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LETTER DATED 6 MARCH 1979 FROM THE CHARGE D'AFFAIRES OF THE
PERMANENT MISSION OF SOUTH AFRICA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The enclosed is the text of a statement delivered by the South African Prime Minister, the Honourable P. W. Botha, in the House of Assembly, Cape Town, on 6 March 1979.

I would appreciate it if this letter and its annexure could be circulated as a document of the Security Council.

(Signed) J. Adriaan EKSTEEN
Chargé d'Affaires

Annex

STATEMENT BY THE SOUTH AFRICAN PRIME MINISTER, THE HONOURABLE
P. W. BOTHA, IN THE HOUSE OF ASSEMBLY ON 6 MARCH 1979

"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 African issue.

South Africa does not claim one inch of territory in South West Africa. South Africa does not itself intrude into the internal political currents 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 and protect 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.

It was this democratically inclined and morally unassailable approach that made it possible for negotiations to be conducted with the Western Powers from April 1977 in an effort to determine whether an agreement could be reached that would be acceptable to the United Nations without compromising the security of the territory and the free exercising by the people of their right of self-determination.

Every reasonable person will agree that concepts such as freedom and free elections with universal suffrage will remain hollow slogans unless in practice they are implemented completely openly and exposed to public scrutiny. The South African Government has committed itself accordingly and remains so committed.

If South Africa is to be punished and victimized for its honourable and firm commitment to its assurances and undertakings toward the inhabitants of a neighbouring State, it is prepared to accept the consequences of its viewpoint rather than follow the path of dishonour and be branded by the nations of southern Africa as an unreliable neighbour prepared to place its own transitory salvation above the interests of the other nations of the region.

We should expect the foreign media to serve up undisguised lies about the course of events in order to put the blame for the current state of affairs on us. Why after all should the denigrators change their tune overnight.

You are entitled to ask some penetrating questions in this regard. What has happened? What has gone wrong? I would like to give you a chronological outline of events since 21 December 1978.

My colleague the Minister of Foreign Affairs and I went to Windhoek on 21 December 1978 to inform the newly-elected Constituent Assembly of developments

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in the United Nations in respect of the South West Africa question. We also briefed the members on the discussions held by the Minister of Foreign Affairs in the United States with President Carter, Dr. Waldheim and Mr. Cyrus Vance, the American Foreign Minister. Our main purpose, however, was to persuade the Constituent Assembly to co-operate in the expeditious implementation of Security Council resolution 435 notwithstanding the serious misgivings they might harbour about the impartiality of the United Nations and other delicate issues. It was no easy assignment. On the contrary, it was awkward, especially when viewed against the background of SWAPO's public statements to the effect that the terrorist organization would continue with its campaign of violence and terror against the people of South West Africa. Furthermore, it was embarrassing because the members of the Constituent Assembly had just been elected in an election in which 80.3 per cent of the registered voters supported them.

Because the future of everyone in South West Africa depended so much on the outcome and since the security of the territory would not be compromised if the clear and precise stipulations of the settlement plan were honoured, we considered it in the interest of southern Africa at large to persuade the Constituent Assembly to co-operate in the expeditious implementation of Security Council resolution 435. By this action we simultaneously honoured our undertaking to the Western Powers.

The Minister of Foreign Affairs was able to inform the United Nations Secretary-General on 22 December 1978 of the South African Government's decision to co-operate in the implementation of Security Council resolution 435. It was emphasized in the same communication that flowing from our decision - and I now quote the precise wording -

"I. There shall be no reduction of the South African troop strength in the territory until there has been a comprehensive cessation of violence and hostilities.

"II. A date for an election will be determined in consultation between the special representative of the Secretary-General and the Administrator-General on the understanding that the election will take place not later than 30 September 1979.

"III. Questions on which there should be further consultation, such as the size and composition of the military component of UNTAG, and other matters which have already been brought to the attention of the Western Powers, be resolved satisfactorily with the Administrator-General. Special reference is made to paragraph 12 of the settlement plan accepted by the South African Government on 25 April 1978 with a view to monitoring of SWAPO bases in neighbouring States.

"IV. The maintenance of law and order in South West Africa/Namibia remains the primary responsibility of the existing police forces.

"V. The Administrator-General shall exercise the legislative and administrative authority in South West Africa/Namibia during the transitional period until independence."

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The Minister of Foreign Affairs, in conclusion, invited the Secretary-General to arrange for Mr. Ahtisaari to visit South Africa and South West Africa with expedition in order to complete consultations on the outstanding issues. The most important outstanding issues at that time were the size and composition of UNTAG, the emplacement of its personnel and the completion of the status agreement.

A second letter was addressed to Dr. Waldheim on 22 December 1978 in which several viewpoints of the Constituent Assembly were conveyed to the Secretary-General for consideration.

On 30 December 1978 a bomb was detonated on business premises in Swakopmund. More than 30 people were injured. A protest in the strongest terms was lodged with Dr. Waldheim on the same day over this senseless and dastardly act of violence by SWAPO, following the statement by the organization's leader in Dar-es-Salaam on 28 December 1978 that SWAPO would not only continue with its campaign of violence but, moreover, intensify it.

The following are some examples of atrocities which will confirm SWAPO's violent character:

- 23 August 1978: Attack against Katina Mulilo military base. Ten members of South African Defence Force were killed and 10 were injured.
- 12 September 1978: Mine explosion near Ondangwa killing two civilians and injuring four.
- 15 October 1978: Two mine explosions near Ombulu resulting in the death of 17 members of the civilian population.
- 16 October 1978: Abduction of four civilians near Eenhana, of whom two were subsequently murdered.
- 1 December 1978: Two explosions in Windhoek injuring 14 people.
- 30 December 1978: Sabotage in Swakopmund when a bomb was detonated injuring 50 people.
- 13 February 1979: Attack on Nkongo Military Base by approximately 250 terrorists.
- 27 February 1979: Attack on Elundu Military Base.
- Jan/Feb 1979: Dramatic increase in SWAPO terrorist activities - 17 cases of sabotage against electric, telecommunication and water installations, 9 instances of abduction of members of the local population, 24 land mine incidents, 15 cases of intimidation resulting in the death of at least 3 tribal chiefs.

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On 1 January 1979, Dr. Waldheim responded to the Foreign Minister's letter of 22 December 1978. His letter had a generally positive tenor. He stated his belief that a comprehensive cessation of all hostile acts was an essential prerequisite to the implementation of Security Council resolution 435. On the question of a date for the election the Secretary-General agreed that it should be set as soon as possible through consultation between Mr. Ahtisaari and the Administrator-General. He also agreed that an election date of not later than 30 September 1979 as proposed by us was consistent with the settlement plan. From this it followed, in Dr. Waldheim's words, that the emplacement of UNTAG must commence before the end of February with all the prior steps envisaged in accordance with the settlement plan already completed.

We were also informed by Dr. Waldheim that it was his intention that Mr. Ahtisaari should visit South Africa and South West Africa in January to complete negotiations on operational requirements.

With regard to the extremely important question of the monitoring of SWAPO bases in neighbouring States which was pertinently stated in unambiguous language in the Foreign Minister's letter of 22 December 1978, Dr. Waldheim responded in equally clear language, as follows:

"Certainly paragraph 12 of the settlement proposal is a very important element, and I have been assured by representatives of the States which border on Namibia that they will co-operate fully with the United Nations in ensuring that UNTAG is able to carry out its mandate."

Could there be any doubt about the meaning of this categorical statement by Dr. Waldheim? He told us that the neighbouring States had assured him of their full co-operation with UNTAG for the execution of its mandate. What is this mandate? It is the mandate which is outlined in clear and precise language in the annexure to the settlement plan, namely, "... monitoring of both South African and SWAPO troop restrictions."

Question: Where and how should this mandate be executed? Again we are guided by the words of the settlement plan in respect of the restriction to base of SWAPO troops. The language is precise, unambiguous and clear. SWAPO should pull back and be restricted to its bases and that restriction to base should be monitored by UNTAG. The plan contains no word, no reference whatsoever, to any possible establishment of bases for SWAPO troops who may fortuitously be in the territory on the date of commencement of the implementation programme. At no time was there any mention or reference to this in any of the negotiating sessions with the Five. Neither was there any mention about it in talks with Dr. Waldheim or Mr. Ahtisaari: no denial or disclaimers or questioning on this point during Mr. Ahtisaari's talks with us in January 1979. Furthermore the Foreign Ministers of the Five Western Powers wrote to the Minister of Foreign Affairs on 5 February 1979 in positive terms without contradicting the need to monitor SWAPO bases.

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The Foreign Minister addressed further communications to Dr. Waldheim on 6 February, 8 February and 14 February 1979. The Secretary-General responded on 8 February and 17 February 1979 and again there was no disclaiming of the established position on the monitoring of SWAPO bases.

By 20 February, however, it became known that SWAPO was refusing to allow its bases in neighbouring States to be monitored and that it insisted on the establishment of bases inside South West Africa.

In his letter of 20 February 1979 the Minister of Foreign Affairs protested strongly to Dr. Waldheim against this latest SWAPO position and provided chapter and verse to show that the settlement plan stipulated explicitly that SWAPO should be confined to its bases and that the restriction should be monitored by UNTAG in the same manner as the restriction of South African troops. He informed the Secretary-General that emplacement of UNTAG was out of the question if it were to occur on the unilaterally determined and radical new conditions of SWAPO.

What has since come to our attention can only be described as shocking. We became aware of the first signs of scheming behind the scenes on 21 February 1979. The Five Western nations, shortly before this date and without our knowledge, handed to Dr. Waldheim a document in which certain aspects of the settlement proposal were, as they put it, "clarified". From this document it is clear that the Five without any attempt at consulting South Africa were now supporting the astonishing concept that SWAPO personnel who happen to find themselves in South West Africa at the time of the cease-fire should be established in bases inside the territory. The document also states categorically that the military component of UNTAG is not required to monitor the restriction of SWAPO to base outside South West Africa. There are also other "clarifications" in the document which conflict with the express understandings which had been reached between South Africa and the Five.

We also learnt on 21 February that Dr. Waldheim had dispatched a letter and annexure to the heads of State of the five so-called "frontline" States, the Five Western Powers and also to Nigeria and Sudan, in which he inter alia emphasized that the settlement proposal contained no stipulation that SWAPO bases outside South West Africa should be monitored. Armed SWAPO personnel inside South West Africa at the time of the cease-fire would however be restricted to base within South West Africa at sites to be designated by Mr. Ahtisaari and would be monitored by UNTAG.

In the meantime it also came to our notice that the report released by Dr. Waldheim on 26 February 1979 had been preceded by four draft reports. That in itself is not strange. What is important, are the contents of certain paragraphs which were omitted from the final report. Paragraphs 22 to 24 of the fourth draft report detail SWAPO points-of-view on a number of the most important aspects of the settlement proposal. It is quite clear that those paragraphs would show SWAPO up in a very unfavourable light.

What is of importance, is that the final report is worded in such a manner that SWAPO can be told that its most important claims can be met without publicity being

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given to them. On the other hand South Africa is being told that SWAPO's extravagant claims were certainly not acceded to.

What are these claims and points of view? In the fourth draft report, which was not intended to become publicly known, they are set out as follows:

As regards troop confinement and monitoring of SWAPO bases

"SWAPO would undertake to subject its 2,500 guerrilla forces to confinement to bases inside Namibia and monitoring by UNTAG. The 2,500 SWAPO armed forces would all be confined with all their arms and ammunition. SWAPO's guerrilla army, being mobile, had no permanently structured bases. Therefore for the purpose of implementing the United Nations plan, it had been agreed upon during the negotiations between SWAPO and the Five that specific bases would have to be identified to which SWAPO armed forces would be confined. SWAPO would wish its troops to be confined to the following areas: Windhoek, Ondangwa, Katima Mulilo, Tsumeb and Rundu. SWAPO would provide military liaison officers in order to ensure effective co-ordination and consultation with the military component of UNTAG."

Return of exiles

"All Namibians presently living outside the country would be expected to return to their respective homes or any other place of their choice and not to special 'reception centres'. The UNHCR may assist in providing transportation and other necessary facilities to enable all returnees to reach their homes."

As regards the cease-fire

"In reply to questions by the commander of the military component of UNTAG, the President of SWAPO stated that the cease-fire which was to be declared simultaneously by South Africa and SWAPO should be considered binding only on South Africa within the three weeks following its declaration and not on SWAPO, since SWAPO would experience difficulties in transmitting passage of information on the cease-fire to all its freedom fighters in Namibia in time. The three weeks would be needed to regroup the fighters and to move them to bases to be established in various locations within Namibia. He further stated that only after regrouping would SWAPO be able to restrict its troops totalling about 2,500 to bases to be established at the following areas: Windhoek, Katima Mulilo, Ondangwa, Tsumeb and Rundu."

Return of SWAPO troops

"With regard to the peaceful repatriation of SWAPO freedom fighters, the President of SWAPO said that it was SWAPO's understanding that their freedom fighters in neighbouring countries at the time of the cease-fire would return to Namibia with all their weapons, equipment and ammunition. They would also

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bring the necessary material to establish bases and would have the right to provide all necessary supplies for these new bases, if necessary from abroad. The President of SWAPO made it clear that any effort to disarm the returning freedom fighters would be forcefully resisted. The declared objective of SWAPO was that, as South Africa withdrew its forces from Namibia, SWAPO would return its fighters from neighbouring countries into bases in Namibia, train them and eventually convert them into regular troops."

The drastic departures from the settlement plan contained in the careful wording of the final version of Dr. Waldheim's report take on a completely new light against the background of SWAPO's whole approach as outlined to Mr. Ahtisaari. Who can now doubt the meaning of the new provisions which:

(a) Contain no assurance of effective monitoring of SWAPO bases in neighbouring States?

(b) Give SWAPO the right to obtain bases in South West Africa where they had never previously had a base and where they had never been able to establish a base?

The worst aspect of the matter is that the Five Western Powers are supporting these obvious and purposeful deviations, regarding them as being part of a reasonable and fair solution. When representatives of the Five Western Powers were trying to convince the Minister of Foreign Affairs on 24 February 1979 that these deviations were in fact no deviations at all, he informed them that the South African Government had lost all confidence in the ability of the West to honour its undertakings.

I will not blame the leaders of South West Africa if they would wish to further negotiate with the Five. On the contrary, it has all along been their inherent right to decide on their own future and to negotiate with whom they wished during the process. Therefore we, from our side, indicated that we would have no objection if the Constituent Assembly should decide to hear the interpretation of the Western Powers of the latest report of the Secretary-General. In other words we purposely tried to avoid the South African Government subsequently being accused of having given a one-sided analysis of Dr. Waldheim's report to the Constituent Assembly. We even went so far as to suggest to individual members not to insist on the representatives of the Five addressing them as a formal body in view of the known political reservations of the Five in this regard.

Although we do not agree with the attitude of the Five regarding recognition of the Constituent Assembly, we nevertheless did not want a technical-juridical approach to stand in the way of discussions between the Five and members of the Constituent Assembly.

The South African Government has therefore noted with appreciation the trouble to which representatives of the Five have gone during the past weekend to proceed to Windhoek in order to inform the leaders of the political parties directly of the attitudes of their Governments in regard to the latest report of Dr. Waldheim and to answer questions.

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I would also mention that before our departure from Windhoek my colleague and I met briefly with the leaders of the SWAPO-Democrats and the Namibia National Front to discuss the Waldheim report with them. On their part they expressed the hope that we would continue to work for a peaceful settlement. At the same time however both parties conveyed their viewpoints on the question of SWAPO bases to us. These views were contained in press statements issued by the two parties before we had met with their leaders.

Both statements will be tabled and it will be noticed that both these parties are opposed to the establishment of SWAPO bases in the territory. In fact, the NNF declared that such a development "would furthermore constitute a fundamental breach of an explicitly and unequivocal undertaking given to the NNF by representatives of the Five Western Powers on 31 March 1978, to the effect that no SWAPO bases would be permitted within Namibia".

As you will know, the Constituent Assembly yesterday adopted a motion which will also be tabled. It will be observed that the motion inter alia focuses attention upon serious deviations from the Secretary-General's settlement plan, especially in relation to the establishment of SWAPO bases in the territory and the requirement that SWAPO bases across the border should also be effectively monitored.

It is their opinion that should these deviations be accepted, the fairness of the proposed election will be seriously affected and the safety of the inhabitants will be jeopardized.

The Minister of Foreign Affairs transmitted the reply of the South African Government to the Secretary-General of the United Nations yesterday. I am also tabling this.

This reply does not slam doors, even on the difficult question of the composition of UNTAG we have bent over backwards to be accommodating, this in spite of the fact that in the course of our contacts South Africa proposed several African countries, none of which was accepted. It also suggested several Asian, Latin American and Western European countries - all of our suggestions falling within the pattern of equitable geographical distribution - and yet again none was accepted.

Where do we go from here? Our position remains unchanged. We stand by our express undertakings. We stand by the settlement proposal which we accepted on 25 April 1978. We stand by our undertakings to the people of South West Africa that we will not allow a political solution to be forced on them from outside. We stand by the provisions of the settlement proposal which clearly stipulate that SWAPO personnel be restricted to their existing bases and that SWAPO's restriction to those bases be monitored. We stand by the settlement proposal which contains no stipulation, directly or indirectly, expressly or implied, that SWAPO personnel who may, either fortuitously or for a short duration, be in the territory for the purpose of sabotage are entitled suddenly to come forward on the day of the cease-fire with a claim to be assigned to camps which do not exist and in so doing achieve the establishment of bases in South West Africa they could not succeed in establishing through force of arms.

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South Africa has, before today, been left in the lurch by the Five Western Powers. There was the undertaking which we were given on the question of Walvis Bay. During our negotiations with the Five they undertook to try to keep the question of Walvis Bay out of the Security Council and declared that if the question should arise, they would take the view that it was a matter which could be settled between the new Government of South West Africa and the South African Government at a later stage. The Five openly breached this undertaking when they sponsored and voted for a Security Council resolution which declared that Walvis Bay must be "reintegrated" into South West Africa. The resolution further supported the initiation of steps necessary to ensure early achievement of the decision.

A second example of the breach of an understanding is the West's silence when Dr. Waldheim, without any consultation with South Africa, to which he was bound, decided to include 7,500 United Nations troops in the United Nations task force. The highest figure which had been mentioned on the side of the West during our long negotiations with them, was 3,000. Even this figure was at that stage (it was at the end of 1977, early 1978) unacceptable to us. Therefore, it was in good faith agreed that the number of United Nations troops was a matter which should be settled between the Special Representative of Dr. Waldheim and the Administrator-General.

Neither South Africa nor the Five Western Powers at any time foresaw that the figure would be more than 3,000. This notwithstanding and because so much was at stake, South Africa eventually accepted a figure of 5,500 troops, of which up to 20 per cent could, in practice, be on leave.

Another example of a categorical assurance which the Five Western Powers gave to us was that the ordinary weapons of citizen force members would not have to be surrendered. Only weapons requiring operation by two or more persons, were involved. Now we believe that the Five, in a clarifying memorandum to Dr. Waldheim, have stated that all weapons, without qualification, should be surrendered.

There are other examples. There is the history of how it came about that we agreed to the reduction of our troops. Initially we were told that we would be responsible for the security of the territory until independence. For the United Nations it would suffice if they could station officials with our units to observe that the latter did not interfere in the domestic political process, so that the officials would be in a position after the election to certify that no intimidation had taken place on the part of South Africa. The Five Western Powers, however, also abandoned this approach. In a co-operative spirit and for the sake of a peaceful solution, we again modified our position and agreed to a new basis for maintaining security: we negotiated a troop reduction on the explicit condition that a situation of total peace would first be established in the territory, the implication being that peace would obviate the need for large forces.

All along the road are the wrecks of shattered expectations, which we in good faith nurtured in the belief that the West would stand by their undertakings.

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The latest breach of an undertaking was not only the last straw. It was much more. It touches the corner-stone of the most important aspect of the settlement proposal, namely, that peace must exist and that it must be visible. It touches the deepest factor without which successful implementation is not possible namely confidence in each other's motives, the element of good faith and mutual trust.

Even now South Africa stands by its undertaking. We insist on the execution of the settlement proposal as presented to us and accepted by us. If there are others who deviate from it, they must bear the consequences. South Africa, for the sake of the welfare and mutual trust of all nations of southern Africa, refuses to become a party to any covert arrangement whereby the freely expressed wishes of a neighbouring nation are smothered. In the final instance we thus also stand by the wishes of the people of South West Africa.
