Yale-UN Oral History Project

Legwaila Joseph Legwaila
Jean Krasno, Interviewer
February 10, 1999
New York, New York

Yale-UN Oral History Project
Legwaila Joseph Legwaila
Jean Krasno, Interviewer
February 10, 1999
New York, New York

Index: Namibia

Yale-UN Oral History

Legwaila Joseph Legwaila

February 10, 1999

New York, New York

Interveiwer: Jean Krasno

Jean Krasno (JK): To begin with Ambassador, I wanted to ask you a little bit about the role that you had played in the United Nations prior to your position as Deputy Special Representative of the Secretary-General to UNTAG.

Joseph Legwaila (JL): I was recruited from the United Nations where I was the Permanent Representative of my country, Botswana. I was appointed Permanent Representative in 1980. Then I was asked by the Secretary-General of the United Nations to go to Namibia to help with the implementation of resolution 435. I was asked not at the beginning of the process but in June as a consequence of -- I am sure you remember -- what happened on the eve of the implementation of 435 on the 31st of March when all hell broke loose on the border of Namibia and Angola. After that, the Secretary-General thought that it would be best to send me to Namibia to help appease the matter and help the Special Representative as somebody who comes from the region and from the grouping which was called the Front-line States. My country, Botswana, was a member of the Front-line States. So, I went there, not to represent the Front-line States, as such, but to help as somebody who came from the neighborhood.

JK: Because Mr. Martti Ahtisaari [the Special Representative of the Secretary-General] was from Finland.

JL: Mr. Ahtisaari was from Finland, yes. So, there was no deputy who was an African. In other words, I was sent there as a deputy from the continent and they were lucky that I was not only from the continent but also from the region.

JK: At that time, were you aware of any controversy that had come around certain decisions by Mr. Ahtisaari, or any pressure within the UN or from the OAU or other groups?

JL: Yes, because on the eve of the beginning of the implementation process, as I said, there was a confrontation between the South African forces and the SWAPO cadres. Actually, let me put it this way: the SWAPO cadres, believing that Namibia is their country, crossed into Namibia on the eve of the implementation process and UNTAG was not on the ground. Very few UNTAG military were on the ground. They were supposed to monitor the borders. So, therefore, they crossed and the South Africans in reaction decided to put pressure on UNTAG to allow them to go and confront them. So, the controversy arose as a result happened thereafter when the South Africans demanded to be allowed to go to the border. And UNTAG found that they had no other alternative but to allow them to go to the border because otherwise the process would probably collapse. It would have collapsed even before it had started. So, they allowed the South African

troops to go there. It was the confrontation between SWAPO and the South African troops which caused the controversy, because a lot of people in fact were killed. In one short space of time a lot of people were killed and killed tragically at a time when there was hope that Namibia would start a new chapter, a chapter that would end the long war of liberation. So, that is what caused the controversy and that is one of the reasons that the Secretary-General felt that under the circumstances, we should send somebody there to help Mr. Ahtisaari deal with the situation. Fortunately, by the time I got there, the situation had normalized.

JK: So, when you got there in June . . .

JL: Well, the security had already been normalized by that time. It became normal by the end of May through negotiations. The Americans got involved. It was Chester Crocker, the South Africans, the Russians were there and UNTAG. By that time, they had negotiated to stabilize the situation and the implementation process was back on track. So, I just went there to find that the crisis was over.

JK: When you arrived in Namibia in June of 1989, what were your responsibilities?

JL: Regarding my responsibilities, I remember before I left I had a meeting with the Secretary-General and he said to me, "I want you to participate in all the negotiations." Now that the process was back on track, there was a series of negotiations were underway. We were negotiating with the South Africans on the registration laws, the

electoral laws, the return of refugees and all the other activities which going on between UNTAG and the South Africans. I was supposed to participate actively alongside the Special Representative. I was not assigned an exclusive portfolio of responsibilities, but to do exactly what the Special Representative was doing. In the course of my stay there, I was able to do certain things like, for instance, liaise with the SWAPO people whom I knew very well and, of course, I dealt with the other internal political parties on behalf of UNTAG.

JK: We will get to that some more because I would like to know some of the particulars that came up in the negotiations that you had to do. Did you feel that the communications were adequate? Both the method of communicating and the equipment between Namibia and New York headquarters and also in the field around Namibia?

JL: I'll start with Namibia, the internal communication. We, UNTAG, established ten regions in Namibia. Then we set up offices there to run these regions. In addition to that we had people going out to even the smallest villages. In other words, our presence was felt even more than the administration here. We knew all the corners of Namibia more than they did. There were times when we informed them about some things which they didn't know, things happening in the country which they were running because we had very good communications. We also had a very good communication system with the headquarters here in New York, independent of their telephones there in Namibia. So, we were able at any time to get through to headquarters and to the task force which was headed by the Secretary-General here in New York. We didn't have any problems there.

JK: As long as you bring up the "task force," I had a question on that. What was your perception of the task force in New York? Did they understand what was going on in Namibia?

JL: Well, they understood to a certain extent. When you are not on the ground, it is very difficult for you to have a well-cooked appreciation of the situation on the ground. They were inhibited in their understanding because of the distance. When at times we thought that they misunderstood us, we understood why they misunderstood us. We were there and on a daily basis we had to solve problems. Most of the problems there were emergencies, urgent problems, very urgent. The rumor mongering there was the worst I have ever seen. You would wake up one morning and someone would phone and say, "A plane was seen landing in some airstrip very far away from Windhoek in some corner of Namibia." Then, of course, as UNTAG we had to rush there only to discover that there isn't even a strip there. So, we were dealing with all those problems on a daily basis.

Every morning, Martti Ahtisaari and myself were sitting; every morning, we had a meeting without fail with Prem Chand, the Force Commander, and his deputy. We met in the Special Representative's office which was also part of my office in Windhoek in someplace, for some reason, called the Trotsky Building. That is where the headquarters of UNTAG was. We met every morning to discuss all these things and to discuss also the communications from New York, from the task force. Every morning when we went to the office, we would find stacks and stacks of faxes from New York. Then Force

Commander would report on what happened the previous day and the previous night. The people here [in New York] would behave as if we were not doing our job because they misunderstood us and they behaved as if we did not grasp the situation when it was they who did not grasp it.

JK: Who was on the task force? It was Marrack Goulding, Pérez de Cuéllar, and who else?

JL: It was the Secretary-General, Marrack Goulding, Abi Farrah, who has retired now. He was an under-secretary-general and was from Africa, Somaliland. He was the political officer. And also the chief of staff, Virendra Dayal.

JK: Why was it key that they needed to know what you were doing? What kinds of decisions were being taken here in New York?

JL: It was very important because there were always instructions that came from New York. So, it was very important that they should know what we were doing there. They needed instant knowledge of our problems so that they can help us resolve them. Because it was a very complicated process. We reported to the Secretary-General; the task force would discuss our report; then they sent our report to the Security Council; the Security Council would discuss our problems; and then they would give their instructions to the Secretary-General; and the Secretary-General would get back to us. So, it was complicated. The Secretary-General was not the only boss; you had the Security Council

which was always sitting on the Secretary-General, saying, "Are your people doing the right thing there?" Their own representatives, that is, the respresentatives of some members of the Security Council were in Namibia. They were also monitoring us from Namibia and reporting to their own countries, not to the Secretary-General, but to their own countries. The ambassadors those countries would go to the Secretary-General and say, "Those people are selling out there; they are not doing a good job," or something like that. So, the Secretary-General would send a fax to us saying, "Would you please explain this or that." It was very complicated situation, not only for us, but also for the Secretary-General, maybe even more so for the Secretary-General.

JK: What kind of role did the Front-line States play?

JL: The Front-line States played a very pivotal role in the sense that they kept us on our toes, the people on the ground, because the Front-line States were well represented there.

JK: So, in Windhoek, the ambassadors from the Front-line States were there.

JL: Each Front-line country had designated a very senior person to Namibia and who opened offices in Windhoek. They worked harmoniously with UNTAG. They helped UNTAG and we appreciated the role they played. Although, sometimes they would go too far in our own view. But otherwise, they were very instrumental in our success. For instance, they were able to persuade the farmers who had been refusing to allow SWAPO

to canvas for votes in the farms. And then we were able to go and talk to the farmers, "Please, allow there people because otherwise the elections will not be free and fair."

JK: So, SWAPO wanted to canvas, or in other words, campaign in the countryside.

JL: In the farms. The farmers would say, "No, no, you cannot canvas here." And yet, they had on these farms almost mini-villages, the workers on the farms. So, they wanted to prevent SWAPO from talking to these people as potential voters. The Front-line States were able to talk to these farmers to facilitate our access and SWAPO's access to these farms.

JK: So, they were able to compaign on the farms?

JL: Exactly, eventually they were able to carry out their campaign. Maybe it was not one hundred percent; there were some farmers who up to the end were violently opposed to UNTAG, the whole process. Sometimes in restaurants in Windhoek, you would see "UNTAG not allowed."

JK: Really, in the restaurants?

JL: Yes, right at the gate, "UNTAG NOT ALLOWED."

JK: There is so much I want to ask you. Did you feel that the task force at the UN took a particular point of view? I had heard that they took a much more Non-Aligned point of view.

JL: No, that is not accurate. The Secretary-General was a political man, the chief of staff, I mean, all those people were political, Marrack Goulding, Abi Farrah. There were always competing interests in the United Nations. You had here at the United Nations a group called "the Group of Eighteen." These were members of the Non-Aligned Movement who used to meet. I was one of the founders of that group before I knew that I would be appointed to go to Namibia. This was a group which was to *fight* for fair implementation of resolution 435, to monitor the activities of the Secretary-General and the Security Council. And we used to meet in the basement of the United Nations. That was one other group. Then you had the Non-Aligned Movement itself. Then you had even here the Front-line States ambassadors. The ambassadors of the Front-line States were monitoring us in Namibia but also they were monitoring us here in New York.

JK: So, they would meet also?

JL: They were monitoring the activities of the Security Council and the Secretary-General. And then there was the African Group, also, as a regional group were very busy making sure that the Secretary-General did not allow for any opportunity for resolution 435 to slip, either for incompetence or simply selling out. You can understand why some people here thought that there was a possibility of UNTAG selling out. It was a very

risky adventure on the part of the United Nations. Therefore, because everyone was involved, they made the process even more complicated, even more sensitive.

JK: What about superpower involvement, U.S., Soviet Union (still at that time)?

JL: Yes, the U.S., the Soviet Union, the United Kingdom, all the big powers, the French, they were the permanent members of the Security Council. They had representatives in Namibia. Therefore, they were very important, almost as important as the Front-line States because their interests there had to be taken into account. One good thing is that even they impressed us in the sense that it was very clear that they didn't want the process to fail. This was the most surprising thing, that you had a conspiracy of regions of regions which otherwise had nothing in common. All of them were working so hard, sometimes too hard so that the process would not fail. The Russians, the Americans, the Chinese, we even had a representative of the GDR [German Democratic Republic (East Germany)] who at that time came to see me about free and fair elections. I used to laugh and say, "Free and fair elections, my friend." I imagined free and fair elections in the GDR.

The process produced all kinds of characters out of people who otherwise wished that everybody else failed and SWAPO succeeded. But everybody wanted the process to be fair and free. We discovered later on that even the South Africans wanted it. That is, the government. They wanted the process to succeed, but to succeed in their own interest. In other words, it should succeed provided that some parties would win, their own internal

parties would win, and if their parties won, then it would be free and fair. Because they tried very hard to sabotage them. But they sabotaged them not to the extent of scudding the process but making sure the elections would be rigged in favor of the DTA [Democratic Turnhalle Alliance], for instance, the party that was named after the Turnhalle Party Conference.

JK: In that regard, you had to deal everyday with the Administrator General Mr. Louis Pienaar. How was that relationship?

JL: Well, it was an unhappy relationship, if I could put it that way, because imagine Administrator General Pienaar was Administrator General for South Africa; he was the governor or the president for Namibia at that time. Suddenly, there is a group of people coming from New York saying, "Here is a resolution and this resolution says that everything you do from the 1st of April, 1989, you do with our permission. Everything that relates to the implementation of the resolution, you do it with our permission. In other words, we have to be satisfied that your decisions are the right decisions. He didn't like it. He didn't like that because we were literally vetoing so many things. We were even participating in the negotiations on the proclamations: the registration proclamation, the electoral proclamation, the voters' law. We had to approve everything. Because the resolution said that the Special Representative had to be satisfied. And it was very difficult for him to satisfy us. That is why the relationship was very unhappy.

JK: It was tense.

JL: Very tense.

JK: So, just to get this straight, the Administrator General and his staff would write up what the voter registration policy would be and then you would look at that and, change it?

JL: That's right. They would say to us on such and such a day, we will give you a draft proclamation on the registration of voters. We said, "Fine, give it to us. You give it to us and then we will have to give it to the political parties and give them enough time to read it and we will read it ourselves. The political parties will have to read and send their own comments. We will also send our comments." Then after three weeks, we went to the headquarters of Louis Pienaar was held. Then we went there and negotiated the proclamation with him, taking into account not only the comments of UNTAG but also those of the political parties, all of them.

JK: So, in the end, was there a compromise on these issues or would you ultimately have to approve them?

JL: Eventually, there was a compromise because we held a trump card that was a problem for the South Africans. Our trump card was, as we would state to the South Africans, "Did you note that we would let it be known our view that the elections would be declared by the international community as having been not free and fair." That is

what the South Africans didn't want. The electoral proclamation had to be scuttled, the whole thing. The Secretary-General sent us a fax one morning and said, "I cannot explain this thing to the international community." And we went to Pretoria and said, "Well, this is not on; we cannot accept it. And it was scuttled.

JK: What kind of role did the government of South Africa play? The Foreign Minister Pik Botha, for example?

JL: The government of South Africa, to tell you the truth, played a very constructive role, constructive in the sense that, as I said earlier on, they were determined that the elections would not fail. They did not want to cause the elections to fail. The world was changing at that time. That would not have had the same tolerance had things been as before. The Soviet Union was weak and on its deathbed. The Soviet Union and the United States were cooperating in the implementation of resolution 435. The South Africans had to be very careful. So, they were constructive. Our internal negotiator was the Administrator General. We only went to Pretoria when we couldn't get anything from the Administrator General. When Louis Pienaar and we agreed, we didn't have to go to Pretoria. That's how we did it. Louis Pienaar was a very difficult man. Most of the time, we never agreed. We found it difficult to agree completely with him. So, we ended up going to Pretoria, with him.

JK: With him?

JL: Yes, with him. We would go to Pretoria with him and, in most cases, on his plane.

JK: Who would you meet with in Pretoria?

JL: With Pik Botha. We always knew that if we went to Pretoria to the nice guest house there, had lunch with Pik Botha, discussed the issues with Pik Botha, then explain what the consequences would be, he would be always in agreement. He always spoke with his government and said, "Well, maybe we have to meet UNTAG halfway." And they always met us halfway and tried to work together to find a solution.

JK: The Prime Minister at that time was de Klerk?

JL: It was de Klerk.

JK: He also wanted UNTAG to succeed, in that sense?

JL: I thought that he really wanted UNTAG to succeed. Those people had every opportunity to stop UNTAG from succeeding. I will tell you one important opportunity. Once they did not take advantage of an important opportunity, I said to myself, this process is going to succeed. I think the only question we can ask is, "Is it going to be a sustainable success?" When I woke up one morning and discovered that there was fighting on the border on the first of April, I knew the South Africans were going to say,

"Ahah, what a wonderful excuse! SWAPO has infiltrated the territory, now we are going to scuttle the process of implementation. I don't care what happens at the United Nations." But, they didn't. Once they decided to participate in the restoration of the process after the first of April, I knew that the process as I described it, was doomed to succeed. If it was going to be stopped, it was not going to be stopped by the South Africans. They had decided at that time that they were going to allow it to succeed.

JK: You had talked about the various different parties and certain groups of farmers who were against the process. To what extent were you involved in the reconciliation of these diverse groups? At one point Secretary-General Pérez de Cuéllar came to Windhoek and understand that he held a meeting of some of these parties. What was the result of that?

JL: At that time there was so much intimidation. The political parties were intimidating each other. Actually, at that time we were worried not about what the South Africans would do to damage the process but what the parties would do to damage the process because they were intimidating the others, especially the DTA [Democratic Turhalle Alliance]. The DTA was intimidating especially the SWAPO people. Everybody thought that the only party that was destined for victory was SWAPO, therefore, DTA went to town intimidating the SWAPO people so that SWAPO would not be able to compete freely and fairly.

JK: The DTA, who was in that group?

JL: Actually, they were many parties, as many as 30 constituted the DTA. Those are the parties that were internal which had run the country with the Administrator General before UNTAG went there. So, they came together. In about 1976, they had a meeting where they formed the DTA at a place called Turnhalle which is somewhere in the center of Windhoek. That is when they called themselves the DTA. You had all kinds of political parties. These are the parties that the South Africans supported. These are the parties on behalf of whom the South Africans wanted to rig the elections. All of them conspired to deny SWAPO a victory by intimidation. So, when the Secretary-General came Namibia, we organized those parties to go and be addressed by the Secretary-General. The Secretary-General addressed them but eventually we ourselves devised a system by which we would be able to discourage intimidation. We did this by telling them that every week we were going to publish the statistics about intimidation. In other words, whom is intimidating whom.

JK: So, you decided to publish that.

JL: We either published or simply told them. I can't remember now. But every week we had a confidential list of statistics to show that so-and-so has intimidated 20% and this one 80%. And it was always clear that it was the DTA that was always intimidating more than anybody else.

JK: Was there in-fighting amongst the DTA, as well or had they decided to cooperate?

JL: Actually, they had decided pretty much to cooperate because they realized that they were facing a very formidable enemy and competitor in SWAPO. They decided to stick together in order to save themselves.

JK: Did they come of with a kind of code of conduct?

JL: Then we decided also to devise a code of conduct. Actually, that code of conduct became the model for so many codes of conduct. I remember when I was in South Africa from 1992 to 1994, we represented the Special Representative of the Secretary-General of the OAU. I was asked to go and open a conference on free and fair elections. And I really proudly talked at great length about that code of conduct which we had developed, only to discover that in one of the documents they had that code of conduct and they were going to model their code of conduct for themselves in South Africa on the code of conduct we had devised for Namibia. Now, with every election they always have a code of conduct.

JK: How did you come up with the criteria?

JL: We negotiated with the parties. We said to the parties, "These are the things that we want you to observe for your own sake. Observe these things and first we will negotiate them and then you will sign it." We negotiated with them and eventually they all agreed and they signed.

JK: So that everybody would behave the same way.

JL: "This is how you must behave." One thing that we couldn't do, of course, was . . . well, when we got there we were told that every Namibian had no less than ten weapons of all kinds. We were not able to confiscate them because it was very difficult to confiscate them. In the end we thought we should have put that into the code of conduct, but it would have been very difficult for us and very complex. But the code of conduct went a long way in lessening acts of intimidation.

JK: Linking that with the meeting with Pérez de Cuéllar, had you and the staff there decided that you wanted to link this meeting of the parties including DTA and the eventual code of conduct with Pérez de Cuéllar's coming to Windhoek or did he initiate that.

JL: I'm sure we talked to him about coming up with the code of conduct. The meeting of him with the parties was designed to help us deal with the possibility that if the parties continued to behave the way they did, there was going to be violence amongst them. I think it was part of the process of making sure that they would clean up the campaigning. That is where a lot of things would happen which could easily deteriorate the elections.

JK: Did he come to Windhoek specifically because he anticipated there might be some problems?

JL: No, he came in July because some of us thought he should have been there when there was trouble. On the first of April when we started the implementation, I was the chairman of the African Group.

JK: You were the chairman of the African Group.

JL: Yes, the chairman. So, I was very harsh on him, on Pérez de Cuéllar, without knowing that the following month he would appoint me to go to Namibia.

JK: He apparently respected what you were saying to him.

JL: But we were very harsh on him. We thought that it was wrong for the South Africans to be allowed to go to the north there and kill SWAPO. We were saying all these things from the context of New York. We did not know what Martti Ahtisaari was going through there. So, he was going there to visit UNTAG and make sure to give us his blessings as we began to implement the process. And he came before the registration of voters, I think, on the eve of the registration of voters.

JK: What was the security situation in Namibia? You had talked about there were a lot of weapons.

JL: It was terrible, terrible. Actually, sometimes I say to myself, "How did we survive," especially those of us who were in positions of leadership. I can imagine that a lot of thugs in Namibia who didn't want independence who were running around following our cars, wanting to kill us. It was dangerous. It was dangerous because you knew that everybody was armed and you knew that the Administration didn't like us. You knew that the white South Africans who were running the country would have been happy if a whole lot of us would be shot. But we survived it. We survived it with the manpower that we had which monitored things. We had policemen monitoring the police. Of course, we had the military component which monitored the South African army before it withdrew. Then, when the South Africans withdrew, our military contingent monitored the locations and the entry points because there were no longer any South Africans there to monitor. These few UN people were able to secure the country and by extension secure us. I was guarded by a Kenyan battalion.

JK: You were guarded by the Kenyans.

JL: They would spend the whole night walking around my house and the same for Martti Ahtisaari by the Finish battalion (FinBatt).

JK: Because he was Finnish.

JL: We went around with these guards. I come from a very peaceful country, Botswana, and I was so traumatized, running around with a driver with a gun and with my security man sitting next to him with a gun. For a whole year, that is how we lived.

JK: What was the group called Koevoet?

JL: The Koevoet is an Afrikaans term meaning crowbar. The South Africans long before we got there decided in the fight against SWAPO to train a group of illiterate, absolutely illiterate, Namibians. They trained them. And we were briefed by one of their commanders who told us, "We have trained the best killers. We are training them to kill, to kill SWAPO." Then we discovered when we were there that these were people were so impossible to control. When we said that they must reduce the police force, they thought that this group of uneducated people could be merged into the police, but these are the kind of people that when they arrest you, they cannot even write a statement because they are uneducated. All they know is to shoot. They were a threat to the process right from the beginning to the end.

JK: Were they white Namibians or black Namibians?

JL: They were black Namibians, black Namibians who were trained to kill their own brothers. They were such a controversial element in the process. The Security Council at one point threatened dire consequences if we didn't control the police force. Eventually, they were dismissed but then the problem was do you dismiss them into the villages or do

you dismiss them and lock them up somewhere. Some of us thought that the best thing would be to establish an assembly point somewhere and assemble them there and guard them 24 hours so that they don't go out and cause mischief. Then there was another school of thought that said, "Oh, no, no, don't do that because if you put them in there when are you going to let them go? You are going to give Namibia independence and then you will release these people on the new government. The best thing is to dismiss them now and let them go to their villages." And we did. And then they had the opportunity to intimidate people, and to be used by any political party that wanted to use them to intimidate people during the campaign.

JK: So, they were released back into the villages and then they were used?

JL: Yes, they were basically going around now intimidating people because Namibia being Namibia at that time, they were even allowed to go with their guns.

JK: With their guns, at that point. Were some of them absorbed into the police, eventually.

JL: We were told that eventually some of them were absorbed into the police, even into the SWATF, the South West African Territorial Force, which was the army of Namibia before they got their independence. So, they were also absorbed into the army. Some of them were transferred to South Africa to go and help with the fight there against the ANC. Some of them are still there in South Africa and some of them were actually involved in the murders in the townships in South Africa, all those horrible murders.

Some of those who perpetrated them were the Koevoet people. There was one battalion called battalion 34 (or 32), which was composed of all kinds of people including people called the bushmen. I am told they are still there now. They are being employed by Savimbi and people in the DRC [Democratic Republic of Congo] to fight.

JK: So, in their own way they have become professionals.

JL: Yes, they have become professionals and now they are working for real money because in Namibia they were working for nothing almost; they were being paid a pittance. Now they are working as mercenaries.

JK: We have touched on this a bit, but what were the attitudes toward UNTAG and the UN?

JL: I am glad you asked that because that is one of the things that really impressed us. When we got there we were not as big in numbers as the Administration's security forces. But one thing we discovered before long was that even the presence of one UN person, military, police, or civilian, wearing the colors of the UN . . .

JK: The blue beret or blue helmet?

JL: The blue beret, or armband, or ascott.

JK: [side two] As we were traveling around the country, we were told by the Namibian people themselves that even one UNTAG person in a village was enough to assure the villagers that they were secure, even though he couldn't do anything if the South Africans decided to shoot their people. But our presence was a comfort to the country. That's why we were able to place our people all over the country just to make sure that the whole country would know that the United Nations is looking after them. They may not be able to stop them being killed, but at least we would be able to report to New York that somebody was killed in such-and-such a village which was one of the assignments of UNTAG. All we could do was report; we couldn't stop some of the terrible things in Namibia because we didn't have the wherewithal to do that.

JK: The reporting itself, did it work as a deterrent?

JL: Yes, because once a report comes to UNTAG, we would report to New York and then we would report to the Administrator General and tell him that in such-and-such a village "someone was killed yesterday and we want you to investigate." And the investigation always took place in the presence of one or two of our people. That was what monitoring meant, monitoring the activities of the police. When the police had to go out to patrol, we had to send our people with them to make sure that the police don't go harass people. The Administrator General always felt compelled by the knowledge that if he didn't do something, we would report to New York and then the Secretary-General would also phone Pretoria and say, "The Adminstrator General is not cooperating with UNTAG." As a result, a lot of things were investigated. Of course, I can tell you

also that up to the end the police did not accept the fact that we were there to monitor them; we were there to approve what the Administrator General was doing. They really felt offended that "these people who come from New York who don't even like us and we Namibians are brought here to come and have them tell us how to run our country." They hated that.

As a result, there was an agreement that the police should not wake up one morning and just go about without informing UNTAG. They were going to leave at 10:00, they must say before they go to bed, "UNTAG, tomorrow at 10:00 we leave for Caprivi or we leave for Swakopmund," and so forth. So that UNTAG could go there. There were times when they would say that they would leave at 10:00am and then they would leave at 7:00am.

JK: So, they were still trying to outsmart UNTAG.

JL: So, you would go to a place where they would have already killed somebody and since you were not there, you did not even know how it happened. I think I should mention this because I thought I would leave this for my memoirs. I remember one lunchtime I went to a restaurant with my which was always flying the UN flag with plate numbers "DSRSG," Deputy Special Representative of the Secretary-General. My driver then was a Polish soldier and he didn't even speak English. So, he takes me to a restaurant and now I am going into the restaurant to have my lunch and then he parks the car on the wrong side of the road facing the wrong side.

JK: Because in Namibia it's British style driving.

JL: You can't park a car going this way if you are on the other side, facing the wrong way. I had invited two ambassadors of the Front-line States, actually the chairman of the Front-line States and the ambassador from my own country. And when we came out, I saw my car surrounded by police cars blocking it to make sure that I wasn't going to take it. And they see the flag is still flying there. I got out and I said, "What is the problem?" And they said, "This man has violated the traffic laws." And they were talking to a man who couldn't speak a word of English. Remember, these were the ambassadors from the Front-line States and they were furious because they just thought this was a insult to me as the Deputy Special Representative, and as a black Deputy Special Representative because the policemen were white.

JK: The police were all white and they spoke English?

JL: They spoke English. Eventually, the ambassador of Gambia went to them and said, "Do you know who this is? Do you know who this is?" They just said, "Oh no, the car is not going to leave." And they kept it there.

JK: They wouldn't let the car leave?

JL: Even when they saw me there they wouldn't let the car leave. So, we went back into the restaurant and called the Trotsky building where they had put us; we called the

security people. The security people were so embarrassed. The head of the security force was an American and they came with two trucks to try to get rid of the police. And the police refused.

JK: This was the UN head of security and they came in two UN trucks painted white?

JL: Yes, that's right. Then the chief of security ended up coming to me and said, "Just come to my truck and I'll take you back to your office so we can end this embarrassing situation. We can remain negotiating for the release of your car." So, they took me to the building there.

JK: So, you had to leave in the UN truck.

JL: Martti Ahtisaari was furious and I heard him shouting at the Secretary-General, "You know what they did? The Security Council is going to meet and how can they do this thing to my deputy?" Eventually, everything was worked out. Martti Ahtisaari spoke to the Administrator General.

JK: Eventually, they released your car?

JL: Eventually, they released my car. Then they tried to arrest the driver, but the very same day they released him.

JK: So, they did detain him?

JL: They took him to the police station. You can just imagine how insensitive they were. They didn't even care.

JK: They had been used to getting away with that.

JL: They would say, "This is our country." To be told when people are killing each other that you have come to help them and then they say, "This is our country; it's not your country." That is what they were saying.

JK: I had heard that in the beginning the CivPol didn't the right kinds of vehicles and they actually couldn't keep up with the police, the South West African Police (SWAPOL).

JL: SWAPOL, that is one of the tactics they used because, you see, the country was mined. Especially the northern part was full of mines. Even when there were no mines, these military vehicles called "Casspirs" were mine resistant. They would say, "Ok, you can follow us." They would go off in the Casspirs and they were asking you to follow them in your own Japanese Toyotas.

JK: Just in a regular Toyota?

JL: To be blown up by mines. That was the problem with UNTAG that we didn't have the proper vehicles. But, eventually, we decided to say to the government of South Africa, "We want some of the Casspirs and we will paint them white." I remember. I hope God will forgive me, because I was so violently opposed to UNTAG using Casspirs because Casspirs were a symbol of tyranny and murder and mayhem in Namibia. Whether we painted them white or not, the common man in the village, when they see you coming in the Casspir, they will run. I don't know how we managed to convince them that no we are the white ones. These are not the normal ones; they come from New York, or something. Those are the vehicles they used to terrorize the people. That is why I was opposed to ask for them. But eventually, we had no choice. Of course, the Administrator General would give us the ones that were almost dying. You would use it one day and then it would break down. It was deliberate just to frustrate us.

JK: You talked about trying to let the villagers know what that meant, which brings me to the issue of education. The Namibians needed to be educated about who the UN was or what you were doing there. So, what kinds of things did you do to try to educate the Namibian people about what your role was?

JL: Look, what we did was, as I told you at the beginning, we established ten regions and appointed ten senior people there. There we had to spread the propaganda about the United Nations' presence in Namibia, what we were there for, and so on. And they did that by meetings, by visiting villages, by talking to people, and then by visual aids, putting placards all over the place. And we did the same with the elections, making sure

that people participated in voter education. By the time we left, we were famous. Everybody knew when they saw a white car or truck or jeep or van with UN on it, they knew that was the United Nations. So, they felt safe.

JK: Did the UN have a radio station or radio broadcasting in Namibia?

JL: Yes, we had our own radio and we spoke on television, on South African television. Some of the propaganda we did on South African television.

JK: So, you did use radio.

JL: Yes, we used radio. We had a lady there who was in charge of interviewing us and publicizing things on the radio.

JK: There were basically three components, as I understand it, in Namibia: the military component, and the electoral component, and . . .

JL: Yes, there was the military component led by Force Commander Prem Chand; the electoral department led by a Ghanaian; and the civilian component with its administration and the legal department, etc.

JK: And the police; that was the other component. In reference to the electoral component, the agreement that was established for registration and for voting had to be

revised because it could not discriminate against people or groups. Did that apply simply to electoral laws or did the UN want to eliminate discrimination, in general?

JL: I'm not sure I understand the question, but I am sure you are talking about who would be able to register and the extension of that, who would be able to vote. That was the subject of all the controversies.

JK: Explain that to me then.

JL: There were people who had left Namibia and whose ancestors had left Namibia ages ago who were now living in South Africa and elsewhere.

JK: So, the policy dealt with who was allowed to register.

JL: Who wanted to register to vote. Before I went to Namibia, I said no way will I allow South Africans to go to Namibia to rig the elections by claiming that they had something to do with Namibia. What they were saying was that, "My grandparents came from Namibia and therefore I have some connection with Namibia and therefore I can register and vote." Then, of course, eventually, there was a compromise that if some of these people can show that have some connection with Namibia and if some of them had lived in Namibia for at least five years by showing their taxes, and so on, their receipts for paying for water, electricity, and those kinds of things. So, eventually, a lot of people did register, but not as many as SWAPO and others claimed would descend on Namibia. I

must have the figures in my files. When they came to vote, it was so embarrassing because some of them would come by plane and land at Windhoek airport. We wanted elections to take place, so sometimes we had to compromise. One of the compromises we didn't like was that we would have one of the polling stations at the airport. Which means that somebody would come from Johannesburg and vote at the airport which means that they didn't even have to enter Namibia and then leave and go back to Johannesburg, but vote in an election in Namibia. That was so painful. The other thing that they were saying was that if you refuse to allow those people to vote, you cannot turn around and allow the supporters of SWAPO who have spent, some of them, a generation outside Namibia as refugees to go and vote. This I thought was really, really disingenuous for somebody to compare people who had run away from the country because of tyranny and those who, for one reason or another, left a long time ago.

JK: Refugees, SWAPO refugees or other refugees who had fled the country because of the fighting did come back, but they came back to live, for the most part, correct?

JL: That is what we were saying. Those who were coming home to live, not somebody living in Cape Town deciding some time ago in the tenth century my grand-grand-grand-grandparents lived in Namibia. There were certain things that we had to do because we were looking for a solution. Otherwise, some of them shouldn't have been done.

JK: I think what I was trying to say earlier was that at one point South Africa had introduced the Apartheid policy in Namibia as well as in South Africa. And so, there were a lot of discriminatory laws on the books in Namibia just as there had been in South Africa. When the UN came in to reform the policy for voting, did the UN also try to reform the policy of discrimination, in general?

JL: Yes, because those policies couldn't survive because they were a contradiction for what we were trying to do. A lot of those policies necessarily had to lapse and some of them were discontinued before we got there. Because there was absolutely no way we were going to let them stay. But don't misunderstand me, until independence there was still a lot of discrimination. We knew that the laws that were going to impede the implementation of 435 had to be scuttled. I'm sure that there are some whites who wanted to have their own voters roll.

JK: In Namibia, there were other UN agencies, UNICEF, World Health Organization, UNDP, etc. How did your office interact with the UN agencies?

JL: We were one family, one big family. We had meetings with all of them and we helped them and they helped us. UNHCR, for instance, was in charge of the repatriation of all the refugees. Some of them were already preparing Namibia for independence. In other words, UNDP, for instance, were already looking far ahead. They were very helpful because they had to make sure that the refugees that were coming back had health facilities, resources to keep them healthy, and so on. They were looking after the

children. We were one big family and it was a network because we had to consult with them on this and that, things that belonged to their own portfolio of responsibilities.

JK: I hope that we can continue this at another time. I wanted to just ask you one question, in El Salvador, for example, the UN did have a truth commission. The parties agreed to go ahead and have a truth commission. In Namibia, there wasn't any such thing and I was wondering if there had ever been any talk about it.

JL: Actually, there was no talk about it because when the South Africans had theirs, somebody in Namibia said, "Why can't we have it?" But that was about two years ago. The president of Namibia made a very interesting statement to the extent that he didn't think that it would serve a useful purpose in Namibia to have it because he said, "Where would we start? Would we start with the Germans?" He even made the statement that, "If we start with the Germans, what happens to our current relations with the Germans?"

JK: If in fact you had achieved national reconciliation, then perhaps there wasn't a strong purpose for it.

JL: Yes, except as you know, one of things we can talk about when you come back is that, I'm sure you remember at one point, there was a controversy about what happened to members of SWAPO who had been detained. The officers in charge of security for SWAPO had killed a lot of their cadres and the controversy evolved for such a long time that eventually, the Special Representative, at that time, appointed a group of colleagues

led by a Nigerian to go to Angola and Zambia to investigate and find out what happened. I am told that the people who started this are still agitating. Every time I mention my time in Namibia, somebody who wants to damage SWAPO always says that SWAPO has not accounted for all the people who didn't return. "What happened to them?" With us, the commission, we didn't find anything. We looked through computers and everything and we didn't find anything. I was so shocked that a brigadier general who was a very close friend of mine in Namibia who was in charge of the computer search for lost Namibians. He was killed by this Swissair flight that crashed in Canada in Newfoundland, absolutely tragic.

JK: We have gone through quite a number of good things, in general though, what is your evaluation of the work of UNTAG, just to summarize?

JL: To tell you the truth, I think that UNTAG was a trailblazer for United Nations peacekeeping and peacemaking. Many people thought that as successful as we were when we went there, there were many people who thought when we left to go there that in a few months we would be kicked out of the place, either having bungled the operation or the South Africans would have changed their minds and shoot us out of the country. I don't know what I should tell you because you have the tape recorder. When I got there I remember one day I was told, "By the way, according to the instructions, you must have a small suitcase packed all the time with three hundred dollars in cash." Then they gave us the exit points. I remember joking with me from here I just pick up my little suitcase and my 300 dollars and run east. Because if I run east, I will hit the border of my country.

There were people who had to board an airplane. These were extrication plans. We even had an extrication plan that was leaked. It was published in the Newspapers all over Namibia saying, "Ahah, these people are prepared to run away." This was at a time when the process was very difficult. We wondered whether we would be able to succeed.

In my view, it was a brilliant performance by the UN, brilliant, small but very efficient. The way we did things, for example, establishing the ten regions, and the kind of manpower that we had at our disposal. And the expertise that we developed for organizing the elections, it was absolutely unbelievable. This man who came from Ghana who worked on organizing the elections was so brilliant in organizing such complicated elections and being able to compete with the experts from the Administrator General's office. And all the techniques that we developed for monitoring the elections, we were extremely creative. It was unbelievable. Even the South Africans, I am sure, admire us. We had all kinds of people, some coming from tyrannical regimes but being so knowledgeable about democracy, about elections. Some people said we were lucky; we succeeded because we were lucky. It had nothing to do with luck. It was simple efficiency, of course, helped by the fact that everybody at some point was determined, enemy or friend, were determined that the UNTAG mission succeeded, including the South Africans.

JK: Because they wanted the approval that the elections had been declared free and fair.

JL: Yes, because what people misunderstood was that they didn't the importance of these three words, "FREE AND FAIR." That was the standard of measurement for everything that we did. That is the reason why the resolution said "at every stage," before you go to the next stage. In other words, you register people and at the end of the registration, you have to be satisfied that the Administration has done a good job, before you even agree to go to the next stage. There was no stage that we left hanging. We had to make sure that all the parties concerned with the implementation of resolution 435 at the end of this stage all agreed that everything had been done according to the resolution. Then we said, "Ok, let's begin."

Before the registration, we went ourselves, myself and Martti Ahtisaari, to look at the most volatile areas of Ovamboland in the north. We consulted with the priest, with the politicians, and the people to find out if they thought that Namibia at that stage was ready for registration. We did not just announce that tomorrow is registration. "Do you think that the people are ready for registration?" I remember Bishop Dumani, the famous Bishop in northern Namibia, saying to us, "There is a lot of violence; there is a lot of violence, a lot of intimidation and we don't think that registration will be done cooperatively in this terrible environment. But, you cannot wait for this violence to subside because it may not subside. So, I advise," – this was Bishop Dumeni, a very influencial man – "that you proceed with the voting and make sure that you keep a lid on the violence as much as possible."

So, we were able to go back to Windhoek and say to the Secretary-General, "Yes, we should prepare to register the voters. Same thing after the registering of voters, we decided to make sure that everybody understood that after that we would prepare for the elections. By that time, the situation had improved greatly. The registration was a great success.

JK: I know you have an appointment now.

JL: You can just phone and we can continue.

JK: Very good, thank you.

Yale-UN Oral History Project
Legwaila Joseph Legwaila
Jean Krasno, Interviewer
February 10, 1999
New York, New York

Name Index: Namibia

Yale-UN Oral History Project

Legwaila Joseph Legwaila
Jean Krasno Interviewer
May 11, 1999
New York City, New York
Session II

Yale-UN Oral History
Legwaila Joseph Legwaila
May 11, 1999
New York City, New York
Interviewer: Jean Krasno
[Second interview]

Index: Namibia

Yale-UN Oral History

Legwaila Joseph Legwaila

May 11, 1999

New York City, New York

Interviewer: Jean Krasno

[Second interview]

Jean Krasno (JK): This the second interview with Ambassador Legwaila in the series that we have been doing on Namibia. He is the Ambassador of Botswana to the United Nations and today is Tuesday, May 11, 1999, and we are in New York at the Botswana Mission and I am Jean Krasno.

Because we had done part of the interview before, we can start where we left off. Just to set the stage for people reading the interview, you had become the Deputy Special Representative of the Secretary-General for UNTAG, the UN mission in Namibia and you arrived in Namibia in June of 1989. What I wanted to go over with you today is some of the history leading up to that time. Because the issue of the independence of Namibia was really a very important issue within the United Nations and the discussions had been going on in New York many years prior to 1989. You had mentioned last time that you were a member of the African Group and were the head of that group for a period of time. So, I was wondering if you could explain a little bit about the African Group and what were their concerns regarding Namibia.

Joseph Legwaila (JL): Well, the African Group was very vocal from the sixties throughout the seventies and the eighties until the Resolution 435, which the United Nations plan for the independence of Namibia, the independence plan. It was very vocal, vocal on Namibia and South Africa because we treated Namibia as a colony of South Africa, although, legally, we considered it an international trust territory under the administration of the United Nations. We treated it as a colony because in the sense that from 1918, South Africa had been occupying it. When the United Nations was born, South Africa refused to transfer Namibia to the jurisdiction of the United Nations. South Africa according to the League's mandate system was to develop the people of Namibia towards independence. South Africa took up their territory as if it were a part of South Africa. A member of parliament from Namibia actually sat in the South African parliament. The worst thing they did was to use the system, that obnoxious system of Apartheid which they were practicing in South Africa from 1948, in Namibia. Where the mandate was to develop the people of Namibia towards independence. So, as a result here in the United Nations, we agitated throughout the distance of the African Group at the United Nations. In other words, from the time the African countries became independent, we started agitating for the independence of Namibia and the abolition of Apartheid in South Africa, of course, together with agitation for the independence of the other colonial territories that had been under Portugal, the British and the French.

JK: On this point, Namibia under South Africa was called South West Africa. How did it gain the name Namibia? Wasn't it the UN that declared the area was called Namibia?

JL: Yes, actually it was named by SWAPO, the South West African People's Organization, Namibia. So, it was informally or de facto "Namibia" in so far as the Namibian people were concerned. And then eventually, that name which was given to the territory by the Namibian liberation movement was adopted by the United Nations. So, it became Namibia here at the United Nations. In South Africa it remained South West Africa. Eventually, when the South Africans began negotiating, they would say South West Africa "slash" Namibia. So, of course, when we began independence, it became de jure Namibia.

JK: Then SWAPO gained observer status at the UN. Do you know how that came about?

JL: By a resolution, I can't remember the date because I was not here yet. By a resolution, the General Assembly decided to accord SWAPO a special status. They had special status because the United Nations claimed Namibia as its territory, a territory which we called the "sacred trust of mankind." This is a trust which is the responsibility of the United Nations and that's the reason why SWAPO had a special status, a status which was different the other observer liberation movements like the ANC and the PAC, for instance. The United Nations paid for the offices of SWAPO. They gave the

SWAPO representative a salary. Then, we created the Council for Namibia, which actually functioned like the government of Namibia in exile. My country was a member of the Council for Namibia, which was supposed to be the governing authority for Namibia.

JK: Like a trusteeship.

JL: Yes, except that when the Council for Namibia tried to send people to Namibia the South Africans said, "No." I remember somebody went and scooped some soil from Namibia, which we had as a symbol of our sovereignty over Namibia.

JK: Some soil.

JL: Soil, yes, soil from Namibia.

JK: When I interviewed Hage Geingob, who is the Prime Minister, he said that he was the representative of SWAPO for a period of time to the UN.

JL: That's right, he was the representative of SWAPO for a while here in the United Nations and then eventually he went when we established the Institute for Namibia. The Institute was designed to train future public servants for Namibia. We established it in Lusaka and he went there to be the first director.

JK: So, the Council for Namibia here was the entity that established the Institute.

JL: Yes, that's right. It was established by the United Nations through the instrumentality of the Council for Namibia. That is the Institute that thrived. It was a very famous institute of Namibia that Hage Geingob ran.

JK: In Lusaka, Zambia.

JL: Yes, in Lusaka, Zambia, and they trained a lot of people who are civil servants in Namibia.

JK: That was an excellent decision. How did they come that decision? Because wasn't that unique? I don't recall other institutes being set up.

JL: Yes, it was unique. The first unique thing was the establishment of the Council for Namibia to run the country, although we were running it from New York. There was no institute for South Africa, no institute for Palestine here, no institute for any other organization except for Namibia. As I say, Namibia was considered by the United Nations to be its favored child in the sense that it was a trust territory. Although the South Africans refused to allow it to be legally transferred from the defunct League of Nations to the United Nations in 1945. The fact remains that we here [at the UN] thought legally Namibia was under us, illegally under South Africa, legally under us. Some of us were very proud of the fact that this insistence by the United Nations that Namibia is

legally under us, was fulfilled in the sense that we went there under resolution 435 to manage the elections, to control the transition to independence, and nothing could be done without our permission. A lot of terrible things were done without our permission, of course, but everything that was to be done pursuant to resolution 435 had to have our stamp. The South Africans were held ransom by the United Nations because we were the ones who could say, "You cannot do this." We were the ones. Finally, we had the last laugh, in the sense that in the end it was us, not the South Africans, who satisfied the authenticity of the elections. We were the ones who had to make a statement to say the elections had been free and fair and therefore, "We have come to the end."

JK: It was very important.

JL: That is why the South Africans didn't like us there because they realized that what they had been denying us for so long finally we had won.

JK: During the year leading up to 1989, in 1988, what I found that was very strange that was going on, was that outside the country there was a lot of movement towards developing a process of peace negotiation. The Cuban troops in Angola would be removed. There were lots of discussions going on and there was a sense that finally independence would be achieved outside of Namibia. But during that year, inside Namibia there was tremendous turmoil. The students had gone on strike in the schools in the north, which had started all the students to boycott their schools. Then that in turn led to demonstrations by trade unions and all kinds of workers throughout the country. It

seemed as though there was a real disconnect between the peace process on the outside and the turmoil on the inside. I was wondering if in New York or in the negotiations on the peace process if there was some kind of connection. Was there any kind of connection between the two or were you aware of the fact that there was all this rioting and so forth going on in Namibia?

JL: Yes, exactly, we were aware and that was according to plan. When we were negotiating here, people were agitating. The revolution was going on inside Namibia. I was in South Africa during the negotiations and I observed the escalation of protests, the escalation of bloodshed in South Africa. Yes, yes, Mandela was sitting somewhere with President de Klerk. People were doing all sorts of things, burning things. In other words, the more progress became visible, that these people are really making progress towards a dispensation acceptable to all the parties, they escalated. In South Africa we were told that some of it was instigated by the so-called "fat force". That is some people in their existing security forces were trying to cause chaos in order to stall the negotiations. Part of it was simply that you don't leave anything to chance. You make sure that you accompany the negotiators with agitation on the streets. What they call rolling mass protests. Mass protests which are continuous in order to make sure that there is this accompanying protest which will give even more impetus to the negotiators.

JK: To keep the pressure on?

JL: To keep the pressure. So, that is what these students were doing in Namibia while we were trying to negotiate here. I can assure that nobody was going to say to those students, "Please, please, we are trying to make peace here; can't you keep quiet." No, because they were doing something that was complementary to the negotiations outside Namibia.

JK: You can't completely orchestrate that if there is no reason for the protests. So that because of the conditions of Apartheid and the role that the military and the police had played over the years. The spark of the protests, as I understand it, was that the military had placed their installations right next to schools, hospitals, and churches in order to make sure that these places were not giving food and support to SWAPO, to keep an eye on them, and then also to protect their military installations from attack by SWAPO. They would be very close to all these places. But it put the children in danger. And also, there was a certain kind of brutality going on. And I think the spark, if I understand correctly, the spark that set this off was that a girl, a student, in one of the schools had been raped by somebody in the military. This is the story, I don't know, but that is what started it. The students said we are not going to school here anymore because we are so vulnerable. And then everyone heard about that and then it spread. Of course, you have to have some kind of organization in order to spread that.

JL: Exactly, and then the other thing is that people apparently don't realize that – those of us who participated in all these negotiations discovered that -- the moment that you announce that you are making progress or you are going to start a negotiation

process, the oppressors inside escalate their tyranny and because they are escalating their tyranny, the resisters will escalate their resistance. So, in other words, as we were negotiating here to implement 435, the South African troops were becoming even more brutal. Because obviously they didn't want any solution for Namibia because a solution for Namibia meant nothing less than South Africa losing Namibia.

JK: Their solution was to apply more force and more intimidation.

JL: Exactly, and then to cause confusion so that you don't have a solution. And that is the same thing that happened in South Africa. The more Mandela was making progress, the more the police became murderers, killed so many people, particularly in the province of Natal.

JK: To really instill fear.

JL: Yes, that's right.

JK: That really helps to understand what was going on, very, very helpful.

JL: I'm sure the SWAPO who were inside were orchestrating the whole thing, choreographing the whole resistance, the escalation of the protests and so on. Because it was in their interest to make sure that people are not allowed to forget the possibility emanating from New York that there would soon be a peaceful end to the occupation of

Namibia by the implementation of resolution 435. So, you must continue to agitate; don't leave anything to chance.

JK: You also mentioned that there was a Group of 18. What was the Group of 18?

JL: The Group of 18: we appointed a Group of 18 from amongst the membership of the Non-aligned Movement. The Non-aligned Movement has 114 members, all from the developing world. We appointed this group and I was a member of the group. It was to look after the negotiations for the final touches of the implementation of resolution 435, i.e., the negotiations with the Security Council, the adoption of an implementing resolution in the Security Council, the discussion of the deployment of the troops, then, of course, finally the adoption of the budget for UNTAG in Namibia by the General Assembly.

JK: When did the Group of 18 come into existence?

JL: In the end of 1988. So, it was busy throughout 1989 until the adoption of the budget. This was the group that some historians will blame for having delayed the deployment of the troops in Namibia.

JK: Why?

JL: The consequences of which, as you know, was what happened on the 31st of March because the UN wasn't there on the border to see or to stop the SWAPO people from going inside. That is what some historians are saying, that we were responsible for the bloodshed.

JK: OK, so let's look at this.

JL: They say that the African Group, the Group of 18, the Non-aligned Movement were responsible for the bloodshed because we fought and fought and fought until there wasn't enough time to go and place the troops on the border before "D Day," which was midnight the 31st of March 1989.

JK: OK, so let's discuss this. The Group of 18 was all Africa countries?

JL: No, Cuba was there. There were countries from all the regions of the Non-aligned Movement, chaired by Zimbabwe, which was the chair of the Non-Aligned Movement.

JK: And you were a member of the Group of 18.

JL: Yes, I was a member.

JK: Explain to me what was going on with the issue of the budget? And what was the role of the Group of 18 in the crisis?

JL: Because they were reducing the budget.

JK: Who was?

JL: The big ones, the big ones, that is, the ones who pay a lot of money: the Americans, the British, the French, and the others. By that time, they had been joined by the Soviet Union. The Soviet Union, as you know, under Gorbechev had become almost a partner to the Americans, the British, and the others. Therefore, together they resisted. Let me start where I should have started with the budget issue. You see, what we were doing there had to do with the size of the force of the military component of UNTAG, the size of the civilian component of UNTAG, the size of the police, the size of the budget. These were things that were decided in 1978. So, now we were implementing 435 in 1989, eleven years later. Now we were saying, "No, you keep the levels where they were in 1978, in other words, 7,500 troops. And they were saying, "No, 4,600." We were saying, "No, you can't because the figures of the South African military and police presence in Namibia plus SWAPOL, the South West African Police, are so overwhelming that you cannot reduce the size of the military component of UNTAG. That is what delayed the negotiations. We were saying 7,500 and they wanted 4,600. They were cutting the budget, too, but I can't remember the figures now. They were also reducing the budget. They were saying that there was no longer need now that everybody had agreed that we were going to implement 435. There was no need to have a big army. There was no need to have a big budget. There was no need to have a big police force.

Negotiations at the United Nations are so complicated because you had 160 something countries negotiating. That's why it took so long and by the time we finished, the United Nations had a very short time during which to have the troops monitoring the cease-fire in place, on time. So, when the 31st came and we say, "Now, we start. There will be troops lining the whole border of Angola to make sure that nothing happens there." So, we are being blamed for the shortage of time that caused the border to be as porous as it became, tragically became.

JK: But your position was to uphold resolution 435.

JL: That's right exactly.

JK: And the other position was to reduce it, to change it.

JL: Yes, to change. We were saying, "No, no, no, this is what you agreed to in 1978.

JK: What was the compromise that you finally agreed to?

JL: Finally, we agreed on 4,600. And they said the rest would be reserves, if needed. We said, "What can we do?" That was the compromise. I forgot what amount of money we eventually got, but we didn't get what was promised. On the police, we started with a very small police force. There I must thank those who were resisting because eventually we went from, I think, 300 to eventually 1,500 police. Once we got in there, they

discovered that we were right in certain respects. But the troops were never brought to the level of 7,500.

JK: This brings me to a broader question that I have been struggling with all along. That is that UNTAG has been characterized as a big success which it definitely has been for Namibia and for the UN, but it never seemed to me that it was automatically going to be successful. Even though South Africa had agreed and the U.S. and the Soviet Union basically agreed to let this happen so you had the major powers involved importantly on board, but inside the country there was not necessarily the case that everybody wanted this to happen. When you talk to people they say, "Oh, UNTAG was successful because everybody wanted it to happen." But, in fact, inside Namibia, there were elements that didn't want it to happen.

JL: That's why they were killing people even as we were implementing the resolution.

JK: As you were implementing the resolution.

JL: Exactly, that's very true, very true. I'll tell you, we were so lucky that by 1988, Gorbachev had decided he wanted peace all over the world. He no longer wanted to engage in this interminable conflict with the West. He decided to cooperate with everybody here at the United Nations. He decided to cooperate with the Americans and the British in the implementation of resolution 435. This meant that this country, the Soviet Union, which was the big boy behind SWAPO's liberation struggle was going to

be even more important in the negotiations than the Americans and the British because it meant that they would be able to say to their friends in the liberation movement, "Peace, we want peace now, cooperate." Because in the past, the problem had always been that when you are negotiating with a liberation movement and you don't have the support of the power that supports the liberation struggle, you couldn't get anywhere. Because the liberation movement knew very well that if they thought they wouldn't get what they wanted from the negotiations, they could always go and fight because the provider of the weapons is still ready to provide weapons. You had this conspiracy, in a positive sense, a conspiracy of circumstances that made it possible for resolution 435 to be implemented. That is from the perspective of the international community. But inside, you had not necessarily the government of South Africa. I really have to say something about the government of South Africa that may be something that people may not accept. One of the reasons that we were successful was that the government of South Africa had come to the conclusion that that was the right time to allow Namibia to go free, but Namibia to go free not necessarily under SWAPO, Namibia to go free under somebody else. That is, for Namibia to go free under the DTA the party which is now the opposition in the parliament of Namibia. And they did their damnedest (sorry about that word), their best to make sure that the DTA won the elections against SWAPO. They confirmed that they themselves spent more than R 200 million.

JK: This is very key point that many people don't understand of what was going on inside Namibia and what manipulations were going on. And so, in fact, your Group of 18 which was saying, "We do need this level of force," was completely misunderstood.

JL: Yes, it was misunderstood because we knew and we were told. We had done research. We were told that every Namibian had at least ten weapons. And these were not necessarily people who were officially members of the military or members of the police. People on the streets had all kinds of weapons, including cultural ones. And therefore, how can you go there with a very small United Nations peacekeeping force and make sure that you can contain the situation in order for the elections to take place in an environment that is conducive to the freeness and fairness of the elections. That's why we were saying, "No, it is not because we want to swamp Namibia with international forces. We simply know that in that country, there are people who are not ready for Namibia's independence and they will do their best to resist."

There was a group there – I am sure when you were there you were told – trained to killed, called the Koevoet, the "crowbar," trained to kill. They were all over the place, mostly in Ovamboland. It is one of the groups we insisted on demobilizing before we even got to Namibia. What the South Africans did, they demobilized them and assimilated them into the police, the normal police. They just said that they would take off the uniform of Koevoet and "here is the police uniform." They put them in there. And these were people who were completely illiterate. That is how we discovered that they had been assimilated into the police because if they arrested somebody, they couldn't even write the name of the person they had arrested, let alone write a report as to why the person was arrested. So, that is the reason that we decided that we should have the

troops. The Group of 18 wasn't crazy. We simply wanted not to leave any stone untouched in so far as preparing for the unexpected in Namibia was concerned.

JK: We are still in the earlier part of the history, but there are some other questions that I wanted to ask you. It seems as though that when the SWAPO members came across the border of Angola on March 31st and April 1st, that it is possible that it happened because of some kind of miscommunication. I don't know if you had any understanding of what kind of communication between Sam Nujoma and the UN had gone on prior to that. Do you have any understanding of why Nujoma would authorize them to come across?

JL: Yes, I have. If I were Nujoma, I would have done the same thing.

JK: Why?

JL: This is not to suggest that if I did that, that I would be doing something free of risk. I'm sure he knew that he was really risking, not only risking the lives of the people who were being infiltrated, but risking the implementation of resolution 435, in which a lot of us had invested so much capital. If I were him, I would have done the same thing because unlike the Zimbabweans, for intense, in 1980 when they gained independence, SWAPO didn't have a lot of people inside Namibia. Throughout the 70s, we negotiated with the South Africans. It was a triangular negotiation process. The United Nations, the

South Africans, and the group called the Front-line States, to which my country belonged, we negotiated. We started in earnest after the adoption of resolution 435 in 1978.

Since 435 was implemented, there was the likelihood that you would find a group of SWAPO guerrillas roaming the countryside in Namibia. We thought, "Why can't we create assembly points for them where we can assemble them so that they don't become a security risk to the process of implementing 435. Because if they are in assembly points, it would be easy to police them. You simply surround them with UN people. Every time one of them is sick, you take them to the hospital and then you bring them back. This is what we had decided for the South African forces, three bases, two in the north and one in the south. So, we said, "If we are going to do this with the South Africans, why can't we do the same thing the SWAPO people." The South African's argument was, "There are no SWAPO people inside Namibia." Eventually, the negotiations collapsed and we failed.

That is where we still have a torrid argument with our SWAPO friends because the documents show that there was never an agreement with the South Africans and the United Nations that, "Yes, you can establish SWAPO bases inside Namibia at such-and-such a place or in such-and-such places just like the South Africans." That is why when we woke up on the 1st of April, 1989 to hear that SWAPO was inside, SWAPO was arguing that they had been allowed to have assembly points inside Namibia. A lot of us were, I can tell you, a little embarrassed because we wouldn't go to the radio and say, "They are lying." But we knew there had been no agreement. Actually, President

Yarabe(?) of Tanzania then who was chairman of the Front-line States when we were negotiating these assembly points, made a public statement to the effect that, "No, there had been no agreement that those who are inside should be assembled." What the SWAPO people did on the eve of the implementation of 435 was actually to make sure that they would have their own people inside. That is why I say that I would have also wished that by the time of the implementation of 435, I would have guerrillas all over Namibia, policing the situation. As I say, unfortunately, it was such a risky business and that is why more than 300 SWAPO people were killed. Then, of course, I would have also taken advantage, if the truth be said, I would have taken advantage, if I were SWAPO, of the fact that there were no UN people there. I would have covered that place; I would have infiltrated as many people as possible. So that by the time the UN blocked the border, I have a lot of people inside. In other words, the infiltration was so logical and yet so dangerous for 435 because we almost lost it.

JK: I understand that Nujoma had had a conversation with Marrack Goulding a couple of weeks before that period, and Marrack Goulding had told him that this was not going to be allowed. So, he knew.

JL: He knew.

JK: But, politically, he felt he needed to do that?

JL: I remember when the presidents of the Front-line States were at the meeting a few weeks after the infiltration in Luanda. I was told that the president of Angola, Dos Santos, when president Nujoma said, "No, no, no, we didn't infiltrate anybody," he said, "I know you did because you infiltrated from my country and that was illegal."

JK: I understand from interviewing Bishop Dumeni and others who were there and saw them coming across the border and so forth, that they were really coming across singing and not in a clandestine way. They were apparently coming across to assemble and turn in their weapons according to 435.

JL: Oh yes, I am told that some of them even climbed trees because as they were going around as they crossed the border, they didn't see any UN people. So, they even went up trees to find out where the UN people were. Why? Because they wanted to hand over their weapons to the UN people. That's why we were upset that although the South Africans knew that that was the case, they went and killed them. We said that if these people were coming to hand over their weapons, because that is what they said. They were going to hand over their weapons to UNTAG and there was no UNTAG there. Some of them actually came, as you say, singing, no weapons. They had left weapons there or they knew already that they had caches inside Namibia, anyway. For the South Africans to go there and kill so many of them, more than they had killed during the liberation war, was really tragic. That is why you have people saying that while the crossing itself was very risky, very dangerous because they knew that that could . . . . One other thing that I forgot to say is that one of the reasons why they crossed, I'm sure,

is that they knew that at that time when they crossed, the South African troops would have been assembled and surrounded by UNTAG which was the case. Because when they crossed, that is when the South African foreign minister went to Martti Ahtisaari and said to Martti Ahtisaari, "Unless you allow me to release some of my troops to react to the violation of agreement in the north there, I am going free all of the South African troops from the assembly points to send them there." That is why it was eventually agreed they could send a few troops there, "Don't send the whole lot of them." The argument has been made that if UNTAG had refused, the South Africans would have released all their troops with all their airplanes, with everything to go and cause even more damage than they did.

JK: The big mistake was that there were no UN troops there and there were no UN observers. So, the UN was blind.

JL: Yes, exactly, because we can now, with the help of hindsight, can say, for instance, if the UN had been there in full force, these people would have landed in the hands of the UN and they would have been protected by the UN. A few of them would have been caught before they got to the UN camps. But I am sure that if the UN had been there in full force, the South Africans would have found it very difficult to go shoot people in front of the UN troops. That is why I think we are to blame. That is why I used to argue when the Group of 18 or the African Group was accused of having delayed the conclusion of the negotiations there which caused the delay of the deployment of the UN troops on the border by "D Day." I used to say, "Why did we have to think that the "D

Day" was so sacrosanct that when we realized that we didn't have time to move the troops from all over Africa and Asia to Namibia, why didn't we postpone it? The response has always been, "No, no, postponing it would have been very dangerous because someone would have found an excuse to scuttle the process now that there was a window of opportunity to do that by postponing the actual starting of the implementation of the resolution." But I have always said that we almost lost the process.

JK: I think it is an important issue as a lesson learned for other missions, which may have similar consequences.

JL: No, you are very right because we said that in the future, never start the implementation of a peace agreement without the people who are supposed to police the implementation of that peace agreement. But we have learnt a lesson with Namibia.

JK: In another sense, there is another lesson in that while the South African military had been confined to base by that date, the police, including the Koevoet because the Koevoet was considered an arm of the police, were not confined.

JL: No, by agreement those were not to be confined. What we decided was that the police from the UN would be monitoring the activities of the police.

JK: But the police monitors weren't there.

JL: We did not want to do the policing ourselves. It would be very dangerous of us to go and take over a country and say to the police force who know all the corners, who know the people there, who know the farms and so on, and say, "Stay aside, we are now going to police." No, that is why the United Nations decided to have a force that was big enough to be able accompany the patrols by SWAPOL. Secondly, that is why we wanted Koevoet to be mobilized before we got there. The other thing, that is why we insisted that the size of SWAPOL, the police, be decreased. We said, "You must reduce the size." They always said that they had reduced it but, of course, we never knew whether they actually reduced the size of SWAPOL. The first figures were so big that we didn't think that the police component of UNTAG would be able to police such a big force in Namibia.

JK: From my understanding, having been in the north in Namibia on my recent trip there, that the first day that the SWAPO troops had come across . . . [end of first side]. We had been talking about the events of March 31st and April 1st of 1989. Of course, it is always easier to look back and begin to pick up the events and facts of what happened. In the first few days when the SWAPO troops had come across and apparently some had come to these center gathering points who were in Namibia – some SWAPO members were in Namibia – the first killings that took place of the SWAPO were done, as I understand, by the South West African Police and the Koevoet. Because they had not been confined and there were no UN police monitors to watch their behavior. The first rounds of killing, the 25 or 30 SWAPO that were killed in the first couple of days were really done by the police and Koevoet. Once the South African military was released

from its base, then remaining 300 or so were killed during that week. In fact, there was a lot of violence going on that could not be observed.

JL: No, because there were no UN troops there, no UN police and therefore, we go back to the argument, why did we stick to the original date of implementation instead of waiting we were sure that we had enough manpower on the borders to police the start of the cease-fire. Then you are very right because one of the things which people don't understand probably is that when we talk about SWAPOL, the South West African Police, we are not talking about police as you understand them or as I understand them. We are talking about anti-insurgency police, almost paramilitary police. These are people who are trained not to look after you or go hunting for thieves or murderers or something like that, these are police trained to hunt for SWAPO, to kill SWAPO. Let alone Koevoet, Koevoet was a murder squad. Therefore, [for the South Africans] to say that, "We had the police, the South African military was confined to bases . . . ." Those police were capable of killing as many SWAPO as the South African military would.

JK: Because they were really a kind of militia as you were just saying. It's so important when these kinds of political decisions are being made that, in fact, the real character of what is on the ground inside the country needs to be understood. When you use the word police, people think that the police are keeping law and order, but, in fact, that is not what those police were doing.

JL: It is the same with the South African police. That is the reason that up to now, they don't even know what to do with the violence now. Now they are being asked to

behave like real policemen. They have no inkling of what a community is or what community policing is. So, the violence is escalating because they are still in that mode of going out and wearing camouflage, looking for ANC, PAC guerrillas. It's the same.

JK: Last time, we had talked about the fact that you had been selected to become the Deputy Special Representative of the Secretary-General after this catastrophe of April 1st, partially because many people were angry at Ahtisaari for his decision. When you arrived in the country in Namibia, what was the nature then of the situation? Had the crisis calmed down? Had time been lost by the events of April 1st?

JL: The situation had calmed down. I remember there is one of my admirers who is a very prominent minister in the government of South Africa, who was then in some NGO in Europe. Every time he sees me he gets so excited. He says, "You know this man? He rescued the UNTAG process in Namibia. We must thank him. He is the one who made it possible for 435 to be implemented in faith. The Secretary-General didn't know what to do. Martti Ahtisaari had messed up things." I keep saying, by the way, when I got there, the situation was very calm. It had already been settled and under the very leadership, the very wise leadership of Martti Ahtisaari, the wise and fair leadership of Martti Ahtisaari. Therefore, I didn't contribute to the ending of the crisis which began on the 31st of March, to be very honest. I went there because the Secretary-General now realized that maybe some of the things that happened would not have happened if we had had somebody there who had come from the region, who had special understanding and who had come from the Front-line States. Therefore, I was sent there to beef up Martti

Ahtisaari's team. I cannot claim that I ended all the nonsense that started on the 31st of March. I cannot claim that the 435 was implemented because I was there, no. I just share the glory of the success that they achieved.

JK: But your appointment was a very important move because politically the perception of what was going on in Namibia by various different entities was such that someone did have to be there from the region, from one of the Front-line States just to add that perspective, in case there was another situation that arose where there might be a misunderstanding.

JL: Actually, it was a brilliant thing by the Secretary-General to say, "Let's have an African there who will help the Special Representative understand the situation, just have somebody there, for instance, who is a friend of all the SWAPO people from the president to the smallest member of SWAPO. I knew all those people. My country was a member of the Council for Namibia. I had spoken for them. My country's history is intertwined with the history of Namibia. Without tooting my own horn, it was a brilliant decision by the Secretary-General. In any case, we had argued with the Secretary-General for almost two years, saying to him, "When eventually 435 is implemented, make sure there is a deputy to Martti Ahtisaari." And he refused. He refused. President Kaunda of Zambia as the Chairman of the Front-line States wrote him a letter and said, "Mr. Secretary-General, it is in your interest to appoint a deputy from Africa to help Martti Ahtisaari." He refused.

JK: Why do you think he refused?

JL: Till today, it is a mystery. When I write my memoirs, I am really going to phone Pérez de Cuéllar or ask his people just to find out why. Because we became so angry and sometimes we became very unreasonable. Our demands became so strident, one was to the point of saying, "If you don't appoint a deputy, nothing is going to work there." And we didn't want to say on the 1st of April, "Didn't we tell you?" We didn't want to say that except some of my undiplomatic colleagues said that.

JK: But Martti Ahtisaari had been the Special Representative for Namibia for many, many years.

JL: From 1978, because he was the Commissioner for Namibia and at one point he was the Commissioner for Namibia and the Special Representative at the same time.

JK: Why was he selected to be in that position for all those years?

JL: He was well known by the chairman of the Front-line States, President [Julius] Nyerere, because he was once the ambassador of Finland in Tanzania. Finland, like other Nordic countries, had a great interest in Africa.

JK: Finland, through the Lutheran Church and the missionaries, had established a tremendous presence in the north of Namibia.

JL: Yes, all over Namibia, exactly. In retrospect, to tell you the truth, and not because I am a friend of Martti Ahtisaari, in retrospect, I say to myself, "Could we have had the kind of achievement we had if we didn't have Martti Ahtisaari as the Special Representative of the Secretary-General." Having worked with him for those months, I began to realize that you needed a Martti Ahtisaari who was capable of having a very thick skin, capable of having a very thick skin and yet a man who knew what you were doing. He knew 435 in and out. Sometimes I used to think that he was very unhappy when he thought that somebody hated him, when he would read something about some SWAPO somebody saying terrible things about him. I used to think that he looked so sad. I used to say, "You know, Martti, there is way that you are going to win some beauty prize by doing this kind of job. This kind of job is so difficult. Don't worry very much about people hating you, as long as you can do your job. The important thing is that at the end of the day, there must be freedom for Namibia. If there is freedom for Namibia, these people who hate you, they will be kissing you on both cheeks." Which is what happened.

In the end we were surprised because we had so many detractors from the United States, from South Africa, the NGOs, the trade unions, they would come there to this building, the Trotsky building, to confront us, saying, "You are cheating SWAPO; you are allowing the South Africans to get away with murder." You see. At one point, I said to Martti Ahtisaari and my colleagues, "You know, you are doing a wonderful job; we are still here in Namibia because the way we have been denounced if we had thin skins, we would

have left to go back to New York." I found it so easy for me to confront my own Front-line States and tell them that, "What I am here for is not to deliver independence to you but to the people of Namibia." Not to the Front-line States. "If there is cheating in UNTAG, I will be the first person to tell you, the Front-line States, that we are cheating; we are cheating SWAPO." Then I would say to SWAPO, "If I am not doing a good job – I am literally your representative in UNTAG – If I am not doing a good job, well you better tell me! I can go back to New York." Because they wanted their independence, they would say, "Well, just do this or this and just correct here and there." The others who were not Namibians would be coming denouncing us. "This is a sham." A lot of those people looked so embarrassed when eventually we stood on the steps of the Trotsky building and declared to the world that the elections had been free and fair. In the press, we were a warm ovation. I was standing there tall, looking for all the people who had been denouncing us. "Where are they now?"

JK: Where are they now, right. In terms of -- you were talking about people coming and talking to you and complaining – you had mentioned briefly in the earlier interview that there were members of the Security Council in Namibia watching UNTAG. What were their concerns? Why were they worried?

JL: That's why I wouldn't mind doing it again because it became so fascinating. You would have the trade unions from South Africa, from AWEPA in Western Europe, from the Front-line States who thought that they were the Godfathers of SWAPO. Then you have the American ambassador, the British ambassador, the Russian ambassador. Then I

discovered at one point that even the ambassador of the GDR [German Democratic Republic (East Germany)] was concerned that we were not going to pull it off because we were being too nice to the wrong side. The people we really depended on, to tell you the truth, to help us carry out our mandate were the members of the Security Council who were there. Because they were in touch with the Security Council here [in New York]. Even the Front-line States because they could cause a lot of trouble for us. Once we had the members of the Security Council, the British, the Americans, the Russians, and we had the Front-line States, we knew we were on the right track. But always being careful not to kowtow to any of them.

JK: So, these are the ambassadors from those countries to Namibia.

JL: Some of them were not even ambassadors. They were sent there just to represent their country for the implementation of UNTAG.

JK: Did you hold group meetings with some of these people?

JL: Yes, we held group meetings with them. We were the busiest people on earth because everybody thought that they were our policemen. The NDI [National Democratic Institute] from the United States used to send these huge delegations there as friends of SWAPO, some also not friends of SWAPO. They would come there and scream at us and condemn the legislation for the Namibian Electoral Act, the Registration Act. I used to say to Martti Ahtisaari, "You know, we must appreciate that this is an international

process. It is not just a process for the United Nations. It is a process for everybody. When these people come they bother us and sometimes waste our time, but we must always welcome them. We must always welcome them because it means that we are being kept on our toes. Sometimes some of them are helpful. Suddenly, we may realize that we can do something differently."

JK: You, UNTAG, were in a difficult position in a certain sense because the Administrator General, Louis Pienaar, as the government still of South West Africa, really was the one who was to establish the registration laws and the electoral laws and then you as UNTAG were to take a look at those and see if they were proper or not and then pressure him to change them. You really weren't an administrative force; you were an assistance force.

JL: I am glad you mentioned that because that is what many people forgot. I used to remind them, even the Front-line States, "By the way, have you read resolution 435?" Resolution 435 never said, "UNTAG, go to Namibia and take over the government of the country." No. "UNTAG, go to Namibia; implement 435; make sure that you control the process; make sure that you monitor the process; make sure that at every step you give your consent to what has been done." Been done by whom? By the government of Namibia in the person of the Administrator General. And the Administrator General was an employee of whom? Of the government of South Africa. He got his instructions from Pretoria. We have just mentioned that we had the Front-line States on this side and the members of the Security Council on this side and the trade unions on this side, AWEPA,

this side. I forgot to mention the other side; that is the South African government. The South African government was very pivotal in the implementation of resolution 435. Is they who had to agree that we implement it. So, at every turn we had to make sure that we were with them. And they had an Administrator General there who was not the most liberal on earth, and who sometimes took positions that were not even supported by the government in Pretoria.

JK: Wasn't he really representing the position that you were talking about earlier, the DTA, supporting them to be running the independent government.

JL: He was busy trying to subvert the process on behalf of the DTA. At one point, we even discovered that he was even visiting training camps of Koevoet. Clandestinely, if I can put it that way, visiting these camps. And this was a man who was supposed to be an impartial arbiter alongside UNTAG. That is how difficult the situation was. There is something that I think I mentioned last time, every document that we dealt with had to be produced in the first instance by the Administrator General, especially the acts and proclamations. He gives us a draft; we read the draft; the draft would be given to the political parties to study for at least three weeks. Martti Ahtisaari, myself, and our colleagues would read the document, send it to New York for the Secretary-General and the Security Council. Then the Secretary-General and his lawyers would say, "We don't like it. Go and tell the Administrator General we don't like the following things." We had our own lawyers there. Then we would go to Tintenpalast to go and negotiate.

Tintenpalast is that tall building when you go on the hill when you are in Windhoek, which is also the house of parliament now.

JK: Yes, right.

JL: So, you go to this beautiful German room and negotiate with the Administrator General who also, when we have our instructions from New York, has his instructions from Pretoria. "Don't accept this." And we have instructions from New York, "Don't accept this." We would negotiate but they knew that if eventually we don't agree, nothing going. That is how I tested the real sincerity of the South Africans that at least the process must succeed in accordance with their wishes. But at least they wanted something to come up at the end of the process and not to have the process be aborted.

JK: You would come into a situation like that where you had your instructions from New York. Louis Pienaar had his interests wherever they came from, and they didn't match. Now, you mentioned to me last time that, on some occasions, you would go on the airplane with Pienaar to Pretoria and meet with people there.

JL: To Pretoria, yes.

JK: So, what would happen in the meantime? When you got there, what happened?

JL: When we got there, we would go to the guesthouse there, a nice guesthouse in the hills of Pretoria, and then we meet and have lunch. Then we would say the following to South Africa, "There is a danger that the process will be scuttled if you insist on the following things in this proclamation and there is a danger that you might be faced with a meeting of the Security Council to debate your stalling tactics, and so on. Is that what you want?" We always got a positive response from the government of South Africa if we went to Pretoria. We never went to Pretoria and came back empty handed. When we went to Pretoria, we always made sure that we dramatized the situation. That is, "You will be faced with a situation where we fail. And if we fail, what happens?" And I remember, Pik Botha would always shout, "No, no, no, we must not allow this process to fail. What will happen to South Africa if it fails?" I used to say, "Thank God."

JK: I am very interested in how one gains leverage in these instances. So, in the meantime, when you were going there on the airplane, did you set up for Front-line States or Security Council members to call ahead to South Africa?

JL: The Secretary-General would do that. You see, the members of the Security Council in Windhoek would know our difficulties with the South Africans. They were not just sitting there doing nothing. Every time they discovered that there might be a crisis, they would call Pretoria. The Secretary-General would call Pretoria. So, when we would go to Pretoria. We would be going to talk to people who had already been warned that, "If you don't cooperate with UNTAG, there is going to be trouble." I am told that every time we had one of these crises, the members of the Security Council would say,

"By the way, if this time something happens with the South Africans and the process is destroyed and the Africans come to the Security Council to ask for sanctions, it would be difficult for us not to support sanctions."

JK: OK, that is a key element. So, then you would arrive with Pienaar and you would have this lunch. OK, a lot of the leverage was in place. But this then had to be conveyed to the Administrator General, right?

JL: In his presence.

JK: In his presence and witnessed by you.

JL: Which was painful for us, always painful, to tell you the truth. I remember we went on his plane, his own plane.

JK: Pienaar's plane?

JL: On Pienaar's plane, and he was cornered in our presence and we had to go back home on his plane.

JK: And he was embarrassed.

JL: He was embarrassed; he was embarrassed. And Martti Ahtisaari felt for him that maybe the foreign minister should not have done that in our presence.

JK: On the other hand, that is part of the pressure that has to be placed because he would need you to be the witness to this so that when you got back to Windhoek, you would have to have a different kind of working relationship. In other words, Louis Pienaar would be told in your presence that he needed to cooperate.

JL: So that we knew that he had been told.

JK: Right, you could hold him to it.

JL: Of course, the final decision was made by the president of South Africa. We always got the official thing the following day. He would send a fax to us, saying, "We agree with you. We have agreed to amend the following, and they would produce another draft. One time, the electoral proclamation, we sent it to DTA and they rejected the whole thing. That is the one that took the longest. Then the NGOs and the others were coming to condemn us for not moving fast. Yet, we eventually completed the process one week in advance of the date stipulated in resolution 435, instead of the 1st of April, the 21st of March.

JK: As the elections approached, there was another crisis. One of the SWAPO leaders, Anton Lubowski, who was in Namibia, was assassinated.

JL: Yes, a very good man.

JK: And he was actually white.

JL: He was a nice man, very nice, a truly attractive Namibian with long wavy hair, a very flashy lawyer. It was such a waste.

JK: Why was he picked out to be assassinated and then how did the UN try to calm the situation after that happened?

JL: I think one of the reasons, Jean, I can tell you because he was a white member of SWAPO. Those people really hated any white person who crossed the color line to go and help "these black people who want to take our country." Anton Lubowski was very vocal and very articulate. He was buried in the township; he wasn't even buried in a white cemetery. He was buried in Katutura. I remember about four days before he was assassinated, my wife was visiting Windhoek and we went to his house that was on top of a hill. We went to his house for a drink. It was the first time that I met him in person, talked with him, shook his hand and so forth. I remember saying, "You know, the stairways up to your house are so exposed with all these houses on the other hill, somebody could just kill you without you knowing." That's what I was saying, joking with him. "Why don't you go into the house from the backside?" Because when we

came, he came out and he was standing there exposed. He knew that they were looking not only for him but all the SWAPO people to kill.

JK: Was there a kind of hit list?

JL: Oh yes, there was a hit list.

JK: They had a hit list that people knew about?

JL: They had a hit list. I don't know if he was on the hit list but they had a hit list.

JK: And this was a hit list made by DTA?

JL: Yes, and actually I am told that the way he was killed was next to his gate where I thought he was standing when we got there.

JK: So, it was a place where he was very exposed.

JL: Very exposed, opening a gate during the night there when you are a prominent member of SWAPO, black or white, at that time you were endangering your life. We were endangering our lives. One of our colleagues whose house was not very far from mine, they wanted to kill him. At one time, we wanted to put a stretcher in our guarded area so he could sleep there. Because the UNTAG area was surrounded by security. The

regulations were that the only people who were to be protected were me, Martti Ahtisaari, and General Prem Chand. My house was surrounded by the Kenyan troops. So, it was dangerous for everybody, but more dangerous for the SWAPO people.

JK: So, the tensions were still really high. This is something that I think people really need to understand. This was just not a piece of cake.

JL: The tensions were so high, I remember the *Namibian*, the newspaper. There is a lady there, very strong willed, very "betit", Gwen Lister, the editor. Gwen Lister at one time phoned me and said, "You know, Deputy Special Representative, I have never met you but I really meet you and interview to find out what makes you tick. So, jokingly I said, "I can invite you to lunch so that you can interview me around lunch." Then she ended up sending to me two journalists to the Trotsky Building to interview me. They interviewed me for two days. They serialized the interview. And the leader of intelligence in SWAPOL wrote a very nasty thing about me.

JK: This was SWAPOL?

JL: Yes, on what I said because I was condemning the police, condemning Koevoet, including the Administrator General. It was almost a comedy of errors. The Administrator General in the last article of the serial of my interview came the day we were leaving to go to Pretoria. And that was the portion where I said, "I think the South African government is on notice that if this thing fails, they are in trouble." Then I said

something about the Administrator General, that if he doesn't restrain his police, he is also in trouble. Then Martti phoned me and said, "By the way, we are going to Pretoria with the Administrator General. When I saw him at the airport, I saw him standing there by the airplane. They were waiting for me. I saw him reading the article.

JK: He was reading the article?

JL: Yes, exactly the article. He had a very conservative look; I could see that he was very unhappy, very unhappy. He only reacted after we came back.

JK: After the assassination of Anton Lubowski, what kinds of things did you do to calm the tensions because there could have been riots or some kind of reaction?

JL: At that time when it happened, I wasn't in Namibia; I was in Cuba, representing UNTAG there at the Joint Military Commission. I don't remember any violence. I don't think so. But you see, it was very close to the return of the leaders of SWAPO.

JK: I understand that there were things written – I don't if they were posters or signs or things written on the wall – that said, "Sam Nujoma, you are next" or something like that.

JL: Oh yes, and one of those things, one of the walls, was in front of the Kalahari Sands Hotel. Is that where you stayed? Right in the center of town?

JK: No, Safari.

JL: Oh, you stayed at Safari. There is one of the old hotels in the center of town called the Kalahari Sands. There was a wall there that said, "Nujoma, murderer, we are coming for you." We tried to say that they had to remove all those things. And they refused. Because we said this is inciting people to murder the leaders of the political parties in Namibia.

JK: Was the UN able through the Police Monitors to try to investigate this assassination because there were others?

JL: We investigated everything. Everything was investigated, even the little things. I used to crack joke about our obsession, of course our involuntary obsession, with investigations. We used to have a task force and every morning we would start the day by meeting, myself, Martti Ahtisaari, Prem Chand, Steven Fanning, the chief of police. We would all meet and they were all crisis meetings because over night the faxes would be coming from the ten regions we had established and sometimes from the small sub-regions. I remember someone was saying that they had seen planes flying from some airstrip in the west of Windhoek, right in the dunes there, in the desert. We investigated only to discover that there was no airstrip.

JK: So, there couldn't have been an airplane landing there.

JL: They couldn't even land there. So, we were investigating everything, any rumors that we were told because we had to report to the Secretary-General

JK: That was done then on almost a daily basis.

JL: Yes, on a daily basis. Because we were not in charge of policing the country, most of the investigations were done on our insistence. We would say to the police, "You go and investigate and we will send our people to make sure that they investigate properly."

JK: We have a couple more questions. Regarding the South West African Broadcasting Corporation, SWABC, it was found that the radio broadcasts, which were a key element in Namibia with many people not being able to read, the radio was very important, that the broadcasts were very biased.

JL: It was obvious, they were very biased. We fought them to the end. We succeeded about 80%. We did not succeed completely.

JK: I understand that in the last couple of weeks before the election, it was really key that the radio not be biased. In fact, UNTAG put pressure on the administration of the radio station to actually remove the people who were setting that policy.

JL: Exactly, we worked very on that because we knew that you cannot talk about free and fair elections when the media, especially the television, was so blatantly biased. One time they called me and they said that they were going to ask me a few innocent questions. Then I discovered that they really wanted to embarrass me. They really wanted to accuse UNTAG of continuing to support SWAPO. They were really terrible. But we fought them so hard that by the time the elections came, they were not perfect but they were better than before. Eventually, we were able to have all the political parties broadcast their messages through SWABC. They were refusing at the beginning. Then we had a chunk of space for UNTAG to broadcast.

JK: Over their broadcasting system.

JL: Over their broadcasting system. We also had our own voter education. So, we broadcast our voter education program through their system.

JK: Talking about the radio still, as I understand, in the first few days that the election results were coming in and were being reported, the results were being reported from the south part of Namibia first. The DTA was very strong there.

JL: They were winning everything.

JK: The DTA was winning everything.

JL: SWAPO won only one little place called Maltahöhe, one tiny little hamlet called Maltahöhe. Because when the news was coming in, I was standing there and I was joking with the SWAPO people. They had an open box for counting. So when they counted and SWAPO won, they dropped it into this box. The boxes which had the names of the parties were sitting on a long table. I remember at one point, because the door was open, there was nothing going into the SWAPO box and it was blown away by the wind.

JK: Oh, because it was so light.

JL: Because it was so light.

JK: Oh my God! What was the reaction when these kinds of messages were coming over the radio? Was the UN worried?

JL: No, but a lot of people were worried because it went on the whole day. I was sleeping at 4:00 in the morning. I had just left the trade fair grounds where we were counting. And I just said let me go and sleep for a while because I hope that this is something that we have just been scared. This is not going to continue. But let me go and sleep and then I'll go back there.

JK: This was in Windhoek when the ballots were coming in.

JL: That's right, in Windhoek. When I had left, SWAPO had only won Maltahöhe, this little place. I slept and then the Prime Minister now, Hage Geingob, called me from a hotel near the Etosha Pan in the north. He called me by my first name and said, "Joe, if you don't rig the elections, I am going for a landslide." I almost jumped out of bed. Maybe the results had been coming and now they are going for a landslide. So, I said to him, "What the hell (sorry) are you talking about, a landslide, here you are losing." So, he laughed and said, "I'm going for a landslide if you don't rig the elections right now. The lights have gone off in Ovamboland." This was the stronghold of SWAPO. More than 55% came from there then. I said, "The lights have gone off?" He said, "Yes, somebody is trying to rig the elections, the lights have gone off." It was true but for a very brief time. Somebody was trying to sabotage the counting.

JK: Really, the electricity went off?

JL: Yes, it went off in Ovamboland and it did also in Windhoek. I said, "How is it going now?" And he said, "No, we are still behind." So, I woke up. I wasn't sleeping so, I woke up and went. It was dangerous that night because we thought we were all going to be killed if suddenly they realized that SWAPO was winning. I got up and went out and got into the car and went back to the counting place. That is when I discovered that Windhoek was coming.

JK: The voting from Windhoek was coming in?

JL: One side of Windhoek was a landslide by SWAPO, in the western part of Windhoek, absolutely trounced them. Then from the east where the whites are: DTA. Then by the morning, Ovamboland had reported. So that was a big relief for SWAPO. To tell you the truth, I never thought and there was no way that SWAPO could lose. They will not get the 2/3 majority but they will get the majority of seats, not the 2/3 majority, which is what happened.

JK: But people were nervous in the beginning.

JL: They were nervous. One SWAPO friend told me that he lay on the bed and said to his wife, "Can you rub my chest, I think I am having a heart attack."

JK: [second side of the tape] I wanted you to finish the story because we were talking about the election results first coming back with the DTA winning. So, everyone was really nervous. You mentioned that one of the SWAPO members was afraid he was having a heart attack.

JL: That's right. What people didn't realize is the south is sparsely populated, very small population. You have Keetmanshoop and one other place with a bigger population. But otherwise, the rest of the population is north of Windhoek and east of Windhoek. East of Windhoek was DTA. Then the whole notch from Popa to Katima Mulilo on the border with Zambia was SWAPO. I knew that SWAPO was going to win; there was no way that SWAPO was going to lose. Still they wanted a 2/3 majority. When I saw the

results from the south and from some parts of Windhoek, I said, "No, I don't think they will be able to win the 2/3 majority. Plus the fact that the west which is Damaraland had a strong Damaraland party which got a lot of seats which could have gone to SWAPO.

JK: There were other opposition parties besides DTA.

JL: Then SWAPO managed to scrape by in Swakopmund, the west coast. But, otherwise, the whole north belonged to them. Eventually, they ended up with 42 seats, which was big enough.

JK: On the other hand though, by not gaining 2/3, did that affect how the Constitution would be written? Because they couldn't push through everything on their own.

JL: It obviously did because if they had taken the 2/3 majority, they would have included a lot of things which were left out because the others insisted on those things being left out. In the beginning there were some who wanted, for instance, the death penalty. We, the United Nations, didn't want the death penalty. We said to them, "Since the constitution has to go through the Security Council, we don't want to have a breakdown in the Security Council. The Security Council has said that cannot approve the constitution which advocates the death penalty." Eventually, the Secretary-General instructed Martti Ahtisaari to very carefully approach the SWAPO people and carefully suggest to them that it would be tragic that after they had been hanged by the South Africans – their people were hanged left and right by the South Africans – they should

also have in their constitution a mechanism for hanging people when they have become the government. Eventually, after scolding us for interfering in their internal affairs, they agreed to remove the provision. Because there were all sorts of lawyers and professors who had been sent to us from Germany, many countries in Europe, saying to us, "Please, please, you cannot have the death penalty." So, eventually, they didn't have it.

JK: Had SWAPO initially wanted to have the death penalty?

JL: There were some of them who wanted it. They would say, "What do you do with all these people who have murdered left and right?" It was just like the South African situation where they got rid of the death penalty. Right now, I am told that if you had a referendum in South Africa, you would probably get about 99% to restore the death penalty. But, otherwise, they would have included a lot of other things. I don't know if the death penalty would eventually have been included. But with 2/3 majority you can do anything. After the second elections, they had 2/3 majority and they allowed the president to run for a third term.

JK: The first time around, they did not get the 2/3, but the second time, they got their 2/3.

JL: A big majority, more than 2/3.

JK: The first time around when they did not get the 2/3, they got the majority, but not the 2/3. Was any of that increased voting for the opposition enhanced by people being able to come into Namibia from South Africa and go home?

JL: No, very little. We discovered that it wasn't a lot. In the beginning, we thought that it was going to be a lot. We saw figures in the first instance and we said, "God help us. How can we allow people who have absolutely nothing to do with Namibia to come and affect the outcome of the elections and in such a blatant way, because they came to vote outside of Namibia. They would come from Johannesburg by airplane and while the airplane is refueling to go back to Johannesburg, they are voting. And they vote and go back to board the plane. To go and set up voting booths at the airport to me was the height of insult for Namibia, to tell you the truth. They were showing that they don't belong to Namibia. They just vote there for the DTA and go back to South Africa. That was where, I thought, if people wanted to condemn UNTAG, maybe that is what they should condemn us for. The only problem is that we were not the only decision maker on who should vote and who should not vote. For years the African Movement had opposed the idea that anybody who doesn't live in Namibia should be able to vote. Anybody who can claim to have a distant connection with Namibia through his ancestors should be allowed to vote. But we failed. We failed even before I went there. When I got there, the law had already been adopted.

JK: But apparently, it didn't affect the numbers.

JL: No, it didn't the number that much. I can tell you that after the elections, I was asked by SWABC for a New Year's message. My New Year's message to some people was controversial, I congratulated Namibia for a successful election and then I used words that I didn't regret because in retrospect I discovered that I was so right, right to the point. I said, "The results of the elections in Namibia are a God send. Almighty God himself in his wisdom decided that SWAPO would win and win big and that the other parties would win and win so reasonably well so that the first parliament of Namibia will be a parliament of national reconciliation. You would have SWAPO there able to rule and you would have the opposition in a big enough number to say to SWAPO, "No, no, no, you can't do things that way."

I said that I didn't sleep very well because I knew my SWAPO friends were going to be very angry because they wanted their 2/3 majority. But I only met one SWAPO friend who was angry with me and kept on saying, "How can you now congratulate us for losing." I said, "What do you mean for losing? Have you lost? You won the elections. This is democracy. I come from the oldest democracy in Africa, my friend. You are lucky you have won 42 seats and you should be grateful that your democracy will not be like the democracy my own country." At that time, we had only three members in the opposition. The ruling party almost wiped everybody out. So, I said, "We are even embarrassed by the smallness of the opposition. Although we are a democracy, we think you are lucky to have 30 members of the opposition. They got 42 votes and all the other parties together have 30." He said, "Is that right?" I told him, "You must learn about democracy."

JK: That is what democracy is.

JL: This is what democracy is all about. Then these very same people when I saw them a few months later in New York, they were so proud. They were so proud. One of them said, "Democracy in Botswana is threatened because you almost wiped out the opposition. That is a one party state."

JK: So, then they understood what you meant.

JL: So, then they understood what I meant. What I was saying was that it was "good for you to start like that because a 2/3 majority does silly things sometimes." It is good to start that way where you have the sons and daughters of Namibia sitting on both sides of the aisle in parliament trying to run their country.

JK: It was also important for them for everyone to stay, to stay in Namibia and the feel that the investments that they had made over the generations whether they were black or white were going to be respected and that they had a voice. One of the strong parts of Namibia today is that most everybody stayed and took responsibility.

JL: You are very right. I said to the SWAPO people, "Look, you have Mudge; you have Pretorias; and there were a few other white people in parliament. Consider yourself lucky because you may be a non-racial country but you have white people in your

country, Germans, Afrikaaners, in your country." They knew that in 1978 when they thought that we were going to implement 435, the German Foreign Minister was telling me in 1989, almost 50% of all the Germans left to go back to Germany.

JK: In 1978?

JL: In 1978, they were so frightened, but the difference was that in 1989, they stayed. I remember one Afrikaaner trying to sell me his house. His house was near the residence where I stayed. He was trying to sell me the house, so I said, "Where are you going?" He said, "I am going to South Africa; I am renting this house." So, I said, "Why are you leaving such a wonderful house in a wonderful country?" He said, "I just want to take my children out to watch the situation unfold from the other side of the border." He sold the house. He didn't sell it to me but he sold it to somebody else. They used to invite me to dinner there. Then I discovered that he didn't go to South Africa; he went to Walvis Bay. At that time, Walvis Bay was South African. He went to Walvis Bay. He kept his money after selling that house. When he discovered that President Nujoma doesn't have horns and that there was Mudge in Africa, in parliament saying all kinds of things about Nujoma and not being imprisoned, he went back to Windhoek and bought a beautiful house, actually built a beautiful house.

JK: They were somewhat worried.

JL: Some were worried. Some left but not the magnitude of 1978. In 1978, they almost lost all the white people from Namibia. They really thought that they were in danger once 435 was adopted in the Security Council. Today, Namibia is a wonderful country. You have a prosperous black people, prosperous white people. As a result, those elections were good. They were good elections, designed for national reconciliation.

JK: Well, I know that you need to go and I need to go, but to conclude . . . .

JL: We are going to discuss the Millennium Assembly with the South Africans. We are planning a Millennium Assembly, a big thing with all the presidents coming to New York to talk about what they want things to look like in the next millennium.

JK: Thank you so much for taking this extra time to do this.

JL: I always enjoy talking about Namibia.

JK: Thanks so much.

Yale-UN Oral History
Legwaila Joseph Legwaila
May 11, 1999
New York City, New York
Interviewer: Jean Krasno
[Second interview]

Name Index: Namibia