

Namibia

3. The Committee considered recent developments in Namibia as a matter of priority concern. Ministers stressed the importance of 'impartiality' and elimination of 'intimidation' in the implementation of Resolution 435. The presence of former Koevoet personnel had already been the subject of complaint by the United Nations Secretary-General. Pretoria's evident hostility to all opposition and its retention of Koevoet personnel within the South West Africa Police (SWAPOL) constituted a most disturbing indication of intimidation of South West African People's Organisation (SWAPO) and other opposition supporters by the authorities, and a clear danger to free and fair elections. There was urgent need for a strict adherence by South Africa to the basic principles of the 435 process.

4. Beyond these matters of a physical nature, there were serious questions that remained unresolved in relation to the proclamation that would govern the conduct of the elections, the operations of the Constituent Assembly and the entire process leading to independence. Fundamental changes appear to be needed to ensure the integrity of the secret ballot. Particular proposals for tightening the proclamations that in our view require very careful consideration include the following:

- (a) voter identification must take place before a voter is issued with a ballot paper and the subsequent use of fingerprint experts, etc., abandoned;
- (b) party agents must be permitted to play their full and proper role in the polling process;
- (c) UNTAG's role must be fully consistent with the requirements of Resolution 435;
- (d) counting must take place at each polling station and the final determination concluded expeditiously;
- (e) the Constituent Assembly must be recognised as the only authentic representative body and as such must exercise its rights in an unfettered manner in both drafting and adopting the Constitution and (should the Assembly so wish) in reconstituting itself as the first parliament under the new Constitution from such date as it should choose as Namibian Independence Day;
- (f) the Administrator-General in the performance of his role until Independence Day should be guided by the wishes of the Assembly.

5. Commonwealth governments had been alerted to these issues. Their several Governments would exert every effort to ensure that the final legislation was in conformity with the expectations of the international community and the requirements of the 435 process; but there was very little time in which to ensure this. Heads of Government would be meeting in Kuala Lumpur three weeks before the elections. It was absolutely essential that the international community as a whole gave maximum support to the United Nations at this moment in ensuring that the basic legislative framework existed under which the electoral process and the Constituent Assembly thereafter did not become a distortion of international expectations for Namibia's independence. The Committee felt that it could not urge too strongly the utmost vigilance in relation to these basic arrangements. The fulfilment of Commonwealth expectations for a free Namibia within the family of the Commonwealth could very well turn on how these questions were resolved.