor incidents. The result of this would be that these presumed incidents would be too numerous to be accidental and would actually become incidents of a *fait accompli*. Here again, the victims would be Namibians.

If it is a fiasco, the best that could be done would be for the matter to be referred back to this Council. At that time, what can and what will the Council do? At that time lives might have been lost, property damaged and untold suffering incurred. Hopes, expectations and aspirations of the oppressed Namibian people would, one more time, be frustrated and destroyed. The only

conceivable action by this Council would be a resolution of condemnation.

We must think not only about present developments but also about future eventualities, whether they occur by design on the part of the enemy, or by default by the United Nations. For our part, we will not deviate from our sacred obligation of bringing Namibia to genuine independence.

I have chosen to go to great lengths to put our point of view on record before this esteemed Council and before the world assembly of conscience. And we feel strongly about these matters.

Now I wish to comment in general terms about the Western proposal contained in Security Council document S/12636 of April 1978². I shall refrain from discussing it section by section or paragraph by paragraph since the Swapo delegation has already indicated to its authors which sections or elements present difficulties.

Firstly, we understand the plan to be an effort to put resolution 385 (1976) into operational terms for implementation and not an ingenious scheme to supplant that resolution.

Secondly, we do not regard it as a final document which incorporates all our concerns, programmes or principles for the kind of society that we are committed to building in Namibia. It is a compromise plan which is, in our view, heavily weighted in favour of South Africa's colonial interests in Namibia.

Thirdly, the language is deliberately so vague and ambiguous that it is subject to different and unavoidably conflicting interpretations. One area where this is particularly glaring is with regard to the position, powers, authority and working relations between the United Nations Special Representative and the local colonial representative of South Africa, the so-called Administrator-General. Our knowledge of the racist rulers in Namibia and our experiences with similar previous United Nations undertakings lead us to believe that it is here that most, although not all, of our concerns and apprehensions lie.

The success or failure of the United Nations undertaking in Namibia this time will depend on the effective power and authority that the United Nations Special Representative must possess and wield regarding all stages and aspects of the transitional administration, security measures and the conduct of the entire electoral process.

In this regard, we should like to restate our understanding of the role and functions of the Special Representative.

- (a) He must exercise effective supervision and control of the transitional administration, all the security arrangements

² See: *Southern Africa Record*, no. 12, May 1978, pp. 25-30

and the conduct of elections in accordance with Security Council resolution 385 (1976).

- (b) He must have the preponderant power and authority to approve or disapprove any action by the colonial Administrator-General.
- (c) He must also have the power and authority to initiate measures towards the implementation of all the necessary steps for transferring power to the Namibian people in matters such as the taking of a census, the registration of voters, the preparation of voters' rolls, the delineation of electoral constituencies, the setting of the commencement of the electoral campaigns, the date of the election and all other aspects of the electoral procedures as well as the tabulation, publication and certification of election results.
- (d) He must have the final say regarding the good conduct of the police forces and should ensure that necessary steps are taken to guarantee against the possibility of their interfering in the political process.

This is the interpretation of Swapo's understanding of the role and functions of the Special Representative which we expressed to the representatives of the five Western Governments in Luanda and it was on the basis of their concurrence, among other things, that we agreed to proceed to this Council.

Before I conclude I wish to say something about Walvis Bay.

As far as the people of Namibia and Swapo are concerned, Walvis Bay is and will forever remain an integral part of Namibia. Swapo therefore strongly rejects and condemns racist South Africa's decision to annex Walvis Bay. We regard that decision as illegal, null and void and an act of aggression against the Namibian people and a flagrant violation of the territorial integrity of our country. Swapo therefore requests this Council to ensure, by committing itself to expediting the immediate withdrawal of all enemy troops and administrative machinery from Walvis Bay, that it is speedily and unconditionally restored to Namibia.

In conclusion, Mr President, may I extend to you and to the rest of the members of the Council our sincere appreciation and gratitude for this opportunity to address the Council and to put our views on record. I thank you personally, Mr President, for your understanding and goodwill. I hope and trust that you will steer this serious business of the Council to a successful conclusion that will pave the way for a lasting settlement in Namibia.

May we also express our gratitude and appreciation to the Secretary-General, Dr Kurt Waldheim, for his professional and personal commitment to assisting the efforts of the international

community aimed at the realization by the Namibian people of their inalienable and just rights to self-determination and genuine independence.

We congratulate Mr Martti Ahtisaari on his appointment as the United Nations Special Representative for Namibia, wish him good luck and state our wish to co-operate fully with him in the realization of the goals and objectives for which he has been appointed.

Finally, may I wholeheartedly thank my African brothers, the Honourable Ministers of Foreign Affairs and the Permanent Representatives of Gabon, Mauritius and Nigeria for their initiative in supporting our being heard in this debate. We are confident that they will continue to back us throughout this process, until the Security Council has satisfactorily completed its tasks concerning Namibia. Through them we wish also to thank the Chairman of the African Group for this month, and the Group as a whole, for their continued confidence in us and their generous political and diplomatic support.

Fourthly, I should like to comment on the recruitment and deployment of the United Nations personnel, especially the civilian contingent. Without in any way seeking to interfere with this prerogative of the Secretary-General, Swapo wishes to state, with due respect, that it is not enough for someone to be an expert, without commitment to the principles and resolutions of the United Nations and sympathy for the Namibians who are victims of colonialism, racism and exploitation. It is also not enough for someone to be well read, abstractly, about Namibia. Book knowledge about Namibia should not preclude the actual situation and the real conditions prevalent in the country. There is also a problem of attitudes and subjective preferences. The very fact that Namibia has been for so many years a subject of international dispute has given in some quarters the wrong impression that we do not know what is good for us. It seems everybody is more eager to decide for us than to listen to us. Paternalism is just a few degrees on the positive side of racism or ethnic chauvinism. Both are insulting and despicable, and we shall without fear or favour expose and denounce anyone who goes to Namibia with this kind of attitude.

Fifthly, regarding the peace-keeping force, as the sole and authentic representative of the Namibian people, we expect to be consulted about its composition.

Sixthly, we maintain and insist that the remaining enemy troops be confined to one base under strict and elaborate surveillance to prevent them from being used for purposes of intimidation and repression of the Namibian people and for aggression against neighbouring states.

This time we want to be certain that right from the beginning everything is carefully planned and executed at each stage with caution and deliberation.

We are willing to take a political risk. In the first instance, we are confident of the political maturity of our people in their popular desire for total liberation and genuine independence. We also know the weaknesses and the desperation of the enemy, which create favourable conditions for the seizure of political power by the Namibian people. The masses of Namibia and the militants of the People's Liberation Army of Namibia will, if need be, take up arms to renew the resistance and defend the safety of our people, and the integrity of our fatherland. I repeat: the masses of Namibia and the militants of the People's Liberation Army of Namibia will, if need be, take up arms to renew the resistance and defend the safety of our people and the integrity of our fatherland. This is our inspiration; this is our determination.

We want only to make absolutely certain, while we can, that the independence that finally comes to our troubled Namibia, as it inevitably must, is the genuine and complete independence for which our people — the past generations and the present ones — have suffered, sacrificed and died. The United Nations should not, cannot and must not falter and relinquish its unique and special responsibility over Namibia until that independence is achieved. In this respect it is our continuing belief that the United Nations Council for Namibia remains the only legal authority over Namibia until independence and must accordingly be effectively involved in the decolonization process. In the meantime the United Nations Council for Namibia must continue to carry out its responsibility towards implementing the mandate entrusted to it by the General Assembly.

S/PV. 2082

B. Report of the UN Secretary-General dated 29 August 1978, submitted pursuant to paragraph 2 of Security Council Resolution 431 (1978) concerning the situation in Namibia.

INTRODUCTION

1. At its 2082nd meeting on 27 July 1978, the Security Council adopted resolution 431 (1978). By that resolution, the Council, recalling its resolution 385 (1976) and taking note of the proposal for a settlement of the Namibian situation contained in document S/12636 of 10 April 1978,² requested me to appoint a Special

1. See: *Southern Africa Record*, no. 4, February 1976, pp. 40-42

2. *Op. cit.* no. 12, May 1978, pp. 25-30

Representative for Namibia in order to ensure the early independence of Namibia through free elections under the supervision and control of the United Nations. The full text of resolution 431 (1978) reads as follows:

The Security Council,

Recalling its resolution 385 (1976) of 30 January 1976, taking note of the proposal for a settlement of the Namibian situation contained in document S/12636 of 10 April 1978,

1. *Requests* the Secretary-General to appoint a Special Representative for Namibia in order to ensure the early independence of Namibia through free elections under the supervision and control of the United Nations;

2. *Further requests* the Secretary-General to submit at the earliest possible date a report containing his recommendations for the implementation of the proposal in accordance with Security Council resolution 385 (1976);

3. *Urges* all concerned to exert their best efforts towards the achievement of independence by Namibia at the earliest possible date.

2. Immediately following the decision of the Security Council, I appointed Mr Martti Ahtisaari, the United Nations Commissioner for Namibia, as my Special Representative for the purposes of the resolution.

3. Mindful of the Council's further request contained in paragraph 2, I requested my Special Representative to undertake, at the earliest possible date, a survey mission to Namibia for the purpose of gathering for me all the information necessary for the preparation of the present report. To assist him in this task, I placed at his disposal a team of United Nations officials and military advisers.

4. This report, which is based on the survey of my Special Representative, is submitted to the Security Council in accordance with paragraph 2 of resolution 431 (1978), in which the Council requested the Secretary-General "to submit at the earliest possible date a report containing recommendations for the implementation of the proposal in accordance with Security Council resolution 385 (1976)".

1. THE SURVEY MISSION

5. As stated above, my Special Representative, accompanied by a staff of United Nations officials and military advisers, visited Namibia from 6 to 22 August for the purpose of carrying out a survey of all matters relative to the implementation of resolution 431 (1978).

6. In addition to meetings with the Administrator-General of the Territory and his staff, as well as with the South African military and police commanders and local authorities, the Special Representative had the opportunity to consult extensively with representatives of political parties, churches, the business community and individuals. His consultations in this regard covered a wide spectrum of public opinion within the Territory. In this connection, the Special Representative and his staff, by travelling extensively within the Territory, were able to familiarize themselves with local conditions which would have relevance to the effective organization and operation of a United Nations Transition Assistance Group entrusted with the tasks set out in the proposal for a settlement of the Namibian situation contained in document S/12636.

7. In the course of his meetings and consultations, the Special Representative was able to obtain the views of not only the Administrator-General and his staff but the representatives of the Namibian people on a broad range of important topics relating to the necessary conditions for the holding of free and fair elections and to the role of the United Nations. Among the principal subjects discussed were the repeal of all the remaining discriminatory or restrictive laws, regulations or administrative measures which might abridge or inhibit the objective of free and fair elections; arrangements for ensuring the release of political prisoners and detainees, as well as the voluntary return of Namibians; the arrangements and dispositions required to ensure the cessation of all hostile acts; the electoral process; the composition and work of the Constituent Assembly; and the time-table for the accomplishment of the above stages. The military aspects of the operation, with special reference to the introduction and functioning of the military component of the United Nations Transition Assistance Group, were also fully discussed. In addition, the Special Representative also discussed with the Administrator-General the manner of ensuring the good conduct of the police and the arrangements necessary to assure the free and unrestricted discharge by the United Nations staff of the tasks assigned to them.

II. GENERAL GUIDELINES

8. The implementation of the proposal in paragraph 2 of resolution 431 (1978) will require the establishment of a United Nations Transition Assistance Group (UNTAG) in the Territory, consisting of a civilian component and a military component. Because of the unique character of the operation and the need for close co-operation between them, both components will be

under the over-all direction of the Special Representative of the Secretary-General.

9. The Special Representative will report to me, keeping me informed and making such recommendations as he considers necessary with respect to the discharge of his responsibilities. The Secretary-General, in accordance with the mandate entrusted to him by the Security Council, will keep the Council fully informed of developments relating to the implementation of the proposal and to the functioning of UNTAG. All matters which might affect the nature or the continued effective functioning of UNTAG will be referred to the Council for its decision.

10. The deployment of both components of UNTAG must take into account the specific geographic, demographic, economic and social conditions prevailing in Namibia. These include, in particular, the vast distances and varied nature of topography and vegetation; the broad ranges of climatic conditions; the scarcity of water; the population distribution and existing communication network; the distribution and concentration of ethnic groups; and the lack of an adequate infrastructure in the north, such as roads and other communications and facilities. All these factors, when analysed, make it evident that sizable resources, both military and civilian, will be required to provide the close monitoring called for in document S/12636.

11. In performing its functions, UNTAG will act with complete impartiality. In order that the proposal may be effectively implemented, it is expected that the Administrator-General and all other officials from within the Territory will exhibit the same impartiality.

12. For UNTAG to carry out all its tasks effectively, three essential conditions must be met. First, it must, at all times, have the full support and backing of the Security Council. Second, it must operate with the full co-operation of all the parties concerned, particularly with regard to the comprehensive cessation of all hostile acts. Third, it must be able to operate as a combined United Nations operation, of which the military component will constitute an integrated, efficient formation within the wider framework of UNTAG.

13. To monitor the cessation of hostilities effectively, to maintain surveillance of the Territory's vast borders and to monitor the restriction to base of the armed forces of the parties concerned, the co-operation and support of the neighbouring countries will be necessary. Such co-operation will be most important, particularly during the early stages.

14. Implementation of the proposal, and thus the work of UNTAG, will have to proceed in successive stages. These stages, which are detailed in the annex to document S/12636, can be grouped as follows:

- (a) Cessation of all hostile acts by all parties and the withdrawal, restriction or demobilization of the various armed forces;
- (b) Conduct of free and fair elections to the Constituent Assembly, for which the pre-conditions include the repeal of discriminatory or restrictive laws, regulations or administrative measures, the release of political prisoners and detainees and voluntary return of exiles, the establishment of effective monitoring by the United Nations and an adequate period for electoral campaigning;
- (c) The formulation and adoption of a constitution for Namibia by the Constituent Assembly;
- (d) The entry into force of the constitution and the consequent achievement of independence of Namibia.

15. The length of time required for these stages is directly related to the complexity of the tasks to be performed and to the overriding consideration that certain steps are necessary before it can be said that elections have been held under free and fair conditions. It will be recalled that the proposal envisaged a series of successive stages, spaced so as to provide a sufficient lapse of time before the holding of the elections. This should permit, among other things, the release of political prisoners and detainees, the return and registration of all Namibians outside the Territory who may wish to participate in the electoral process, the deployment of United Nations military and civilian personnel and electoral campaigning by all parties in an atmosphere of tranquillity. The time table set out in the proposal called for the lapse of approximately seven months from the date of the approval of the present report by the Security Council to the holding of the elections.

16. In his discussions with the Special Representative, the Administrator-General said that the South African authorities, having previously established 31 December 1978 as the date of independence, felt that they were committed thereto and that, consequently, the elections should take place as scheduled, regardless of the fact that it would necessitate substantially reducing the time table necessary for completion of the preparatory plans. A majority of the political parties was of the opinion, however, that it was essential to maintain the orderly phasing of the

preparatory stages and to allow sufficient time for electoral campaigning in order to ensure free and fair elections. Further, it was pointed out that the actual date of independence would fall within the competence of the Constituent Assembly.

17. It will be recalled, however, that at the time the proposal was first formulated, the date of 31 December 1978 was consistent with completion of these steps. The delay in reaching agreement among the parties now makes completion by this date impossible. It is therefore recommended that the transitional period begin on the date of approval of the present report by the Security Council and proceed in accordance with the steps outlined in document S/12636. Using the same timetable that earlier provided the 31 December 1978 date, an appropriate date for elections would be approximately seven months from the date of the approval of the present report.

18. Estimates of the periods of time required for completion of stages (a) and (b) of paragraph 14 above are included in the annex to document S/12636. In view of the fact that the periods required for stages (c) and (d) of paragraph 14 would be determined by the Constituent Assembly, it is expected that the duration of UNTAG would be one year, depending on the date of independence to be decided by the Constituent Assembly.

19. UNTAG will have to enjoy the freedom of movement and communication and other facilities that are necessary for the performance of its tasks. For this purpose UNTAG and its personnel must necessarily have all the relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations, as well as those especially required for the proposed operation.

20. The military component of UNTAG will not use force except in self-defence. Self-defence will include resistance to attempts to prevent it from discharging its duties under the mandate of the Security Council. UNTAG will proceed on the assumption that all the parties concerned will co-operate with it and take all the necessary steps for compliance with the decisions of the Security Council.

III. ESTABLISHMENT OF UNTAG

A. MILITARY COMPONENT

21. The functions which will be performed by the military component of UNTAG are set out in paragraph 8 of document S/12636 and in the annex thereto. These include, in particular:

- (a) Monitoring the cessation of hostile acts by all parties, the

restriction of South African and Swapo armed forces to base, the phased withdrawal of all except the specified number of South African forces and the restriction of the remainder to specified locations;

- (b) Prevention of infiltration as well as surveillance of the borders of the Territory;
- (c) Monitoring the demobilization of citizen forces, commandos and ethnic forces, and the dismantling of their command structure.

22. The military component will assist and support the civilian component of UNTAG in the discharge of its tasks.

23. The military component of UNTAG will be under the command of the United Nations, vested in the Secretary-General, under the authority of the Security Council. The command in the field will be exercised by a Commander appointed by the Secretary-General with the consent of the Security Council. The Commander will report through the Special Representative to the Secretary-General on all matters concerning the functioning of the military component of UNTAG.

24. The military component will be comprised of a number of contingents to be provided by member countries upon the request of the Secretary-General. The contingents will be selected in consultation with the Security Council and with the parties concerned, bearing in mind the accepted principle of equitable geographical representation. In addition, a body of selected officers to act as monitors will form an integral part of the military component

25. The military component, including the monitors, will be provided with weapons of a defensive character, consistent with the guidelines set out in paragraph 20 above.

26. In order that the military component might fulfil its responsibilities, it is considered that it should have a strength of the order of seven infantry battalions, totalling approximately 5 000, plus 200 monitors, and in addition, command, communications, engineer, logistic and air support elements totalling approximately 2 300. The infantry battalions should be fully self-sufficient.

27. It will be essential to establish an adequate logistic and command system at the very outset of the operation. It will therefore be necessary to obtain urgently from Governments the elements of such a system. In this connection, it may well be necessary to use also the services of civilian contractors for some logistic functions as appropriate. In the nature of the physical circum-

stances pertaining to this operation, UNTAG may have to rely to a considerable extent on existing military facilities and installations in Namibia.

B. CIVILIAN COMPONENT

28. The civilian component will consist of two elements. One of these elements will be the civil police, whose function will be to assist the Special Representative in implementing the tasks set out in paragraphs 9 and 10 of document S/12636.

29. The duties of the civil police element of UNTAG will include taking measures against any intimidation or interference with the electoral process from whatever quarter, accompanying the existing police forces, when appropriate, in the discharge of their duties and assisting in the realization of the function to be discharged by the Administrator-General to the satisfaction of the Special Representative of ensuring the good conduct of the existing police forces.

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

31. The non-police element of the civilian component of UNTAG will have the function of assisting the Special Representative in implementing paragraphs 5 to 7 of document S/12636 and the relevant sections of the annex thereto. These tasks will consist, in particular, of the following:

- (a) Supervising and controlling all aspects of the electoral process, considering the fairness and appropriateness of the electoral procedures monitoring the balloting and the counting of votes, in order to ensure that all procedures are strictly complied with, and receiving and investigating complaints of fraud or challenges relating to the electoral process;
- (b) Advising the Special Representative as to the repeal of discriminatory or restrictive laws, regulations or administrative measures which may abridge or inhibit the objective of free and fair elections;
- (c) Ensuring the absence of, or investigating complaints of, intimidation, coercion or restrictions on freedom of speech, movement or peaceful political assembly which may impede the objective of free and fair elections;

- (d) Assisting in the arrangements for the release of all Namibian political prisoners or detainees and for the peaceful, voluntary return of Namibian refugees or Namibians detained or otherwise outside the Territory;
- (e) Assisting in any arrangements which may be proposed by the Special Representative to the Administrator-General and implemented by the Administrator-General to the Special Representative's satisfaction intended to inform and instruct the electorate as to the significance of the election and the procedures for voting.

32. Bearing in mind the vast size of the Territory, the dispersal of the population and the lack of adequate communications. It is considered, as a preliminary estimate, that approximately 300 professional officers, as well as the necessary supporting staff, will be required initially until the cessation of hostile acts has been achieved. Thereafter about 1 000 professional and 200 field service and general service staff will be required during the electoral campaign and the period of balloting in order to cover all the polling stations. The staff will, among other duties, be required for 24 regional centres and more than 400 polling stations.

33. It is anticipated that some of these officials will be provided from among existing United Nations staff and that some will be persons appointed especially for this operation. In addition, it is my hope that a significant number of officials can be seconded or loaned by Governments. All such seconded or loaned personnel will be required to assume the responsibilities incumbent on United Nations officials.

34. It is also my intention to conduct consultations concerning the designation of a jurist of international standing whose appointment as legal adviser to the Special Representative is provided for in paragraph 7 B of document S/12636.

IV. PROPOSED PLAN OF ACTION

35. Subject to the approval of the present report by the Security Council, it is my intention to initiate the operation as quickly as possible.

36. It is my intention to appoint as Commander of the military component of UNTAG Major-General Hannes Philipp, who has extensive experience of United Nations peace-keeping operations and is already familiar with the situation in Namibia.

37. Immediately following such a decision by the Security Council, the Special Representative, accompanied by the Commander

of the military component, the key elements of their staffs, together with essential command and logistic elements, will proceed to Namibia in order to establish the headquarters of UNTAG and begin operations as quickly as possible.

38. A number of Governments have already expressed their interest in providing military contingents for UNTAG. Immediately upon the approval of the present report by the Security Council, it is my intention to consult the Council and the parties concerned on the composition of the military component, bearing in mind the principle of equitable geographical representation on the one hand, and the necessity of obtaining self-sufficient units on the other. Every effort will be made to begin the deployment of the military component within 3 weeks and to bring it to its full strength within 12 weeks. For this to be achieved, it will be necessary to determine the composition of the military component at the earliest possible time.

39. It is also my intention to approach Governments to provide military personnel to serve as monitors. In the initial stages, given the urgency of deploying at least some of the monitors, it may be possible to draw upon officers already serving with other existing United Nations operations. This may also apply to key staff positions.

40. As regards civilian personnel, it is likewise my intention, as stated in paragraphs 30 and 33 above, to approach Governments to make available on secondment or loan experienced police officers to serve as police monitors and other experienced officials to serve in the civilian component of UNTAG. In recruiting civilian staff for UNTAG I shall bear in mind both the accepted principle of equitable geographical representation and the urgent need to deploy a large number of experienced staff within the shortest possible time.

V. FINANCIAL IMPLICATIONS

41. At present there are too many unknown factors to permit an accurate assessment of the cost of UNTAG. Based on the numbers of personnel specified in this report and the envisaged duration of twelve months, and taking into account the magnitudes and elements of the financial requirements experienced in other peace-keeping operations, the indications are that the financial requirements for UNTAG could be as high as \$300 million. Of this, approximately \$33 million will be required to finance the return of refugees and exiles. In view of the nature of the operation, due regard should be given to the fact that some elements of the operation might be phased out before the end of the mandate

and that alternative arrangements might be possible which could result in lower costs.

42. The costs of UNTAG shall be considered expenses of the Organization to be borne by the Member States in accordance with Article 17 paragraph 2, of the Charter.

S/12827

C. Text of letter dated 6 September 1978, from the South African Minister of Foreign Affairs to the UN Secretary-General, concerning his report of 29 August 1978, (S/12827), to the Security Council

When I addressed the Security Council on 27 July 1978¹ (S/PV. 2082), I emphasized certain aspects to which Your Excellency's Special Representative would have to devote specific attention during his then envisaged visit to South West Africa. Because of their direct relevance to the crucial aspects of the report you have submitted to the Security Council (S/12827), I wish to recapitulate those points:

"First, as the legislative and administrative authority in the Territory, the Administrator-General will continue to govern during the transitional period.

"Secondly, primary responsibility for maintaining law and order in South West Africa during the transition period shall rest with the existing police forces.

"Thirdly, the Administrator-General and the Special Representative of the Secretary-General are required to work together and to consult each other with a view to full co-operation between them, to ensure an orderly and peaceful transition to independence. The proposal has deliberately been left somewhat vague in this regard but it will be appreciated that unless the relationship between them is characterized by a spirit of mutual trust and co-operation, it will be difficult, if not impossible, for them to implement their respective tasks successfully. It is in this light that my Government views this relationship. The size, composition, functions and deployment of the United Nations Transition Assistance Group (UNTAG) are precisely the sort of matters on which close consultation is required.

"Fourthly, the reduction of South African troops in South West Africa will commence only after the comprehensive cessation of all hostile acts and the establishment of a visible peace. The South African Government regards its responsibility for the security of the people of the Territory in a very serious light.

1. See *Southern Africa Record*, no. 13, September 1978, pp. 2 - 10

"Fifthly, the functions of the Special Representative of the Secretary-General in respect of the electoral process are spelt out in the proposal in that, as a condition to the conduct of the electoral process, the elections themselves, and the certification of their results, the United Nations Special Representative will have to satisfy himself at each stage as to the fairness and appropriateness of all such measures. In the course of the negotiations we were repeatedly assured that the Special Representative will be guided by the procedure and precedents established by the United Nations in other appropriate cases where the United Nations had played a role in the determination of the wishes of the people." (S/PV.2082, pp. 113 - 115)

More than a month has passed since then. What has happened?

In pursuance of Security Council resolution 431 (1978),² Your Excellency's Special Representative arrived in South West Africa on 6 August 1978. He and his assistants spent two and a half weeks there gathering information on matters relevant to the implementation of the proposal. In this he received the fullest co-operation from the authorities in the Territory. With the active assistance of those authorities he went where he wanted to, he saw what he wanted to and he consulted with whomsoever he wished. Indeed, upon his departure, the Special Representative expressly acknowledged the co-operation and assistance extended to him as Special Representative. Yet even while these efforts to further the cause of a peaceful solution in the Territory were under way, the South West Africa People's Organization not only continued but intensified its vicious, vindictive campaign of terror and violence against its political opponents and the civilian population in the Territory.

Eight letters have already been addressed to Your Excellency during the past three months concerning more than eighty incidents which have occurred on the border between Angola and South West Africa as a result of terrorist activities planned and executed by Swapo. As recently as three days ago an organizer of an opposing political party was murdered and another was robbed. Is this the manner in which Swapo plans to conduct its participation in free and fair elections in the Territory? Violence, murder and intimidation cannot be tolerated during a democratic process.

Moreover, at the very time of the Special Representative's departure, Swapo's plans to bombard Katima Mulilo were well advanced and in fact it commenced barely four hours after his departure and just a few days after Your Excellency's own appeal for a cessation of violence.

2. Included in *Report of the UN Secretary-General, 29 August 1978*, reproduced in this issue.

Once again we see further evidence of Swapo's bad faith and its desire to wreck the prospects of a peaceful and successful solution in the Territory — and this at the very time when the Special Representative was actively engaged in carrying out his task.

This attitude of Swapo is in complete violation of the spirit of the proposal S/12636³ and must raise the most serious doubts that Swapo has any intention of fulfilling its obligations thereunder.

These doubts are strongly aggravated by statements made by various leaders of Swapo, both within and outside the Territory. As recently as 25 August 1978, a Swapo press statement stated that Swapo would not cease its hostilities until all South African troops in the Territory had been withdrawn. Other recent statements insisted that there be no cessation of hostile acts by Swapo until such time as a cease-fire agreement is reached and signed by South Africa and Swapo. Yet other statements require the unconditional withdrawal of South African forces from the Territory.

Statements such as these are clearly not only directly inconsistent with the provisions of the proposal but if adhered to will make a complete farce of its implementation. Swapo has indicated through its statements and violence that it is not interested in peace or in a solution in terms of the proposal. Let me refer to further statements made by Swapo:

- The Special Representative will take over full power from the Administrator-General during the transition period.
- The police force in the Territory will be restricted to base during the transition period.
- There can be no government in the Territory unless such government is declared and established by Swapo.

How are these statements reconcilable with the relevant provisions of the proposal? Why should Swapo be allowed to violate the proposal and apparently expect the other parties to act in accordance with the proposal?

Indeed, even at this stage when serious consideration is being given to the implementation of the proposal, it is not clear whether Swapo has accepted the proposal or not. We are entitled to ask where Swapo stands. The inhabitants of the Territory have a right to know that too. Nobody can simply ignore Swapo's statements and actions. Both are aimed at wrecking a peaceful settlement by way of murder, kidnapping, armed robbery and other forms of intimidation directed, for the most part, against civilians. It is surely no coincidence that there was a sharp increase — an increase of fifty per cent — in these terrorist activities after adoption of the proposal by the Security Council on 27 July this

3. See *Southern Africa Record* no. 12, May 1978, pp. 25 - 30

year. In planning the implementation of the proposal it is essential to have clarity on Swapo's intentions.

In the first place, we now insist on an unequivocal answer to the question of whether Swapo has accepted the proposal or not, and in the second place, if it *has* accepted the proposal, we insist on knowing whether it commits itself to a cessation of all forms of violence. This commitment ought to be set out in writing and circulated as a document of the Security Council.

Decisions on major issues are dependent on this. To mention but one: the reduction of the South African military presence requires, as a prerequisite, the complete cessation of hostile acts and the establishment of a visible peace. This in turn will affect the size of the military component of the United Nations Transition Assistance Group (UNTAG).

It has all along been argued that the cessation of hostilities is a crucial requirement for the implementation of the proposal. It is the key factor. If violence continues, the proposal cannot be implemented. If violence ends, the need for a large number of United Nations military observers falls away. It is as elementary as all that but I stress: violence must first cease — and its cessation must be visibly established.

If this is not so the argument for an increase in the United Nations military personnel equally applies to an increase in South African forces.

During our discussions with the Five on this very issue of troop numbers, the South African Government intimated that it was concerned about the danger of insufficient protection of the northern border areas once a reduction of South African troops had started. The Five repeatedly disagreed with our assessment, indicating that once a comprehensive and visible peace had been established there could be no justification for a substantial number of South African troops being stationed in the area. We cautioned the Five that we were sceptical that such a completely peaceful situation would eventuate. We urged them to accept the reality of the situation and to accept that we could not reduce our troops below a figure of 4 000, even after a cessation of hostilities. We were not an occupying force but a security force. It was our duty to provide security in order that the people could freely participate in the electoral process.

The Five persisted in claiming that an atmosphere of peace would be brought into being once a cessation of hostilities took place. They said that our concerns were not justified. Once there was a firm, durable, peaceful situation backed by the front-line states and a Security Council resolution, the danger of outside attacks would be so minimal as to be discounted, the Five con-

tended. They urged us to accept that there would be peace, visible peace. If peace were not obtained and did not prevail and last, the implementation of the proposal would be frustrated and would become impossible to achieve. No South African troop reductions would then take place. We stressed that in that event, South Africa would be entitled to increase its troop strengths to levels sufficient to meet any increase in violence.

Using the argument that under conditions of comprehensive peace there would simply be no justification for large numbers of troops, we agreed under the force of reason to an eventual reduction of our troops to 1 500. Now we find ourselves in the incredible situation where we are told that 7 500 United Nations troops would be needed to undertake tasks which under conditions of total peace we were previously assured could be administered by a few hundred. In other words, a completely peaceful situation was the basis of the argument persuading us to reduce our troops to 1 500 but in the case of the United Nations troops, the uncertainty of such a situation of comprehensive peace serves as a reason for introducing 7 500 troops. While on the one hand peace was the key factor for demanding a reduction of South African troops, the now apparently uncertain peaceful situation is used to demand an increase in United Nations troops.

Either peace is to be established or not. If it is established, there is no need for large numbers of United Nations troops. If it is not established, then it remains the responsibility of the South African security forces to ensure safety and security.

It is possible that the United Nations experts who had to estimate the numbers of United Nations troops required did so in terms of United Nations norms and standards against the background of uncertainty as to the precise task of the contingent. However, the Administrator-General was not consulted at all as to the numbers. It is also evident that the United Nations personnel were not fully informed as to the meaning and scope of certain key provisions of the proposal. No one can blame the South African Government for being unwilling to accept extended and changed provisions of a proposal which was described to us by the Five as final and definitive. The Five pledged that they would stand by their proposal. We already feel let down badly on other issues. There is apparently no end to the double standards interwoven in the fabric of commitments and understandings which formed the basis of these negotiations. During the negotiations we were told that appropriate United Nations precedents would be followed in all respects. What happened in the past?

In 1956, a team of twenty three was sufficient to monitor a plebiscite in British Togoland in which 159 080 voters partici-

pated. 575 267 voted in the 1961 plebiscite in the British Cameroons which was monitored by thirty four United Nations observers, despite the difficult terrain and poor communications in the Territory. In the 1961 independence referendum in Western Samoa, twelve observers were required to monitor 37 897 voters and this on a number of islands. More recently, the United Nations sent three representatives to observe the 1975 plebiscite in the Mariana Islands where 5 005 voted. Last year, three observers went to Djibouti to observe and report on the independence election and referendum in which 79 789 voters participated.

It should be recalled that the terms of reference of most United Nations plebiscite teams were comprehensive and included responsibility for observing and reporting on polling arrangements, voting, counting of ballots and declaration of results. The plebiscites were conducted in territories where communications were often less adequate than in South West Africa.

There are also other aspects of the report which leaders in the Territory find objectionable. One of these concerns the timetable and the period of approximately seven months referred to in paragraph 17 of the report.

Two years ago, the leaders of the Territory told the South African Government that they were ready for independence and that they wanted it at the end of 1978. It is something we cannot deny them. South Africa at the time accepted that South West Africa would become independent on 31 December 1978. It is something which cannot be delayed any longer. No one has the right to thwart the will of the people.

Throughout the negotiations with the five Western members of the Security Council, South Africa made it clear that that date must stand. This position was accepted by the Five. In fact the annexure to the proposal approved by the Security Council in resolution 431 (1978) expressly reflects the date of independence as "*31 December 1978, at the latest*". This is clear, imperative language. The timetable was computed to attain independence by this date. This date determined the computation of the timetable and not vice versa.

As Your Excellency knows from a communication addressed to you on 25 April 1978,⁴ South Africa accepted the proposal on that date. That means in sufficient time for the attainment of independence, in accordance with the timetable, on 31 December 1978. It left eight months for a process which in any event is, even in Your Excellency's report, not foreseen to last more than seven months.

The fact that the Security Council adopted resolution 431

4. See *Southern Africa Record*, no. 12, May 1978, pp. 32 - 33

(1978) only on 27 July 1978, was due not to any fault on the part of South Africa but to the delaying tactics employed by Swapo. If, therefore, in order to make it possible to achieve independence by 31 December 1978, the timetable must now be telescoped, that is due entirely to the fault of Swapo.

I would add that all parties including Swapo have been campaigning politically in the Territory for several years — and during the last year on an ever-increasing and intensified scale. As far back as October 1974, my Prime Minister invited those who had left the Territory and wished to return, to propagate any constitutional changes they liked, provided only that they did so within the requirements of law and order. In Vienna, in May 1977, my Prime Minister publicly repeated that invitation to Swapo members. Pursuant to this, a substantial number have indeed returned and are still returning.

Furthermore, Your Excellency and members of the Security Council are aware of the substantial financial and other assistance which Swapo has received from this Organization in particular, but also from other quarters. Thus, during the current biennium an expenditure of just on \$3 million is budgeted for South West African activities in the United Nations (A/32/6/Add.1, pp. 12, 13, 70, 76 and 93). Swapo is the major beneficiary of this financial assistance. Direct assistance to Swapo from the regular United Nations budget for the biennium 1978/1979 totals \$263 400. Your Excellency is also aware that none of the other political parties in South West Africa, which also look to the United Nations, and especially to the Security Council, for support in realizing their aspirations towards self-determination and independence, is receiving any assistance from this Organization whatsoever.

A crucial question however remains, namely the military forces. Throughout the negotiations between South Africa and the five Western members of the Security Council, the responsibility of South Africa for security in South West Africa was accepted. Indeed, during discussions in Cape Town in June 1977, the attitude of the Five was expressed in the following terms by one of their spokesmen:

“As you know, a lot of people say they (the South African armed forces) should be withdrawn before elections are accepted — that is out of the question. What we have got to do is somehow to ensure that there can be no accusations that the South African forces behaved improperly during the election campaign . . . all that we have in mind would be an observer with, I do not know how many units you have, but anyway sufficient observers that someone could publicly declare on record that during the election campaign we were with the South African

armed forces and at no stage did they in any way improperly interfere in the elections. It would make it unnecessary for them to be withdrawn for fair elections . . . We are prepared to accept that South African troops must remain during this period but in order to meet the charge that they will improperly interfere, we will say that the South African forces have agreed that with each major unit there should be an observer who at the end of the period will be able to certify that there had been no intimidation or interference by the South African military personnel."

However, on 14 July 1977, after discussion with Swapo and other interested parties, the Five informed the South African Government that the presence of South African troops was "a major area of dispute". For the first time South Africa was requested to submit a schedule for the phased withdrawal of its forces from the Territory. This sudden change of attitude on the part of the Five caused my Government serious misgivings whether the Five would stand by their statements and commitments in good faith. Indeed, this changed attitude resulted in a number of acrimonious exchanges between my Government and the Five which all but brought to an end our negotiations.

At this juncture, the South African Government pointed out, as it had consistently done, that its troops were in the Territory at the request of the inhabitants and that their sole function was to provide protection against armed acts of aggression emanating from beyond the Territory's borders. South Africa had a continuing responsibility in regard to the security of the people of South West Africa and would leave only at their request. Nevertheless, as an expression of its serious desire to meet the concerns of the Five and with a view to the importance of international recognition for a future independent South West Africa, the South African Government indicated its willingness initially, as from a date to be agreed upon, to reduce its troops to 20 000 and after a period of three months, to 8 000. These troops would finally be confined to eight bases. The Five indicated, however, that these reductions would still not enable them to overcome the difficulties they envisaged. In a further effort to accommodate the Five, the South African Government was, as an alternative, prepared to reduce its troops to 12 000 by a specified commencement date, to 8 000 after three weeks and to 4 000 after another three weeks.

On the political side the Five argued that other parties would find it difficult to accept more South African troops than United Nations personnel. They would insist at least on parity. And in this connection the Five were thinking of a United Nations mili-

tary presence of 2 000 men. On the practical side, the Five reminded South Africa that the whole plan pre-supposed the existence of a situation of visible peace, arguing that in those circumstances it was not clear why South Africa wanted so many troops in South West Africa.

In the light of these arguments, particularly that large numbers of troops would not be required once peace was established, the South African Government indicated during a subsequent round of discussions with the Five, on 3 December 1977, that it would consider a further reduction from 4 000 to 3 000. The Five maintained, however, that the larger the South African force in South West Africa, the larger the United Nations contingent would have to be. In addition, they asked whether logistic services could not be rendered by civilian elements rather than by military personnel. The South African Government considers its responsibilities for physical security in South West Africa in a serious light and therefore indicated that it could not reduce its troop levels beyond the minimum considered necessary to be on hand immediately should hostile actions be resumed unexpectedly. In spite of this and of South Africa's strenuous objections, the Five included in their proposal of 31 January 1978 a figure of 1 500 South African troops to be confined to Grootfontein or Oshivello or both.

The question of United Nations military observer teams was discussed at various stages of the negotiations. During the discussions with the Five on 3 December 1977 it was suggested that the proposed United Nations military presence should be somewhat larger than the South African contingent. In fact, it was stated that the Five were thinking in terms of 2 000 men "tailored to the task which they would be called upon to perform". The Five, however, did not see their way clear, in the light of practical difficulties, to support a South African suggestion that if there were to be 2 000 United Nations military observers, 1 000 should be stationed south of the South West Africa/Angola border and 1 000 north of it.

As it was not possible to reach agreement on the size of the United Nations military observer group, it was suggested that the figure should be determined by the Special Representative in consultation with the Administrator-General. The underlying idea was that the two officials should, in line with the requirements of close co-operation and mutual trust, determine the figure according to the need of the situation on the ground. While the Five argued that the Administrator-General could not be given a veto in this matter, South Africa pointed out that if no agreement were reached it would become impossible to implement the proposal anyway.

Paragraph 8 of the proposal attempted to find a solution to the problem. It provided, *inter alia*, that:

"In establishing the military section of UNTAG, the Secretary-General will keep in mind functional and logistic requirements. The five Governments, as members of the Security Council, will support the Secretary-General's judgement in the discharge of this responsibility. The Secretary-General will, in the normal manner, include in his consultation all those concerned with the implementation of the agreement. The Special Representative will be required to satisfy himself as to the implementation of all these arrangements and will keep the Secretary-General informed of developments in this regard." (S/12636, p. 4)

When the South African Government considered the proposal as a whole it sought further assurances that the Administrator-General would be consulted also in regard to the size of the military group. To this end the Five defined their interpretation of the situation, in writing, as follows:

"We believe we have taken full account of your political difficulties, in leaving the Secretary-General to determine the size, composition and deployment of the contingent. We have explicitly provided for him to consult all those concerned with the implementation of the agreement. And we have told you that these will of necessity include the Administrator-General and your Government."

In the light of these facts, it cannot be argued that a military peace-keeping force of the nature envisaged in the report was ever contemplated during the negotiations which led to the submission of the proposal of the Five. It is also clear that in deciding on the composition and size as well as the deployment of the military observers required for monitoring purposes, there had to be consultations and it is implicit in the concept of consultation that reasonableness should be shown.

But lest there should be any argument on the functions envisaged for United Nations military observers in South West Africa, may I draw Your Excellency's attention to Security Council resolution 385 (1976)⁵ adopted on 30 January 1976.

While addressing certain demands to my Government it spells out the task envisaged for the United Nations in operative paragraph 7. This task is related to the supervision of free elections for the whole of South West Africa to enable the people freely to determine their own future — i.e. a monitoring and not a peace-keeping role.

5. See *Southern Africa Record*, no. 4, February 1976. pp. 40 - 42

Throughout the negotiations leading up to the submission of the proposal in its final and definitive form it was stressed that any agreement should satisfy the main requirements of resolution 385 (1976). This was no easy task but finally agreement was reached on how these essential requirements could be resolved.

But, Your Excellency, nowhere in this resolution is there the slightest hint of a type of peace-keeping force such as the one now proposed in the report. In fact, if there had been such a suggestion the negotiations would never have got off the ground. I submit, Your Excellency, that if there ever had been a plan to introduce such a far-reaching element into the framework of resolution 385 (1976) it should and would have been addressed specifically in the negotiations and in the proposal itself. Such a major new element cannot be slipped in casually. In this connection, I might well ask what the meaning is of the second sentence in paragraph 20 of the report which states:

“Self-defence will include resistance to attempts to prevent it from discharging its duties under the mandate of the Security Council.” (S/12827, p. 5)

Also, without any consultation, South Africa has now been confronted with what amounts to 7 500 United Nations military personnel plus 360 policemen. Where in the proposal itself is there any provision for a United Nations police contingent?

On the contrary, the proposal is very specific in defining the responsibility for the maintenance of law and order during the transitional period. It rests primarily with the *existing police forces*. Furthermore, the Administrator-General, to the satisfaction of the Special Representative, shall ensure the good conduct of the police forces.

Your Excellency, the language of the proposal is clear. There is no provision for a United Nations police contingent. There is no room for the recommendation in paragraphs 28, 29 and 30 of the report for the creation of a civil police element of UNTAG for the purpose of, *inter alia*, taking measures against any intimidation or interference with the electoral process from whatever quarter. It does not form part of the proposal and is completely unacceptable to the South African Government.

As far as the activities of the existing police forces are concerned, provision is made in the proposal for the Special Representative to make arrangements, *when appropriate*, for United Nations personnel to accompany them in the performance of their duties.

In conclusion, I wish to emphasize that the present difficulties have arisen in spite of the fact that all the elements which formed the basis of so many years of dispute and acrimony between South

Africa and the United Nations have been eliminated.

Over the years it has been demanded of South Africa that we grant immediate independence to South West Africa on the basis of:

- A unitary state;
- One man, one vote;
- The removal of discrimination on the basis of colour;
- The holding of free and fair elections to the satisfaction of the United Nations;
- The right of all South West Africans to return to participate peacefully in the political process;
- The release of detainees wherever held.

South Africa has committed itself to doing all this and has already gone a long way towards making possible the realization of these goals. It is a cause of great concern and disappointment to the South African Government that, in spite of what has been achieved and the clear wishes of the people of South West Africa, we are caught up in arguments far removed from the main questions of principle.

My Government for its part accepted the proposal on 25 April 1978 in its final and definitive form — nothing more, nothing less. We are prepared to adhere to that decision but not to go along with interpretations inconsistent with the proposal. The proposal cannot, however, be implemented unless accepted and honoured by all concerned.

Swapo cannot continue to engage in violence while at the same time paying lip-service to the proposal and claiming the benefits therefrom. The people of South West Africa demand to be told where they stand and are ready to assume their independence as envisaged and as promised.

Annex to UN document S/12836

**D. Uittreksel in verband met Suidwes-Afrika uit die ope-
ningsrede deur die Suid-Afrikaanse Minister van Verdedi-
ging, sy Edele P.W. Botha, tydens die Nasionale Partykon-
gres van die O.V.S. in Bloemfontein, op 6 September 1978**

As 'n mens kyk na Suidwes-Afrika sal jy vind dat in hierdie jare-
lange stryd een toegewing na die ander onder druk van die wese
gemaak is. Op versoek van die mense van Suidwes wat gesê het:
„Haal ons net uit hierdie internasionale twis sodat ons kan vrede
kry in hierdie gebied”, is die nodige aksies in werking gestel om
dit te bewerkstellig. Sogenaamde diskriminerende maatreëls is
afgeskaf, daar is toegestem dat 'n verkiesing vir 'n grondwet-

gewende vergadering op die grondslag van een-man-een-stem gehou word. Dit het hulle nie tevrede gestel nie. Vanaand eis hulle 'n verdere paaient in die stryd van opoffering, naamlik dat ook die terrorisme daar gestreel word en dat Suid-Afrika wat opgetree het as die bewaker van vrede, nou uitgemaak word as die vredeverstoorder saam met die terrorisme.

Laat ek 'n paar woorde meer oor Suidwes-Afrika sê. Daar is sekere aspekte oor Suidwes wat beklemtoon moet word nou dat Suid-Afrika se standpunt vanmiddag deur die Minister van Buitelandse Sake in 'n dokument aan die Sekretaris-Generaal van die VV gestel is. Hierdie lang uitgerekte stryd wat reeds vir dekades voortwoed kan nie in isolasie gesien word nie. Dis nie net 'n stryd oor Suidwes-Afrika nie. Dit gaan nie net om 'n rusie tussen ons en die VV oor Suidwes nie. Die vyande van Suid-Afrika wil Swapo gebruik om teen die sin en die wil van die meerderheid van die Suidwesters 'n marxistiese staat op die walle van die Oranjerivier te stig. As hulle hierin slaag, het hulle die geveg gebring tot naby die hartland van Suid-Afrika. Slaag hulle in hulle doel sal chaos, verwarring en ongekende stryd daardie mooi land se lot wees soos dit die lot was van Angola en Mosambiek.

Laat ek u daaraan herinner dat ten spyte van al hierdie lawaai, Swapo tot vanaand nog nie die vyf weslande se vredesvoorstelle aanvaar het nie. Swapo se leier gaan voort om te sê dat hy nie aan 'n verkiesing wil deelneem, dat hy nie geïnteresseerd is in 'n verkiesing nie en sê dat hy die land met geweld wil vat.

Die VV se standpunt, en ons vyande se kaarblyklike standpunt, is dat Suidwes-Afrika nie behoort aan die volkere van Suidwes nie, maar aan die marxistiese terroris, Sam Nujoma. Jy kan geen ander afleiding maak as jy die mannewales by die VV gadeslaan nie. Snaaks genoeg net vandag het daar uit 'n ander oord oor die Verenigde Volke 'n uitspraak gekom, naamlik dié van die ambassadeur van Israel by die VV, professor Blum, nadat hy pas daar aangekom het. Hy sê:

"The United Nations is not the same organization founded in the forties. No doubt there are many reasons for this development but the one that stands out most clearly is the fact that the UN of 1978 is dominated by a coalition of dictatorships and totalitarian regimes that have suppressed human rights and the rule of law in their own countries, while at the same time pretending to champion those very causes in the international arena."

'n Mooier getuigskrif van dubbelhartigheid, dubbelslagtigheid en huigelagtigheid wat daar heers is nog nooit mooier in so 'n paar kort woorde gegee nie, professor Blum kry volpunte daarvoor. Ons het praktiese ervaring daarvan. As ek 'n strydwekkende stelling maak dan vra ek hierdie vraag: „Sal mense dit betwis dat die VV ten spyte van al sy protestasies, besig is om die marxis-

tiese terroris, Sam Nujoma, te bevoordeel?" As dit nie so is nie, vra mens jouself af waarom die erkende leiers by die Turnhalle se standpunt dan verwerp is.

Die Republiek van Suid-Afrika, daarteen, wil die mense van Suidwes op 'n ordelike toekoms pad help plaas — 'n konstitusionele pad waarvolgens die onderskeie bevolkingsgroepe self in oorleg met mekaar ordelike ontwikkeling moontlik maak en onafhanklikheid nastrewe. Die bewys dat dit by hulle erns is, is 'n paar weke gelede gelewer. Die suksesvolle registrasie van kiesers in Suidwes, waartydens die oorgrote meerderheid van stemgeregtigdes na die registrasiekantore gestroom het om hulself te registreer, het bewys dat die mense die konstitusionele pad, die pad van vrede verkies.

Daar is 'n paar aspekte van die teenwoordigheid van die Republiek van Suid-Afrika in Suidwes wat beklemtoon moet word. Ons veiligheidsmagte — polisie en weermag — is in Suidwes omdat dit ons plig as voogde van die gebied is om daar te wees. Ons het hierdie plig geërf. Die Suid-Afrikaanse weermag is in Suidwes op versoek van die verskillende regerings in daardie gebied. Die Ovambo- en Kavangoregering, die Herero's, die blanke leiers, die Rehobotters — elke bevolkingsgroep in daardie land het die Suid-Afrikaanse weermag gevra om daar te wees en het hom by herhaling gevra om daar te bly. Nou weer het hulle aan die VV se verteenwoordiger gesê: „Ons wil hê dat die Suid-Afrikaanse weermag moet hier bly”. Dieselfde versoek is deur die Turnhalle by twee geleenthede gerig.

Alle persone van belang wat na Suidwes en die operasionele gebied gaan en terugkeer sê: „Ons besef nou eers waarom die Suid-Afrikaanse weermag daar moet wees en watter vrede staak hulle daar verrig.” Admiraal Tom Moorer, tot onlangs die hoof van die Amerikaanse vloot en 'n invloedryke man in Amerika, wat ons op televisie gesien het, se mening is dat ons moet voortgaan met ons werk in Suidwes en ons nie aan die wêreld moet steur nie. Mnr Connally, 'n vooraanstaande politieke leier in Amerika, Generaal Sir Walter Walker, tot onlangs een van Navo se hoof-offisiere in die noordelike deel van Europa; die meeste swart leiers van swart regerings in die Republiek van Suid-Afrika wat daarheen genooi is, het teruggekom en het oorgeloop van lof vir die werk wat die weermag doen. Ons het verlede week 'n aantal kleurlingleiers uit Suid-Afrika daar gehad; hulle het teruggekom en hulle het gesê: „Nou weet ons waarom ons daar moet wees en waarom ons daar moet bly”.

Maar dink die VV so? Sonder om ons te raadpleeg oor getalle, sonder om by die ooreenkoms met die westerse vyf te bly, word net eenvoudig 'n dokument die lig laat sien waarvolgens die Suid-

Afrikaanse weermag en polisie op die agtergrond gestoot word. As ons dit sou aanvaar sou dit niks anders beteken as 'n totale oorname van die VV in Suidwes nie. Ons is egter vasberade om Suidwes nie aan chaos en marxisme te oorhandig nie. Ons sal die wrede, godlose terroriste beveg. Die slagting van onskuldige mense in Rhodesië 'n paar dae gelede het vir ons gewys dat ons met magte uit die hel te doen het.

'n Mens moet die wese van hierdie stryd verstaan. Dit is 'n stryd om ordentlikheid, om Christelike waardes, om beskaafde beginsels en hierin, is jy óf aan die kant van die beskawing en van ordentlikheid, of jy is aan die kant van die magte van die duisternis.

Suid-Afrika is bereid om met die westerse wêreld te onderhandel, ons het dit bewys. Die Eerste Minister van Suid-Afrika het baie goeie kwaliteite, maar ek dink sy uitstaande kwaliteit is sy geduld — sy byna pynlike geduld. Ons is ook bereid om met die Sekretaris-generaal van die VV te onderhandel en dit het ons ook bewys. As hulle egter van ons verwag om Suidwes en sy mense aan marxisme te oorhandig dan sê ons: „Dit is nie verder te bespreek nie.” Ons het nou twee keer binne enkele maande 'n bedrogspul gesien; eers met Walvisbaai en nou in sake wat hulle nie met Suid-Afrika uitgeklaar het nie.

In verband met Suidwes is daar 'n tweede aangeleentheid waarvan ek wil verwys en wat nie alombekend is nie. Ek het die moeite gedoen om die syfers by die Tesourie met die goedkeuring van die Minister van Finansies te vra. Hierdie insiggewende gegewens het na vore gekom: in Suidwes is daar in soverre dit Suid-Afrika se beskikbaarstelling van fondse betref, 'n Suidwes-Afrika rekening waarin die belasting wat anders na die Staatskas sou kom, gestort word. Dit is belasting wat uit Suidwes self kom wat in Suidwes gespandeer moet word. As daar 'n tekort in die Suidwes-rekening is word dit uit die Staatskas aangevul. Sedert 1962 het Suid-Afrika tekorte ten bedrae van R173 miljoen aangevul. Ons bydrae aan die Suidwes-Afrikarekening uit Suid-Afrika se Staatskas beloop, veral met die ontwikkeling van die swart gebiede in Suidwes, R126 miljoen vir hierdie tydperk. Lenings uit Suid-Afrika ten gunste van die Suidwes-Afrika Elektrisiteitskommissie beloop R231 miljoen. Lening aan die Suidwes-Afrika-administrasie beloop R91 miljoen. Hoofpaaie in die swart gebiede van Suidwes: R15 miljoen. Dus 'n totaal van R636 miljoen sedert 1962 uit Suid-Afrika. Behalwe hierdie bydraes kos die veiligheidsmagte Suid-Afrika jaarliks ongeveer R200 miljoen in Suidwes.

Wat kry Suid-Afrika hiervoor? Die dank van die Suidwes-mense, ja. Die soek van vriendskap van die Suidwes mense, ja. Maar wat kry ons van die internasionale wêreld? Ons word teen die kruishout gespyker en ons word gevloek omdat ons meer as

R900 miljoen rand sedert 1962 in Suidwes en aan sy mense gespandeer het vir die ontwikkeling van daardie land. Watter geregtigheid is dit? Watter ordentlikheid is dit wat kom uit die geleedere van daardie regerings wat anders moet dink?

Vroeër in ons geskiedenis het 'n Suid-Afrikaanse leier 'n boek geskrywe wat vandag nog bekend is: *Die Eeu van Onreg*. As 'n mens na die behandeling kyk wat Suid-Afrika ervaar na wat hy as voog teenoor hierdie land gedoen het, dan is dit nie die tyd om meer 'n boek *Die Eeu van Onreg* te skryf nie, maar eerder 'n boek *Die Onreg van die Eeu*. Die onreg van die eeu wat teenoor ons gepleeg word deur sogenaamde mense wat voorgee dat hulle ook vir die demokrasie, vir westerse standaarde en vir die beskawing, staan. Die Verenigde Volkere-organisasie moet myns insiens kennis neem hiervan. As hulle Suidwes-Afrika op hulle manier aan die heer, Sam Nujoma oorhandig het, wat van hierdie geld wat Suid-Afrika in Suidwes spandeer het. Is dit nou sy „krismisbox”? Nee, daar is mos nog 'n lang pad voor vir Suidwes om met Suid-Afrika te onderhandel. Ons spoorweë, poswese en ons weermag is daar. Daar is baie faktore wat rede sal gee vir onderhandeling tussen Suid-Afrika en Suidwes. 'n Toekoms kan alleen uitgewerk word as dit twee vriendskaplike liggame is wat onderhandel. As dit afhang van die heer Sam Nujoma dan vat hy dit as sy „krismisbox” en weg is hy. Al wat ons sê, vir sover dit ons betref, is: „dit sal die dag wees.”

Ons het sluwe vyande maar ons het ook swak vriende. Sluwe vyande wat ons wil losruk van ons vastigheid en swak vriende wat help peuter terwyl ons wil probeer vasstaan. Daar moenie by ons enige twyfel bestaan oor hoe dr. Brzezinsky, wat president Carter se adviseur is, Suid-Afrika se toekoms sien nie. Dit blyk uit 'n toespraak wat hy voor die Trilateral Commission gehou het, en wat woordeliks uitgegee is:

“The second major issue we faced last January was in southern Africa. There we confront the danger that racial conflict might also become before long, an ideological war with external involvement. In co-operation with the African states we seek in southern Africa to promote a solution based on justice. Majority rule and one-man-one-vote reflect our fundamental view of man as a spiritual entity that transcendently is truly equal to all others.”

Dan gaan hy verder en hy sê,

“In Zimbabwe this means a support of a rapid transition to majority rule. In Namibia it means assumption of power by an African Government resting on the will of the majority.”

Maar as ons nou verkiesing wil hou dan wil hulle dit nie hou nie. Hulle wil hulle “majority” invoer van buite af:

"We recognise also that the situation in the Republic of South Africa is much more complex and will take much more time to resolve. We know that the issue of South Africa involves a fundamental conflict in philosophy, history and self-definition. We are anxious to help create conditions that will make a combination to a new reality."

Met ander woorde, hy het dit vir ons uitgespel. Suidwes kry 'n swart meerderheidsregering; Rhodesië kry 'n swart meerderheidsregering, maar nie net dit nie, 'n swart meerderheidsregering waarin die marxiste 'n volkome rol vervul. Dit is hulle eise. Wat Suid-Afrika betref is dit net 'n bietjie 'n langsaam pad maar eventueel dieselfde reses. Dan is hulle met ons klaar en die klompie blankes, kleurlinge, Indiërs en minderheidsgroepe onder die swartmense kan sien kom klaar want hulle patroon waar hulle hierdie proses toegepas het, het in Afrika gelei tot swart diktature onder kommunistiese invloed.

Teks verskaf deur die hoofkantoor van die Nasionale Party O.V.S.

E. Statement issued by the South African Prime Minister, the Hon. B.J. Vorster, on 20 September 1978

South West Africa never formed part of the territorial sovereignty of South Africa. As from 1920 the Territory was administered as a mandated territory and, after the League of Nations was dissolved in 1946, successive South African Governments made it their policy to continue administering South West Africa in the spirit of the mandate, i.e. the Territory should be so administered as to promote to the utmost the material and moral well-being and the social progress of the inhabitants.

The emphasis has thus, as far as South Africa is concerned, throughout been placed on the furtherance of the interests of the inhabitants of South West Africa. This is also the reason why it is the Government's basic point of departure that the inhabitants of the Territory should themselves freely decide on their political future.

This cornerstone of our policy was formulated as follows ten years ago in an official publication, *South West Africa Survey 1967*, which was given world wide distribution:

"(It is not) necessary to embark on speculation as to what the ultimate future political pattern will be — i.e. whether and to what extent there may be amalgamations or unions of some kind, federations, commonwealth or common market arrangements etc. *The peoples themselves will ultimately decide.*"

These were indeed prophetic words, especially when it is taken into account that they were written in 1967. Thus the political future of the Territory lies in the hands of the inhabitants. All options are open to them. The South African Government does not prescribe policy for South West Africa.

Through the years we have honoured this commitment and encouraged and assisted the peoples of South West Africa on the road to self-determination. In August 1976 the elected representatives of the people of South West Africa requested independence by 31 December 1978.

In an effort to resolve the thirty-one year old dispute with the United Nations over South West Africa and also in the hope of realising international recognition for an independent South West Africa, the South African Government, seventeen months ago, entered into negotiations with the five Western Powers in the Security Council. In these discussions efforts were made to resolve the issues of principle which had in the past made a solution impossible. As stated by me in Windhoek in May 1975, perhaps the South African position was not so far removed from that of the UN to make agreement impossible. Over the years the main elements of the dispute centered around the following issues:

- a unitary state;
- universal adult suffrage;
- the removal of discrimination based on colour;
- the holding of free and fair elections;
- the urgency of achieving independence;
- the right of all South West Africans to return to participate peacefully in the political process;
- the release of detainees wherever held.

South Africa has committed itself to doing all this and has already gone a long way towards making possible the realisation of these goals.

It is therefore a cause of great concern and disappointment to the South African Government that, in spite of what has been achieved and the clear wishes of the people of South West Africa, we are now caught up in arguments far removed from the main questions of principle.

I say this because as far back as 25 April 1978¹ my Government accepted the proposal of the five Western countries, in its final and definitive form, in good faith and in time to allow for the implementation of the proposed schedule leading to independence. The people of South West Africa expected the early implementation of the proposal and thereafter international

1. See *Southern Africa Record*, no. 12, May 1978, pp. 32 - 33

recognition of an independent South West Africa.

In terms of Security Council Resolution 431 dated 27 July 1978,² adopted on the Western proposal, the Secretary-General's Special Representative visited South West Africa in August 1978 for the purpose of submitting a report on the implementation of the proposal. During his visit he received the full co-operation of the Administrator-General and the authorities concerned.

The Secretary-General's report to the Security Council, based on his Special Representative's recommendations, deviated substantially from the proposal of the Five. The most striking deviations concerned:

- the size of the UN military contingent;
- the introduction of a UN civil police component;
- the lack of consultation with the Administrator-General;
- the election date.

I do not wish to refer extensively to these matters, since they have all been dealt with in communications addressed by my Foreign Minister to the Secretary-General and the Five, as well as in discussions with them.

As far as the UN military component is concerned, it should be made absolutely clear that never during the discussions with the Five was a figure higher than 3 000 mentioned by them, and South Africa for its part had indicated that it could not accept a figure exceeding 2 000. It will be appreciated that in these circumstances the figure of 7 500 put forward by the Secretary-General came not only as a surprise but also as a shock. Indeed, I am aware that those who had been negotiating with us all this time must have been equally surprised. The people of South West Africa are now being confronted in the Secretary-General's Report with a military component which virtually amounts to an operational peace-keeping force or an occupation force.

South Africa's objection to this figure stems from the fact that the guiding principle in the Western proposal is the establishment of a visible peace. Under such circumstances the need for a large military presence is obviated as, indeed, the Five pointed out to South Africa when they sought a reduction in our troop numbers. By the same token the order of numbers now being suggested by the Secretary-General in his report is totally unacceptable to South Africa.

During the lengthy negotiations the Five were repeatedly reminded of the political and psychological effect of such a large number of UN personnel on the people of South West Africa. The impartiality of the UN is rendered suspect by the continued and sustained assistance to Swapo to the exclusion of all other

2. Included in *Report of the UN Secretary General, dated 29 August 1978, reproduced in this issue*

political parties in South West Africa. Thus, for example, Swapo is recognized by the UN General Assembly as "the sole and authentic representative" of the people of South West Africa and receives considerable financial assistance. Furthermore it enjoys extensive facilities to beam propaganda to the Territory and elsewhere. Indeed the UN's whole information system itself supports Swapo.

The proposal of the Five specifically defines that during the transitional period the maintenance of law and order would rest with the existing police forces. There is no provision in the proposal for a UN police contingent as proposed in the Secretary-General's report, and while subsequent exchanges were somewhat reassuring in this regard, there is still an insistence on the figure of 360 civil police — an unnecessarily high number.

In the course of the negotiations with the Five, it was often stressed that the underlying idea was that the Administrator-General and the Representative of the Secretary-General should, in keeping with the vital requirements of close co-operation and mutual trust, consult each other in many fields, including the composition and size of the UN military component. We received specific assurances from the Five in this regard. Nevertheless, no such consultation took place in determining the figure of 7 500, nor has there as yet been any consultation on the composition of the UN forces.

The report of the Secretary-General does not offer any real hope that it might be possible to reach consensus on the timing of elections in South West Africa. In fact, it creates the impression that the date for elections is unimportant.

A full three months lapsed after South Africa's acceptance on 25 April before the proposal was, for the first time, referred to the Security Council. This in itself made it impossible to adhere to the programme envisaged for the electoral process and at the same time to observe the independence date. This delay was caused by Swapo's intransigence.

The Five tell us Swapo has accepted their proposal; in fact only last weekend Nujoma repudiated the proposal. The reason is that the proposal provides for free elections in the Territory and Swapo has no confidence that it can win an election. Swapo feels the only way it can assure itself of assuming power is by disorder and violence. The proposal definitively provides for elections and independence by 31 December at the latest and for a run-up period of seven months before elections.

As already stated, this programme was possible when South Africa accepted the proposal. The registration of voters, a long-drawn-out process which Swapo strenuously opposed, has vir-

tually been completed. The registration of voters is opposed by Swapo and others despite South Africa's willingness to allow the process to be fully examined by the UN. Again this testifies to Swapo's delaying tactics.

Swapo wants to build up bases and supplies of weapons and to train terrorists to attack South West Africa. Swapo's firm intention is to keep on delaying elections. The people of the Territory, however, do not want to delay elections.

I reiterate, South Africa has always accepted the principle that it is for the people themselves to determine their own future. It is not for the Secretary-General or the United Nations or any other entity to delay the process leading to self-determination and independence.

South Africa accepted the proposal of the Five in good faith, but no one can blame the South African Government for being unwilling to accept extended and amended provisions of a proposal which was described to us as being final and definitive. Indeed, the Five pledged that they would stand by their proposal.

During the past few days the most strenuous efforts were made by the South African Foreign Minister and the Five to overcome the differences. Regrettably these efforts have not succeeded. While the South African Government does not wish to close doors, it cannot allow this impasse to continue indefinitely. Bearing in mind the consequences of these developments for the people of South West Africa as well as those of Southern Africa as a whole, the Government has given its most serious attention to all the alternatives.

The Cabinet in its deliberations yesterday concluded that the people of South West Africa, in accordance with their wishes, would have to be given the opportunity to elect their own representatives. This will be done on the basis of universal adult suffrage in countrywide elections, in order to establish unequivocally who has the right to speak for the people of South West Africa.

The people of South West Africa have clearly signified their desire to exercise their inalienable right to self-determination and independence. Thus more than 85 percent of the estimated eligible voters in the Territory have enthusiastically registered to vote, this notwithstanding intimidation from certain quarters not to do so.

All options remain open to them. We will not prescribe to them.

The body to be elected may:

- decide to draw up a constitution or postpone the drafting thereof;
- decide to proceed with the implementation of the proposal of the Five;

- decide to accept the Secretary-General's report.

They will, of course, also be free to express themselves on numerous other matters, which will be dealt with in the relevant proclamation to be issued shortly.

F. Explanatory statement by the UN Secretary-General, in the Security Council on 29 September 1978

It is now one month since I submitted my report (S/12827) on the implementation of the proposal of the Five to the Security Council. During that time exhaustive studies of my report have been undertaken by the parties concerned and I and my staff have conducted intensive consultations with them. These have revealed a number of concerns regarding which I believe it would be useful if I gave an explanation of the way in which the Special Representative would carry out his mandate. My recommendations are based upon the tasks which the proposal contained in document S/12636¹ of 10 April 1978 explicitly mandated the United Nations Transitional Assistance Group (UNTAG) to perform. Were we to follow any other course, these tasks could not be credibly performed.

Concern has been expressed by some members of the Security Council over the cost of this exercise. I recognize that this is a particularly heavy burden for members to bear and of course I shall try to ensure that the mandate is carried out in the most economical manner possible. All members will recognize, however, that the most important consideration is the ability of UNTAG successfully to carry out the tasks assigned to it in the proposal. In the absence of a credible United Nations presence, incidents might take place, intentionally or otherwise, that might lead to a resumption of hostilities. Clearly this would vitiate the whole purpose of UNTAG, which is to ensure that elections will take place freely and fairly in conditions of peace.

I should also like to make some observations about the build-up of the military component of UNTAG. When my Special Representative, accompanied by advisers, visited Namibia, his military adviser, Major-General Philipp, was given access to the military installations in the country and he was able to hold detailed discussions with the South African military on the local conditions in relation to the tasks which the UNTAG military component will have to take up in order to fulfil the mandate. The part of my report on this subject is, of course, an estimate. It is an estimate based upon reliable professional judgement and experience in

1. See *Southern Africa Record* no. 12, May 1978, pp. 25 - 30

the light of the tasks to be performed and of previous United Nations expertise as well as the rules and regulations governing the deployment of United Nations personnel. The military component of UNTAG will be built up gradually and will be introduced, for practical as well as other reasons, by stages. The figure of 7 500 men — which includes 2 300 for logistics — would be the authorized upper limit of the military component, and it is obvious that its actual size at any given time will depend upon the development of the general situation, which I shall keep under constant review, undertaking such consultations as may be necessary. Such factors as the co-operation extended by the parties, the maintenance of the cease-fire and the security situation will obviously be very important in this regard. I am also studying means by which at least some of the logistic functions of the military component can be carried out by civilian agencies.

I should also like to make some observations about the procedure by which such United Nations military components are constituted. Although I and my staff have obviously made very informal and preliminary moves to prepare for the task which may be assigned to us by the Security Council, I wish to stress here that no commitments concerning military contingents have been made. Nor could such commitments be made in view of the statement in my report to the Council that:

The contingents will be selected in consultation with the Security Council and with the parties concerned, bearing in mind the accepted principle of equitable geographical representation. (S/12827)

I wish to emphasize here that in the past this process of consultation has been successfully undertaken, thereby ensuring the co-operation of all parties, without which such an enterprise cannot be successful.

The objective of the United Nations under Security Council resolution 431 (1978)² is the supervision and control of the entire electoral process. My Special Representative has also to satisfy himself that conditions are established which will allow free and fair elections and an impartial electoral process.

But before the electoral process can begin, it is necessary that conditions be such that they will facilitate it. According to the proposal set out in document S/12636, a general cessation of hostile acts will take place immediately after the Security Council has passed a resolution approving my report. In this connection, I note that the South West Africa People's Organization (Swapo) and South Africa have indicated their willingness to observe a cease-fire provided the other does the same. As I have stated in

2. Included in *Report of the Secretary-General dated 29 August, 1978*, reproduced in this issue

my report, and as is clearly envisaged in paragraphs 4 and 12 of the proposal, the co-operation of all concerned is essential to the success of UNTAG. I welcome the assurances I have received from the neighbouring states, and I intend to instruct my Special Representative, as soon as my report is adopted, to explore with them practical ways to facilitate his task.

In paragraphs 29 and 30 of my report I intended to indicate how the Special Representative would fulfil his responsibilities concerning the existing police.

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

However, the Special Representative is also given explicit responsibilities:

- (a) to satisfy himself that the Administrator-General ensures the good conduct of the police force;
- (b) to satisfy himself that the Administrator-General takes the necessary action to ensure the suitability of the police for continued employment during the transition period;
- (c) to make arrangements when appropriate for United Nations personnel to accompany the police forces in the discharge of their duties.

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

A number of considerations have been raised regarding the timing of elections and the date of independence for Namibia. As indicated in my report, a majority of the political parties is of the opinion that it is essential to maintain the orderly phases of the preparatory stages and to allow sufficient time for electoral campaigning in order to ensure free and fair elections. Surely, the objective is not simply the holding of elections by a certain date, but the holding of elections which are manifestly free and fair.

It is essential that all aspects of the electoral process be beyond reproach and, equally important, that this be apparent. Various parties have expressed concern over the process of registration for elections, and a number of complaints about the existing registration have been brought to my notice. The proposal makes clear that at each stage of the entire electoral process the Special

Representative must satisfy himself as to the fairness and appropriateness of all measures affecting the political process at all levels of administration before such measures take effect.

Clearly, therefore, the Special Representative on arrival in the Territory will look afresh at all the processes and measures, including the registration of voters, in order to satisfy himself that these are fair and appropriate. Accordingly, the Special Representative will review the registration process, and I can assure all parties that no registration process will receive the approval of the Special Representative until he is fully satisfied as to its fairness.

In accordance with paragraph 10 of document S/12636, the Special Representative will take steps to guarantee against the possibility of intimidation or interference with the electoral process from whatever quarter.

In conclusion, I should like to emphasize once again that the implementation of my report will depend on the co-operation and understanding of all the parties concerned, and of course of all members of the Security Council. In this connection, I am glad to note that the five Western Governments have given me full assurances of their continued good offices to facilitate the implementation of the Report. To this end, my Special Representative will also conduct such further consultations as are deemed necessary. I also trust that the clarifications which I have just given will serve to meet the concerns of all the parties.

S/PV. 2087

G. Resolution 435 (1978), adopted by the UN Security Council on 29 September, 1978

The Security Council,

Recalling its resolutions 385(1976)¹, 431(1978)² and 432(1978),³

Having considered the report submitted by the Secretary-General pursuant to paragraph 2 of resolution 431 (1978) (S/12827) and his explanatory statement made in the Security Council on 29 September 1978 (S/12869),

Taking note of the relevant communications from the Government of South Africa addressed to the Secretary-General,

Taking note also of the letter dated 8 September 1978 from the President of the South West Africa People's Organization (Swapo) addressed to the Secretary-General (S/12841),

Reaffirming the legal responsibility of the United Nations over Namibia,

1. *Approves the report of the Secretary-General (S/12827) for the implementation of the proposal for a settlement of the Namibian situation (S/12636) and his explanatory statement (S/12869);*

1. See *Southern Africa Record*, no. 4, February 1976, pp. 40 - 42

2. *Op. cit.* no. 13, September 1978, p. 1

3. *Ibid.*

2. *Reiterates* that its objective is the withdrawal of South Africa's illegal administration of Namibia and the transfer of power to the people of Namibia with the assistance of the United Nations in accordance with resolution 385 (1976);
3. *Decides* to establish under its authority a United Nations Transitional Assistance Group (UNTAG) in accordance with the above-mentioned report of the Secretary-General for a period of up to twelve months in order to assist his Special Representative to carry out the mandate conferred upon him by paragraph 1 of Security Council resolution 431 (1978), namely, to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations;
4. *Welcomes* Swapo's preparedness to co-operate in the implementation of the Secretary-General's report, including its expressed readiness to sign and observe the cease-fire provisions as manifested in the letter from the President of Swapo dated 8 September 1978 (S/12841);
5. *Calls on* South Africa forthwith to co-operate with the Secretary-General in the implementation of this resolution;
6. *Declares* that all unilateral measures taken by the illegal administration in Namibia in relation to the electoral process, including unilateral registration of voters, or transfer of power, in contravention of Security Council resolutions 385 (1976), 431 (1978) and this resolution are null and void;
7. *Requests* the Secretary-General to report to the Security Council no later than 23 October 1978 on the implementation of this resolution.

H. Statement by the South African Prime Minister, the Hon. P.W. Botha, on 3 October 1978

The latest developments regarding South West Africa, including events at the United Nations and representations received from the Western countries, have received intensive attention by the Government and the Administrator-General of South West Africa.

After further consultation with the Administrator-General, the Government's point of view will be conveyed to the five Western members of the Security Council as soon as possible, and be discussed with them.

It is, therefore, clear that the door for the implementation of, *inter alia*, Dr Waldheim's report and the additional elucidation, is not being closed by an election of representatives of the peoples of South West Africa in December this year.

Issued by the Department of the Prime Minister

I. Pretoria meeting between the five Western Foreign Ministers* and the South African Government

(i) INTRODUCTORY STATEMENT BY THE SOUTH AFRICAN PRIME MINISTER, THE HON. P.W. BOTHA, ON 16 OCTOBER 1978

Honourable Ministers; you and those who accompany you are most welcome as representatives of your countries as well as in your individual capacities, to the Republic of South Africa and to Pretoria. It is the sincere hope of our Government and peoples that your historic visit will accomplish the re-discovery of the Cape of Good Hope, its strategic importance and its friendship to the free world . . .

Allow me to invite you to avail yourself of the opportunity of seeing more of our country than this conference room. You owe it to yourself, but also to the world. We are prepared to create the necessary facilities, considering your limited time. As you have travelled so far I hope you will allow my colleague of Foreign Affairs to organise, for instance, a visit to Cape Town and the Witwatersrand.

I am also very glad that some of you have found it possible to visit Windhoek and to have discussions with representatives of those most directly concerned with the future of South West Africa.

Before we come to specific points, I should like to express my views to you, as leading members of the Western world, on some salient features affecting the strategic situation in Southern Africa. I therefore request your indulgence for a short while.

The ideals for which the West stands — and I refer especially to those democratic principles of individual and political freedom — are as dear to us in South Africa as they are to you. South Africa is part of the Free World and is anxious to discuss problems that have arisen between us and the rest of the family of nations, on the basis of mutual respect. We have understanding for the points of view of others and hope that, on their part, those who are animated by goodwill would appreciate the real nature of the grave problems which face the Southern African sub-continent.

As a country we deplore the ideology of communism and are prepared not only to fight to preserve the democratic ideals but actively to oppose communism.

I would ask you to recall that in the years since South Africa became a unitary state following the Act of Union in 1910, we have

* United States Secretary of State, Mr Cyrus Vance; British Foreign Secretary, Dr David Owen; West German Foreign Minister, Mr Hans-Dietrich Genscher; Canadian Foreign Minister, Mr Don Jamieson; French Deputy Foreign Minister, Mr O. Stin

fought together with four of the five countries represented here today. In World Wars I and II South Africa, as a member of the British Commonwealth of Nations, was to be found playing its part in the defence of the common ideals of Western democracy. In Korea, we joined the group of Western countries in the fight against communist aggression and expansionism.

It is perhaps ironical that the current dispute with the United Nations can be traced back to a war in which South African forces, acting on behalf of, and in concert with Great Britain, seized what was then German South West Africa and held it as captured territory until it was turned over to South Africa's administration as a mandate from the League of Nations at the end of the First World War. During the First World War this country brought upon itself a bloody civil war in which some of the best people of South Africa died, as a result of our participation on the side of the West — and more specifically because the Government of that time conquered South West Africa. That was the price which South Africa paid: civil war and insurrection because the interests of the West had to be served. 190 000 white soldiers and 60 000 non-white took part in the First World War, on the side of the West. 12 450 died in battle. During the Second World War South Africa once again stood on the side of the Allies in spite of discord and divisions within its own ranks. South Africa supplied 400 000 soldiers of whom 12 000 died. Then came the Berlin Airlift in which ten South African crews of three men each undertook 2 500 flights and delivered 8 000 tons of supplies to West Berlin. Then came Korea. South Africa made 800 members of the air-force available to Korea. We appreciate that Korea still has the decency to invite us to its festivities and we shall attend them. All these are South Africa's contributions to the West.

From that time until the present era, South Africa has been concerned with, and responsible for, the security of the Territory of South West Africa. For many decades this was not a serious problem, only in recent years has the security of South West Africa become affected by new developments in the southern African strategic context.

These new developments concern, of course, the entry of Soviet Russia into Africa and more especially into southern Africa. Soviet activity in the Horn of Africa affects us in the southern tip of the continent less than does their activity in our neighbouring states, but I would suggest that for your countries and for the whole of the Free World you should be vitally concerned at these developments throughout the African continent. I am not so presumptuous as to suggest that you are *not* so concerned. I feel it unnecessary on such an occasion to analyse in depth and in

detail the Soviet overall strategy to further its policy of imperialism and expansionism to all quarters of the globe. What I *do* want to cover, however briefly, is the South African perception of the threat of communist expansionism in southern Africa. In passing, I cannot ignore the dramatic build-up of the Soviet bluewater fleet in the Indian Ocean, which does not concern only African strategists, but from all reports available to me, is very much a matter of concern for NATO, which has drawn up contingency plans for the protection of the oil-route round southern Africa.

The first obvious intrusion by communist Russia into the affairs of southern Africa was, of course in Angola, and in conformity with what I said earlier on, we in South Africa were prepared to risk physical conflict in order to stop a marxist-orientated group from seizing power in that country, and which would rob the Angolan people of their right to self-determination. We are thankful that in spite of the lack of promised support from the West, we succeeded in halting chaos and a Cuban advance into South West Africa. Russian intervention in Angola, through their Cuban surrogates, clearly had only one purpose. This was no war of national liberation with so-called freedom fighters supported by the USSR, against so-called colonialist oppressors. The Portuguese had gone and the issue was — who was going to rule in Angola — the pro-Western UNITA or FNLA, or the pro-communist MPLA? The Russians were determined to get the MPLA into power, and having cocked their noses at the West, they did so.

The West may say that it does not matter that there is a Soviet-imposed marxist Government in Angola. While we accept that the people of any country, including Angola, have a right to choose their own government, even a marxist government, we in South Africa believe most fervently that it is an entirely different matter if such a government is imposed on the people by force under Soviet direction. We see this as the thin edge of the wedge — or to quote an American strategic view — the start of the domino theory.

When Frelimo came to power in Mozambique, the South African Government stated as a matter of policy that it was not for us to choose a particular type of government for that country. We indicated that we would be prepared to co-operate with the new Government on a basis of non-interference in each other's affairs and provided they respected our sovereignty. This in itself assumes that Mozambique would not make available its territory as a springboard for action against the Republic. In the short term we do not expect this to happen, but looking ahead one must take cognisance of developing relations between Frelimo and the

Soviet Union. Russia may not have a large physical presence in either Angola or Mozambique at the present moment, but when the chips are down and it really matters in a strategic sense in the fundamental conflict between East and West, Soviet troops, aircraft and ships could reach those territories within hours rather than days. The Soviet capability to reinforce very rapidly — even halfway across the globe from Russia — has already been amply and chillingly demonstrated.

Let us suppose that in addition to Angola and Mozambique, the Soviet Union were to get a firm foothold in South West Africa by imposing a satellite government. This is not a far-fetched possibility, there can be little doubt that Sam Nujoma's Swapo has already become a Soviet pawn and is determined to seize power by subversion, intimidation and other force. This, incidentally, is the main reason why Swapo is so determined to get the South African forces out of South West Africa. If you have any doubts about Swapo's intentions, we shall gladly make available to you the information our Intelligence has collected, although much of this is probably already available to your own Intelligence Authorities. To return to my point: should the Soviets and Swapo succeed, what then?

- South West Africa together with Angola would provide the USSR with a solid bloc along the west coast of central and southern Africa, enabling it to be used at will to the detriment of southern Africa and the Free World. It would, for example, control South West Africa's mineral resources, including its uranium.
- Botswana, Bophuthatswana, Transkei and Lesotho could wittingly or unwittingly become pawns in the Soviet master game.
- Cuban troop presence in Angola could be reduced, making the Cubans available for further adventures on behalf of their Russian masters, e.g. against the Western-supported state of Zaïre, where already the United States claims to have evidence that the Cubans were behind the invasion of the Shaba province earlier this year.
- If Mobutu's shaky hold on his country were to be broken, he would almost certainly be replaced by a marxist and we would then be faced by a situation in which the marxist-orientated countries of Congo (Brazzaville), Zaïre and Tanzania would form a belt across Africa from East to West, effectively cutting Africa in half and isolating southern Africa to be dealt with at leisure.
- Zambia, Rhodesia and Malawi, would be largely dependent upon the goodwill of the four marxist seaboard states of An-

gola, Zaïre, Tanzania and Mozambique for their imports and exports, and thus liable to an economic stranglehold which could force them to toe the marxist line.

- The isolation of the Republic of South Africa, economically, politically and militarily would now be complete and final, and Russia would be standing before her ultimate strategic goal in Africa.

We cannot escape the impression that at least some Western countries, while expecting South Africa's active co-operation in search of peace, nevertheless take steps which we cannot interpret as other than hostile. It would seem that they hold the view that stability in southern Africa, and our future, are to be sacrificed in the hope of satisfying the Third World and thereby indirectly curtailing Soviet expansion. This is a vain hope.

I know you will say that the best way of avoiding such a situation is to find internationally accepted settlements in South West Africa and Rhodesia, and we are aware of the benefits which can flow from such solutions. It is this realization which has motivated South Africa to commit herself over the past eighteen months to negotiations with the five Western countries, with the objective of achieving an internationally recognized settlement. South Africa has conducted these negotiations in all sincerity and good faith. But it would be of little avail if an internationally accepted settlement were to be reached in South West Africa at the cost of internal stability. A chaotic South West Africa, or a country dictatorially ruled by a Soviet puppet, although internationally recognized, would be poor compensation to a people who had been promised orderly independence by the end of this year. If the people of South West Africa, or a substantial portion of them, were to believe that they were mere pawns in an international game, in which their wishes did not count and were not even ascertained, we would have failed dismally. I hope this can be avoided.

We have reached a critical juncture, and the results of the present discussions might affect the whole of southern Africa for many years to come. It is my Government's hope that we can avoid running over-hastily into a tragic confrontation. The present situation is delicately poised and we have to move with caution. In this framework the envisaged December elections in South West Africa should neither be seen as a final step nor as a challenge to the international community. As we said in our reply to the Five on October 6:

All options will be open to the elected representatives and they will, therefore, also be free to recommend acceptance of the Secretary-General's Report. South Africa will, at that time,

point out to them the various alternatives and their likely consequences, both internally and externally. South Africa will also again bring to their attention the views of the Five in regard to the requirements for international recognition of an independent South West Africa.

Before concluding my remarks, I wish to draw your attention to the substantial progress South West Africa and its peoples have made under the guidance of my country. South Africa's support is not only a matter of money, but also embraces railways, harbours, post and telegraph services, research in various directions, water supply, and power supply and development. General economic development, such as in banking, agriculture and mining also took place under the leadership of the Republic.

From 1961 to 1977 (not to mention earlier statistics) South Africa contributed to South West African development in the form of special subsidies, loans for electrical supply and building of main roads, the sum of not less than R637 million. This amount does not include the approximately R200 million we are spending annually on our peace-keeping forces to maintain security and peace in South West Africa against marxist insurgency from outside.

Let me be quite candid with you, an independent South West Africa with a responsible Government, will have to take cognisance of these facts. An irresponsible Government motivated by marxist theories, can only destroy South West Africa and its infrastructure, in the same way it brought chaos, hunger, and the breakdown of health services, together with the destruction of potential economic growth, in Angola and Mozambique.

Quite correctly a leader in Kavango stated in clear terms:

"I say that the Republic of South Africa is our best friend."

Finally, we have a practical vision for southern Africa.

Firstly, as far as the internal affairs of my country are concerned, we did not as a Government, create plural societies. They are South Africa's proud heritage. We do not see this state of affairs as our eventual doom, we accept it as our challenge and an addition to our other resources of wealth. The beauty of the creation itself is to be found in its diversity. The diversity of our peoples is not an unbearable burden, it is an opportunity to serve humanity.

It is true we also inherited many unnecessary discriminatory measures from the colonial era. We have already done away with some of them and will continue to do so wherever common interest can be served.

Furthermore, the freedom and right to self-determination and self-expression which we demanded, fought for, and achieved for my own people, we are prepared to grant to others. We shall at

all times follow the road of constitutional and evolutionary development in this regard. We shall with determination withstand revolution and the creation of chaos. We have the unqualified support of most South Africans on this principle.

Thirdly, I personally have already contributed my efforts towards creating a new dispensation for coloured and Asian South Africans on the basis of mutual co-operation and responsibility for the future. Our coloured and Asian communities have made rapid progress during the last few decades. Consultation on different levels has been accepted and Parliament will attend to these further matters within a few months.

As to our black peoples — nobody forces them to accept independence, although they are all enjoying self-government. Transkei and Bophuthatswana attained their goal by constitutional means, without bloodshed, and are certainly deserving of better treatment from the civilized, democratic world.

We have problems — still to be solved — many of which resulted from the colonial period and rapid industrialisation. We can be trusted to cope with these problems through discussion and deliberation, in a civilized South African way. We are a country of relaxed peoples; the only people in my country who are not relaxed are those who make themselves available to serve revolutionary and communist causes and who prefer militant action against orderly government.

We believe in a community of free nations in southern Africa — where proper health services, training of people, higher standards of living, proper housing of families, opportunities for work and economic progress will be possible.

Our neighbouring states in southern Africa need technological, scientific, and other forms of assistance. They need capital for sound development. They do not need terrorists who exploit their territories. South Africa is capable of contributing its proper share in a positive way.

My advice is; stop shouting at us; stop putting stumbling blocks in our way. There is a different, wiser approach for dealing with us.

Our different indigenous peoples, white, brown and black, have never been slaves, and we do not intend being slaves, either now or in the future.

(ii) JOINT STATEMENT BY THE SOUTH AFRICAN GOVERNMENT AND THE FIVE FOREIGN MINISTERS ON 19 OCTOBER 1978

1. On 25 April, 1978, the South African Government announ-

ced its acceptance of the proposals of the Western Five for an internationally acceptable settlement of the Namibia problem. However, when the United Nations Secretary-General published his Report on the implementation of the proposals, the South African Government expressed concern that certain aspects of the Report were not in accordance with the Western proposal. The areas of concern were the size of the military component of UNTAG, the question of consultations, the proposal for police monitors and the date of the elections. The statement by the Secretary-General in the Security Council on 29 September addressed itself to clarification on these areas of concern.

2. The five Foreign Ministers and the South African Government discussed these clarifications further in order to establish common ground on the implementation of the Report of the Secretary-General.

The following main points were examined:

(i) *Police Force:*

While the South African delegation considered the number of civilian personnel envisaged for police monitoring responsibilities excessive, it believed that the Secretary-General's explanatory statement in the Security Council had removed South Africa's preoccupation with the character and role of the personnel concerned. It had become clear that the functions of the existing police forces would not be affected.

(ii) *Consultation:*

The Five intimated their agreement that they were committed to the principle of fair consultation, emphasizing that this had been re-affirmed by the Secretary-General in his introductory statement of 29 September in the Security Council. This would cover, *inter alia*, the composition and actual size of the military component of UNTAG. The Five intimated that they would seek confirmation that their interpretation coincided with that of the Secretary-General. On that basis the South African delegation felt that the question of consultation could be resolved.

(iii) *Troops:*

The composition and the actual total figure of UNTAG would be determined by the Secretary-General after consultation by his Special Representative with the Administrator-General in the light of the prevailing circumstances.

3. The South African Government and the five Foreign Ministers accordingly believe that it would now be appropriate for the Secretary-General's Special Representative, Mr Ahtisaari, to

resume his discussions with the South African Administrator-General of Namibia within the framework of Security Council Resolution 435 which endorsed the Secretary-General's Report. The aim of these discussions would be to work out the modalities of the proposed elections under United Nations supervision and to fix a date for these elections. The five Foreign Ministers therefore intend to recommend to the Secretary-General that he should instruct Mr Ahtisaari to proceed to Windhoek as soon as possible. In addition, it was regarded as appropriate to recommend to the Secretary-General that he begin consultations on the composition of the military component of UNTAG.

4. The South African Government stated that the planned December elections must be seen as an internal process to elect leaders.

The South African Government will thereafter use its best efforts to persuade them seriously to consider ways and means of achieving international recognition through the good offices of the Special Representative and the Administrator-General.

In implementation of this goal the Special Representative would consult with the Administrator-General on all aspects of the Secretary-General's Report (including the fixing of a further election date).

5. The five Foreign Ministers stated with regard to the unilateral elections in December, that they saw no way of reconciling such elections with the proposal which they put forward and which the Security Council has endorsed. Any such unilateral measure in relation to the electoral process will be regarded as null and void.

(iii) STATEMENT BY THE SOUTH AFRICAN PRIME MINISTER, THE HON. P.W. BOTHA, ON BEHALF OF THE SOUTH AFRICAN GOVERNMENT, ON 19 OCTOBER 1978

1. The South African delegation stressed that the reduction of South African troops in South West Africa would only commence if and when a complete and a comprehensive cessation of hostilities had been brought about.

2. A continuation of violence can, therefore, interrupt and delay indefinitely the reduction of South African troops, and therefore conceivably also the holding of elections.

3. To present any party from unilaterally delaying the holding of elections, it is therefore necessary that a firm election date be fixed. This date must then be adhered to irrespective of whether

there is a cessation of hostilities and a consequent reduction of South African troops.

Texts issued by the South African Department of Foreign Affairs

(IV) STATEMENT BY THE FIVE FOREIGN MINISTERS ON 19 OCTOBER 1978

The fixing of a date is necessary to provide a firm framework for the electoral process and to reduce uncertainty. The proposals of the Western Five adopted by the Security Council establish a number of pre-requisites before the official political campaign starts. In this connection the South African Government stressed that the withdrawal of South African troops would only begin upon cessation of hostilities. The Five pointed out that this would be brought about following notification to the Secretary-General of an agreed cease-fire. No party can be allowed to delay unilaterally the holding of UN supervised elections. If the agreed date of the election appeared to be at risk through acts of violence or intimidation or any other failure to carry out the provisions of the proposals, it would be for the Secretary-General to bring the matter immediately to the Security Council, and the Governments of the Western Five undertake to support necessary action in the Security Council. The Five Western Governments undertake to maintain observers in Windhoek during the transitional period and to do everything possible to ensure the implementation of the proposals leading to elections on the agreed date.

The five Foreign Ministers are confident that the Security Council would respond promptly and effectively to any situation where the agreed date of the election appeared to be at risk and would maintain that election date and that there will therefore be no case for any unilateral action.

Text issued by the US International Communication Agency.

J. Resolution 439 (1978), adopted by the UN Security Council on 13 November 1978

The Security Council,

Recalling its resolutions 385 (1976)¹, 431 (1978)², 432 (1978)³ and 435 (1978)⁴;

Having considered the report submitted by the Secretary-General pursuant to paragraph 7 of resolution 435 (1978) (S/12903);

Taking note of the relevant communications addressed to the

1. See *Southern Africa Record*, no. 4, February 1976, pp. 40 - 42

2. *Op. cit.* no. 13, September 1978, p. 1

3. *ibid.*

4. See this issue

Secretary-General and the President of the Security Council (S/12900) and (S/12902);

Having heard and considered the statement by the President of the United Nations Council for Namibia;

Taking note also of the communication dated 23 October 1978 from the President of Swapo addressed to the Secretary-General (S/12913);

Reaffirming the legal responsibility of the United Nations over Namibia and its continued commitment to the implementation of its resolution 385 (1976), in particular the holding of free elections in Namibia under United Nations supervision and control;

Reiterating the view that any unilateral measure taken by the illegal administration in Namibia in relation to the electoral process, including unilateral registration of voters or transfer to power, in contravention of the above-mentioned resolutions of the Security Council and this resolution is null and void;

Gravely concerned at the decision of the Government of South Africa to proceed with unilateral elections in Namibia in clear contravention of Security Council resolutions 385 (1976) and 435 (1978);

1. *Condemns* the decision of the South African Government to proceed unilaterally with the holding of elections in the Territory from 4 to 8 December, 1978 in contravention of Security Council resolutions 385 (1976) and 435 (1978);
2. *Considers* that this decision constitutes a clear defiance of the United Nations and in particular the authority of the Security Council;
3. *Declares* those elections and their results as null and void and that no recognition will be accorded either by the United Nations or any member states to any representatives or organ established by that process;
4. *Calls upon* South Africa immediately to cancel the elections it has planned in Namibia in December 1978;
5. *Demands once again* that South Africa co-operate with the Security Council and the Secretary-General in the implementation of its resolutions 385 (1976), 431 (1978) and 435 (1978);
6. *Warns* South Africa that its failure to do so would compel the Security Council to meet forthwith to initiate appropriate actions under the Charter of the United Nations, including Chapter VII thereof, so as to ensure South Africa's compliance with the aforementioned resolutions;
7. *Calls on* the Secretary-General to report on the progress of the implementation of this resolution by 25 November, 1978.