



# Anti-Apartheid Movement

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is in Consultative Status with  
the Economic and Social Council  
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BRITAIN AND NAMIBIA

A MEMORANDUM TO THE FOREIGN AND COMMONWEALTH SECRETARY

1 May 1985

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Recent events have once more focused international attention on the situation in Namibia. On 18th April 1985 the South African President announced the establishment of an "interim government" for the territory. This move has been widely regarded as a prelude to a unilateral declaration of Namibia's independence by South Africa.

Our concern has been reinforced by the statement to the South African Parliament on 26th April by the Foreign Minister Pik Botha:

"South Africa has made it clear to the West and the world that it has the right to, unilaterally, terminate its presence and administration in South West Africa. I don't say we will do it or that it is under consideration at this moment but it is an option."

The announcement on the 18th April was preceded by a statement that South African troops were to be finally withdrawn from the People's Republic of Angola although subsequent reports indicate that this troop withdrawal has not in fact been completed and that the South Africans are continuing to violate Angolan airspace.

At the same time, the lack of progress towards Namibia's independence is giving rise to growing international concern. In New Delhi from 19-21 April 1985 under the Chairmanship of H.E. Mr. Rajiv Gandhi, the Prime Minister of India, an Extraordinary Ministerial Meeting on Namibia of the Co-ordinating Bureau of Non-Aligned Countries took place. It decided to mandate the Chairman of the Co-ordinating Bureau in New York:

"to convey to the UN Secretary General the deep concern of the Movement of Non-Aligned Countries at the continuing failure to bring about the independence of Namibia and the latest attempts by Pretoria to create a fait accompli."

The meeting also decided to request the convening of an urgent meeting of the UN Security Council to consider the question of Namibia and proposed that the Foreign Ministers of 18 Non-Aligned States personally participate in this meeting.

There has been similar concern expressed amongst Commonwealth Member States. A specially convened meeting to discuss Namibia and other developments in Southern Africa took place on 25th April in London of the Commonwealth Committee on Southern Africa.

The British Government's initial response to these developments over Namibia was made by the Secretary of State for Foreign and Commonwealth Affairs in his address to the House of Commons on 25th April during a debate on Foreign Affairs:

"Peace in the region, of course, also requires a solution to the Namibia problem. I was able to discuss this in depth earlier this year with the Heads of Government in Zimbabwe, Zambia and Kenya. The interim administration for Namibia, announced on 18th April, can be no substitute for internationally recognised independence on the basis of free and fair elections. This is what is provided for in United Nations Security Council resolution 435, to which all parties remain committed. We shall continue to press for its implementation and give our full support to the negotiations now being conducted by the United States."

We believe that recent developments should lead to a much wider review of British and Western policy and in particular an urgent reassessment of Britain's "full support to the negotiations now being conducted by the United States."

#### BACKGROUND

The history of the negotiations over Namibia has been well documented. It is now almost eight years since the establishment of the "Contact Group" was announced and it will be seven years this September since the adoption of the UN SCR 435 and the UN decolonisation plan for Namibia.

In a memorandum entitled "Britain and Namibia - A Time to Change Course" which was presented to the then Minister of State Cranley Onslow MP on 28th February 1983, the AAM assessed the failure over the previous five years to make progress over Namibian independence.

The Memorandum stated that "there has been no progress towards the implementation of UN SCR 435 because of South African determination to procrastinate and to obstruct the achievement of independence for Namibia". It added "currently it is the insistence of the United States administration on progress on Cuban withdrawal which has become the main cause for impasse in the negotiations."

In the period since the presentation of this Memorandum the main obstacle has continued to be "linkage". We welcomed the adoption of UN Security Council Resolution 539 on 28th October 1983 which rejected "linkage" and the similar rejection by the Commonwealth Heads of Government Summit in New Delhi in November 1983. The British Government supported both decisions.

However when Mrs Thatcher reported to Parliament 5th June 1984 on her meeting with PW Botha the previous Saturday she stated:

"I do not believe that that (independence for Namibia) will occur until there is, in parallel, also the withdrawal of Cuban forces from Angola".

The Government now takes the view that linkage is a "reality". As the Foreign Secretary stated in the House of Commons on 23rd January 1985 on his return from his visit to Africa, "we do

not recognise it as a precondition for settlement, but the fact that a linkage has been made cannot be ignored if a settlement is to be reached."

In the same statement the Foreign Secretary expressed the view of the Government that:

"One must recognise that the best possible prospect for settlement lies in the negotiations now led by the United States"

### Britain's Responsibilities

Britain has a three-fold responsibility for the situation in Namibia:

- a) the original League of Nations Mandate was granted to the British Crown. Although it was agreed that the Mandate would be administered by South Africa it was not a sovereign state and Britain has clearly a continuing responsibility
- b) Namibia is the only territory in the world for which the international community and the UN in particular has a specific responsibility. Britain as a Permanent Member of the UN Security Council thus has a special responsibility for Namibia and in particular to ensure the implementation of UN Security Council Resolutions on Namibia
- c) Britain, as a Member of the Contact Group, which was involved in the negotiations to draw up the UN plan for Namibia has a responsibility to ensure the implementation of UNSCR 435

There are in addition wider British responsibilities. It is the major foreign investor in the territory apart from South Africa itself; it trades extensively with Namibia; and South Africa's military occupation is dependent on extensive British support including military equipment, fuel, finance etc.

### BRITISH POLICY

We welcome the Foreign Secretary's reaffirmation of Britain's commitment to the implementation of UN SCR 435. However we believe that there is an urgent need to review the basis of British policy to Namibia as a whole. We would urge consideration of the following points:

- a) UN termination of the mandate: We are aware of the view taken by successive British governments not to recognise the decision of the UN General Assembly in 1966 to revoke South Africa's mandate and the subsequent rejection of the International Court of Justice's Advisory Opinion. In this respect British policy is in conflict with the United States. Addressing the US Congress on 21st February 1985, Assistant Secretary of State for African Affairs, Chester Crocker reaffirmed the United States' recognition of the termination of the mandate. As a result of this policy the UK refuses to contribute to the international community's efforts to protect Namibia's natural resources.

We believe that the British government should urgently reconsider its policy with a view to accepting the legality of the General Assembly's decision and to implement measures resulting from the termination of the mandate such as Decree No 1

- b) British "de facto" recognition of South Africa's illegal administration: We believe that British policy has amounted to a "de facto" recognition of South Africa's illegal administration. This arises both as a result of British trade with and investment in Namibia but also through the recognition which was granted to representatives of the former "internal administration". It is significant that in the Multi-Party Conference proposals of 27th March 1985 it states "the reaction in certain British and West German circles will not, it appears, be condemnatory". This speculation presumably results from the respectability which Britain and other members of the Contact Group have conferred onto the so-called "internal parties". We are extremely concerned that this will continue to be the "de facto" policy of the British government in relation to the newly established "interim government"
- c) Erosion of the UN Plan for Namibia: We are particularly concerned that continuing procrastination by the South African authorities is not only delaying the implementation of UN SCR 435 but is resulting in further erosion of the UN plan itself. The current South African efforts to place a "Namibian facade" on its illegal administration and in particular its restructuring of the state apparatus, together with significant changes in the military, police and security structures, mean in effect that the UN plan which was agreed in 1978 is being fundamentally transformed to the detriment of SWAPO and thus undermining the prospects for genuine independence for the people of Namibia.
- There has been particular controversy over the possible role of Koefoet in the transitional period and the introduction of conscription of all Namibian males between 17 and 55. We understand that the British government is aware of these issues.
- It is clear that should the South African authorities persist with such moves then it will put at risk the entire basis for the UN plan as a whole.
- d) British policy towards "linkage": Britain's ambiguous policy regarding "linkage" has simply encouraged the United States and South Africa to insist that agreement has to be reached on the withdrawal of Cuban forces from Angola before UN SCR 435 can be implemented. The Angolan President in November 1984 in his message to the UN Secretary General set out arrangements which would have created a basis to resolve this outstanding matter. The fact that South Africa has now proceeded with a new "internal settlement" is further proof that "linkage" was regarded by the South African authorities as a further obstacle to delay the implementation of UN SCR 435.

The approach of the British government:- to reject "linkage" but to accept it as a "reality" has simply given comfort to the South Africans. The British government should now recognise that the Angolan President's message is an acceptable basis for the immediate implementation of UN SCR 435.

### SOUTH AFRICA'S "INTERIM GOVERNMENT"

We welcome the widespread condemnation of the announcement by the South African President on 18th April that an "interim government" was to be established in Namibia. We have taken note in particular of the statement from the British government handed to the South African government on 15th April 1985 which states that the British government would regard any unilateral measures taken by the South African government "to be null and void".

We have similarly taken note of the Canadian Secretary of State for External Affairs statement that "it suggests that South Africa does not intend to proceed promptly with the implementation of Resolution 435".

The decision by the South African authorities to proceed with the establishment of an "interim government" must bring into question the whole basis of western policy and in particular Britain's "full support for the negotiations now being conducted by the United States"

### CONCLUSIONS

We believe that recent developments over Namibia underline the necessity for a major review of policy. We cannot accept that the international community should allow there to be any further delay or procrastination over the implementation of UN SCR 435. Indeed we believe that further delay may well result in such erosion of the UN plan that it will no longer be the basis for genuine independence. The British government has a very clear choice. It can either persist in abandoning its responsibilities towards the people of Namibia by allowing the United States alone to negotiate with South Africa whilst at the same time refusing to take any effective measures to pressurise South Africa.

Or, it can recognise the need for a change in policy. This would involve the following immediate steps:

- a) support for the convening of the UN Security Council so that agreement can be reached for the United Nations and the Secretary General to resume the primary responsibility for the implementation of UN SCR 435
- b) support for a declaration by the UN Security Council that the measures announced by the South African President on 18th April are "null and void" together with a commitment by the British government that it will not grant any form of recognition to the new illegal administration
- c) support for the application of effective measures against South Africa both unilaterally and under chapter 7 of the Charter. This is clearly the most crucial matter. The British government has recognised the need for such measures. It voted for UN SCR 539 in October 1983 which concluded by stating "in the event of continued obstruction by South Africa, to consider the adoption of appropriate measures under the Charter of the UN". More recently on 25th April 1985 the Commonwealth Committee on Southern Africa decided that "Commonwealth Governments should harden their resolve, both individually and collectively, by adopting such concrete action as can be effective in bringing pressure on the apartheid regime".

However the British government's response to specific proposals has been to reject them. The Government's view was explained in a letter to the President of the NAM Bishop Huddleston from Malcolm Rifkind MP the Minister of State on 14th December 1984:

"I note your concern that, if agreement is not reached on the Cuban issue, the South African Government should not be granted the opportunity to produce further reasons for delaying implementation of the UN Plan for Namibia. I think we are all aware of this danger and I hope we shall be able to avoid it. In this respect the mediating role of the United States is particularly important. The Americans are committed to achieving a Namibia settlement and I am confident they will not draw back from putting pressure on South Africa where this would be helpful.

For the time being, however, the vital thing is to test South African good faith by locking them further into the current process of negotiations and producing an agreement. You will not be surprised when I say that the employment of mandatory economic sanctions will not, in my view, contribute to such an agreement. On the contrary, by driving South Africa into further isolation, such measures would damage severely, perhaps irreparably, the chances of securing a Namibia settlement."

In view of the recent action by the South African authorities the issue is no longer whether pressure should be applied but how should pressure be applied. It is clear that not only is there the basis for collective international action but that South Africa has never been so vulnerable to a range of measures. Its economy is in deep crisis, the cost of maintaining its military occupation massive, it faces serious deficiencies as a result of the arms embargo and similarly it is experiencing real problems as a result of the oil embargo. The British government is well aware of the range of measures which have been proposed by the OAU, the NonAligned Movement and the United Nations. It is clear that if the political will exists that international agreement could be reached on appropriate measures to pressurise South Africa to implement UN SCR 435.

We believe that the British government should undertake a review of policy and in particular implement these steps immediately. If it should choose this course there is a real prospect that further suffering could be avoided and Namibia could achieve its independence in the near future. If Britain should choose not to confront South Africa the prospect must surely be further procrastination and delay which can only lead to increased conflict in Namibia and the region as a whole.