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SOUTHERN AFRICA RECORD

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CONTENTS/INHOUD

South Africa/Namibia/Angola

Press Release on SWAPO and Namibian Whites Stockholm meeting, 19-21 June 1988	page 1
Principles for a Peaceful Settlement in South Western Africa (South African, Cuban and Angolan joint agreement, 13 July 1988)	page 2
Statement by State President PW Botha on US sanctions legislation and impact on Resolution 435 implementation, 12 August 1988	page 4
Statement on the Joint Military Monitoring Committee (JMMC), Ruacana, 22 August 1988	page 5
Extract on South West Africa from State President PW Botha's Address at Joint Sitting of Parliament, 24 August 1988	page 7
Extracts from State President's Address to OFS Congress of National Party, Bloemfontein, 7 September 1988	page 19
Interim Statement on Brazzaville negotiations by Foreign Minister RF Botha, 7 September 1988	page 21
Joint Statement by South Africa, Angola and Cuba, Brazzaville, 9 September 1988	page 21
Statement by the State President after discussions with UN Secretary-General de Cuellar, Pretoria, 23 September 1988	page 22

South Africa and Mozambique

Joint Statement by South African, Portuguese and Mozambican Delegations on Cahora Bassa Project, Lisbon, 21/22 June 1988 page 25

Department of Foreign Affairs release on the visit by Deputy Foreign Minister, Kobus Meiring, to Lisbon in connection with the Cahora Bassa Project, Pretoria, 22 June 1988 page 26

South Africa, United Nations and the International Atomic Energy Agency (IAEA)

Text of the Treaty on Non-Proliferation of Nuclear Weapons (in force with effect from 5 March 1970) page 28

Resolutions of the Thirty-Ninth Session of the General Assembly of the UN:

39/60 Implementation of General Assembly Resolution 38/72 on Immediate Cessation and Prohibition of Nuclear-Weapon Tests page 35

39/61 Implementation of the Declaration on the Denuclearization of Africa, 12 December 1984

A. Implementation of the Declaration page 36

B. Nuclear capability of South Africa page 38

SOUTH AFRICA/NAMIBIA/ANGOLA

Press Release on the Consultation between SWAPO and Members of the Namibian White Community, Held in Stockholm, 19-21 June, 1988

A delegation of SWAPO led by its President, Sam Nujoma, and a group of key members of the white section of the Namibian population have met in Stockholm from the 19th to 21st June, 1988, to discuss important issues relating to the independence of Namibia.

Accompanying President Nujoma, were fourteen SWAPO senior officials and members, including members of the Political Bureau of the Central Committee, Hidipo Hamutenya, Secretary for Information and Publicity and Hage Geingob, Director of the United Nations Institute for Namibia. On the side of the white group were businessmen, commercial farmers, lawyers, academics and journalists, some of whom are prominent members of the Namibian Peace Plan - Resolution 435 (NPP-435) including its chairman, Advocate Bryan O'Linn. The Council of Churches in Namibia was represented by its President, Bishop James Kauluma.

In addition to President Nujoma, the opening session was addressed by Mr Pierre Schori, Under Secretary of State for Foreign Affairs of Sweden and Bernt Carlsson, United Nations Commissioner for Namibia.

Taking place three days before the crucial second round of the four-party talks in Cairo, the consultations addressed issues related to Namibia's independence and post-colonial reconstruction. In this connection, SWAPO reassured the white group that independent Namibia will be a democratic state, guaranteeing fundamental rights of all its citizens. These rights include right to life, personal liberty, freedom of movement, freedom of conscience, freedom of expression and association, as well as protection against deprivation of private property without just compensation.

The consultations covered a wide-ranging exchange of views on many controversial issues relevant to the independence of Namibia, such as the democratization of the Namibian society at independence in particular the reforms of the land, education, the public service, the judiciary, etc. The need to strike a balance between the maintenance of economic productivity and social justice for all was emphasized. Central to the consultations was the need for national reconciliation between the black and white sections of the Namibian population.

Participants in the consultations called for the immediate independence of Namibia and supported the proposal setting the 29th September, 1988, as the target date for the beginning of the implementation process of UN Security Council Resolution 435 of 1978.

The participants expressed their gratitude to the government of Sweden for hosting the meeting.

[Text provided by courtesy of the Swedish Legation in Pretoria.]

Principles for a Peaceful Settlement in Southwestern Africa
(Joint agreement initialled by delegations from Angola/Cuba and South Africa on July 13, 1988 and released on July 20, 1988)

The Governments of the People's Republic of Angola, the Republic of Cuba, and the Republic of South Africa have reached agreement on a set of essential principles to establish the basis for peace in the southwestern region of Africa. They recognize that each of these principles is indispensable to a comprehensive settlement.

- Implementation of Resolution 435/78 of the Security Council of the United Nations. The parties shall agree upon and recommend to the Secretary-General of the United Nations a date for the commencement of implementation of UNSCR 435/78.
- The Governments of the People's Republic of Angola and of the Republic of South Africa shall, in conformity with the

dispositions of Resolution 435/78 of the Security Council of the United Nations, cooperate with the Secretary-General with a view towards ensuring the independence of Namibia through free and fair elections, abstaining from any action that could prevent the execution of said Resolution.

- Redeployment toward the North and the staged and total withdrawal of Cuban troops from the territory of the People's Republic of Angola on the basis of an agreement between the People's Republic of Angola and the Republic of Cuba and the decision of both states to solicit the onsite verification of that withdrawal by the Security Council of the United Nations.
- Respect for the sovereignty, sovereign equality, and independence of states and for territorial integrity and inviolability of borders.
- Non-interference in the internal affairs of states.
- Abstention from the threat and utilization of force against the territorial integrity and independence of states.
- The acceptance of the responsibility of states not to allow their territory to be used for acts of war, aggression, or violence against other states.
- Reaffirmation of the right of the peoples of the southwestern region of Africa to self-determination, independence, and equality of rights.
- Verification and monitoring of compliance with the obligations resulting from the agreements that may be established.
- Commitment to comply in good faith with the obligations undertaken in the agreements that may be established and to resolve the differences via negotiations.
- Recognition of the role of the Permanent Members of the Security Council of the United Nations as guarantors for the implementation of agreements that may be established.
- The right of each state to peace, development, and social progress.

- African and international cooperation for the settlement of the problems of the development of the southwestern region of Africa.
- Recognition of the mediating role of the Government of the United States of America.

Statement by the State President Mr PW Botha in Reaction to Boycott Legislation by the US House of Representatives, 12 August 1988

It is obvious to me that the current debate being conducted in the American House of Representatives on a total trade boycott against South Africa is being utilised for purely internal political aims.

It has no bearing on the promotion of the interests of black people in South Africa. In fact, the members of the House of Representatives are by now fully aware that prominent black leaders in South Africa, as well as the governments in certain neighbouring states, strongly oppose this legislation.

The recklessness of American members of Congress who do not care in the least whether their actions adversely affect the search for a peaceful solution to the problems of Southern Africa as a whole, is astounding.

It is particularly remarkable that the members of the House of Representatives continue with their actions exactly at a time when positive progress is being made with the peace negotiations between South Africa, Angola and Cuba.

It would be ironical if Resolution 435 should reach the point of implementation only to be obstructed or made impossible as a result of the provisions in American legislation which impose extensive restrictions, including those that would cover financial transactions that would be necessitated by the implementation of Resolution 435.

The sanctions legislation adopted by the House of Representatives will have to be considered by the American Senate shortly and the outcome would be interesting.

[Texts provided by the Department of Foreign Affairs, Cape Town.]

**Press Release on the Joint Military Monitoring Committee (JMMC)
Ruacana : 22 August 1988**

Consensus was reached by all parties on the following points:

1. All parties will work according to and adhere to the principles laid down in the Protocol of Geneva.
2. The Functions of the JMMC are:
 - 2.1 To monitor the application of the agreement.
 - 2.2 To determine the rules for the application of the agreement.
 - 2.3 To determine the action to be taken against violators of the agreement. To register the violation and inform the next higher HQs.
 - 2.4 To come to an agreement as to the interpretation of a violation. All parties agreed to the definition of a violation and are in possession of such a definition.
 - 2.5 To serve as a forum for liaison, analysis and solving of situations which could lead to conflict.
 - 2.6 To ensure that the functioning of the JMMC is not scuttled.
 - 2.7 To make suggestions with regards to the practical implementation of the agreement.
 - 2.8 To determine monitoring actions.
3. The JMMC will, as from 30 August 1988 meet on a daily basis alternately on the Namibian and Angolan side of the border. The meeting will be chaired by the chairman of the delegation in whose country the meeting takes place. Ad hoc meetings may be called by either of the parties should the need arise. In the event of an alleged vio-

lation taking place, the JMMC will carry out an investigation. On completion of the investigation a report will be submitted to the next higher competent Headquarters for further action.

4. Should consensus not be reached at JMMC level with respect to registering a violation the matter will be referred to the next higher level in accordance with the appeal system. All relevant facts will be made available to the next higher level, ie Commander Sector 10/Chief of the 5th Military Region. The USA may be invited to act as mediators at this level.

5. All parties agreed to the following definition of a violation:

A violation is defined as an act or omission by one or more parties, committed against the forces, infrastructure or population of Angola or Namibia in violation of any agreement or undertaking between the relevant parties, and which is in conflict with the agreed spirit, meaning, interpretation and content of any such agreement or undertaking agreed to by the parties.

6. Eleven Joint Border Monitoring Posts (JBMP) will be established along the Namibian/Angolan border. These posts will be manned by members of the SA Army and FAPLA. The JBMP will work in close liaison with the JMMC who will visit them on a regular basis.
7. No media and press releases will be made at JMMC level. Releases will be made at higher level.
8. The RSA delegation received a guarantee from the Angolan/Cuban Delegation in terms of the Protocol of Geneva, par. 7, that they will safeguard the water and electricity supply to Namibia.
9. It was decided that the JMMC's actions would be preventative rather than reactive in controlling possible violations.
10. It was confirmed by the RSA delegation to the Angolan/Cuban delegation that the RSA troops would not be out of Ruacana (Angola) area before 27 August 1988.

11. At the request of the Angolan/Cuban delegation the name of the Joint Military Verification Committee was changed to the Joint Military Monitoring Committee (JMMC). The RSA Delegation acceded to this request with the proviso that the change from the word 'Verification' to 'Monitoring' would in no way affect or inhibit the functioning of the committee.
12. A Military Code of Conduct suggested by the RSA Delegation was not accepted by the Angolan/Cuban Delegation who felt that it was already included in the Protocol of Geneva par. 6. The RSA delegation pointed out that in terms of par. 9 such a code could be implemented at JMMC level to prevent the occurrence of possible incidents.

We would like to thank the media for the trouble they have gone to in reporting on the progress being made with the cessation of hostilities in this region and the functioning of the JMMC.

[Text provided by Defence HQ, Pretoria.]

Extract from Address by State President PW Botha at a Joint Sitting of the South African Parliament, 24 August 1988

Suidwes-Afrika

Hierdie debat is vir ons almal 'n baie belangrike geleentheid. Suidwes-Afrika staan voor die belangrikste fase in sy geskiedenis. Ek verwelkom dus die geleentheid om 'n debat oor hierdie gewigtige en komplekse onderwerp te voer. Indien ons vrede in die Suid-westelike deel van ons sub-kontinent kan bewerkstellig, sal dit van geskiedkundige betekenis vir die hele Suider-Afrika wees. Na jare van konflik en geweld heers daar nou 'n skietstilstand. Die konflik in Angola het 'n lang geskiedenis en die dispuut oor Suidwes-Afrika 'n selfs langer een. Om die huidige stand van sake te beoordeel is dit nodig om 'n goeie begrip van die verloop van hierdie geskiedenis te hê. Waarsonder kan daar geen opbouwende debat gevoer word nie. Daarsonder kan geen ewewigtige uitsprake gemaak word nie.

The fundamental fact to recognise is that South West Africa was never South African territory. South West Africa was under German rule at the outbreak of the First World War. The Union Government then in power undertook the conquest of the Territory. A military campaign followed. The German troops surrendered to the South African Forces on 9 July 1915. From that date until the inception of the Mandate on 17 December 1920, the Territory was under South African military government. South Africa's conquest of South West Africa as part of the war against Germany caused explosive emotional reactions inside South Africa at the time. Indeed it led to a rebellion which left deep scars on our political life for many years.

The Mandate system originated together with the League of Nations from the peace settlements after the First World War. In terms of the Mandate for South West Africa, South Africa was to administer the Territory as an integral part of South Africa but had to account to the League of Nations for its administration.

South Africa at no time had sovereignty in the traditional sense of the word over the Territory.

In 1946, General Smuts as Prime Minister, made out a strong but unsuccessful case in the United Nations General Assembly for the Organisation's blessing for incorporation of South West Africa into South Africa. South Africa nevertheless made it clear from the very outset that the United Nations could not be regarded as the successor of the League. This was the start of the differences South Africa has had with the United Nations for more than forty years. More and more the United Nations became the forum for forging a joint front against South Africa.

The United Nations and certain states sought to use the machinery of the International Court of Justice to have these differences resolved in its favour. The first Advisory Opinion of the Court sought by the General Assembly was delivered on 11 July 1950. In the Court's view, although the Mandate of the League was still in force, South Africa was not under a legal obligation to conclude a trusteeship agreement with the United Nations - thus vindicating in part South Africa's position.

However, the United Nations, according to the Opinion, acquired the supervisory functions over South West Africa which were formerly exercised by the League.

In addition the Opinion was to the effect that South Africa was obliged to accept the jurisdiction of the International Court with regard to disputes concerning the Mandate. Also the competence to modify the international status of the Territory rested, according to the Court, with South Africa acting with the consent of the United Nations. In South Africa's view the Mandate had lapsed, but South Africa nevertheless made it clear that it would continue to govern the Territory in the spirit of the Mandate.

The Court gave two further Advisory Opinions, interpreting the 1950 opinion, in 1955 and 1956. As all these opinions were advisory only and had no binding force, South Africa declined, for very valid legal reasons, to accept the supervisory role of the United Nations, while the General Assembly year after year adopted resolutions seeking to bring South West Africa under the control and supervision of the United Nations.

To overcome this impasse, Ethiopia and Liberia, with the backing of the Organisation of African Unity, in 1960 instituted contentious proceedings against South Africa before the International Court. These two states alleged that in a number of ways South Africa had violated the Mandate - their main charges related to the issue of the well-being of the inhabitants of the Territory. Inter alia, it was alleged that South Africa by various acts was attempting the 'piece-meal' incorporation amounting to 'de facto annexation' of the Territory - eg the inclusion as from 1949 of six representatives from South West Africa in the South African Parliament. South Africa's legal team strongly contested this charge. In addition it is an historical fact that at the time that the Territory obtained representation in Parliament an agreement was reached which gave South West Africa separate powers of taxation.

In contrast with the non-binding nature of an Advisory Opinion, the Court's judgment in contentious proceedings is binding and its breach can lead directly to enforcement measures by the Security Council. The case lasted until 1966. Without ruling on whether or not the Mandate was still in existence, the Court felt that the applicants had failed to establish any legal right or interest in the subject matter of their claims and the Court accordingly rejected them. This was a great victory for South Africa.

However, our opponents were incensed by their defeat and reverted to the political forum to seek revenge and to mobilise

with new vigour all the eager forces which they could muster in extending and intensifying their campaign against South Africa.

The reaction of the United Nations to the Court's judgment was typical of the cynical attitude that has consistently been adopted by the international community throughout on the South West Africa issue. First in 1966, the General Assembly by resolution 2145, completely ignoring the Court's decision and in a move altogether beyond its power under the UN Charter, purported to terminate the Mandate and place South West Africa under the direct responsibility of the United Nations. In 1967 it created a Council for South West Africa with the ludicrous task of administering South West Africa until independence. In 1968 it 'renamed' South West Africa 'Namibia'. In 1969 the UN Security Council recognised the General Assembly's illegal resolution purporting to terminate South Africa's right to administer South West Africa. Further resolutions calling on South Africa to withdraw and imposing actions against her were adopted by the Security Council which in 1970 addressed a request for a further Advisory Opinion to the International Court.

In what was one of the most farcical Opinions ever delivered by the Court, the Opinion given in June 1971 - which like its predecessors was not legally enforceable - was that South Africa was in illegal occupation of South West Africa and that all states should act accordingly.

In 1972 the Secretary General of the UN, Dr Waldheim, visited South Africa and South West Africa upon instructions of the Security Council. Subsequent to this, the South African Government in a communication to the Secretary General in April 1973, stated its position inter alia as follows:

- in assisting the people of the Territory towards self-determination and independence, South Africa would fully respect the wishes of all the people of the Territory as a whole, and would not impose any particular constitutional system upon them;
- South Africa did not claim any part of South West Africa.

The Security Council unilaterally terminated the Waldheim initiative at the end of 1973, despite progress achieved.

In December of that year the General Assembly recognised SWAPO as the 'authentic representative of the Namibian people'. In 1976 this formula was expanded to read: 'sole and authentic representative' and SWAPO was granted UN observer status.

The period 1974 to 1977 saw constitutional negotiations in the Turnhalle by the leaders of South West Africa themselves - culminating in agreement on principles for a constitution and the initiation of steps intended to lead to the establishment of an interim government.

But the Security Council set out its divergent demands in its Resolution 385 of 30 January 1976 and by 1977 the scene was set for a head-on confrontation between the South African Government and the Council.

This confrontation was avoided at the last moment when the three Western permanent members of the Security Council, the USA, United Kingdom and France, together with the two other Western countries who were at that time members of the Security Council, the Federal Republic of Germany and Canada, approached the South African Government for wide-ranging discussions to determine whether South Africa's position on the South West Africa question differed that much from the position of the five Western Governments. These discussions culminated in 1978 in the settlement plan which is generally but erroneously referred to as Security Council Resolution 435 of 1978.

Resolution 435 authorised the establishment of the United Nations Transition Assistance Group. The settlement proposal itself was noted for the first time by the Security Council in its Resolution 431 of 27 July 1978. What is of particular importance for this debate is that the salient elements of the settlement plan had already been agreed to in 1977 and were spelled out to the electorate of South Africa during the general election campaign of 1977.

Met die verkiesing van 1977 het die Nasionale Party 'n verkiesingsbrosjyre getiteld 'Vrugte van die Nasionale Bewind' met a voorwoord deur Eerste Minister Vorster, uitgereik wat die Nasionale Party se beleid onder meer ten opsigte van Suidwes-Afrika duidelik uiteengesit het. Alle Nasionale Party kandidate het van hierdie brosjyre gebruik gemaak.

Ek haal aan:

'Met die oog op internasionale erkenning van 'n onafhanklike Suidwes, voer die Suid-Afrikaanse Regering sedert April vanjaar samesprekings met die Vyf Westerse lande van die Veiligheidsraad. Ooreenkomstig ons uitgangspunt dat die mense van SWA self oor hul toekoms moet besluit, het die Regering in konsultasie en oorlegpleging met die Grondwetkomitee van die Turnhalle-beraad hom verbind tot die volgende beginsels in hierdie verband:

- Suidwes sal so gou as moontlik maar in elk geval voor einde 1978 onafhanklik word;
- Die gebied sal as 'n geheel onafhanklik word;
- Verkiesings sal landwyd gehou word om 'n grondwetgewende vergadering te kies op die grondslag van een mens, een stem ten einde oor 'n grondwet te besluit;
- 'n Administrateur-generaal aangestel deur die Staatspresident administreer die gebied tot onafhanklikheid en is verantwoordelik vir die opstel van regulasies vir die verkiesings;
- Die Sekretaris-generaal van die VVO kan homself tevrede stel dat die verkiesingsregulasies billik en regverdig is en dat geen intimidasie gepleeg word nie;
- Diskriminasie gegrond op kleur word verwyder;
- Aangehoudenes en politieke gevangenes, indien daar enige is, sowel binne as buite die gebied, sal vrygelaat word. Dit beteken dat die ongeveer 1 000 persone wat teen Swapo-leier Sam Nujoma in opstand gekom het en in Tanzanië en Zambië aangehou word, ook vrygelaat moet word;
- Alle Suidwesters mag na Suidwes terugkeer om vreedsaam aan die verkiesings deel te neem;
- 'n Paneel van Juriste kan deur die Sekretaris-generaal aangestel word om geskille te besleg wat mag ontstaan oor byvoorbeeld die regverdigheid en billikheid van die verkiesingsveldtog, en -regulasies, die status van veroordeelde gevangenes, ens'.

Een van die hoekstene van opeenvolgende Suid-Afrikaanse Regerings se benadering ten opsigte van Suidwes-Afrika was dat Suid-Afrika nie vir Suidwes-Afrika op grondwetlike gebied voorskryf nie en dat die inwoners van die Gebied oor hulle eie toekoms sal besluit sonder inmenging van buite.

In a statement in Pretoria on 20 September 1978 my predecessor as Prime Minister, Mr BJ Vorster, said:

All options remain open to them (the inhabitants of South West Africa). We will not prescribe to them.

Teen hierdie tyd was die skikplan natuurlik aanvaar deur die Nasionale Regering en ook deur die Nasionale Party Kerkus.

Ek self was sterk gekant teen sekere gedeeltes van die skikplan. My Kollegas wat destyds saam met my in die Kabinet was, sal dit kan staaf. Maar ek het my neergelê by die Kabinetbesluit en nadat ek Eerste Minister geword het, het ek my voorganger se internasionale ondernemings gestand gedoen. Dit beteken nie dat ek nie steeds bedenkinge het nie.

Ek kan ook aanhaal uit die verklaring wat ek self in die Parlement op 6 Maart 1979 gemaak het:

The people of South West Africa shall determine their own future. This one sentence captures the essence of South Africa's approach to the South West issue.

South Africa does not claim one inch of territory in South West Africa. South Africa does not itself intrude into the internal political current in the Territory. South Africa does not prescribe what form of constitutional structure the people of South West Africa are to accept for their independence. We respect the right of the inhabitants to practise their politics freely and openly and to exercise their right of self-determination without any intimidation from any source.

Attempts to salvage the settlement proposal by creating a demilitarized zone and by holding what was intended to be a confidence-building Pre-Implementation meeting in Geneva in January 1981 failed. Two factors now assumed relevance. The first was the escalating Cuban presence in Angola and the second was the increased interest taken in South West Africa by the United States after the Reagan Administration took office in January 1981. In June 1981 the Deputy Secretary of State,

Mr William Clark, visited South Africa and South West Africa. After protracted discussions which nearly resulted in an impasse, it was agreed that should the US succeed in bringing about the withdrawal of Cuban forces from Angola, South Africa would co-operate with the Western Contact Group in removing the remaining obstacles to implementation of Security Council Resolution 435. I personally strongly advocated this attitude.

By September 1982, after adoption of a new phase-by-phase approach by the Five Western countries in the Contact Group, the only major obstacle to the implementation of the settlement plan was the continued and expanding presence of the Cubans in Angola. The linkage between the two was not however accepted by the Secretary General of the United Nations in his report following his visit to South Africa and South West Africa in August 1983, nor by the Security Council, which adopted a resolution rejecting linkage on 28 October 1983.

As a result of the Cuban presence and SWAPO bases in Angola, the situation in South Western Africa, became a flashpoint because of the need for the South African and South West African Forces to act against SWAPO in Angolan territory. This gave rise to Security Council consideration as well as proposals for disengagement of South African forces from southern Angola. South Africa's conditional offer on 16 December 1983 to disengage was followed by mediation by the United States Assistant Secretary of State for African Affairs, Dr Crocker, in the Cape Verde Islands and in Cape Town in January 1984, but problems that arose necessitated further meetings. These took place between Angola, the USA and South Africa in Lusaka and on February 16, 1984, agreement was reached on South African disengagement, the exclusion of Cubans and SWAPO from Southern Angola and the establishment of a Joint Monitoring Commission (JMC) to monitor implementation.

In the event, disengagement proceeded much more slowly than the envisaged 30 days (with the JMC to remain in existence for a further 30 days), mainly because of SWAPO activities. After a series of ministerial and JMC meetings between South Africa and Angola during 1984 the South African withdrawal was eventually completed on 17 April 1985. Angola declined to create or participate in any successor body to the JMC as suggested by South Africa.

During this period attempts to bring about a cessation of hostilities, including a meeting between the Administrator-General

of SWA and SWAPO in Cape Verde on 25 July 1984, came to naught, because SWAPO insisted on prior unconditional implementation of Resolution 435. There were also developments during October and November 1984 on possible Cuban withdrawal from Angola. The main problem was the relation between Cuban withdrawal and the implementation of Resolution 435.

In the Territory, the Multi Party Conference (MPC) which came into being on 12 November 1983, with a view to 'devising a political and constitutional system acceptable to the people as a whole' held discussions with me and members of my Cabinet in Cape Town on 27 January 1984. In my policy speech of 31 January I stated:

- That the Territory was not and never (had) been part of South Africa;
- That the people of the Territory had themselves (to) decide on their constitutional dispensation;
- That the people of the Territory had to have the opportunity of developing toward self-determination in circumstances of peace and security;
- That our differences with the international community over South West Africa had to be resolved, wherever possible, by negotiation.

The MPC published a 'Declaration of Principles' on 24 February and a 'Bill of Fundamental Rights and Objectives' on 18 April, and in May 1985 had a meeting with SWAPO in Lusaka.

Consensus was reached on many fronts but not on SWAPO insistence that the presence of Cuban forces in Angola be regarded as an extraneous factor nor on the dissatisfaction of the MPC with the United Nations' lack of impartiality.

On 25 March 1985 the MPC presented proposals to the SA Government of Legislative and Executive authorities for the Territory and of a Constitutional Council to draw up a constitution for submission to the electorate.

In response I stated in the House of Assembly on 18 April 1985 that as long as there was a possibility that:

the present international negotiations hold any realistic prospect of bringing about the genuine withdrawal of Cuban forces from Angola, the South African Government will not act in a manner irreconcilable with the international settlement plan.

I signed the proclamation establishing the new Transitional Government of National Unity in Windhoek on 17 June 1985.

On 4 March 1986 South Africa proposed that 1 August should be set as the date for commencement of implementation of Resolution 435, provided that prior agreement could be reached on the withdrawal of Cuban troops. Neither Angola nor the Secretary-General responded positively.

Wat het sedertdien verander? Na swaar verliese by die Lomba-rivier in Angola, het Angola begin beseef dat 'n militêre oplossing nie moontlik is nie. Dit het die deur tot verdere onderhandeling oopgemaak.

Die Gorbatsjof-faktor is waarskynlik ook belangrik. Dit beteken nie noodwendig dat die Russe van hulle planne van wêreldoorheersing afgesien het en die wêreld se vriendelikste buurman geword het nie. Wat dit wel beteken is dat meneer Gorbatsjof onder meer beseef het dat die Russiese ekonomie nie uiters duur betrokkeheid in verafgeleë streke van die wêreld kan bekostig nie. Die eerste en opspraakwekkendste voorbeeld was Afghanistan. Daar is min twyfel dat die Russe die poging ondersteun om vrede in Angola en Suidwes-Afrika te bewerkstellig. Maar hulle wil nie verneder word nie. Dus moet daar nie verloorders wees in enige ooreenkoms wat bereik mag word nie. Dit is egter nie duidelik in hoe 'n mate die Russe vir President Castro kan beïnvloed nie.

Dit is nie die eerste keer dat 'n oplossing van die Suidwes-Afrika situasie in sig is nie. Die ervaring het geleer dat ons nie te vroeg verwagtinge te hoog moet stel nie. Daar is steeds ernstige kwessies wat onderhandel sal moet word. Daar is nog 'n steil pad vorentoe. Die jongste onderhandelings tussen Angola, Kuba en Suid-Afrika toon vordering. Ons volg nou 'n stap-vir-stap benadering. Dit beteken dat een aspek of probleem op 'n slag benader en afgehandel word voordat die volgende onderwerp aangepak word.

Soos u weet, het verteenwoordigers van die drie regerings na vroeëre ontmoetings vanjaar in Londen en Kaïro, vroeg in Julie

oor 'n stel beginsels in New York ooreengekom. Hierdie beginsels vir 'n vreedsame skikking in Suid-westelike Afrika is baie belangrik en moet trouens, volgens 'n besluit in Genève deur die betrokke regerings, verwerk word in die vorm van 'n internasionale ooreenkoms.

Wat tot dusver by wyse van ooreenkoms bereik is, is baie belangrik vir Suid-Afrika omdat algehele Kubaanse onttrekking uit Angola en die onafhanklikwording van Suid-wes-Afrika duidelik gekoppel is. Dit was 'n doelwit van Suid-Afrika se buitelandse beleid waarna hard en lank gestreef is, terwyl die koppeling vir jare deur feitlik die hele wêreld, benewens die VSA, ontken en teengestaan is. Om die saak eenvoudig te stel, beteken dit dat SWA net onafhanklik kan word wanneer ooreenstemming bereik is oor die totale onttrekking van die Kubane uit Angola, 'n beginsel waartoe die Kubane en Angolese hulle nou verbind het.

Soos u weet, het Suid-Afrika 'n voorstel ten opsigte van die implementering van Veiligheidsraadresolusie 435 en Kubaanse onttrekking by die jongste vergadering in Genève op 2 Augustus voorgelê. Daarin is voorgestel dat verkiesings ingevolge Resolusie 435 op 1 Junie 1989 moet plaasvind teen welke tyd die onttrekking van Kubaanse magte van Angola voltooid moet wees. Op hierdie wyse het Suid-Afrika die inisiatief geneem.

Die tydtafel vir die onttrekking van die Kubane moet egter nog onderhandel word en wel voor 1 September 1988. Dit is die hardste neut wat gekraak moet word. Afvaardigings van die vier betrokke lande, soos u weet, vergader juis nou in Brazzaville om dié vraagstuk te probeer uitstryk. Ek wil dus nie vandag verder kommentaar oor hierdie netelige onderwerp lewer nie.

Nog 'n groot gebeurtenis is die daarstelling van die skietstilstand in die operasionele gebied. Dit is 'n onontbeerlike eerste stap op die pad na vrede. Dit is 'n teken van die erns en welwillendheid van al die deelnemers aan die onderhandelings om 'n vreedsame skikking te bereik. En dit spaar lewens. Onder meer die lewens van Suid-Afrika se mees gedugte jong manne.

Suid-Afrikaanse welwillendheid is bewys deur ons magte uit Suidelike Angola te begin onttrek. Ons voorstel dat die Kubaanse magte geheel en al uit Angola onttrek moet word teen die datum waarop verkiesings in Suidwes-Afrika plaasvind, lyk vir my ooglopend logies en billik. Hierdeur probeer Suid-Afrika nie onregverdige voordeel te verkry nie, maar onttrekking moet so geskied dat op enige gegewe oomblik nie een van die betrokkenes die ander kan uitoorlê nie.

Ander probleme wat vorentoe lê is die ooglopende bevoordeling van SWAPO deur die VN. Dit was in die verlede 'n ernstige struikelblok en bly steeds een. Die Sekretaris-generaal sal absoluut onpartydig in sy betrokkenheid by die onafhanklikheidsproses in Suidwes-Afrika moet optree. SWAPO sal op gelyke voet met die ander partye van Suidwes behandel moet word. Alle partye, insluitende SWAPO, sal aan die grondwetlike proses kan deelneem slegs indien geweld ter bereiking van politieke doelwitte afgesweer word.

Dit is vir my verblydend dat die Oorgangsregering van Suidwes-Afrika positief ingestel is op die jongste ontwikkelings. Dit is die beleid van die Regering om verteenwoordigers van Suidwes-Afrika in te lig en te raadpleeg en dit het ek en my kollegas van Buitelandse Sake en Verdediging persoonlik ten opsigte van die jongste reeks onderhandelings gedoen. Onafhanklikheid is die gewenste einddoel maar nie ten alle koste nie. Dit moet in die belang van die bevolking van Suidwes-Afrika wees en hulle goedkeuring wegdra.

'n Ander moontlike struikelblok wat nie misgekyk kan word nie is die binnelandse situasie in Angola. Hierdie situasie is soos volg deur Dr Crocker tydens sy voorligting aan die pers op 9 Augustus 1988 behandel:

... the internal question in Angola has not yet been solved, and the fact that there needs to be a basis for dialogue and reconciliation inside Angola. This unresolved question can hamper and postpone a settlement."

... this is a very delicate matter.

Een van die belangrikste aspekte van die huidige onderhandelingsproses is die kwessie van finansiering. Suid-Afrika wil weet wie die implementering van Resolusie 435 gaan finansier, wie daarna die verantwoordelikheid vir die finansiële bystand wat deur Suid-Afrika jaarliks aan Suidwes-Afrika voorsien word, sal oorneem en wie die leningswaarborgs waarvoor Suid-Afrika tans instaan ten behoeve van SWA sal oorneem. Die betrokke bedraë is besonder groot en Suid-Afrika sal antwoorde in hierdie verband moet ontvang.

Weens tydsbeperking kon ek slegs enkele van die hoofpunte van die geskiedenis van die Suidwes-Afrika-dispuut en die Angola-kwessie behandel.

Daar is al heelparty boeke hieroor geskryf en nog meer sal geskryf word. Wat vir ons vandag van belang is, is dat hierdie Regering met reg kan sê dat hy oor dekades getrou gebly het aan sy ondernemings teenoor die mense van Suidwes-Afrika en terselfdertyd sy internasionale ondernemings gestand gedoen het.

Ons sal steeds daarop aandring dat die mense van Suidwes-Afrika vrylik oor hulle toekoms moet kan besluit sonder intimidasie van binne of buite.

Ons sê steeds dat ons geen duim grond van die Gebied eis nie.

Kubaanse onttrekking uit Angola word nou in beginsel aanvaar.

'n Staakvuur het tot stand gekom.

Die dag wanneer die Gebied op grond van die vrywillige keuse van sy mense onafhanklik word en die Kubane uit Angola onttrek het, sal Suid-Afrika kan sê: Die stryd was nie tevergeefs nie. Ons het bygedra tot die vrede en stabiliteit van die hele Suider-Afrika.

[Text provided by the Office of the State President, Cape Town.]

Extracts from the State President's Address to the OFS Congress of the National Party, 7 September 1988

Suidwestelike Afrika

Niemand moet vandag ons bereidheid tot vredesonderhandelinge verwar met swakheid om ons self te verdedig as dit nodig is nie.

Op die oomblik neem die Suid-Afrikaanse afvaardiging weer in Brazzaville deel aan samesprekings oor die konflik in Suidwestelike Afrika.

Hierdie samesprekings is voorafgegaan deur ontmoetings in Londen, Brazzaville, Kairo, New York en Geneve.

Sekere beginsels is in New York ooreengekom waarop 'n vreedsame skikking in Suidwestelike Afrika gebaseer sal word. En in Geneve is 'n Protokol aanvaar wat onder meer voorsiening maak vir 'n staking van vyandelikhede.

Ek en ander lede van die Regering het reeds gemaak teen die skep van te hoë verwagtinge. Ek het ook die kwessie van Kubaanse onttrekking bestempel as die grootste struikelblok wat oorkom sal moet word.

Terwyl ek nie die taak van ons afvaardiging in Brazzaville wil bemoeilik nie, wil ek tog die Regering se standpunt oor twee belangrike aspekte duidelik stel:

1. As die onlangse berigte oor 'n verdere grootskaalse opbou van Kubaanse troepe en wapentuig in Angola korrek is, dan is dit 'n verbreking van die beginsels waarop in New York ooreengekom is, asook van die bepalings van die Geneefse Protokol. Dit is die onderwerp wat ons afvaardiging heel bo aan die agenda vir die samesprekings sal plaas.
2. Die verband tussen die implementering van resoluë 435 en Kubaanse onttrekking is formeel erken, maar daar sal 'n billike en realistiese ewewig gevind moet word tussen die tydrooster vir Kubaanse onttrekking en die uitvoering van resoluë 435.

Ander belangrike sake wat steeds op die agenda is, is die teenwoordigheid van ANC terroristekampe in Angola; die finansiering van die uitvoering van resoluë 435, asook die finansiële bydrae wat Suid-Afrika aan SWA maak en wat noodwendig beëindig sal word met die implementering van resoluë 435.

Die finansieringskwessie is ook regstreeks opgeneem met die VSA, sekere Europese lande, en die Sekretaris-generaal van die VVO.

Verder sal die onpartydigheid van die Sekretaris-generaal en sy personeel ook nog deeglik uitgepluis moet word. Ek wil verder meld dat die onlangse bomontploffings in Windhoek en omgewing 'n ernstige vraagtëken oor SWAPO se bedoelinge plaas.

Ons afvaardiging het opdrag om ook hierdie aangeleentheid breedvoerig in Brazzaville te bespreek.

[Text provided by the Office of the State President, Pretoria.]

Interim Media Release by the Minister of Foreign Affairs, in Pretoria, on the Brazzaville Negotiations, 7 September 1988

The Minister of Foreign Affairs said in Pretoria tonight that the Director-General of Foreign Affairs had reported to him about the progress made with the negotiations in Brazzaville to date. As announced by the State President in Bloemfontein today, the South African delegation was instructed to regard reports about the shipment of additional Cuban troops to Angola as the most important item on the agenda. The South African delegation had therefore also raised this issue at the first joint meeting which started late this afternoon.

The Angolans and Cubans denied that additional troops were shipped or being shipped to Angola and it was also denied that additional arms were shipped, or being shipped. The Cuban delegation explained that they were merely continuing with the regular provisioning of their troops in the area as well as the replacement of those troops that were due to return to Cuba after their tour of duty. The Minister requested the South African delegation to obtain greater clarification about this important issue.

It is too early to provide any indication as to whether progress has been or will be made as regards the time table for Cuban withdrawal.

The negotiations will continue this evening and tomorrow.

[Text provided by the Department of Foreign Affairs, Pretoria.]

Joint Statement Issued by the Delegations of the People's Republic of Angola/Republic of Cuba and the Republic of South Africa in Brazzaville, 9 September 1988

Delegations of the People's Republic of Angola/Republic of Cuba and the Republic of South Africa, with the mediation of the

Government of the United States, met in Brazzaville September 7 - 9 to continue negotiations toward a peaceful solution of the conflict in southwestern Africa.

These meetings were a resumption of the round of negotiations that began August 24 - 26 in Brazzaville.

The parties noted that the understandings achieved in Geneva were implemented, that the South African forces had withdrawn by September 1, and that the Joint Military Monitoring Commission is functioning satisfactorily. During the resumed round of negotiations, the sides expressed their views on the terms of a calendar for the redeployment to the north and the staged and total withdrawal of Cuban troops from Angola to be agreed between the Governments of the People's Republic of Angola and the Republic of Cuba, as a part of a global negotiation. The parties have agreed to consider further the proposals brought to the table at this and previous meetings. All parties expressed the intention to intensify their efforts in this regard. They reaffirmed their commitment to November 1 as the target date for implementation for UNSCR 435 and agreed to resume negotiations as soon as possible at a venue to be agreed upon.

The delegations expressed their appreciation for the invitation of the People's Republic of The Congo and for the superb facilities and support extended by the Congolese Government during the negotiations.

[Text supplied by the Department of Foreign Affairs, Pretoria.]

Statement by the State President, Mr PW Botha, at a Press Conference in Pretoria Attended by the UN Secretary-General, Dr Perez de Cuellar, 23 September 1988

During his visit, Dr de Cuellar and his officials held discussions with myself, the Ministers of Foreign Affairs and Defence, the Administrator-General and the leaders of political parties in South West Africa/Namibia. These discussions, which took place in a serious and constructive atmosphere, covered

various important aspects relating to the implementation of United Nations Security Council Resolution 435 (1978 UNSCR 435/78).

Among the issues raised during these discussions were:

- The current negotiations regarding Cuban troop withdrawal from Angola
- Aspects regarding the status and composition of the United Nations' Transition Group (UNTAG) which is foreseen in terms of UNSCR 435/78.
- The question of United Nations partiality in favour of SWAPO
- The question of the costs of implementing UNSCR 435/78
- The importance of continued finance for South West Africa/Namibia when South African administration of the Territory ends. In the latter regard I made it clear that South Africa expected that the international community would shoulder its responsibility towards the Territory for the continued economic advancement of South West Africa/Namibia once the process leading towards implementation of UNSCR 435/78 had commenced and afterwards when South West Africa/Namibia achieved independence. I also stressed the importance which South Africa attached to arrangements being made to guarantee existing loans by South West Africa/Namibia once South Africa's administration of the Territory ends.

The Secretary-General responded in a positive manner to the various matters which had been raised. He indicated that he had had useful discussions with the leaders of the political parties of the Territory and that he would endeavour to play a positive role in bringing the various political parties in South West Africa/Namibia together even before implementation of UNSCR 435/78 commences. He informed me that he considered it important that South West Africa/Namibia remain an economically viable country also after independence and stated that he would work actively to ensure that adequate steps were taken to make this possible.

Regarding the United Nations' partiality in favour of SWAPO, the Secretary-General gave me a categorical assurance that all

the parties in South West Africa/Namibia would be treated equally by the United Nations once the settlement plan leading to the independence of Namibia had commenced. In this regard a number of steps involving the political organs of the United Nations were to be undertaken upon implementation of the settlement plan to ensure that all the South West Africa/Namibian parties were on an equal footing.

Dr de Cuellar reaffirmed that the constitutional principles for South West Africa/Namibia, which had been agreed to by South Africa, the Western Contact Group and SWAPO during 1982, formed an integral part of Resolution 435/78.

I indicated to the Secretary-General that the system of proportional representation for the envisaged elections in South West Africa/Namibia had been accepted by the parties in the Territory. As far as the composition of UNTAG and the agreement relating to its status in South West Africa/Namibia was concerned, it was agreed that these matters would be finalised shortly.

The South African Government has also given approval for a technical team of the Secretary-General to visit South Africa and South West Africa/Namibia in the near future to inform itself regarding the requirements of UNTAG when implementation of the settlement proposal commences.

From South Africa's perspective, the visit by the Secretary-General to South Africa had been timeous and useful.

[Text provided by the Department of Foreign Affairs, Pretoria.]

SOUTH AFRICA AND MOZAMBIQUE

Joint Statement by Delegations from the Republic of Portugal, the Republic of South Africa and the People's Republic of Mozambique in Lisbon on the Cahora Bassa Project, 21/22 June 1988

On June 21 and 22, delegations from the Republic of Portugal, the Republic of South Africa and the People's Republic of Mozambique met in Lisbon to discuss the Cahora Bassa project, consequent to the trilateral meetings held in Songo on February 25 and 26 1988.

Bearing in mind the immense impact that the restoration to full operational capacity of the Cahora Bassa project could have on the economic stability and benefit of the peoples of Southern Africa, the three delegations agreed to recommend to their respective Governments that the following agreement be confirmed:

- (a) A contract for the reconstruction and rehabilitation of the HVDC transmission lines should be placed with a consortium consisting of SAE, an Italian transmission line contractor and Powerlines, a South African transmission line contractor;
- (b) The work on this contract should start as soon as possible;
- (c) A protection force should be constituted by Mozambique with non-lethal logistic support from South Africa dedicated to protecting the repair and rehabilitation works and personnel;
- (d) The structure of the tariff agreed in 1984 should be maintained but the level of the tariff should be increased to take into account exchange rate variations, the viability of the project and the present generating capacity in South Africa;
- (e) A Distribution Entity appointed by the three Parties for the purpose of ensuring the efficient delivery of power

and the security of the HVDC transmission lines would be in place once the power supply to South Africa is resumed.

The costs for this entity should be shared equally between the parties.

The above accord indicates the high degree of goodwill and understanding achieved by the three delegations to which Portugal greatly contributed.

The implementation of this agreement will enhance the improvement in the relations between the three countries.

[Text provided by the Department of Foreign Affairs, Pretoria.]

Press Release by Department of Foreign Affairs on Visit of Mr Kobus Meiring, South African Deputy Minister of Foreign Affairs, to Lisbon in Connection with the Cahora Bassa Agreement, 22 June 1988

Addressing journalists in Lisbon today, 22 June 1988, at the end of discussions between Portugal, Mozambique and South Africa on the implementation of the Cahora Bassa Agreement, Mr Kobus Meiring, the Deputy Minister of Foreign Affairs of South Africa, said he was satisfied by the outcome of the meetings.

'Agreement has been reached after hard negotiations on the signing of a contract for the rehabilitation of the Cahora Bassa transmission lines', he said, 'and we shall be referring a financing package to the Government for approval. Moreover, we have reached an accord on protection of the repair teams and lines, and a satisfactory tariff structure.'

The Deputy Minister, who led a delegation consisting of the Deputy Minister of Economic Affairs and Technology, Mr George Bartlett, and of officials from the Departments of Foreign Affairs, Mineral and Energy Affairs, Finance, of Escom, the CGIC and of the SADF, expressed the opinion that the agreements reached by the three delegations symbolised a new thrust in good neighbourliness..

'It is in the interests of all the parties that this important asset be put to work for the benefit of all the peoples of the region. The existing links can only be strengthened by this co-operation and can promote stability and economic development', he said. 'Good faith was shown by all parties who are seeking in all earnest to give concrete form to the agreement.'

He expressed the hope that electricity would begin to flow within two years. The ultimate benefit to the South African consumers will be felt in due course and the necessity to provide new generating capacity will be put off for some time.

[Text supplied by the Department of Foreign Affairs, Pretoria.]

**SOUTH AFRICA, THE UNITED NATIONS AND THE INTERNATIONAL ATOMIC
ENERGY AGENCY**

Text of the Treaty on the Non-Proliferation of Nuclear Weapons

(The Treaty came into force on 5 March 1970, after its ratification by the Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, designated as depositary Governments, and 40 other signatory States, in accordance with article IX (3). As of August 11, 1980, 115 States are party to the Treaty.)

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to co-operate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in co-operation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.
2. Each State Party to the Treaty undertakes not to provide:
(a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the

processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.

3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.
4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

Article IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.
2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also co-operate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for

peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

Article V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

Article VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

Article VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty,

the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.
3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January, 1967.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

Article XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the

archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorised, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, the first day of July, one thousand nine hundred and sixty-eight.

Resolutions of the Thirty Ninth Session of the General Assembly of the United Nations

39/60. Implementation of General Assembly resolution 38/72 on the immediate cessation and prohibition of nuclear-weapon tests

The General Assembly

Deeply concerned over the intensification of the nuclear-arms race and the growing threat of nuclear war,

Recalling that over the past thirty years the need for cessation and prohibition of nuclear-weapon testing has been in the focus of attention of the General Assembly,

Reaffirming its conviction that the conclusion of a multi-lateral treaty on the prohibition of nuclear-weapon tests by all States would constitute an indispensable element for the success of efforts to halt and reverse the nuclear-arms race and the qualitative improvement of nuclear weapons, and to prevent the expansion of existing nuclear arsenals and the spread of nuclear weapons to additional countries,

Stressing once again that the elaboration of such a treaty is the task of the highest priority and should not be made dependent on the attainment of any other measure in the field of disarmament,

Deeply deploring that the Conference on Disarmament has to date been prevented from carrying out negotiations with a view to reaching agreement on such a treaty,

Recalling its previous resolutions on this subject,

1. Resolutely urges all States, and especially all nuclear-weapon States, to exert maximum efforts and exercise political will for the elaboration and conclusion, without any delay, of a multilateral treaty on the prohibition of nuclear-weapon tests by all States.
2. Urges the Conference on Disarmament to proceed promptly to negotiations with a view to elaborating such a treaty as a matter of the highest priority, taking into account all existing proposals and future initiatives, and, for that purpose, to establish an ad hoc committee with a negotiating mandate;
3. Decides to include in the provisional agenda of its fortieth session an item entitled "Implementation of General Assembly resolution 39/60 on the immediate cessation and prohibition of nuclear-weapon tests".

97th plenary meeting
12 December 1984

39/61. Implementation of the Declaration on the Denuclearization of Africa

A. Implementation of the Declaration

The General Assembly

Bearing in mind the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Recalling resolution 1652 (XVI) of 24 November 1961 its earliest on the subject, as well as its resolutions 2033 (XX) of 3 December 1965, 31/69 of 10 December 1976, 32/81 of 12 December 1977, 33/63 of 14 December 1978, 34/76 A of 11 Decem-

ber 1979, 35/146 B of 12 December 1980, 36/86 B of 9 December 1981, 37/74 A of 9 December 1982 and 38/181 A of 20 December 1983, in which it called upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone,

Recalling that in its resolution 33/63 it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent of Africa or elsewhere,

Taking note of the report of the United Nations Institute for Disarmament Research entitled "South Africa's nuclear capability", undertaken in co-operation with the Department for Disarmament Affairs of the Secretariat and in consultation with the Organization of African Unity, as well as the report of the Disarmament Commission,

Expressing regret that, despite the threat South Africa's nuclear capability constitutes to international peace and security, in particular to the realization of the objective of the Declaration on the Denuclearization of Africa, the Disarmament Commission has, once again, in 1984, failed to reach a consensus on this important item on its agenda.

1. Strongly renews its call upon all States to consider and respect the continent of Africa and its surrounding areas as a nuclear-weapon-free zone;
2. Reaffirms that the implementation of the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity would be an important measure to prevent the proliferation of nuclear weapons and to promote international peace and security;
3. Expresses once again its grave alarm at South Africa's possession and continued development of nuclear-weapon capability;
4. Condemns South Africa's continued pursuit of a nuclear capability and all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime that enable it to frustrate the objective of the Declaration which seeks to keep Africa free from nuclear weapons;

5. Calls upon all States, corporations, institutions and individuals to desist from further collaboration with the racist régime that may enable it to frustrate the objective of the Declaration on the Denuclearization of Africa;
6. Demands once again that the racist régime of South Africa refrain from manufacturing, testing, deploying, transporting, storing, using or threatening to use nuclear weapons;
7. Appeals to all States that have the means to do so, to monitor South Africa's research on, and development and production of nuclear weapons, and to publicize any information in that regard;
8. Demands once again that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;
9. Requests the Secretary-General to render all necessary assistance that the Organization of African Unity may seek towards the implementation of its solemn Declaration on the Denuclearization of Africa;
10. Decides to include in the provisional agenda of its fortieth session the item entitled "Implementation of the Declaration on the Denuclearization of Africa".

97th plenary meeting
12 December 1984

B. Nuclear Capability of South Africa

The General Assembly

Recalling its resolutions 34/76 B of 11 December 1979, 35/146 A of 12 December 1980, 36/86 A of 9 December 1981, 37/74 B of 9 December 1982 and 38/181 B of 20 December 1983,

Bearing in mind the Declaration on the Denuclearization of Africa adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964,

Recalling that, in paragraph 12 of the Final Document of the Tenth Special Session of the General Assembly, it noted that

the accumulation of armaments and the acquisition of armaments technology by the racist régimes, as well as their possible acquisition of nuclear weapons presented a challenging and increasingly dangerous obstacle to a world community faced with the urgent need to disarm,

Recalling also that in its resolution 33/63 of 14 December 1978, it vigorously condemned any overt or covert attempt by South Africa to introduce nuclear weapons into the continent of Africa and demanded that South Africa refrain forthwith from conducting any nuclear explosion in the continent or elsewhere,

Taking note of resolution GC(XXVIII)/RES/423 on South Africa's nuclear capabilities, adopted on 27 September 1984 by the General Conference of the International Atomic Energy Agency during its twenty-eighth regular session,

Taking note of the report of the United Nations Institute for Disarmament Research, entitled "South Africa's nuclear capability", undertaken in co-operation with the Department for Disarmament Affairs and in consultation with the Organization of African Unity,

Expressing regret that, despite the threat South Africa's nuclear capability constitutes to international peace and security, in particular to the realization of the objective of the Declaration on the Denuclearization of Africa, the Disarmament Commission has, once again, in 1984, failed to reach a consensus on this important item on its agenda,

Gravely concerned that South Africa, in flagrant violation of the principles of international law and the relevant provisions of the Charter of the United Nations, has continued its acts of aggression and subversion against the peoples and the independent States of Southern Africa,

Strongly condemning the continued military occupation by South African troops of parts of the territory of Angola in violation of its national sovereignty, independence and territorial integrity, and urging the immediate and unconditional withdrawal of South African troops from Angolan soil,

Expressing its grave disappointment that, despite repeated appeals by the international community, certain Western States and Israel have continued to collaborate with the racist régime of South Africa, in the military and nuclear fields and that

some of the same Western States have, by a ready recourse to the use of the veto, consistently frustrated every effort in the Security Council to deal decisively with the question of South Africa,

Recalling its decision taken at the tenth special session that the Security Council should take appropriate effective steps to prevent the frustration of the implementation of the decision of the Organization of African Unity for the denuclearization of Africa,

Stressing the need to preserve peace and security in Africa by ensuring that the continent is a nuclear-weapon-free zone,

1. Condemns the massive buildup of South Africa's military machine, in particular, its frenzied acquisition of nuclear-weapon capability for repressive and aggressive purposes and as an instrument of blackmail;
2. Expresses its full support for the African States faced with the danger of South Africa's nuclear capability;
3. Reaffirms that the racist régime's acquisition of nuclear-weapon capability constitutes a very grave danger to international peace and security and, in particular, jeopardizes the security of African States and increases the danger of the proliferation of nuclear weapons;
4. Condemns all forms of nuclear collaboration by any State, corporation, institution or individual with the racist régime of South Africa, in particular the decision by some Member States to grant licences to several corporations in their territories to provide equipment, technical and maintenance services for nuclear installations in South Africa;
5. Demands that South Africa and all other foreign interests put an immediate end to the exploration and exploitation of uranium resources in Namibia;
6. Calls upon all States, corporations, institutions and individuals to terminate forthwith all forms of military and nuclear collaboration with the racist régime;

7. Requests the Disarmament Commission to consider as a matter of priority during its session in 1985 South Africa's nuclear capability, taking into account, inter alia, the findings of the report of the United Nations Institute for Disarmament Research on South Africa's nuclear capability;
8. Requests the Security Council, for the purposes of disarmament and to fulfil its obligations and responsibility, to take enforcement measures to prevent any racist régimes from acquiring arms or arms technology;
9. Further requests the Security Council to conclude expeditiously its consideration of the recommendations of its Committee established by resolution 421 (1977) concerning the question of South Africa, with a view to blocking the existing loopholes in the arms embargo, so as to render it more effective and prohibiting, in particular, all forms of co-operation and collaboration with the racist régime of South Africa in the nuclear field;
10. Demands once again that South Africa submit forthwith all its nuclear installations and facilities to inspection by the International Atomic Energy Agency;
11. Requests the Secretary-General to follow very closely South Africa's evolution in the nuclear field and to report thereon to the General Assembly at its fortieth session.

97th plenary meeting
12 December 1984

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