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LETTER DATED 29 AUGUST 1980 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF SOUTH AFRICA TO THE UNITED
NATIONS ADDRESSED TO THE SECRETARY GENERAL

At the request of the South African Minister of Foreign Affairs and Information, the Honourable R. F. Botha, I am enclosing the text of a letter he has addressed to Your Excellency on 29 August 1979.

I should appreciate it if this letter could be circulated as a document of the Security Council.

(Signed) David W. STEWARD
Chargé d'Affaires a.i.

Annex

Letter dated 29 August 1980 from the Minister of Foreign Affairs and
Information of South Africa addressed to the Secretary-General

1. The people of South West Africa/Namibia and the South African Government are determined to conclude successfully the negotiations of the past three and a half years to bring the Territory to independence. During this time, much has been achieved and it is in the interests of all concerned that these achievements should not be forfeited. It is essential that we do not lose sight of the issues of substance on which South West African and South African agreement has been forthcoming, such as a unitary State, universal adult suffrage, the removal of discrimination based on colour, the holding of free and fair elections to the satisfaction of the United Nations, the right of all South West Africans to return to participate peacefully in the political process and the reciprocal release of detainees wherever held.

2. Your Excellency's letter of 20 June 1980 (S/14011) dealt with a number of issues which required the closest consideration by the leadership in South West Africa and by the South African Government. The approach of these authorities was constructive and positive with the objective of preserving and facilitating the implementation of what has been achieved.

3. The South African Government has taken note of the fact that South Africa will be entitled to retain a total of 20 bases in the demilitarized zone during the first 12 weeks after the cease-fire comes into effect. It has also noted that Angola and Zambia together will have seven bases in the demilitarized zone on their sides of the border. It is assumed that the conditions laid down for bases in the DMZ will apply equally to all. The South African Government expects UNTAG, in the execution of its functions in the DMZ, to ensure compliance with the provision in paragraph 2 of Your Excellency's report (S/13862) of 31 March 1980, namely that SWAPO would be excluded from these seven bases. Furthermore, the South African Government has noted that SWAPO's claims to bases inside South West Africa/Namibia have been abandoned.

4. The South African Government welcomes the assurances now provided to Your Excellency by the Governments of Angola and Zambia in respect of the closure of SWAPO bases in Angola and Zambia. It is assumed that the Governments of the two States accept full responsibility for ensuring that SWAPO personnel, when returning to South West Africa/Namibia after closure of their bases, will do so peacefully, i.e. without arms, and only through designated entry points, as stipulated in the settlement proposal. It is further assumed that Your Excellency is satisfied that the countries concerned can and will honour their commitments. The importance which the inhabitants of South West Africa/Namibia and the South African Government attach to this aspect should not be underestimated. The early and successful conclusion of the settlement proposal would be jeopardized and other serious consequences could follow if any of the Governments involved are unable to carry out their commitments fully and consistently.

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5. In your letter you call on all to respect the outcome of the settlement plan. South Africa by its acceptance of the settlement proposal on 25 April 1978, indicated its willingness to abide by this outcome, provided it would be achieved by free and fair elections.

6. The South African Government has noted Your Excellency's reply on the matter of the deployment of UNTAG. Given UNTAG's task to ensure that the DMZ retains its demilitarized character, it is assumed that practical arrangements will be made at the outset for UNTAG's military component to be deployed throughout the entire DMZ. It is also assumed that the final decisions on deployment by the military commander of UNTAG, to which you allude, will be taken before implementation and after due consultation.

7. Your Excellency states that the principle of impartiality will be consistently followed in the implementation of Security Council resolution 435 (1978). For the South African Government and the people of South West Africa/Namibia impartiality is a crucial issue in implementing that resolution successfully. It is assumed, therefore, that all parties involved in the implementation of the settlement proposal will henceforth maintain a strictly impartial approach. Consequently, preferential treatment of SWAPO should now cease.

8. With regard to Your Excellency's reference to the impartiality of the South African Government and its officials, the requirement of impartiality is not to be construed as being inconsistent with measures which may be necessary for the maintenance of law and order, the protection of life and property, the continuation of orderly administration etc., since the settlement proposal envisages conditions of peace.

9. Your Excellency contends that impartiality on the part of the United Nations, and in particular on the part of the Secretariat, will be manifested after the commencement of the implementation of the settlement proposal. That would be too late. That, in effect, amounts to an admission which is borne out by the record that up to now the United Nations family has not been impartial. It is this lack of impartiality that is the cause of the doubts in the minds of a large section of the people of the Territory about entrusting a role to the United Nations in the implementation of the plan. Scrupulous impartiality is required forthwith. It is a prerequisite to securing the support of all parties in the Territory for commencement of implementation. Your Excellency's actions and statements, as well as those emanating from other organs of and bodies in the United Nations to date, have not suggested that the importance of this fact is comprehended. Some of Your Excellency's comments, together with recent arbitrary actions by the United Nations, have not been helpful in positively influencing the attitude of South West Africans to the most recent proposals and implementation suggestions. On the contrary, they have further reduced the faith of South West Africans in those designated by the United Nations to play a role in the implementation of the settlement proposal. The South African Government does not believe that political expediency should be allowed to stand in the way of a clear, impartial and uncompromising approach on the part of all those involved in, and responsible for the implementation of Security Council resolution 435 (1978).

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10. The proposal incorporated in that resolution and all efforts to secure an internationally acceptable solution of the South West Africa/Namibia issue should be based on the assumption that all the parties would act in good faith. Mutual trust flowing from this good faith is essential. A review of developments since South Africa accepted the proposal on 25 April 1978 reveals that lack of these basic ingredients, good faith and mutual trust, has proved to be the greatest obstacle to implementation and is directly attributable to SWAPO's actions and attitudes, together with United Nations bias in favour of SWAPO.

11. At the root of the threatening impasse is the fact that the United Nations is required to play a neutral role in respect of implementation, but at the same time it is the most ardent protagonist of SWAPO which is one of several parties contending for power in the Territory. Despite the fact that SWAPO has consistently engaged in violence and terror to gain its ends in the Territory, in violation of the provisions of the United Nations Charter and of the spirit of the settlement proposal, the United Nations, at the instance of its General Assembly, is continuing to treat SWAPO as the sole and authentic representative of the people of the Territory using the vehicle of the Secretariat for this purpose. The United Nations has thus undermined its own credibility. The General Assembly and the Secretariat did not attempt to modify their attitudes and actions supportive of SWAPO when the Security Council adopted the settlement proposal. This continues to call into question the good faith of the United Nations.

12. The pronouncement by the General Assembly of SWAPO as the sole and authentic representative of the Namibian people, and the reiteration of this proposition at a time when the Security Council was endeavouring to find an agreed procedure for implementing the proposal, could not fail to raise alarm among the major political parties and movements in the Territory (none of whom espouse violence), who will be contending with SWAPO for the support of the electorate. South Africa will not be a contestant in any election in South West Africa/Namibia. It will be the political parties of the Territory that will contest the election and for this contest they must, if the election is to be regarded as fair, all be on a par, including SWAPO. The future of South West Africa/Namibia is in the hands of these parties. The basis of South Africa's policy in regard to the territory has always been that the people themselves must decide their future. In negotiations with the five Western Powers who evolved the settlement proposal and with the United Nations, the South African Government has mainly acted as a channel to convey the opinions of the democratic parties in the Territory, which have consistently been consulted. South Africa has, however, had the reciprocal duty of conveying to the parties in the Territory the views of the Five and of yourself and your representatives and on occasion, at your request, seeking to persuade the leadership in the Territory to heed the calls of the Security Council.

13. The ambiguity of the United Nations position has become the central issue in the thinking of a large section of the people. Something must be done, for example, to correct the assumption that UNTAG will be a stalking-horse for SWAPO.

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14. Your Excellency's public statements are another crucial factor in establishing an image of the impartiality of the United Nations in the minds of Namibians opposed to SWAPO. While your commitment in your letter of 20 June 1980 to impartial United Nations implementation of the settlement proposal is welcome, it is your recent statements which substantially influence the attitude of Namibians to the current settlement proposal and implementation suggestions and their assessment of the bona fides of the United Nations. Statements such as made recently by Your Excellency in Sierra Leone do not help to persuade the leadership of the Territory to commit themselves to the implementation formulae envisaged.

15. In your remarks you chose to express deep appreciation to SWAPO for their co-operation. I would like to remind Your Excellency that SWAPO has, since the tabling of the settlement proposal, done everything in its power to obstruct its implementation. South Africa agreed to the proposal in ample time for the target date for independence set by the plan, 31 December 1978, to be achieved. SWAPO prevented that implementation by withholding its "agreement", which was most ambiguous, until independence in 1978 became impossible, precipitating a crisis in the settlement process.

16. It was SWAPO also that precipitated the next crisis by insisting on the establishment of SWAPO armed camps within South West Africa/Namibia after the commencement of implementation, and by rejecting the monitoring of SWAPO bases, both in violation of the settlement proposal. SWAPO sympathizers then engineered endorsement by the Secretariat of these unauthorized demands. You will recall that the relative paragraphs 11 and 12 of your report S/13120 of 26 February 1979, stymied implementation, the commencement of which the South African Government had been strongly and repeatedly urging.

17. Moreover, SWAPO has throughout never desisted from its policy of violence. The statements of its leader have made it clear that SWAPO would not allow democratic processes to abort its quest for power in South West Africa/Namibia. As part of that strategy, a United Nations-supervised election is regarded merely as a device which might possibly be exploited to assist its over-all objective, while retaining an unmonitored force at full strength across the border to intervene should it lose such an election. SWAPO has never once during the attempted settlement ceased, or offered to cease, its campaign of infiltration, subversion, terrorism and assassination, as an earnest of its good faith. For it is SWAPO that is the initiator of aggressive violence in the Territory, provoking responsive protective reaction on the part of South Africa, in accordance with her commitments. Without SWAPO's harassment, the need for South African retaliation would fall away.

18. Your Sierra Leone statement, I regret, also erred seriously on a question of fact and was totally one-sided. The "attack by South African Armed Forces" was not launched against an Angolan target, but against SWAPO bases.

19. Associating yourself with the condemnation of South Africa is not only uncalled for and inappropriate, but dangerous. Your failure to make any mention whatsoever of SWAPO's continuous campaign of terrorism, and wanton destruction of life and property in the Territory is inexplicable. These actions of SWAPO and the construction and staffing with Soviet and East German aid, of an extensive underground headquarters complex, together with the stockpiling of considerable quantities of Soviet war material, intended for use in South West Africa, are solely responsible for precipitating the South African retaliation. There is no question of your being in ignorance about SWAPO activities as I have kept you informed officially on a regular basis and in detail of SWAPO's heinous activities, for example as recently as my letter of 24 June 1980. You are well aware that SWAPO assassinates community leaders, murders farmers and others in remote areas, plants bombs designed to blow up civilians, abducts school children, destroys property, including installations providing water, power and services to the civilian population, places landmines in public roads, and at all times attempts to infiltrate, subvert, kill and destroy in its campaign against the civilian population. It is difficult to comprehend how you can fail to condemn SWAPO's activities when you display no reticence in condemning actions forced on South Africa by those activities. The facts set out in my letter to the President of the Security Council dated 27 June 1980, have moreover been simply ignored. There is, I regret, no trace of impartiality in this approach.

20. The South African Government wholeheartedly concurs with Your Excellency that a cessation of violence by all parties is a prerequisite for initiating the process of settlement. However, such a cessation of violence will not take place until SWAPO ceases its terrorist attacks. SWAPO, for its part, is unlikely to cease these attacks while such actions continue to be condoned and supported by certain elements in the international community, including the United Nations, which in spite of these acts of terror continues to support SWAPO to the exclusion of the other parties of the Territory.

21. A great responsibility rests on Your Excellency at this critical stage of South West Africa/Namibia's road to independence. It lies in your power to make a substantial contribution by condemning SWAPO's campaign of intimidation and violence against the civilian inhabitants of South West Africa/Namibia. By so doing, you could contribute to reassuring the people of the Territory who insist that up to now they have been denied equal treatment by the United Nations.

22. The South African Government welcomes Your Excellency's statement that the implementation of Security Council resolution 435 (1978) is undertaken specifically under the authority of the Security Council in the context of the provisions of the United Nations Charter. It is therefore assumed that no action contrary to these provisions will be initiated by the General Assembly or officials of the United Nations. Any such action would jeopardize further implementation.

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23. On the basis of all the above assumptions and Your Excellency's confirmation, the South African Government stands ready to discuss with Your Excellency the composition of UNTAG, the status of forces agreement and the setting in motion of the implementation of Security Council resolution 435 (1978). In doing so, I wish to recall that in my letter of 12 May 1980 (S/13935) I expressed the view that the successful implementation of the settlement proposal or of any proposal designed to achieve a peaceful solution will continue to be seriously jeopardized if all the parties are not treated on an equal basis. The people of South West Africa/Namibia, with the support of the South African Government, have consistently demanded fair and equal treatment impartially applied. The South African Government accordingly deems it essential that Your Excellency henceforth include the leadership in the Territory in all future consultations on the setting in motion of the implementation of Security Council resolution 435 (1978) or on any other matter which would facilitate the achievement of an internationally acceptable solution.
