



THE NAMIBIAN

Friday July 7 1989

THE THREE-DAY strike in the far north called to protest the continuing presence of Koevoet elements in the police force, erupted into a spontaneous demonstration on Wednesday when people took to the streets and demonstrated.

The United States government, the United Nations Secretary General and his Special Representative in Windhoek have all admonished the South African Administrator General in occupied Namibia to disband totally the members of the "terror brigade, Koevoet. AG Louis Pienaar has refused. He will not weed out Koevoet men from his South West Africa Police (SWAPOL) into which he transferred them at the beginning of this year. A UN delegation suggested that those who were illiterate, said to be 15% of the force, be discharged. A South African Police training captain admitted publically that only 15% of Koevoet could read and write and they were not helped to do so. Koevoet troops still race up and down the roads in heavily-populated northern Namibia in their towering, landmine-protected vehicles called Casspirs and they continue intimidating and shooting Namibians suspected of being SWAPO supporters. Pienaar also refuses to fire General Hans Dreyer, the founder of Koevoet and now Pretoria's top cop in northern Namibia. General Dolf Gouws, South Africa's police commissioner for all Namibia, asserts Koevoet is 'the only body standing between anarchy and peaceful co-existence in the area'.

Koevoet is but the most egregious arm of Pretoria's security apparatus. SWAPOL equally enforces South Africa's illegal rule in Namibia. A varied assortment of 'guards' and other goons roam at will about the north, in civvies, armed and terrorizing. The South West Africa Territory Force (SWATF), an army locally recruited, organized into 'ethnic' battalions and South African officered, is supposed, in line with the UN settlement plan, to be disbanded. But SWATF maintains its members on the payroll. An international Catholic delegation last week reported that it had been repeatedly informed by residents of northern Namibia that SWATF men had been issued firearms and that they went about freely brandishing them. The United Nations police observers - barely 500 in northern Namibia - are supposed to keep track of this vast array of military might.

(Louis Pienaar describing the AG's role at a Pretoria conference, 3 August 1989: 'He is) (the Government, or more modestly stated: - He represents the sovereignty (sic!) of the) (South African Government with all its functions and ramifications in the territory.')

'I assume that the Special Representative's satisfaction with the "fairness and appropriateness" of the process at each stage is expressed rather through absence of comment in the negative than in the affirmative.'

- Administrator General Louis Pienaar on the Namibian election, 3 August 1989

The UN settlement plans allows for the South Africans to run the Namibian election under the 'supervision and control' of the UN, with the Special Representative required to be 'satisfied' with the process along the way. On 21 July, the Administrator General published draft regulations for the election now scheduled to begin 6 November. These allow for wide opportunities for fraud, intimidation and error by the South African bureaucracy, which has a vested interest in the outcome. Between 600,000 and 800,000 people are expected at the polls. Ballots are to be placed in envelopes bearing the same number which is inscribed on a voter's registration card, a document to be surrendered at the time of voting, making a mockery of a secret election. The illiteracy rate among adult Namibians runs to over 50% and in seeking help at the polls they face the same officials - civilian and police - of the regime which has oppressed them for so long.

There is no provision for poll watching by representatives of the political parties and their right to challenge voters. There is no provision for independent international monitors. Ballots are not counted at polling stations but all are to be carried off to Windhoek where the envelopes are thrice handled before the actual count begins. There is to be a laborious check of original and duplicate registration cards, with an examination of signatures and of thumbprints of those who cannot write. The Washington-based Lawyers Committee for Civil Rights Under Law has calculated that - based on opinions of FBI experts-it takes a minimum of two minutes to match good thumbprints with accuracy. That means that with a low vote of some 360,000 Namibians who are illiterate it would require 50 experts working steadily 48 hours a week for five weeks to check all those cards. The ballots remain uncounted the while, increasing the chances of destruction, theft and substitution.

Pretoria employs other means to affect the election. Thousands of South African citizens with an excuse to vote are being bussed over the border to be registered; they will repeat the excursion to vote. (In between they will vote in the 6 September South African election). In the north, Angolans belonging to South Africa's ally, UNITA, have crossed that border and are being registered.

The Lawyers Committee has issued a grave warning: 'If it is generally believed that the election was not fair, Namibians will not accept the results, regardless of certification by the Special Representative. In that case, the ultimate results are likely to be civil war rather than independence, the disgrace of the United Nations Transition Assistance Group mission, and a general disillusionment with the UN and international law.'

HUMAN RIGHTS CENTRE THREATENED

A year ago the Legal Assistance Centre was set up in Namibia as a public interest law firm to expose and bring to court human rights violations in that occupied country. It has offices in Windhoek and at Ongwediva in northern Namibia where most of South Africa's illegal and repressive acts take place. LAC's director is David Smuts, a South African solicitor turned advocate in order to argue cases in court. LAC has dealt with over 400 cases, bringing charges against Louis Pienaar and South African Defence Minister Magnus Malan. These two Pretorians have attacked - charging the LAC is not authorized to issue summons and to act as attorneys for their clients. LAC is under great threat.

The Lawyers Committee expresses deep alarm. LAC's litigations are 'primarily involved with human rights abuses perpetrated by members of the security forces such as detentions, deaths, disappearances, claims for damages for unlawful detention, assaults and destruction of property by security forces members. The defendants in the vast majority of cases have been the South African minister of defence in his capacity as head of the South African Defence Force (and its units grouped in the South West Africa Territory Force) and the administrator general in his capacity as head of the South West Africa Police, including the dreaded Koevoet counterinsurgency unit.'

Commission On Independence For Namibia

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STATEMENT OF THE FIRST OBSERVER MISSION OF THE COMMISSION ON INDEPENDENCE FOR NAMIBIA

Co-Chairs

Hon. Paul Simon
Hon. Charles B. Rangel
Prof. Burke Marshall

Our delegation came to Namibia to study first-hand the events during this early phase of Namibia's transition to independence through free and fair elections under Resolution 435.

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We have spoken with a wide range of individuals across the political spectrum, with representatives of the major parties, church leaders, union members, the Administrator General and his staff, Martti Ahtisaari and other officials of UNTAG, as well as ordinary Namibians. We have spent time in Windhoek, Katutura, Khomasdal, Rundu, Oshakati, Oniipa and Ongwediva.

We come away from this trip with a mixture of admiration and deep disquietude - admiration for the determination of the Namibian people to achieve their long-delayed independence and disquietude over the tremendous and unnecessary obstacles to the free and fair elections scheduled for November.

It is now nearly three months into the scheduled seven month period leading to the election on 1 November, yet only the withdrawal of South African troops has occurred on time.

Project Director

Ms. Gay J. McDougall

The repeal of certain discriminatory and repressive laws and the proclamation of a limited amnesty were delayed for nearly four weeks. Since these actions were preconditions to the repatriation of refugees, that process started a month late. Moreover, it is proceeding at a slower rate than planned.

The fate of some alleged political prisoners, which should have been decided a month ago, is still undecided.

The election law, due to be issued in May, has still not been published although the scheduled start of the campaign is ten days away. It is rumoured that the

registration law will be published in a few days, but the law governing the election is reported to be at least a month down the road.

On the basis of our observations, the following are our major concerns.

I.

The continued operation of former Koevoet personnel in the north, under the banner of SWAPOL, creates dangers, real and perceived. Former Koevoet members, once described by one of their own as exterminators, symbolizes the terror of the past war in the north. They still drive their dreaded Casspirs. On one day last week (June 13) 80 were counted passing in front of the Ongwediva refugee reception center. They still carry automatic R-4s. They still operate primarily from their former bases. It is a travesty to suggest that they now constitute legitimate civilian police.

We heard credible reports of assaults, death threats, violent disruptions of meetings, and sexual assault. We also heard credible reports about night raids and Koevoet moving from house to house and village to village searching for returnees and their families to intimidate and harass.

It is essential that the conservative estimate of approximately 1500 former members of Koevoet be dismissed promptly from SWAPOL. There can be no place in a police force for anyone who was a member of such a notorious and ruthless organization. Their continued deployment in the police constitutes a flagrant violation of the letter and the spirit of Resolution 435. General Hans Dreyer, who was the founder and leader of Koevoet, should be removed from his current post as commander of police in the northern area.

In addition, the use of Casspirs should be banned. They conjure up the terror of the past. They were the means and the symbol of intimidation. They have no legitimate policing function today.

Considering the provisions and spirit of Resolution 435, we are quite concerned that law and order, for which the AG has "primary" but not exclusive authority under 435, is not being administered with the same "impartiality" that the AG has long demanded of the United Nations for Namibia.

II.

UNTAG is not presently capable of defusing the atmosphere of intimidation that pervades much of Namibia. It is woefully understaffed and inadequately equipped to fulfill the responsibilities of its mission. There are too few police monitors to accompany each SWAPOL patrol. They are not authorized to

participate directly in police investigation of complaints and when SWAPOL declines to carry out many investigation of serious complaints, UNTAG cannot compel it to do so. These limitations have confused, angered and demoralized Namibians.

III.

The basic structures of apartheid still exist in this country in the form of AG8, which acts as a continuing impediment to free and fair elections. It should be promptly repealed. Those who fled Namibia to escape apartheid are returning to find its key structures still embedded in their country's laws.

IV.

The laws governing the whole electoral process have been delayed far too long. They have not been promulgated at this late date, only 10 days before the scheduled start of the electoral campaign. This has made it impossible for the political parties to commence the kind of organizing and educational activities which are an essential part of free and fair elections.

V.

The initial draft proclamation of the registration process was seriously flawed. This is no ordinary election. It is an election which will determine the future structure of a newly independent nation. The laws that define voter eligibility should limit the vote to those for whom the South West Africa Mandate was established by the League of Nations, i.e., bona fide Namibians. Eligibility should not be extended to civil servants or military personnel temporarily seconded to Namibia by South Africa as part of its occupation administration.

Citizens should register and vote in their district of residence or work. The draft law, which would permit registration and voting anywhere in the country, would make it virtually impossible to check the eligibility of voters - certainly in the absence of a national voters' roll.

VI.

The widely discussed plans for the conduct of the voting are even more troubling. The approximately 40% of the electorate that are illiterate would be able to receive help in marking their ballots only from the government employee who is the chief election official at the polling site. Ballots would be placed in sealed numbered envelopes which could be traced to individual voters. Given South Africa's illegal domination of Namibia, these provisions, if promulgated into law, would destroy public confidence in the secrecy of the ballot.

The plan to transport all ballots to Windhoek rather than count them at the polling locations is fraught with danger and is an

invitation to fraud. The presence of UNTAG officials at the polling stations, during the vote count and during transit will clearly not cure these defects. Furthermore, it is understood that the counting of the ballots in Windhoek will take as long as two weeks, a delay that is likely to lead to unrest and a lack of faith in the results.

VII.

There are certain basic safeguards to free and fair elections. One is fair access to the media by all political parties. This is a critical requirement in a country like Namibia, where the government has a monopoly over television and radio and where 40% of the population is illiterate. Consequently, special measures must be taken to ensure impartiality. In particular, the ethnic radio stations reach a constituency with little access to other sources of information. They must be monitored carefully to guarantee even-handed coverage of all election issues.

VIII.

Another area calling for special measures relates to access by bona fide representatives of political parties and by UNTAG to the approximately 30% of the work force who work and live on large farms. Access to these workers has been strictly controlled by farm owners, who dominate the lives of their laborers and who may seek to control their political choices.

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In spite of all the problems, there is an enthusiasm in this country about impending independence that is infectious. And, during our visit here we have been privileged to witness rare moments in history. For example, the day that we visited the returnee center at Ongwediva as thousands of people gathered to joyously welcome home the returnees - the brothers who embraced after 15 years apart, the cousins reunited after one had disappeared without a trace.

We were also tremendously impressed by the efficient and humane operation of the reception camp at Ongwediva by the UNHCR and the Council of Churches of Namibia. We also pay our respects to the many UNTAG people who are clearly trying to do their best under severe restrictions and with limited resources.

On the basis of our observations, however, we conclude in general that the U.N. "supervision and control" of South Africa's role in the transition period to date has failed to produce the conditions which are the prerequisites to the free and fair elections called for in Resolution 435.



COUNCIL OF CHURCHES IN NAMIBIA

Ongongshangaŋo vEangieka moNamibia
/Awa/haos Kerkhegu dis Namibia/ins
otirata tOzongeriki moNamibia
Rat der Kirchen in Namibia
Raad van Kerke in Namibia

ONTVANG

07 JUL 1989

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5th July 1989

Please forward this message to the Secretary
General of the UNITED NATIONS.

Reference No.:

FROM: The Executive Committee of the Council of Churches
in Namibia (CCN)

AN OPEN LETTER TO THE UNITED NATION'S SECURITY COUNCIL:

Your Excellencies,

We, the Executive Committee of the Council of Churches in Namibia, representing over 900 000 Namibian Christians in this country, have come together in an emergency session in Windhoek today to review the situation prevailing in our land at this crucial point of our national history.

We rejoice together with our people as thousands of our brothers and sisters return to the soil of Namibia after long and arduous years of political exile to be united with their families, friends and comrades. We are particularly grateful that the climate of trust and amnesty has also allowed for prisoners to be released and returned safely to their families. We are saddened by the reports of the abuse of Human Rights which are being received from various quarters. We pray for a spirit of forgiveness and reconciliation among all the people of our beloved land. We grieve with those who have learnt of loved ones who will not be returning. We are thankful for the co-operation and support of many people of many countries who have laboured long and hard to assist us thus far along the difficult and expensive road to our God-given Freedom and Independence. Therefore, it is with deep sadness that we are moved to place on record our grave disappointment at the manner in which the Namibian decolonisation process is being handled. We feel strongly that obligations to create and maintain the situation of safety for the Namibian people, the confinement and monitoring of members of the South African Military and paramilitary units (including the SWAPO counterinsurgency) been sufficiently adhered to and have been neglected.

While we acknowledge the arrival of an additional 500 police monitors, we wish to refer back to our statement of 16th January 1989, where we called upon the United Nations Security Council not to reduce the number of their UNTAG military component. Our message was not taken seriously at that time and we therefore crave your attention to this petition, as we perceive that the answer does not lie in bringing additional police monitors in, but in getting KOEVOET out!

With the presence of Koevoet in the ranks of the South West African Police (SWAPOL) and with in fact the Police in the North being commanded by General Hans Dreyer, the founder and commander of Koevoet, (SWAPOL integrated into KOEVOET?), we fear that there is no atmosphere conducive to free and fair elections. Over all these years Koevoet have been specifically

trained and solely motivated as butchers and killers of fellow Namibians and their present movement in their Casspirs (symbols of death and oppression) and activities under the mantle of the rank-and-file Police, are not designed to maintain law and order and are causing concern, deep fear and serious intimidation to the point where both local people in the North and returnees in UNHCR/CCN reception centres are doubtful of whether the war has really come to an end. This fear is causing grave difficulties in the resettlement programme and a consequent backlog in the voluntary repatriation process. We therefore demand that the Security Council exercise its powers and get Koevoet and its Casspirs withdrawn from the Police Force, confined to bases and be monitored there, in the same way that the Plan fighters are being confined to base North of the 16th parallel. In addition we request that a programme be implemented for their debriefing before they are re-integrated into Namibian society.

We note the insensitive move in the acquisition, by UNTAG, of their own Casspirs and we question the Security Council's position on this "trade with South Africa"?

The "partiality" of the South African Administrator General has reached such proportions that he is unable and/or unwilling to use his powers to solve this and other problems besetting us. We call upon the Security Council to exert whatever pressure they can to bring him to accept and understand "honest brokering". In addition we appeal for the Security Council to empower their Secretary General's Special Representatives, wherever possible, to take firmer supervision and control of the 435 process in order to remove i.e. the hostile environment into which our compatriots are forced to return and try to resettle and intimidatory acts upon them.

We demand that pressure be brought to bear upon the Board of the parastatal South West African Broadcasting Company (SWABC) to resign and to be replaced by a more representative body. United Nations technicians and personnel should "monitor" these services.

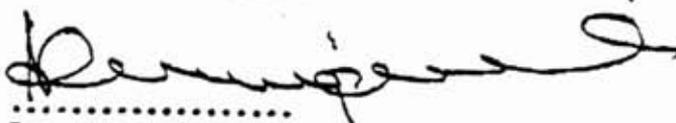
Furthermore, some, if not all, of the commercial farmers are armed. The leadership of certain political parties, trade unions and even some church pastors have been warned not to visit some of these farms. This will hamper the farm-labourers' freedom of choice, expression, movement and franchise rights.

Your excellencies, by your appropriate attention to these points we believe that:

- a) You will prevent the failure or collapse of the UNSCR 435 process;
- b) The people will feel secure and will exercise their rights to participate in the free and fair election; and
- c) You could prevent another war which is totally unnecessary for the Namibian people.

Be assured of our prayers for you - May God guide you to do His will.

Yours sincerely and urgently,



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Dr. Abisai Shejavali
pp. The Executive Committee

WINDHOEK: NAMIBIA:06/07/1989

cc. The Special Representative of the UN
General Secretary, Mr. Martti Ahtisaari

Administrator General
Mr. Louis Pienaar

NAMIBIA COMMUNICATIONS
CENTRE
PRESS CLIPPING SERVICE
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