

**Security Council**Distr.
GENERALS/17689
20 December 1985

ORIGINAL: ENGLISH

LETTER DATED 19 DECEMBER 1985 FROM THE PERMANENT REPRESENTATIVE OF
LESOTHO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have been requested to bring to your urgent attention the attached exchanges of telex messages between the Lesotho Government and the South African Government.

As a background to these exchanges let me add two developments. The first is that as a result of increasing unrest in South Africa the number of refugees flowing into Lesotho has increased. About two weeks ago interested parties chartered a Zambian Airways plane to fly about 140 of these refugees from Lesotho to Zambia, as their accumulation in big numbers in Lesotho has been used by South Africa as an excuse for attacking my country. The Zambian plane came to Lesotho, but its flight back to Lusaka loaded with the refugees, including Mr. Ndlovu on board, was intercepted by the South African authorities and it had to return with the refugees to Lesotho. The Government of South Africa did not furnish any explanation for its action. Subsequently the plane left for Zambia without the refugees in the absence of any reassurance from South Africa that there would be no interference. Arrangements were later made to fly the refugees to Zambia on a smaller aircraft of Lesotho Airways in a series of four charter flights. The last of these flights, which had been arranged by the United Nations Commissioner for Refugees, was delayed for a couple of days before departure from Maseru because of hitherto inexplicable action by the relevant South African authorities.

On 4 December 1985 a band of bandits crossed from the South African side of the border and murdered in cold blood seven innocent nationals of Lesotho in Qacha's Nek district. These bandits then fled back into South Africa. At a political rally held in Maseru in remembrance of the South African defence force attack on Lesotho on 9 December 1982, the Prime Minister of Lesotho stated that the bandits responsible for this heinous murders had been trained and armed by South Africa.

So on 13 December 1985 South Africa sent the attached telex (annex I), and the telex in annex II. Lesotho's replies to South African telexes appear respectively as annexes III and IV.

The Lesotho Government has received a reply from South Africa in reply to its telex No. 323 which, in the view of the Lesotho Government, still does not provide a sufficient basis for meaningful action (see annex V). The Lesotho Government on

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the other hand has received reliable information to the effect that South Africa is planning another attack on Lesotho over the Christmas period. It will be recalled that South Africa attacked the capital city of Lesotho, Maseru, on 9 December 1982.

It has always been the policy of the Lesotho Government to have its doors open for discussion with South Africa in accordance with the long-standing arrangement between South Africa and Lesotho whereby either party may request a meeting on all matters of mutual concern to both countries, including security.

This has been the policy in existence in the past, the present and in the future. The Lesotho Government does not believe in the resort to the use of force or violence as a means of resolving inter-State problems. Our reply to the South African telex is also attached as annex VI, and it clearly reiterates Lesotho Government's policy and firm stand on this matter.

As conveyed to you verbally on 18 December 1985, the Lesotho Government will be grateful if you could use your good offices to stop South Africa from carrying out its threatened and planned armed attack against my country.

In the meantime I am instructed to request you to circulate this letter and its annexes as Security Council documents.

(Signed) T. MAKEKA
Ambassador/Permanent Representative

Annex I

Telex No. 5264 dated 13 December 1985 from the Government of
South Africa addressed to the Government of Lesotho

"Compliments.

"Secextern has the honour to state that according to a SAPA report the Prime Minister of Lesotho on 9 December blamed South Africa for the murder of seven Basotho on the previous Friday near Qacha's Nek. The Prime Minister is reported to have said further 'The killing of the seven was carried out by lackeys of the Boers'.

"The SAPA report concluded:

'... He also accused South Africa of supplying the members of the so-called Lesotho Liberation Army with firearms and ammunition. He said even if South Africa denied supplying the insurgents with firearms it was obvious that it did so because in all their attacks on Lesotho, the insurgents had always attacked from South African territory and returned there after the attacks.

'He said that after the Qacha's Nek attack last Friday, the raiders fled and crossed back into South African territory and retreated to Matatiele where they live.'

"Secextern should be grateful to learn urgently whether the Lesotho Prime Minister has been correctly reported. It would be welcomed if it were possible for Foreign to furnish the relevant part of the text of the speech.

"It has been repeatedly conveyed to Lesotho that South Africa does not allow its territory to be used as a springboard for attacks on neighbouring States."

Annex II

Telex No. 5265 dated 13 December 1985 from the Government of South Africa addressed to the Government of Lesotho

"Compliments.

"Secextern has the honour to convey the following to Foreign:

"The South African Government has information to the effect that the ANC is planning to launch armed actions from Lesotho against targets in South Africa particularly during this festive season.

"The ANC has a large number of trained terrorists in Lesotho of whom a substantial part has been grouped into several units and organizations amongst others;

"The Senior Organ, being the ANC's controlling body in Lesotho under the leadership of M. J. Ndlovu.

"The Lesotho Military machinery, consisting of several sections divided into subsections which serve as the Regional Military Committee. This unit with its branches, including the assassination squad, is responsible for co-ordinating acts of violence in South Africa and in Transkei and Ciskei and for providing quick terrorism training in Lesotho to ANC-recruits. A number of persons who underwent such training have been arrested in South Africa.

"The political/propaganda department, which is responsible for disseminating ANC-ideology and propaganda in South Africa and in Transkei and Ciskei.

"The National University of Lesotho Committee, which has the task I.A. of recruiting RSA students at the University and of providing accommodation to ANC terrorists. In addition to these ANC units and organizations, there is the SA Congress of Trade Unions (SACTU) which is responsible for liaison with Trade Unions in South Africa as well as for recruiting and training members for operations in South Africa.

"Furthermore, Lesotho is the most important host country for persons who leave South Africa to join the ANC. Earlier this month more than a hundred and fifty of these persons left Lesotho for Zambia.

"The situation set out above would appear to indicate that Lesotho has not carried out its declared undertaking to prevent its territory from being used as a springboard for terrorist activities directed against South Africa. Lesotho has repeatedly in the past been requested to put a stop to terrorist operations against South Africa and her people from Lesotho.

"It is a cause for regret that Lesotho's failure to address South Africa's legitimate security concerns is impeding South Africa's efforts to promote positive neighbourly relations through the wide range of mutually beneficially links between the two countries.

"In view of the import to South Africa and her people of the present threat posed by the ANC in Lesotho, Secextern has the honour to request a reply to this telex at Foreign's earliest convenience.

Highest consideration."

Annex III

Telex No. 322 dated 16 December 1985 from the Government of
Lesotho addressed to the Government of South Africa

"Compliments.

"The Ministry of Foreign Affairs of Lesotho has been directed to inform Secextern that, with reference to Secextern's telex No. 5264 of 13 December 1985, the SAPA report which forms the subject of that telex is factually correct.

"Lesotho has repeatedly conveyed to South Africa that LLA terrorists are using South African territory as a training ground and springboard for attacks on Basotho and their property. After the Qacha's Nek incident during which defenceless people were brutally murdered, the terrorists responsible for this heinous act were actually seen crossing the border into Matatiele.

"One further source of information has been captured LLA terrorists who have identified places in South Africa such as Lusikisiki and others where they are trained and armed by the South African Defence Force.

Highest consideration.
Foreign Maseru"

Annex IV

Telex No. 323 dated 16 December 1985 from the Government of
of Lesotho addressed to the Government of South Africa

"Compliments.

"The Ministry of Foreign Affairs of the Kingdom of Lesotho has the honour to refer to Secextern's Telex No. 5265 of 13 December 1985.

"Lesotho is not aware of the existence of the ANC organizations and units mentioned in the telex under reference. Lesotho would be grateful to receive more specific information to enable her to investigate what, at this stage, are regarded as unfounded allegations.

"In accordance with her international obligations Lesotho provides asylum to bona fide political refugees who, however, are not allowed to launch attacks from Lesotho on their country of origin. This has been publicly declared by Lesotho.

"Political refugees who come to Lesotho are the responsibility of the Office of the United Nations High Commissioner for Refugees who handles all their affairs including travel and second countries of asylum.

"Mr. J. Ndlovu who is mentioned in Secextern's telex is known to have been on the Zambia Airways aircraft which was ordered back to Lesotho by South African authorities while on a flight conveying Ndlovu and other refugees out of Lesotho.

"Lesotho appeals to South Africa to desist from using Lesotho as a scapegoat for South Africa's domestic problems.

Highest consideration.
Foreign Maseru"

Annex V

Telex dated 16 December 1985 from the Government of South
Africa addressed to the Government of Lesotho

"Compliments.

"Secextern has the honour to acknowledge receipt of Foreign's Telex
No. 323.

"In Secextern's Telex No. 20 Lesotho was informed of a clearly perceived
threat to South Africa's Security emanating from ANC terrorists in Lesotho.

"It is unacceptable to the South African Government that in its reaction
to the explicit information on a grave situation, Lesotho merely avers that it
is unaware of the existence of the ANC Units and Organizations described in
Secextern's Telex. The information, which has been made available to Lesotho
in a spirit of co-operation, is dismissed as 'Unfounded Allegations'.

"The Lesotho Government is once again urged to ensure that its territory
is not used as a springboard for terrorist attacks against South Africa and
her people.

"If such armed actions were to take place despite South Africa's repeated
appeals to the Lesotho Government, the South African Government reserves the
right to take whatever action may be necessary to defend its territory and to
secure the safety of its citizens.

Highest consideration.
Secextern Pretoria"

Annex VI

Telex No. 336 dated 19 December 1985 from the Government of
Lesotho addressed to the Government of South Africa

"Compliments.

"The Ministry of Foreign Affairs of the Kingdom of Lesotho has the honour to acknowledge receipt of Secextern's Telex No. 5267 of 18 December 1985.

"The Government of the Kingdom of Lesotho reiterates its view that the South African Government has not, repeat, not up to now furnished full information which is sufficiently clear and explicit to form the basis of any meaningful action by the Lesotho Government. For instance, the Government of the Kingdom of Lesotho would like to know who the members of the ANC referred to in Secextern's telex No. 5265 of 13 December 1985 are and also where they are, because Secextern's telex of 13 December is not explicit enough. If additional information is given, the Government of the Kingdom of Lesotho would be ready and willing to carry out a full-scale investigation.

"Refugees arriving in Lesotho from South Africa are usually in transit to other countries, and arrangements relating to their departure from Maseru are usually made by the United Nations High Commissioner for Refugees. The Government of the Kingdom of Lesotho reaffirms that more detailed information is required to facilitate consideration of any exceptional action.

"Furthermore the Government of the Kingdom of Lesotho wishes to restate, for the benefit of the Government of South Africa, that it has always been and still is the Lesotho Government's policy to accord asylum to genuine refugees as defined under United Nations Conventions and under no circumstances can refugees in Lesotho be permitted by the Government of the Kingdom of Lesotho to use Lesotho as a springboard for attacks against South Africa or any other neighbouring State.

"The Government of the Kingdom of Lesotho has always made it clear that the refugees who misuse the privilege will not be allowed to remain in Lesotho. This is a firm policy of the Government of the Kingdom of Lesotho which has been declared publicly on many occasions and is once again being stated for the reassurance of the Government of South Africa on this occasion.

"To the best knowledge of the Government of the Kingdom of Lesotho no one has made clear their intentions to attack South Africa from Lesotho. What the South African Government contemplates could happen has not in fact happened because the Government of the Kingdom of Lesotho would not support such a move. In the spirit of good neighbourliness and taking into account the desire of the Government of the Kingdom of Lesotho to coexist peacefully with the Republic of South Africa the former would take immediate and precipitate action if its attention is drawn to the fact that certain people intend to carry out acts of violence against South Africa. However, if full explicit and detailed information is not made available to the Government of the

Kingdom of Lesotho and if in spite of that the South African Government still reserves the right to take whatever action it deems fit, this matter would be beyond the control of the Government of the Kingdom of Lesotho but, as usual, the Government of the Kingdom of Lesotho would prefer negotiation and exchange of information on all matters of mutual concern including the use of violence.

"The attention of the South African Government must also be drawn to the fact that the words 'unfounded allegations' have not been used by Secextern in the context in which they were used by Foreign in telex No. 323 of 16 December 1985. The sense and context in which were used referred to the non-disclosure of detailed information.

Highest Consideration.
Foreign Maseru"
