

American Committee on Africa  
164 Madison Avenue  
New York, N. Y. 10016

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A Report to the United Nations Council for Namibia  
On an Attempt to Enter Namibia with a U. N. Visa  
By George M. Houser

I wish to express my appreciation to the United Nations Council for Namibia for granting me its first visa authorizing entry to Namibia. I attempted to use this visa on a trip to Africa in June. This is a brief report on my effort.

In my letter to the President of the Council of May 4 I indicated why I sought this visa from the Council. Namibia is one of the countries of Africa I have never visited. A visit there would have given me the opportunity to contact many people whom I had never previously been able to see, and to learn at first hand some of the problems which Namibians face. Furthermore I had hoped that a visit to the territory would have opened up new possibilities for projects which the American Committee on Africa and other organizations might support as Namibia moves on towards independence, in line with the purposes of a previous attempt to enter the territory in 1967. In keeping with the decisions of the United Nations and the opinion of the International Court of Justice, I do not recognize the authority of South Africa over the territory of Namibia. Therefore I appealed to the Council to grant me the visa.

A purpose of this attempt to enter Namibia was also to test, not in a theoretical way but in a very practical way, South Africa's adherence to United Nations Resolutions and to the opinion of the International Court of Justice.

My plan for traveling to Namibia was simple. I had not thought on this occasion of attempting any unusual course of action such as chartering a plane as several of us did in 1967, or of going overland to some relatively obscure border of the country. My plan had never been other than to fly to Windhoek. This meant I had two choices. As only South African Airways flies to Windhoek, I could either take one of two direct flights leaving weekly from Europe, or transit at Johannesburg to South African Airways for the flight to the Namibian capital. I chose the second because it fit quite naturally into my travel plans. I was to be in Rabat for part of the annual meeting of the Organization of African Unity and therefore it was quite convenient for me to travel by Pan-American Airways from Casablanca south.

Before I left New York, I did very little by way of special preparation. I bought a ticket and made reservations to fly from Kinshasa to Johannesburg on Wednesday, June 14 on Pan-American Airways. I also purchased a round-trip ticket from Johannesburg to Windhoek. Then I continued my ticket arrangements from Johannesburg onward through Blantyre and Lusaka from where I would go on to Dar es Salaam, Nairobi, and back to New York. This would complete a roundtrip from New York to New York with Johannesburg being the furthest point on my overall ticket. The roundtrip from Johannesburg to Windhoek was a side-trip. I had hoped that I might be able to stay in Namibia for about two weeks. The only other thing I did, in addition to consulting some lawyers in case any difficulties should arise, was to make enquiry if it was necessary for me to have a South African visa in order to transit in the Jan Smuts airport. I was told that it was not necessary to have a visa if, for example, I was going on to Botswana. It would be possible to stay in the international lounge at Jan Smuts until the time of a plane departure and it would not be necessary to go through immigration at all. Both from my point of view and that of the United Nations, Namibia is as separate a country from South Africa as Botswana, and therefore the same transit privileges should prevail. It was not my intention at any point to seek a South African visa.

My plan proceeded as it was supposed to up to the time I attempted to board the Pan-American plane in Kinshasa on June 14. I took a Pan-Am plane from Casablanca on Sunday, June 11. This same plane had as its final destination Johannesburg. No question was raised at the Casablanca airport about a visa for South Africa. Undoubtedly, if I had stayed on the plan that Sunday evening, I would have arrived in the Johannesburg airport. But according to my plan I stopped off for almost three days in Kinshasa. In those few days, the fact that I was travelling towards Namibia by way of the Jan Smuts airport received some publicity.

There had never been any attempt to keep my intentions of travelling to Namibia a secret. The Council itself issued an announcement in mid-May stating that the visa had been granted. A story appeared in the Johannesburg Star of May 20 that my trip was to take place. But on June 13 I was a little surprised to see an item on the front page of a Kinshasa newspaper that a spokesman for the Interior Ministry in South Africa had said that I would not be allowed beyond the airport at Johannesburg. The story went on to say that apparently I had been expected to arrive on Sunday night, June 11, but had failed to do so. A spokesman further was quoted as saying that it was unlikely that a recognized international airline would accept me on a scheduled flight to South Africa without a South African visa. I subsequently discovered that this story appeared in the press at least all over Africa.

Although I had not sought publicity up to this point on my attempt to use the U. N. Council visa, it was interesting to me that the South

African authorities were concerned enough about it to be issuing statements. It was now clear to me that the South African authorities would certainly contact Pan-American authorities, if they had not already done so, to try to stop my effort to enter Namibia.

I went to the Kinshasa airport a little more than an hour before the Pan-American plane was due to depart on June 14. The Pan-American authorities were waiting for me. When I went to the check-in counter I routinely presented my ticket and my passport to the official on duty. He then remarked, after looking at the documents, "You don't have a South African visa." I replied, "But I'm not going to South Africa. My destination is Namibia. I have a visa for Namibia from the United Nations." The response then came that I didn't have a confirmed reservation from Johannesburg to Windhoek. I told him that I had an open ticket, and that I would be prepared to take the first plane out and didn't need a confirmed reservation.

While this brief conversation was taking place, the attendant at the desk was in contact with someone else in the airport by means of a walkie-talkie. I was then informed that the airport manager was coming to see me. In a few moments the Pan-American Airport Services Manager walked up to me. He introduced himself politely and said that they had been expecting me. He informed me that the South African government had communicated with Pan-Am in South Africa and told them that I should not be permitted on the plane without a South African visa. I was told that South Africa was exercising right of "no transit without visa". This was unusual, he said, but Pan-Am had to abide by it. If they didn't it would cost them financially because they could be fined by the South African government.

I explained that I had been told no visa was required for me to transit to a foreign country from South Africa and that I had an onward ticket from Johannesburg to Lusaka by way of Blantyre. Therefore, if I was deported from Johannesburg it should not put Pan-American to any expense. I would simply get on the first plane on my onward travel. I further told the Pan-Am manager that by enforcing South Africa's demand, Pan-American was simply extending South Africa's police state apparatus. He commented in reply that this was a matter of opinion, and I said I thought it was an opinion shared by most of the rest of the world. I then handed him a statement, attached to this report, which I had prepared in advance as an immediate explanation of my position in case of this sort of an eventuality. I was therefore prevented from getting on the plane in Kinshasa and never even went through the formalities of immigration leaving Zaire.

On June 15 I met the Pan-American Airport Services Manager for 45 minutes and gave him a fuller explanation of my position. I also handed him an official letter of protest against the action of Pan-American in not

honoring my reservation to Johannesburg on their flight 184. This letter is also attached as an addendum to this report. I did discover from him a little more about South Africa's contact with Pan-American authorities in Johannesburg, and I learned that Pan-American headquarters in New York had given their office in Kinshasa instructions on how to handle the situation and considerable background about me and the American Committee on Africa.

Thus my confrontation with the South African authorities over the right to use the visa from the U. N. Council for Namibia in order to enter that territory took place at the airport in Kinshasa with the Pan-Am authorities being the enforcing agency.

This incident received considerable publicity, especially around Africa. I do not know how thorough the coverage may have been elsewhere although I know that it was covered extensively on BBC in addition to being reported in the British press. I think this public attention has been useful in that it again reflects South African policy. I do not exaggerate the importance of this effort. I look upon it as a small attempt, which needs to be augmented a thousandfold, to challenge South Africa's continued use of power illegally to control a territory which must be and will be independent. Thus I do not conceive of this effort as playing a very important role in the struggle for independence in Namibia, but it is of some use if it helps to bring to the attention of people the aims of the United Nations in relation to Namibia and of South Africa's continued frustration of the right of the people of Namibia to freedom.

In comments which I made following the confrontation of June 14 in Kinshasa, I said that I would be consulting with legal advisors on what steps we could take because of Pan-Am's action in refusing to honor a confirmed reservation on their flight to Johannesburg and thence to Namibia. I cannot at this time give a report on the legal steps to be taken. All I can say is that I am in consultation with legal advisors and just as soon as it is possible to state what our next steps will be, I will report this to the Council.

I am grateful that the visa which the U. N. Council granted me is a generous one. It is valid until next May and it is multi-entry. Consequently there may still be other opportunities in the months ahead to make further attempts to use the visa. I shall keep the Council informed.