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QUESTION OF NAMIBIA

SECURITY COUNCIL  
Thirty-third year

Letter dated 2 May 1978 from the Chargé d'Affaires a.i.  
of the Permanent Mission of South Africa to the United  
Nations addressed to the Secretary-General

I have the honour to attach the text of a letter addressed to you on 2 May 1978 by the South African Minister for Foreign Affairs, the Honourable R. F. Botha, on the question of South West Africa.

I should be grateful if this letter could be circulated as a document of the ninth special session of the General Assembly, under agenda item 7, and of the Security Council.

(Signed) J. Adriaan EKSTEEN  
Chargé d'Affaires

ANNEX

Letter dated 2 May 1978 from the Minister for Foreign Affairs of  
South Africa to the Secretary-General

During the past 12 months South Africa has been engaged in negotiations with the five Western members of the Security Council with a view to giving practical effect to the legitimate aspirations and the expressed wishes of the people of South West Africa for self-determination and independence. Throughout these negotiations South Africa, in a spirit of co-operation has done everything in its power to facilitate agreement consonant with its responsibilities towards the people and in particular the security of the Territory.

On 25 April 1978, our Deputy Permanent Representative in New York handed you a copy of a statement by the South African Prime Minister in the House of Assembly that day in which South Africa accepted the proposals put forward by the five Western members of the Security Council.

Following this acceptance, in good faith, South Africa has scrupulously refrained from further comment. While the five Western Powers have, in their considered statements, firmly adhered to their position regarding the finality and definitiveness of the proposals, a great deal has been said by others about the proposals and suggestions have been forthcoming which would change their whole basis and concept.

Some speakers have accused South Africa of intransigence in spite of our acceptance of the proposals. What is it that the international community wants? For many years the clamour has been for early independence and one-man, one-vote, free elections on a Territory-wide basis under conditions satisfactory to the international community. All these requirements have been met and by its acceptance South Africa had clearly demonstrated its irrevocable commitment to absolute independence for South West Africa on this very basis.

On 1 September last year my Government, with the knowledge of the five Western Powers, appointed an Administrator-General whose task it is to create conditions for the free expression of the will of the people and to govern the Territory in the interim period leading to independence. In the execution of his task he has, inter alia:

Abolished restrictions on freedom of movement and freedom of assembly which might have had an inhibiting effect on free political campaigning;

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Commenced with the abolition of legislation and other measures which were discriminatory on the grounds of colour;

Assumed authority over 26 government departments which were formerly under the authority of the South African Government;

At all stages invited all political parties - of which only one has refused - and other interested groups, such as the churches, to discuss with him their views on the political future of the Territory and the Western proposals;

Taken steps to ensure the maintenance of law and order and to prevent the disruption or obstruction of the peaceful and orderly political and constitutional development of the Territory.

For over 30 years the United Nations has concerned itself with the question of South West Africa, a Territory whose geographic extent has through the years been clearly defined, also in documents of the League of Nations and of the United Nations itself. Based on treaties which also define the borders of other countries in the region, the Territory's boundaries have been internationally recognized for almost a hundred years. Furthermore, most Afro-Asian and Latin American countries have accepted that colonial boundaries must, under international law, continue to be the boundaries after independence. Moreover, paragraph 11 of the "Manifesto on Southern Africa" a/ approved by the Conference of East and Central African States at Lusaka, Zambia, on 16 April 1969, and adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its sixth ordinary session, held at Addis Ababa from 6 to 9 September 1969, states in part:

"As far as we are concerned the present boundaries of the States of southern Africa are the boundaries of what will be free and independent African States."

This Manifesto was welcomed by the General Assembly itself in resolution 2505 (XXIV) of 20 November 1969.

No entity can claim the right to add to or to diminish the area of the former Mandated Territory of South West Africa.

Under international law South Africa has sovereignty over Walvis Bay. Whatever arrangement might be reached between South Africa and a duly elected Government of an independent South West Africa is a matter for these two Governments.

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a/ Official Records of the General Assembly, Twenty-fourth Session, Annexes, agenda item 106, document A/7754.

Throughout the negotiations the five Western Powers agreed that the maintenance of law and order and the safety of persons and property should not be jeopardized. South Africa assumes that the international community shares this concern. The proposals of the five Western Powers in this regard are the result of 12 months of serious negotiations. The final product is delicately balanced and cannot be disturbed without wrecking the edifice.

Similarly, the tasks and duties of the Administrator-General of the United Nations Special Representative are balanced upon two important principles: on the one hand, that the Territory must be administered and daily life must continue while preparations for free elections are being made; on the other hand, that the international community wishes to be satisfied "at each stage as to the fairness and appropriateness of all measures effecting the political process at all levels of administration before such measures take effect" and that there would be no intimidation or interference from whatever quarter. Ideally the Administrator-General and the United Nations Special Representative should work together in such a way as to avoid friction and disputes.

While all provisions of the proposals could obviously not satisfy the preferences of every party, South Africa, after consultation with the people of South West Africa, bent over backwards to be as accommodating as possible. It cannot go beyond this. We cannot act in defiance of the people of South West Africa and their expressed wishes.

The people of South West Africa have come to believe that by the end of 1978 they will have their own independent country. The credibility, not only of the South African Government but also of the United Nations is at stake; South Africa for its part will not go back on its undertaking to the inhabitants of South West Africa. If a peaceful solution is to be achieved, there cannot be another period of indecision. We are now witnessing the killing and abduction of innocent people by ruthless individuals who claim to be the representatives of the very people they murder in cold blood. No civilized community can tolerate these heinous acts. The innocent victims are demanding that they should be stopped.

All the elements which formed the basis of so many years of dispute and acrimony between South Africa and the United Nations can now be eliminated. All we ask is that the people now be allowed to elect representatives on the basis of one-man, one-vote to decide a constitution for their country in order to achieve independence peacefully and under conditions which will enable the future independent Government of the Territory to maintain order, stability and economic well-being. Whatever might have been our differences in the past, I appeal to you to urge all Members of the United Nations to co-operate unreservedly in this final process of fulfilling the national aspirations of the people of the Territory. They demand it. We owe it to them. It ought to be implemented without delay.

(Signed) R. F. BOTHA  
Minister for Foreign Affairs

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