



# Statements and Speeches

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## CANADA SUPPORTS A NEW PROPOSAL FOR NAMIBIAN INDEPENDENCE

An Intervention by the Secretary of State for External Affairs, the Honourable Don Jamieson, to the Special Session of the United Nations General Assembly on Namibia, New York, April 25, 1978.

I have the honour to address this ninth session of the General Assembly on behalf of the Governments of Britain, France, the Federal Republic of Germany, the United States of America and Canada. Our five countries, members of the Security Council, have, over the last year, devoted much attention and effort to the resolution of the serious issue that is the very reason for our gathering here today — that is, the question of the independence of Namibia. We should, therefore, like to present to you our common view of the situation at this juncture and to make known our common belief that an internationally-acceptable solution of this problem may well be within our grasp, if all concerned will manifest the necessary determination and political will to put an end to years of injustice in that territory.

With all of you, we have shared the conviction that the international territory of Namibia is illegally occupied by South Africa and that this occupation must come to an end. With all of you, we have shared an intense concern at the extension into Namibia of *apartheid* and racial discrimination and at the continuing repression of Namibians under that system. Like many of you, we have been concerned that the perpetuation of this deplorable situation would sooner or later affect the political stability of the entire Southern African area. It is, therefore, in full accord with the aspirations and objectives of the international community that we undertook, as the members of this international community in the best position to do so, to seek out practical ways and means to end this 30-year-old stalemate.

In the spring of 1977, it became apparent to all of us that the installation of the Turnhalle Constitution, as it was called, was imminent. The adoption of legislation to bring it into effect, forecast for June 1977, would have resulted in the unilateral establishment of a government based on ethnic groups and excluding participation by any political party, and, most important, by one of the major political movements in the territory, SWAPO. Such an action, it was clear, would not result in an internationally-acceptable solution to the Namibian question and would, furthermore, by dividing the population of Namibia on an ethnic basis, and by ignoring the aspirations of its people for true independence and unity, lead to increased violence. It would have perpetuated the unsatisfactory situation that has prevailed in that territory. In the face of this dismal prospect, our five countries decided to make a concerted effort to investigate whether, by means of the existing relations between themselves and South Africa, it might not be possible to find a practical way of implementing Security Council Resolution 385, which was adopted unanimously. That resolution comprises the most comprehensive approach ever adopted by the Council to the desired resolution of the Namibian problem.

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The General Assembly will recall that Resolution 385 embodies in its terms the following essential elements: It calls for free elections, under the supervision and control of the United Nations, to be held for the whole of Namibia as one political entity in order that the people of Namibia may freely determine their own future; it envisages the establishment of the necessary machinery within Namibia by the United Nations for the supervision of such elections, and of conditions that would enable the people of Namibia to organize politically for the purpose of such elections; it envisages the withdrawal of the illegal administration of South Africa and a transfer of power to the people of Namibia with the assistance of the United Nations; and it demands that South Africa, in the interim, comply with the provisions of the Universal Declaration of Human Rights — release all Namibian political prisoners, abolish the application of all racially-discriminatory and politically-repressive laws and practices, and accord unconditionally to all Namibians currently in exile for political reasons full facilities for return to their country without risk of arrest, detention, intimidation or imprisonment.

From the outset, our five governments have recognized that we had no mandate to enter into negotiations or to make any agreements regarding Namibia. We were acting as a result of the responsibilities we bear as members of the United Nations Security Council. We have acted as an informal contact group and it has been our intention, clearly expressed to all parties, to bring this exercise within the scope of the Security Council at the earliest feasible time.

I believe it would be useful for me to provide to the Assembly a résumé of our experience over the past 12 months and of the evolution of this matter. At the outset, our efforts were greeted with mistrust and suspicion on all sides and, in particular, on the part of the principal interested parties, the Government of South Africa and SWAPO. Indeed, each was convinced that our efforts were designed to deliver Namibia into the hands of the other without regard for their interests, or for the interests of the Namibian people as a whole. I wish to emphasize this fact as it serves as a benchmark for measuring the distance we have come since that time (and that distance is very considerable).

On April 7, 1977, our five governments presented to South African Prime Minister Vorster an *aide-mémoire* expressing our belief in the necessity of a Namibian settlement in keeping with Resolution 385 and thereby acceptable to the international community. We emphasized that the activities of the Turnhalle Conference did not meet those standards and informed the Government of South Africa that, in the absence of an early South African agreement to pursue an internationally-acceptable solution, the five would be obliged to consider very seriously the measures to be taken. Initially, the South African Government indicated that it would be willing to engage in further talks with the five governments but that it would not interfere with the Turnhalle process.

After further informal exchanges, the five determined it would be necessary for them to form a contact group and to embark upon more detailed discussions with South Africa on the possibilities of moving towards the stated objectives. To this end, a contact group comprising senior officials of our governments and including senior

representatives of our New York missions went to South Africa during the period April 27-29 for discussion of most of the issues associated with the Namibian question and of the elements embodied in Resolution 385. At the conclusion of those discussions, in an important development, South Africa indicated the intention to forego the implementation of the Turnhalle Constitution through the proposed legislation, to establish instead a central administrative authority in Namibia, and to hold territory-wide elections, with direct United Nations involvement, for a constituent assembly, whose task it would be to decide upon a constitution for Namibia.

I wish to emphasize that, during the period April 1977 until January 1978, our five governments took no position whatsoever on elements that might lead to a practical implementation of Resolution 385. We made clear to each of the principal parties and to all others that we were exploring attitudes and ideas and that we would take no position. Our means of consultation and exploration evolved as the exercise progressed. For example, following the first round of discussions by the contact group in South Africa, we subsequently engaged in discussions with SWAPO, the United Nations Secretary-General, representatives of Tanzania, Zambia, Mozambique, Angola, Botswana and Nigeria, and, as well, other internal Namibian groups, on the results of the initial exploratory talks with South Africa. Those early consultations were particularly important in providing us with an understanding of various concerns. Further talks took place in Southern Africa and in New York between the contact group of the five and the principal interested parties as follows: with South Africa in Capetown, June 8-10, 1977; with SWAPO in New York, August 8-11, 1977; with South Africa in Pretoria, September 22-26, 1977; and with SWAPO in New York, October 14-19, 1977. Following each round of discussions, we again provided full briefings to all parties and states concerned, including the members of the Security Council and the Council for Namibia.

In late November and early December, the contact group carried out an exhaustive round of consultations and discussions with African countries in a position to assist in the effort to bring about a negotiated settlement in Namibia. During the period November 21 – December 12, they met in the relevant capitals with President Nyerere of Tanzania, Foreign Minister Chissano of Mozambique, President Khama and Vice-President Masire of Botswana, President Kaunda of Zambia and Prime Minister do Nascimento and Foreign Minister Jorge of Angola, and with Head of State Obasanjo of Nigeria. They met once more with South Africa and twice during that period with SWAPO.

Following this exhaustive round of consultations and discussions, the five governments determined that the areas of concern of the different parties had become so apparent – and the differences between them so narrow – as to make it advisable for the five to take a position on what they considered to be a pragmatic, reasonable and fair means of implementing Resolution 385. Therefore, during the month of December, the five governments invited South Africa and SWAPO to participate in discussions with them in New York. Each party was informed that it was the intention to hold similar discussions in New York during the same period with the

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other principal parties. The importance the five governments attached to these "proximity" talks, which eventually took place on February 11 and 12, was reflected in the participation in them by my colleagues, the foreign ministers of France, the Federal Republic of Germany, Britain, the United States of America, and myself. At the ministerial-level meetings, the Government of South Africa was represented by its Foreign Minister, Mr Botha, and SWAPO by its President, Mr Nujoma. I might add that the SWAPO delegation to those talks, for the first time, included representatives of the internal Namibian branch of SWAPO.

Apart from the talks with the principal parties, ministerial-level consultations also took place with the Secretary-General and his officials. We also held discussions with the foreign ministers of the "front-line" states present in New York — Mr Mwale of Zambia, Mr Mkapa of Tanzania, Mr Mogwe of Botswana — and with senior representatives or ambassadors of Angola, Mozambique, Nigeria, Mauritius and Gabon. Also, during this period, delegations from other Namibian parties travelled to New York and were received by officials of the five governments. The exercise was discussed with them in considerable detail and their views and concerns were presented to my colleagues and myself.

At the conclusion of the February talks, our five governments were convinced that the proposal that had been put to the parties during the talks embodied in its elements a very reasonable means of implementing Resolution 385 in a manner that took into full account the real and the perceived concerns of each, and in a manner that could bring about in the very near future a resolution of the Namibian question. There nonetheless remained certain areas that demanded further study on our part and further consultation with various parties. Certain of the provisions required clarification or improvement in drafting. This process of clarification was an extremely complicated one, and required numerous exchanges between our capitals, with the principal parties through embassies, with some African states, and with the Secretary-General. Our proposals were finalized at the end of March and were presented to the interested parties on March 29 and 30. They were circulated as Document S/12636 of the Security Council on April 10.

I have taken the time to describe this process in order that all should understand the measure of intense diplomatic activity that has been involved in this consultation process. We wish to pay tribute to the seriousness and conscientiousness of the participation and the constructive attitude that has emerged on the part of all with whom we have dealt. Whatever their initial hesitations, they have, for the sake of Namibia's future, suspended to a degree their suspicions and have sought to identify, in practical terms, their concerns and the means by which those concerns might be met, while taking account of, though not necessarily accepting, those of others.

In terms of substance, each of the parties was initially preoccupied with the conflicting legal and political positions on this issue. At the outset of the initiative, the five were only too well aware that, as it was these contradictory legal positions that had for more than 30 years impeded any progress towards the resolution of the Namibian situation, it was essential neither to endorse nor to challenge the position of any party

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but rather to seek, without prejudice to that position, a practical means of implementing the provisions of Resolution 385. Our proposal, therefore, at no point takes any stand that prejudices a long-held legal or political position; rather, it moves between questions of legality as the only effective way to bring about a resolution of the issue.

The positions of South Africa and SWAPO have evolved substantially since April 1977. South Africa, originally unwilling to contemplate any alternative to the Turnhalle conception, has come to accept in the context of an internationally-acceptable solution far-reaching measures involving United Nations involvement in such a manner as to guarantee the impartiality of the electoral process and the necessity of full arrangements to ensure that there will be no intimidation from any source during that process. In the proposals it put forward in December 1977, South Africa acquiesced in the general conception, and in many specifics, of the approach embodied in our proposal. Up to the present time, there have remained some crucial areas of disagreement, including the number and location of the residual element of the South African forces. On these issues, as on others, however, there has been a considerable narrowing of the differences between the parties.

On the SWAPO side, there has been, as well, considerable evolution since the exercise was undertaken. SWAPO's initial position was that the South African administration in its entirety should be removed from the territory. SWAPO was convinced that elections could not be held in the presence of South African forces, that the symbolic presence of even one South African soldier would provide a counter-productive psychological climate in the territory. At the last round of discussions with SWAPO, SWAPO had come to accept, without prejudice to its legal position or to that of the United Nations, that it was possible to envisage an election process free of intimidation in the presence of the *de facto* administration as long as the South African military presence was reduced to a maximum of 1,500 and confined to one base in the south of the territory, and as long as the police were appropriately monitored and supervised, and that these tasks were undertaken by a substantial United Nations civilian and military force. SWAPO, furthermore, indicated a readiness to envisage the release of Namibians wherever they were held in the context of an internationally-acceptable solution. SWAPO has, furthermore, emphasized its commitment to participate in free and fair elections under United Nations supervision and control and to abide by the results of such elections.

I should like to describe very briefly the essential elements of our proposal for a settlement of the Namibian question. On the basis of Resolution 385, we consider that the key to an internationally-acceptable transition to early independence is free elections for the whole of Namibia, as one political entity, with appropriate United Nations supervision and control. To that end, we shall seek the establishment of a substantial United Nations presence, both civilian and military, which we have tentatively called the United Nations Transition Assistance Group (UNTAG), to be led by a United Nations special representative, appointed by and responsible to the United Nations Secretary-General. Working together with the South African Administrator-General, this special representative would have as his primary task to

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satisfy himself that all conditions existed to ensure free and fair elections. Thus, he would see to it that all repressive measures or regulations were repealed, all freedoms restored and all Namibian political prisoners or detainees, wherever held, released so that they could participate fully and freely in the electoral process.

Free elections cannot be held in conditions of repression; neither can they be held in conditions of insecurity and intimidation. Until an independent Namibia assumes responsibility for its own security, the international community must insist that there be adequate means to assure law and order and the overall security of the territory. Thus the proposal calls for a comprehensive cessation of all hostile acts. It makes provision for the maintenance of law and order and for the introduction of a military section of the United Nations Transition Assistance Group, combined with the phased withdrawal of all but 1,500 South African soldiers. These 1,500 men will be restricted to one or two bases and monitored by the United Nations pending their withdrawal. We would argue for a firm and specific mandate to ensure observance of the provisions of the agreement.

We believe these positions are adequate for security. But they will obviously have to be applied in the light of developing conditions. It is our hope that the parties and the surrounding states will take the necessary measures to assure that the security provisions of the proposal are strictly adhered to. For our part, as members of the Security Council, we should view with grave concern any actions during the transition period that could threaten the security of Namibia and its prompt achievement of independence, and we should act accordingly.

Once the elections have been certified, the constituent assembly will meet to consider the remaining steps towards independence, including the drafting of the future constitution of Namibia.

The Assembly will note that this proposal places its full confidence in the ability of the United Nations to discharge the substantial and complicated task involved in assisting the process of the Namibian elections and transition to independence. We believe that the United Nations will show itself equal to this task. The important role that it will play in guaranteeing the stability and security of the territory with the co-operation of the *de facto* administration can result in the impartial process that is envisaged. It is important to be aware that, initially, some Namibian parties were sceptical about the ability of the United Nations to undertake this task with impartiality. We believe that they have been persuaded that, on each occasion that the United Nations, under the guidance of the Secretary-General, has been involved in a process either of peace-keeping or of assisting a territory to independence, it has done so with competence and impartiality. The proposal calls for free and fair elections in accordance with Security Council Resolution 385, and it is to this task that the United Nations Transition Assistance Group will address itself.

The General Assembly will have noted that we have omitted from our proposal the difficult question of Walvis Bay for the reason that we see no way of settling the question in the context of the present negotiations. We feel strongly, however, that

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the issue should not delay the long-sought-after independence of Namibia. We consider that all aspects of the question of Walvis Bay must be subject to discussion between the South African Government and the elected government of Namibia. We have, furthermore, obtained assurances that the strength of the South African force in Walvis Bay will not be increased during the transitional period and that Namibians in Walvis Bay will be able to participate in the political life of the territory during the transitional period, including voting in the elections.

The Governments of Britain, Canada, France, the Federal Republic of Germany and the United States of America give our unreserved backing to the proposal we have transmitted to the Security Council. We believe that the proposal provides an effective and pragmatic basis for implementing Resolution 385, while taking account of the interests of the parties involved and of the special circumstances associated with the decolonization of Namibia. So far as we are concerned, South Africa's presence in Namibia is illegal and must be ended. At the same time, we have to recognize the facts of life — that South Africa controls and remains in Namibia and has done so for 60 years. The proposal is the result of lengthy and intensive consultations with the interested parties.

Our five governments are now presenting this proposal not as a basis for negotiation but as a practical means of implementing Resolution 385 and therefore bringing about the independence of Namibia in an internationally-acceptable manner and in the very near future. We believe it is essential now to proceed urgently in order to forestall any counterproductive developments that might precipitate an internal settlement with all the repercussions for peace in the area that would follow and that would result in the continued suffering of the Namibian people.

We are fully aware that our proposal will, in one element or another, cause difficulties to the principal parties. Nonetheless, in our discussions, we have narrowed the differences between the parties to the point where the reasonable middle ground has clearly emerged. It has been embodied in our proposal. It is now a question of political will; South Africa, SWAPO and all other Namibian groups must decide whether to accept this proposal as a means for an early and peaceful resolution of the question, or face the tragic alternative of many years of violence and turmoil.

We must appeal to all members of this Assembly to devote their energy to what is possible. We are not asking anyone to sacrifice principles; we are not advocating the perpetuation of current abhorrent practices. On the contrary, we urge all members of the international community to seize this opportunity to bring to a very early end what we have repeatedly condemned in this hall. We wish to see within the next few months the people of Namibia — all of the people of Namibia — enjoy their fundamental right to a peaceful, freely-determined existence within an independent and sovereign Namibia. We, for our part — and, we hope, with the assistance of every member of the international community — shall continue to exert every effort to this end. Let us not fail to answer the call of the Namibian people in their hour of need.

Shortly before arriving in this hall this morning, I was informed that formal acceptance of our proposal by the South African Government was communicated to

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our ambassadors in Cape Town. As our five governments have not had sufficient time to study the statement made by Prime Minister Vorster in South Africa's Parliament, we do not propose to comment on it at this stage except to welcome this important development in the position of one of the main parties concerned.

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