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LETTER DATED 4 APRIL 1989 FROM THE PERMANENT REPRESENTATIVE OF SOUTH
AFRICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose the text of a letter dated 4 April 1989 from the
Minister of Foreign Affairs of South Africa concerning the continuation of the
grave events in Namibia about which he wrote to you on 2 April 1989 (S/20557).

I have been instructed to request that it be circulated as a document of the
Security Council.

(Signed) Jeremy B. SHEARAR
Permanent Representative

Annex

Letter dated 4 April 1989 from the Minister for Foreign Affairs
of South Africa addressed to the Secretary-General

With reference to my letter to you of 2 April 1989 (S/20557), I regret to inform you that I have now received further disconcerting evidence to the effect that:

- Over 1,000 SWAPO (PLAN) forces have now infiltrated into Namibia;
- Over the period 21 to 30 March 1988, SWAPO forces of the First Mechanised Brigade redeployed from Lubango to locations at Xangongo and Techipa (i.e. from 300 kilometres north of the Namibia/Angola border to approximately 70 and 50 kilometres from the border, respectively);
- SWAPO tank elements were moved from Luanda to the border area during the same period to be deployed for offensive action into Namibia;
- Approximately 4,450 SWAPO forces are now deployed south of the 16th parallel;
- Two mixed PLAN/Cuban semi-conventional battalions of a strength of 450 each are positioned 600 metres north of Beacon 12 on the border and at Ongiva airfield respectively;
- SWAPO elements inside Namibia are in continuous radio contact with their command posts in Angola.

It is my duty to bring to your attention that unless active and effective measures are taken to stem the rapid deterioration of the situation, the whole peace process in Namibia is in danger of collapse.

The President of the Security Council, Ambassador A. Belonogov, yesterday stated, inter alia:

"In my view, the interests of independence of Namibia require full co-operation of the parties with the Secretary-General and his Special Representative and scrupulous respect for the agreements relating to the settlement plan."

There can be no doubt as to what the agreements referred to by Ambassador Belonogov, and endorsed by the Security Council, require of each of the parties. What are the obligations undertaken by SWAPO under these agreements?

- On 12 August 1988, the President of SWAPO informed you by letter that SWAPO had agreed to comply with the commencement of the cessation of all hostile acts, in accordance with the Geneva agreement. He also stated that SWAPO would be ready to abide by that agreement until the formal

cease-fire under resolution 435 (1978). (Paragraph 10 of your report S/20412 of 23 January 1989 to the Security Council.)

- Paragraph 5 of the Geneva agreement referred to provides that Angola and Cuba "shall use their good offices so that once the total withdrawal of South African troops from Angola is completed, and within the context also of the cessation of hostilities in Namibia, SWAPO's forces will be deployed to the north of the 16th parallel".
- Various of the relevant agreements affirm the principle of abstention from the threat or use of force against the territorial integrity of States.
- On 18 March 1989, in a letter to you, the President of SWAPO confirmed SWAPO's agreement to abide by the cease-fire from 1 April 1989 and reconfirmed SWAPO's acceptance of the de facto cessation of hostilities "in and around Namibia between South Africa and SWAPO, in accordance with the Geneva Protocol of 5 August 1988".

Since the above obligations were endorsed by the Security Council, the South African Government would be grateful if you would as soon as possible confirm that the Council is willing to do everything in its power to secure SWAPO's compliance with them. If not, must the South African Government assume that the Council is now of the opinion that SWAPO is no longer bound by its obligations?

The facts of the developments over the past three days speak for themselves. Heavily armed SWAPO personnel crossed the Namibian/Angolan border in large numbers on 1 April 1989. They carried with them not only semi-automatic rifles but also mortars, anti-tank weapons and ground-to-air missiles. On their own evidence they were instructed to enter Namibia and establish bases inside the Territory. These facts are borne out by the report of the Special Representative.

You will realize, Sir, that the South African Government cannot be expected to implement its undertakings under the relevant agreements while SWAPO continues to act in flagrant violation of the provisions of those agreements with the acquiescence, tacit or otherwise, of the Security Council. In such circumstances South Africa has the undoubted right to suspend its compliance with its obligations. If, on the other hand, it is alleged that South Africa is in breach of its own obligations under the agreements, I shall be glad to learn which they are and how they have been breached.

In conclusion, SWAPO must now face up to the realities. Effective and immediate steps must be taken to ensure its compliance with all its obligations. Otherwise, in the exercise of its rights, the South African Government will have no option but to consider its reciprocal obligations suspended until such time as UNTAG is in a position to ensure SWAPO's scrupulous observance of the provisions of the relevant agreements.

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

