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Letter dated 8 December 1978 from the President of the United Nations Council for Namibia to the Secretary-General

I have the honour to enclose a statement by a Namibian citizen who has witnessed in recent weeks the acts of intimidation, harassment and manipulation of the Namibian people with regard to the arrangements which the illegal South African administration in Namibia pretends to call elections.

This information is highly relevant to the current discussion in the General Assembly of the question of Namibia.

I request, therefore, in my capacity as President of the United Nations Council for Namibia, that this document be urgently circulated as a document of the General Assembly, under agenda item 27, and of the Security Council.

(Signed) Gwendoline C. KONIE
President of the
United Nations Council for Namibia

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ANNEX

Letter dated 8 December 1978 from Mr. Justin Ellis to the President
of the United Nations Council for Namibia

As a citizen of Namibia I have had the opportunity to follow in recent weeks the arbitrary acts and the harassment carried out by South African authorities regarding the so-called elections which the illegal South African administration is imposing on the Namibian people.

I am enclosing a statement on these developments which you may use as you see fit.

(Signed) Justin ELLIS

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APPENDIX

Report on the registration and election campaign
in Namibia, 1978, published by the Christian
Centre in Namibia on 28 November 1978

Introduction

During the past two years several major Namibian churches have given their support to efforts of the five Western countries presently on the United Nations Security Council to negotiate a generally acceptable plan for the holding of free and fair elections in Namibia under United Nations supervision. The compromise plan eventually adopted by the Security Council on 29 September 1978 still enjoys the whole-hearted support of the Lutheran, Catholic, Anglican, Congregational and African Methodist Episcopal Churches.

There can be little doubt, therefore, that the decision of the South African Government, announced on 20 September 1978, to hold its own elections in Namibia from 4 to 8 December, came as a severe disappointment to the churches, who have consistently worked for reconciliation and peace in Namibia.

After careful deliberation a conference of 30 church representatives from six churches wrote an open letter on 4 October 1978 to the new Prime Minister of South Africa, Mr. P. W. Botha. After warning Mr. Botha that such action as that envisaged by his Government could lead to an escalation of hostilities in Namibia, the church leaders stated the following:

"During our conference we heard reports of extensive intimidation and deception in the campaign to register voters. We are also aware of irregularities such as the registration of Angolan refugees. This process has caused widespread fear and loss of confidence in your Government's intentions. As the registration has not been fair and free the elections cannot be fair and free."

The allegation of irregularities attracted widespread attention. A number of people, however, sought to challenge the truth of what the church leaders had stated.

The Prime Minister of South Africa himself said the following:

"In case there has been any irregularity in connexion with the registration of voters any one who has any evidence is free to bring it to the attention of the Administrator General. It is noticeable, however, that such has to date not yet been brought to the attention of the Administrator General."

And in a letter to the Windhoek Advertiser (8 November 1978) P. A. du Toit, in his ignorance of the law, went so far as to say the following:

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"Legislation has been created to make it possible for complainants with just proof to deliver the guilty up for punishment. Why is this not contained in the allegation? Allegations can be counted as lies if they are not supported with proof ... We hope that these churches will come with proof so that they may not lose their integrity."

It should therefore be noted here that while in terms of the Registration Proclamation, AG 37, it is an offence to dissuade or intimidate or prevent people from registering, it is not at all an offence to use such means to get people to register. While there is no objection to informing the Administrator General, he would be under no obligation to do anything about such irregularities.

AG 37 does make provision for objections to be raised to the registration of a particular person, for instance an Angolan refugee. Such objection must, however, be lodged by a person who has himself registered as a voter. A party not taking part in the election would therefore be powerless to raise objections, and even a party taking part in the elections would need an enormous and highly efficient staff concentrating on this task only if it were to make any headway. Furthermore, a person may register at any magistrate's court within Namibia and need not do so in his/her own district. This makes the task of tracking down malpractices even more difficult.

It should also be noted here that the churches in 1975 alleged that there had been extensive intimidation in the Owambo elections of that year. Four hundred and one statements were collected, and a writ to have the elections declared void in the Windhoek Supreme Court was in preparation. However, government officials in the north so restricted a team of lawyers appointed to formalize the statements that the application had to be abandoned.

In these circumstances, it was decided that the best course of action in regard to the present registration and election campaign would be to publish a simple factual report. Contacts were therefore taken up with a number of reliable church sources. At this stage it has not yet been possible to gather reports from all these sources, but sufficient information has been forthcoming for us to give an indication of what has been happening in Namibia recently.

We have therefore decided to make available the information which has been collated to date for the following reasons:

(a) It seems that the Administrator General's recent actions against the church could in large part have been motivated by a fear that such information might be brought to light;

(b) The Administrator General and the South African Government are apparently about to begin a massive international campaign to sell the elected constituent assembly as the true representatives of the people of Namibia;

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(c) With the level of coercion which is continuously operative in Namibia it is to be anticipated that there could be a high percentage poll in the coming elections. In circumstances such as those outlined below it can be said that the number of votes cast, as well as the number of votes cast for any particular party, must be considered a false indicator of public opinion in Namibia.

A. Practices and intimidation experienced during the registration of voters and during the pre-election period in Owambo and Kavango

1. Over the whole area people said they registered because of fear. When asked for particulars, one of the main reasons given for the fear was past experience with identity cards, DTA membership cards and the 1975 Owambo election:

- (1) A few years ago identity cards were issued. Many people did not want to have homeland identity cards, and pressure and intimidation were used to force people to apply for the cards. These must be carried at all times (in addition to the tribal tax receipts) on the body, otherwise difficulties are experienced if the person is caught by the police or army.
- (2) DTA membership cards were issued in April-June 1978, just before the registration of voters started. Almost all people received such cards. Word was spread that everybody must be in possession of this card, in addition to the identity card and tax receipt.

Very soon it was evident that these cards were really compulsory. Example: On 24 April 1978, at Onamgolo in eastern Ondonga, a group of white and black soldiers went from house to house asking for the "papers". Namindo Kauluma, 42, showed the soldiers his identity card and tax receipt. The soldiers then asked for his "Turnhalle" card. As he did not have it the whites ordered a black soldier to beat him and tell him to get the Turnhalle card. The same happened to Jonas Kaufipa, 60, Johannes Kashiukile and Petrus Shimhulu. All the people in this area then went to Oshigambo to fetch their DTA cards. Similar reports were received from other districts. Some reports even said soldiers and Owambo Home Guard members tore up the identity cards and said the DTA card was sufficient.

Word was spread that persons without the DTA card would not receive medical treatment. DTA teams then went to hospitals or stood outside hospitals and issued cards to those coming for treatment. This was done at several places; as an example can be mentioned Onandjokwe Hospital where the DTA team first came onto the hospital premises, and when told to leave stayed just at the gate, during the last week of April and first week of May.

Intimidation also occurred in more public places, for example, through the loudspeakers of a white Toyota Hi-Ace bus in passenger transport service between Oshakati and Onandjokwe, owned by a DTA organizer.

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- (3) Intimidation was widely experienced during the 1975 Owambo elections, e.g. in Uukwaluudhi the chief told his people that they would lose their ploughing rights and shop licences if they did not vote. The labour bureaux did not give labour contracts to people who did not have their identity cards marked after voting.

People now said that they registered only in order to safeguard themselves from similar difficulties, not because they wanted to. This was verified in many districts.

2. When the registration started, it was claimed to be in accordance with the Western proposals. This was said publicly over the radio. Many people said they registered in the belief that they would thus be able to vote in United Nations-controlled elections which were part of the proposals, but that they were soon disappointed when they heard Minister Ndjoba and others claim that the high registration figures were seen as evidence of the trust people had in the Government and in the DTA.

3. Throughout the registration period Radio Owambo and Radio Kavango told people to register. DTA meetings were extensively covered and DTA speakers quoted daily. The speeches contained hidden and sometimes even direct threats: "Steps will be taken against those who do not vote", "There is no place in this country for you if you do not register and vote". Several homeland ministers used these words, for example, Thomas Akwenya Shikongo on Radio Owambo on 8 October 1978 at about 1400 hours.

4. Homeland ministers told chiefs and headmen that they must see to it that all people register - this was also done with regard to the DTA membership registration. All over there is evidence that people were told by their headmen to register. Some headmen only told their people in a general manner that they should register, some added "in order to avoid trouble", some added "or steps might be taken against you". Some headmen went from house to house.

5. DTA leaders and organizers have on many occasions told people to register and also threatened them. Examples:

- (1) DTA organizer Nghihulifwa came upon a group of women attending a religious meeting at Okambebe in Uukwanyama and told them that those who had not registered would be told to leave the country.
- (2) Minister Thomas Shikongo of Ongandjera, on 7 July 1978 at a funeral in Olutoyi said in his speech, "Now is the time to register. Register yourself, register, register! Something will happen to you if you do not register."
- (3) Minister, Chief Josia Taapopi Shikongo of Uukwaluudhi, who already in 1975 was known for intimidatory tactics, has been threatening his people to the extent that they really fear for their lives and claim

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they do not dare to speak about the election if there are two or more people present. Teachers and nurses have been told that those who do not vote are for SWAPO and will be punished, and will lose their jobs and will have to look for work with SWAPO. "When you vote, vote for DTA."

6. The Defence Force and police combat units have been checking whether people have registered or not. In the beginning of the registration period it was said that the registration cards should be left at home until the elections, but people soon realized that they must carry these cards as well, in addition to the other "human rights documents": the identity card, the tax receipt and the DTA card. Some examples:

- (1) At a road blockade on 11 October 1978 on the bridge between the black and the white townships at Oshakati, people on foot and in cars were asked for their registration cards as well and told to register soon if they had not done so yet.
- (2) At Okakwiyu near Ondangwa a teacher was also asked for his registration card at a road blockade and as he did not have such a card, was told to get one soon.
- (3) On 14 November 1978, between 9 and 11 a.m., immediately south of Engela, soldiers travelling with four armoured cars asked travellers, shopowners and shoppers for their registration cards. One man from a nearby house was forced at gunpoint to fetch his card from his home.
- (4) Also on 14 November 1978, at a road blockade between Omafo and Odibo, travellers were requested to produce their registration cards. A priest and a teacher who did not have such cards were taken to a captain by a Lieutenant Visagie, who released them when he heard the radio had told people to keep their cards safely in their home.
- (5) In the Ondobe area, at Iilyateko ya Shapopi and Odjofima, people were rounded up during the first half of November and asked for registration cards by police and Owambo Home Guard units. Some people were beaten up, and one man was taken to the Oshigambo camp, because he could not produce this card, according to witnesses.

7. Army units have been distributing information material for the election, and in this connexion also have threatened people. Example:

At Ongwediva church centre, on 25 October 1978 at 3 p.m. army Unimog R 9117 stopped at the gate and distributed pamphlets, and a black soldier explained to the people who gathered there that those who had not registered and who did not vote would among other things not get petrol any more, would not get medical treatment except perhaps at "Finnish" hospitals, but as the Finns would soon have to leave also those services would later cease.

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8. The army is supposed to be impartial with regard to party politics. However, in the Kavango, soldiers have been seen by many people greeting with the DTA sign. At Nkurenkuru an army Land Rover R 43024 was driving around for several weeks in October and November 1978 with a DTA sticker under the front windscreen.

9. Representatives of DTA and Aktur have requested to see the registration cards of people. On Sunday, 19 November 1978, an Aktur organizer came to Mbeyo, 60 kilometres south of Rundu, and went from house to house requesting to see the DTA cards and registration cards of all the people in the village, then thereafter issued Aktur membership cards and handed all the other cards back to the people.

10. At Onawa in the Ombalantu area, old people gathered on 4 July 1978 to receive their old age pensions. The officials paying the pensions came there together with a registration team and an army escort. People then first had to register and then received their pensions. According to the local pastor one person was turned away by the pension officials as he had declined to register.

11. Oshakati Post Office employees were on 18 September 1978 shown a cable stating that all post office employees must register. On that very day all employees of that post office went in turns to register.

12. Several children under the age of 18 have registered. One girl of 16, daughter of an WLOC pastor, said the registration team came to the school, and pupils who looked big enough were told to register.

13. At Okahao Hospital nurses were surprised when people coming for medical treatment produced their registration cards. The patients were in turn very surprised when they heard that the cards need not be produced, as they had previously heard that they would not get medical treatment if they had not registered.

14. Refugees from Angola have registered in great numbers in the Kavango area. The names of registered refugees will not be mentioned here for fear of incriminating people who acted out of fear, feeling that they had no choice. If a judicial commission is appointed to look into this matter, these names will be produced. In the beginning the registration officials asked people where they were born and how long they had stayed in the country, but soon all people were registered without discrimination. The Kavango population has almost doubled since 1975. All people who earlier stayed on the northern bank of the border river are now on the southern side. Some of these were born on the SWA/Namibian side, some had been working here. It was also very common for people in the border areas to pay tax on both sides of the border. However, there are also refugees from central Angola now on the SWA/Namibia side.

- (1) All people in Kavango have registered, with a few exceptions.
- (2) Information received in various villages show that among those who have registered there are many who were not born in Namibia, or who

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have not stayed here for the required four years (refugees started coming in 1976). Many of the people who have registered have names like Domingue, Antonio, de Moura, Mario, Jao, Francincico, Armando, Diniz, etc.

- (3) Some refugees apparently gave wrong information but in most cases people said they were never asked. An example: on 27 July 1978 the registration team came to Rupara Hospital. The staff and all patients were registered without discrimination. Among the patients there were several who according to law should not have been entitled to register, but nobody asked them.
- (4) On the basis of information received from various villages, and on the basis of population figure estimates before 1975 and in 1978, it can be estimated that more than one third of all the people who registered in Kavango came from Angola. Even if some of them were born here and some have been working here, it is estimated that at least one quarter of all people who have registered in that area were not according to law entitled to do so. This is confirmed by the high registration participation in the Kavango, which was already at an early stage of the registration process much in excess of the estimates, which were also set quite high.
- (5) In Owambo, some refugees did also register, including three men who came as late as in August 1978. However, in Owambo it seems the authorities turned away most of the refugees from the registration centres, and headmen in many villages told the refugees that they may not register.

15. Transport was arranged, for example, in the Ongandjera area, for people to register. Trucks just drove up to shops and people who had not registered were told to climb onto the trucks and proceed to registration.

16. Enclosed are photocopies of two letters, anonymous, distributed to pastors in Owambo. One of the letters "Aasita nopolotika" (Pastors and politics) states (the underlined sections):

"The registration by many people shows that the people of SWA/Namibia want to choose their own people."

"You pastors who oppose the election and want to forbid it, where will you stay once the election is behind and freedom is there?"

It should be noted that these letters are written on a particularly expensive typewriter.

Note: All the above information has been checked with various sources. Pastors, church leaders and secretaries do have the names of many witnesses, and can still report about more incidents. Most people are afraid of giving their names as they fear they will get into trouble.

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B. Non "Homeland" areas

1. Scant information has so far been received about the urban areas and white farming areas of Namibia. Present indications are that employers, in both the public and private sectors played a crucial role in getting black people to register. There is no documentary evidence as yet that farmers' associations or other interest groups were involved, but hearsay evidence indicates that this may have occurred.

2. The following incident was witnessed by Pastor K. Dumeni in Otjiwarongo on 18 October 1978:

A white man came into a Portuguese Fruitshop (opposite the Post Office), consulted a notebook and told the shopkeeper's wife that she had not yet registered and that she had only a few days left in which to do so. If she failed to register she would be considered a SWAPO supporter, and might later face difficulties. The man then went to a nearby fish-and-chips shop. There he spoke to another Portuguese woman, but their conversation was inaudible. This woman informed Pastor Dumeni that the man concerned works for a business which serves farmers. On 25 October the incident was reported to Mr. Viall of the AG's office.

3. A worker in Walvis Bay gave the following statement:

On 11 September 1978 my boss approached me and asked which party I belonged to. I answered evasively. It then emerged that he is a staunch DTA supporter. The next morning my boss insisted that I must register. I made it clear that I did not want to register, saying that I was born in Walvis Bay. (Note: According to the South African understanding, Walvis Bay is part of South Africa, and people born there are not allowed to register for the elections, unless they have lived for four years in Namibia outside of Walvis Bay.)

I insisted that I would bring him my birth certificate so that he could see for himself. The next morning I pretended that I had forgotten my birth certificate at home, as I was actually born in Windhoek. When the truth emerged he said that I should go to the registration office in Swakopmund and register. I said I was not interested in registering. He then sent me home and said that I should report the next day and tell him whether I had registered and wanted to stay or whether I wanted to leave his services. As I have three dependents I decided to register, but now I fear that the same thing will happen when the elections come.

4. At the end of November, the DTA sent a letter out to all holders of private postal boxes in Namibia. (There are a considerable number of these as there are no street deliveries in Namibia.) The letter is written in Afrikaans and signed by the President, Vice-President, Chairman and Deputy Chairman of the DTA. The first two paragraphs read as follows:

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"There are various reasons why your participation in the coming December election is of the utmost importance.

"In the first place you will thus show to the world that you totally reject SWAPO, its communist policy and its murder of peace-loving citizens. Should you therefore not vote, it could mean that you support SWAPO."

5. A Pastor of the Luthern Church found that pensioners were queueing up at the Post Office in Okahandja with both their registration cards and their identification papers. On inquiry, the pensioners told the Pastor that they had been told that they would not get their pensions unless they had registered.

6. In Okahandja, a woman who went to register her baby, was first herself registered as a voter, against her will and intention.

7. At the CDM mine in Oranjemund, where political organization is freely permitted amongst the workers, there was an almost total boycott of the registration by the black workers.

8. Leaders of the three major political parties not taking part in the election have confirmed that reports of intimidation during the election campaign preceding the election have been brought to their attention. Practices include:

- (a) Subjections to threats of varied nature;
- (b) Threats to workers by employers of loss of employment;
- (c) Threats to old people of deprivation of their rightful pensions;
- (d) Threats of arrest at some later date.

One of the political leaders involved has stated that, as unemployment is rife in Namibia at present, the danger of losing one's job is a very real threat to many people. Another of the political leaders quoted said that often the reports of intimidation he had received took the form of allegations, as most people were afraid to state their case publicly for fear of losing their employment.
(cf. Windhoek Observer, 25 November 1978.)
