

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/15776
19 May 1983

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL CONCERNING
THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTIONS
435 (1978) AND 439 (1978) CONCERNING THE QUESTION
OF NAMIBIA

1. This report is intended to provide the Security Council with a summary of developments since 1981 concerning the question of the implementation of its resolutions 435 (1978) and 439 (1978) on the problem of Namibia. The report covers the period from the conclusion of the pre-implementation meeting held in Geneva in January 1981, which was the subject of the Secretary-General's report of 19 January 1981 (S/14333).

2. Since the adoption of Security Council resolution 435 (1978) the Secretary-General and the parties concerned have been engaged in extensive consultations aimed at resolving outstanding issues to facilitate the implementation of that resolution. Progress made in those negotiations led to the convening of the pre-implementation meeting in Geneva in January 1981, under the auspices of the Secretary-General, to finalize arrangements for the implementation of the United Nations plan. As members of the Security Council are aware, regrettably that meeting, to the disappointment of the international community, did not achieve its objective, namely, the setting of a date for cease-fire and the start of implementation of resolution 435 (1978) in the early part of 1981 (S/14333).

3. In the wake of those developments, the Security Council resumed its consideration of the situation in Namibia at its 2267th to 2277th meetings held between 21 and 30 April 1981. Draft resolutions on the question were not adopted owing to the negative vote of a permanent member. New initiatives were therefore undertaken to reactivate the process of consultation with the parties concerned.

4. On 24 September 1981, the Foreign Ministers of Canada, France, the Federal Republic of Germany, the United Kingdom and the United States (referred to as the Western Contact Group) stated that their Governments had developed proposals for a timetable for further and final negotiations with the objective of implementing Security Council resolution 435 (1978) in 1982. In that connection, they announced that they intended to begin discussion, with the parties concerned, of proposed constitutional principles for the Constituent Assembly, as well as a timetable and an approach to other remaining issues.

5. I was kept informed of the progress of successive phases of the ensuing discussions and negotiations. I held extensive consultations and exchanges of views with the Western Contact Group, the Front-Line States, Nigeria and SWAPO, the Organization of African Unity, as well as with South Africa, on all aspects of United Nations involvement in the implementation of Security Council resolution 435 (1978). In these discussions, I emphasized, in particular, that Security Council resolution 435 (1978) must remain the basis for a settlement of the Namibian situation and urged all concerned to proceed expeditiously to facilitate the implementation of the United Nations plan as prescribed by relevant decisions of the Security Council.

6. On 12 July 1982, the representatives of the Western Contact Group transmitted to me the text of principles (S/15287) concerning the Constituent Assembly and the Constitution for an independent Namibia put forward by their Governments to the parties concerned in the negotiations for the implementation of the Proposal for a Settlement of the Namibian situation (S/12536) in accordance with Security Council resolution 435 (1978). They informed me in their letter that all the parties to the negotiations had accepted these principles.

7. During the second half of July, negotiations were resumed in New York with a view to finalizing arrangements for the implementation of Security Council resolution 435 (1978) in 1982. I met with the representatives of the Front-Line States, Nigeria and SWAPO, the Western Contact Group, as well as with South Africa, to discuss further details of the role of the United Nations and UNTAG in the implementation of Security Council resolution 435 (1978). During these discussions, substantial progress was made on outstanding issues, including the composition and deployment of the military component of UNTAG. It was also agreed that UNTAG, with the co-operation of host Governments and in the context of implementation of Security Council resolution 435 (1978), would monitor SWAPO bases in Angola and Zambia.

8. As regards the electoral system to be employed in electing the Constituent Assembly, it was agreed that it would be based either on proportional representation or single-member constituencies. I was also assured that all the parties were agreed that this issue must be settled in accordance with the terms of Security Council resolution 435 (1978) and that the issue must not cause delay in the implementation of that resolution. The Front-Line States and SWAPO emphasized the view that agreement should be secured on the electoral system prior to implementation of Security Council resolution 435 (1978). To this end, the Western Contact Group undertook to continue their consultations with all the parties.

9. On 24 September 1982, the representatives of the Front-Line States, Nigeria, SWAPO and the Western Contact Group jointly confirmed to me that they had made substantial progress on all relevant points pertaining to the implementation of the United Nations plan as prescribed by Security Council resolution 435 (1978). I was also assured by the Western Contact Group that the South African Government had confirmed its agreement to those points which related to its responsibilities under the settlement plan. Taking into account the progress which had been made thus far in the negotiations, I alerted the United Nations system to stand in readiness to commence the process of making staff members available for service with UNTAG.

10. In follow-up discussions, United Nations Secretariat officials met with senior officials and experts from the Front-Line States for consultations on the technical aspects of the military component of UNTAG and certain practical matters related to the implementation of Security Council resolution 435 (1978). Senior officials and military personnel from South Africa also held consultations with the Secretariat relating to the military component of UNTAG and on administrative and logistic requirements of UNTAG. Following these discussions, the Secretariat was enabled to advance its state of preparedness to respond to the needs of UNTAG and to update its contingency plans for the emplacement of UNTAG in Namibia.

11. In the course of the period under review, however, it became increasingly clear that other issues were becoming a factor in the negotiations on Namibia. These issues, which are outside the scope of resolution 435 (1978), had not been raised or envisaged in previous negotiations on that question. Indeed, it was publicly indicated that there could be no implementation of Security Council resolution 435 (1978) without parallel progress on the withdrawal of Cuban troops from Angola. A summit meeting of the Front-Line States and the President of SWAPO took place in Lusaka, Zambia, on 4 September 1982. In a communiqué issued after the meeting, the Summit emphasized the importance of separating the decolonization process in Namibia from the presence of Cuban troops in Angola, and stated that insistence on the latter issue could only impede the process of negotiations.

12. As indicated in paragraph 5 above, I held separate discussions with senior officials of the Government of South Africa on matters pertaining to the implementation of Security Council resolution 435 (1978). In regard to the "question of impartiality", which had been repeatedly raised by the Government of South Africa, I pointed out that Security Council resolution 435 (1978) entrusted to the Secretary-General a wide range of responsibilities in connection with the supervision and control of free and fair elections in Namibia. I informed them that such responsibilities would naturally be discharged with complete impartiality by the United Nations personnel concerned. In this connection, I also emphasized that the same degree of impartiality was expected from the Administrator-General and all other officials in the territory.

13. Following progress made in the negotiations reported in paragraph 9 above, the representatives of the Government of South Africa reaffirmed to me in subsequent discussions its willingness to co-operate in the implementation of Security Council resolution 435 (1978) and expressed the hope that it would be possible to do so in 1983, provided that agreement was reached on the withdrawal of Cuban troops from Angola. In connection with recent reports concerning the planned establishment of a council for constitutional development within Namibia, I have emphasized to the Government of South Africa the need to respect the relevant provisions of resolutions 435 (1978) and 439 (1978) regarding internal elections, which are not recognized by the United Nations.

14. In February of this year I visited all the Front-Line States, where I had in-depth discussions on Namibia with African leaders, as well as with SWAPO. My visit to southern Africa served to convince me more than ever of the necessity to proceed expeditiously towards the implementation of Security Council resolution 435 (1978).

Concluding observations

15. I am deeply concerned at the delay in implementing Security Council resolution 435 (1978). Since the adoption of that resolution five years ago, the political situation in the region has deteriorated. There has been recurrent fighting causing numerous casualties among the civilian population of the region, of whom thousands have been made homeless. There have also been other ominous developments, including acts of destabilization, which add to the political tension in the area and impair the fragile economies of the countries of the region.

16. It is evident that the delay in implementing resolution 435 (1978) is having a destructive impact not only on Namibia itself but also on the prospect of a peaceful and prosperous future for the region as a whole. The delay also has an adverse effect on international relations in a wider sphere, adding to the prevailing sense of frustration and mistrust, with all that that implies for peace and security in the region.

17. Since assuming the office of Secretary-General, I have sought by all possible means to maintain and strengthen my contacts with the parties concerned with a view to securing the early implementation of resolution 435 (1978). I have impressed upon them the imperative need for full co-operation in facilitating the implementation of the United Nations plan.

18. Progress has been made in securing a large measure of agreement on the modalities to be employed in implementing resolution 435 (1978). In fact, as far as the United Nations is concerned, the only outstanding issues are the choice of the electoral system and the settlement of some final problems relating to UNTAG and its composition. The views of the South African Government on these problems are still awaited. I have appealed to the Government of South Africa to respond positively on these issues. I have also, in my talks with the representatives of South Africa, stressed the urgency, after five years of postponement, to proceed with the implementation of resolution 435 (1978).

19. Unfortunately, moreover, the positive side of the balance sheet has been set back by the emergence of other issues which were neither raised nor envisaged at the time when resolution 435 (1978) was adopted or in the subsequent negotiations under United Nations auspices. These issues now apparently constitute the main reason for the delay in the implementation of the United Nations plan. I am deeply concerned that factors which lie outside the scope of resolution 435 (1978) should hamper the implementation of that resolution.

20. The effects of delay are being felt profoundly not only by the people of Namibia, for whose welfare the United Nations has a special obligation, but also by other States of the region. I regard the problem of Namibia as a special responsibility of the Secretary-General in view of the unique relationship between the United Nations and the people of Namibia. I believe that the settlement of the Namibian question is of overriding importance for the future peace and prosperity of the entire region. For this reason, I urge that the Namibia problem be regarded as a primary question in its own right, the solution of which will in itself ease other tensions in the region and be in the long-term interest of all concerned.

Much progress has been made in laying a sound foundation for the just and peaceful settlement of the Namibia problem. I call urgently on all concerned to strengthen and concert their efforts within the framework of the United Nations and to demonstrate the necessary political will to bring about the early independence of Namibia in accordance with the United Nations plan. I must repeat that I regard the independence of Namibia as the essential and primary issue, which we must now face up to without further delay.
