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FURTHER REPORT OF THE SECRETARY-GENERAL CONCERNING THE IMPLEMENTATION
OF SECURITY COUNCIL RESOLUTIONS 435 (1978) AND 439 (1978) CONCERNING
THE QUESTION OF NAMIBIA

1. On 6 September 1985, I submitted to **the Security Council** my report (S/17442) pursuant to paragraph 15 of its resolution 566 (1985) concerning the question of Namibia. The present report is intended to provide the Council with an account of developments since then concerning the implementation of its resolutions 435 (1978) and 439 (1978) on the same question.
2. Members of the Security Council will recall that in **paragraph 11 of its** resolution 566 (1985) of 19 June 1985, the Council decided to mandate the Secretary-General to resume immediate contact with South Africa with a view to obtaining its choice of the **electoral** system to be used for the election, under United Nations supervision and control, for the Constituent Assembly, in terms of Council resolution 435 (1978). This was to **pave the way** for the adoption by the Council of the **enabling** resolution for the implementation of the United Nations plan for Namibia.
3. Accordingly, I resumed my consultations with the Permanent Representative of South Africa to the United Nations on the choice of the electoral system. In my discussions with **Ambassador von Schirnding**, I continued to urge the Government of South Africa to reconsider its position on this issue and to communicate to me its choice of the electoral system as a matter of urgency in order to facilitate the implementation of the United Nations plan.
4. In a letter addressed to me on 12 November 1985 (S/17627, annex), Foreign Minister R. F. Botha indicated that the Government of South Africa **had no objection** to a system of proportional representation as a framework for the elections contemplated in terms of Security Council resolution 435 (1978). He further stated that agreement would have to be reached on how the system of proportional representation would be implemented in practice.
5. The Security Council resumed its consideration of the situation in Namibia at its 2624th to 2626th, 2628th and 2629th meetings, between 13 and 15 November 1985. A draft resolution on the question was not adopted owing to the negative vote of a permanent member of the Council.

6. Following consultations with representatives of the front-line States and with the South West Africa People's Organization (SWAPO), I replied to Foreign Minister Botha's letter on 26 November 1985 (S/17658). I confirmed that agreement had been reached on the system of proportional representation for the elections envisaged in Security Council resolution 435 (1978). I explained that, in **accordance** with the settlement proposal (S/12636), and as provided for in Council resolution 435 (1978), follow-up action as to how the system of proportional representation would work in practice would be elaborated by my Special Representative and the Administrator-General, in the context of their respective functions, once the implementation of the United Nations plan had commenced.

7. I emphasized in my letter to Foreign Minister Botha that with agreement having been reached on the choice of the electoral system, all outstanding issues relevant to the United Nations plan for Namibia had been resolved. In this connection, I recalled that the Security Council itself had, on more than one occasion, rejected the linking of the independence of Namibia to irrelevant and extraneous issues as incompatible with Council resolution 435 (1978). I therefore proposed to him that we proceed to establish the earliest possible date for a cease-fire and the implementation of the resolution.

8. President dos Santos of Angola was kept informed of these developments. I also maintained contact with President Kaunda of Zambia, in his capacity as Chairman of the front-line States, to keep him informed of the progress of my endeavours. The representatives of the front-line States and SWAPO in New York expressed support for my efforts and called for a concerted effort to proceed to the implementation of Security Council resolution 435 (1978). They stressed, in particular, the significance of the common positions adopted on the political situation in southern Africa by the foreign ministers of the front-line States and those of the States members of the European Community at their meeting at Lusaka on 3 and 4 February 1986 (see A/41/154-S/17809, annex). In their joint communique, the ministers had condemned South Africa's continuing illegal occupation of Namibia and the stalemate in efforts aimed at securing its independence within the framework of the United Nations plan. They reaffirmed the centrality and relevance of Council resolution 435 (1978), which represented the only valid basis for a peaceful solution of the question of the independence of Namibia. The ministers called for the implementation of Council resolution 435 (1978) without further delay, and rejected attempts to delay Namibia's independence by linking it to the withdrawal of Cuban troops from Angola. Further, they considered as null and void the so-called interim administration in Namibia, which was set up contrary to Council resolution 435 (1978), and appealed to all countries to desist from giving it any form of assistance.

9. In a communication addressed to me on 22 February 1986, Mr. Sam Nujoma, the President of SWAPO, also emphasized that following the agreement reached on the electoral system, all outstanding issues relevant to the United Nations plan had been resolved. He suggested, therefore, that I initiate contacts with the Government of South Africa to press for a cease-fire and the overall implementation of Security Council resolution 435 (1978) without further delay.

10. On 3 March 1986, I received a communication from Foreign Minister Botha, in which he conveyed to me in advance a statement that was to be made on 4 March 1986, by the South African State President, before a joint sitting of the South African Parliament (S/17892, annex). In that statement, the Government of South Africa proposed that 1 August 1986 be set as the date for commencement of implementation of the settlement plan based on Security Council resolution 435 (1978), provided that a firm and satisfactory agreement could be reached before that date on the withdrawal of the Cuban troops from Angola.

11. On 5 March 1986, I issued a statement on the State President's announcement, making clear that I was ready to commence implementation of Security Council resolution 435 (1978) on 1 August 1986 without pre-condition. I stated that while the South African suggestion of a specific date for the commencement of implementation constituted an important development, which I welcomed, I noted that it was linked to an issue that the Council and I considered extraneous to the Namibian question. In this connection, I again emphasized that the question of Namibia should be regarded as a primary issue in its own right. I expressed the hope that regardless of the difficulties that the situation contained, all parties involved in the effort to bring about a lasting peace to the area would make a major attempt that would facilitate the exercise of self-determination by the people of Namibia through the implementation of Council resolution 435 (1978), and would also deal in an appropriate manner with the legitimate security concerns of the Government of Angola.

12. On 15 March 1986, in Stockholm, I met President Kaunda, as well as the President of SWAPO, to discuss developments pertaining to the question of Namibia. I held consultations on the same day with Mr. Afonso Van Dunem, the Foreign Minister of Angola, who delivered to me a letter dated 13 March 1986, from President dos Santos (S/17931, annex). I reiterated my position on the South African proposal of 4 March 1986 (see para. 11) and reaffirmed my readiness to commence the implementation of Security Council resolution 435 (1978) on 1 August 1986, without pre-conditions. I indicated that I intended to hold further consultations with all concerned. It was agreed that Mr. Martti Ahtisaari, my Special Representative for Namibia, should undertake a mission to Angola and Zambia for detailed discussions aimed at facilitating the implementation of Council resolution 435 (1978).

13. In his communication addressed to me on 13 March 1986 (S/17931, annex), President dos Santos made clear his Government's position on the South African proposal of 4 March 1986. He stated that a mere abstract indication of a date to mark the implementation of Security Council resolution 435 (1978) could not be considered sufficient, 'as in itself it does not provide an indication of the sequence of complementary steps'. Furthermore, President dos Santos stated that it was conditional on a prior agreement being reached on the withdrawal of Cuban forces from Angola, in contradiction to the Mindelo Act signed between the United States and Angola. In rejecting the linkage pre-condition, President dos Santos stated that the Government of Angola had submitted a package of concrete proposals, which were included in its platform and complementary text, forwarded to me in November 1984 (S/16838). He stated that those documents had set forth the measures to be adopted "for the gradual withdrawal of the internationalist Cuban forces" in

accordance with the Mindelo Act. In conclusion, President dos Santos indicated that, in the context of the United Nations, the Secretary-General had the responsibility of conducting negotiations for the speedy implementation of Council resolution 435 (1978) leading to the independence of Namibia and security and peace in that region. Accordingly, he requested me to undertake all necessary measures towards those ends.

14. Mr. Ahtisaari visited Luanda and Lusaka at the end of March and in early April 1986 for follow-up discussions to my meetings in Stockholm. He undertook a second visit to the two capitals in May 1986 for further exchanges of views. During those visits, he held discussions in Luanda with President dos Santos as well as with the President of SWAPO, and while in Lusaka he was received by President Kaunda. In these discussions, all expressed support for my efforts, reiterated their rejection of the linkage pre-condition and called for the implementation of Security Council resolution 435 (1978) on the target date of 1 August 1986, without pre-conditions. President Kaunda stated that he would convene a summit meeting of the front-line States to discuss the South African proposal of 4 March 1986, and that he would recommend that his colleagues assist me in my endeavours. He emphasized the need for the front-line States and me to continue to remain in close contact on developments.

15. A summit meeting of heads of State and Government of the front-line States took place at Luanda on 8 April 1986. The President of SWAPO was present at the meeting. The meeting expressed its total solidarity with and unequivocal support for the Government of Angola. In relation to Namibia, the meeting deplored the continued stalemate. While taking note of South Africa's proposed date of 1 August 1986, the leaders reiterated their rejection of the concept of linking the independence of Namibia to the withdrawal of Cuban forces from Angola. They also reaffirmed their support for my efforts and urged me to begin the implementation of Security Council resolution 435 (1978) without further delay.

16. On 30 May 1986, I met in New York with the foreign ministers of the front-line States and Nigeria, together with the representative of SWAPO, to exchange views and to keep them informed of the progress of my endeavours. I also informed Ambassador von Schirnding of the reactions of Angola, the front-line States and SWAPO, to the South African proposal. I made it known to all that I would continue with my consultations and that, subject to the progress of the negotiations, I intended to reply formally to the South African proposal around mid-June 1986.

17. In my reply of 12 June 1986 (S/18150) to Foreign Minister Botha's letter of 3 March 1986 (S/17892), I assured the Government of South Africa that I was ready, subject to the co-operation of all concerned, to begin the implementation of the United Nations plan on 1 August 1986, without pre-conditions. I stated that President dos Santos had reiterated to me the Angolan Government's categorical rejection of linkage and had reaffirmed Angola's commitment to its platform of September 1984 (S/16838), and the subsequent additions thereto, which, he said, provided the basis for a comprehensive agreement that would ensure independence for Namibia and peace and security in the region. My letter went on to say that the front-line States and SWAPO had conveyed to me their support for Angola's position, and that they had urged that Security Council resolution 435 (1978) be implemented

without delay. I also stated that the President of SWAPO had reaffirmed the readiness of SWAPO to proceed to a cease-fire with South Africa so that the implementation of Council resolution 435 (1978) could commence on 1 August 1986.

18. Taking these factors into account, I impressed on Foreign Minister Botha the need for all concerned to act decisively, within the terms of the relevant decisions of the Security Council, in order to commence the implementation of the United Nations plan for Namibia on the target date of 1 August 1986. I expressed the hope that the co-operation and support of South Africa could be relied on in finalizing the necessary arrangements for the independence of Namibia as stipulated in that plan.

19. I had the opportunity of again meeting with the President of SWAPO at Vienna on 7 July 1986 during the International Conference for the Immediate Independence of Namibia. He reiterated to me once again the readiness of SWAPO to proceed to a cease-fire with South Africa for the implementation of the United Nations plan for Namibia. He urged that further initiatives be undertaken in order to obtain South African agreement to proceed with implementation of that plan.

20. In a communication addressed to me on 28 July 1986 (S/18241, annex), Foreign Minister Botha stated that the presence of Cuban troops in Angola constituted a serious threat to the safety of Namibia, making free and fair elections impossible. In regard to his Government's announcement of 4 March 1986, he indicated that the question of Cuban troop withdrawal had remained unresolved. He said that South Africa had hoped that by its announcement of 4 March 1986, 1 August 1986 would be set as the date for the commencement of the implementation of the settlement plan based on Security Council resolution 435 (1978), provided a firm and satisfactory agreement could be reached before that date on the withdrawal of the Cubans from Angola, which would further enhance the opportunity to establish dialogue on this question. He added that South Africa regretted that the Government of Angola had not addressed that issue realistically, in order to advance the prospects of peace. However, he stated that South Africa remained prepared to enter into discussions at any time in order to try to resolve the question of Cuban troop withdrawal. In this connection, he said that he would like to associate himself with the appeal issued by the Secretary-General in his letter of 12 June 1986, that all concerned should now act decisively in order to commence the implementation of the United Nations plan for Namibia.

21. In the circumstances, it was not possible to proceed to the implementation of the United Nations plan on the target date of 1 August 1986.

22. In discussions conducted with President dos Santos on my behalf by senior members of my staff, the President reiterated the willingness of Angola to facilitate a negotiated settlement in accordance with its platform (see paras. 13 and 17). However, he emphasized that South Africa had continued to jeopardize the peace process by its persistent cross-border attacks against Angola. For my part, I have repeatedly urged South Africa to desist from such attacks, which only serve to aggravate tension and conflict in the region and to make more difficult the realization of a negotiated settlement.

23. On 30 September 1986, I held discussions with Colonel Sassou Nguesso, President of the People's Republic of the Congo and current Chairman of the Organization of African Unity (OAU). On the question of Namibia, President Nguesso expressed full support for the position of the front-line States and SWAPO, as well as for my endeavours for an early settlement.

24. On 3 October 1986, I met with Prime Minister Robert Mugabe of Zimbabwe, Chairman of the Eighth Summit Conference of Heads of State or Government of Non-Aligned Countries. In regard to Namibia, Prime Minister Mugabe conveyed to me the concerns of the Non-Aligned Movement with respect to the inordinate delay in proceeding to the implementation of Security Council resolution 435 (1978). He urged that the international community redouble its efforts to facilitate an early settlement.

25. In further discussions, Ambassador von Schirnding of South Africa informed me that his Government had taken note of the Angolan platform, but that in its view the platform, which dated back to September 1984, had been overtaken by events and could not therefore serve as a basis for a negotiated settlement. He emphasized that the Government of South Africa would continue to insist on agreement being reached on the total withdrawal of Cuban troops from Angola prior to the implementation of Security Council resolution 435 (1978). Subject to this pre-condition, he stated that his Government would be prepared to consider any new proposals by the Government of Angola in regard to the matter.

26. On 9 December 1986, I met with representatives of the front-line States, Nigeria and SWAPO, to convey to them the position of the Government of South Africa. I informed them that, in the prevailing situation, I was not in a position to report further progress towards the implementation of the United Nations plan for Namibia.

27. On 12 February 1987, I again met with the same representatives to review developments. They informed me that in the absence of further progress they intended to initiate consultations to convene a Security Council meeting to consider the question of Namibia. Earlier on the same day, Ambassador Leslie Manley, the new Permanent Representative of South Africa to the United Nations, had presented his credentials to me. I indicated to the front-line States and SWAPO that I envisaged further discussions with Ambassador Manley on matters pertaining to Namibia.

28. I met with Ambassador Manley on 13 March 1987. I reaffirmed to him the position of the United Nations on the implementation of Security Council resolution 435 (1978), and emphasized that that resolution remained the only basis for a peaceful settlement in Namibia. I urged the co-operation of his Government, in order to expedite the implementation of the United Nations plan for Namibia without further delay. I stressed, in particular, the need for the Government of South Africa to reconsider its position on the linkage pre-condition, so as to clear the way for the establishment of a firm date for a cease-fire and the emplacement of the United Nations Transition Assistance Group (UNTAG) in Namibia.

29. In reply, Ambassador Manley indicated to me the willingness of his Government to co-operate in the implementation of Security Council resolution 435 (1978), provided a firm and satisfactory agreement could be reached on the question of the withdrawal of Cuban troops from Angola. He stated that his Government **remained** prepared to enter into a dialogue at any time in order to try to resolve the question of Cuban withdrawal. Ambassador Manley **also** reiterated to me the position of his Government (S/18710), concerning Angola's complaints regarding **violations of its sovereignty and territorial integrity by South Africa (S/18638)**. In regard to internal developments in Namibia, **Ambassador** Manley referred to the statement by Mr. Louis Pienaar, the Administrator-General, on 24 February 1967. In that statement, the Administrator-General **had said that** the international status of the Territory as well as the international commitments of the Republic of South Africa would not be jeopardized. In this connection, he had emphasized that national elections or referendums, which might jeopardize the external relations of the Republic of South Africa, could not be conceded.

30. On 30 March 1987, I met again with Ambassador Manley to review his Government's position on the question of Namibia. He reiterated to me the willingness of his Government to proceed with the implementation of the settlement plan envisaged in security Council resolution 435 (1978), provided that a firm and satisfactory agreement could be reached on the withdrawal of the Cuban troops from Angola prior to implementation. He said that the Government of South Africa was **ready**, in keeping with its policy of dialogue, to enter into direct talks with the Angolan Government on this matter.

Concluding remarks

31. As members of the Security Council are aware, in November 1985, **agreement was** reached with the parties concerned on the system of **proportional representation** for the elections envisaged in Security Council resolution 435 (1978). With this **agreement**, the last outstanding issue relevant to the United Nations plan was resolved. Indeed, it was hoped that this would pave the way for the adoption by the Security Council of an enabling resolution for the emplacement of UNTAG in Namibia. To this end, I proposed to the Government of South Africa on 26 November 1986 that it should join me in establishing the earliest possible date for a cease-fire and the implementation of Council resolution 435 (1978).

32. Regrettably, South Africa's proposal that 1 August 1986 be set as the date for the implementation of the United Nations plan ran counter to relevant Security Council decisions, since it reaffirmed that prior agreement must be reached on the total withdrawal of Cuban troops from Angola before implementation. The proposal as a whole could therefore not be sustained as a valid basis for proceeding with the implementation of the United Nations plan. This linkage pre-condition, which dates back to 1982, now constitutes the only obstacle to the implementation of the United Nations plan for Namibia. I do not recognize the validity of the linkage pre-condition, nor can I accept it as a pretext to delay any further the independence of Namibia. The presence of Cuban troops in Angola is a separate matter, to be **dealt** with by those directly concerned acting within their sovereign competence.

33. It is my emphatic view that the Government of South Africa should urgently reconsider its position on the linkage pre-condition in order to enable the United Nations to proceed with the implementation of Security Council resolution 435 (1978). I call for a determined effort on the part of all those directly concerned, as well as by the international community as a whole, to emplace UNTAG in Namibia in 1987. For my part I am firmly committed to persevering in my effort to attain the goal of independence for Namibia.
