

# **NEGOTIATIONS FOR NAMIBIA'S INDEPENDENCE**

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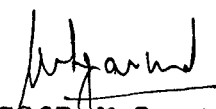
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(SARBAJIT PATTNAIK)

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P R E F A C E

In the past few years Southern Africa has undergone dramatic changes. Now Namibia is independent, and the Cuban troops are no more stationed in Angola as a supportive element to the Communist government of Angola. As far as Namibian independence is concerned, it came only after decades of popular militancy and a complex process of international negotiations. Prior to its independence on 21 March 1990, Namibia had been the subject of international contention. It had been on the agenda of the United Nations virtually since the organisation's inception. From 1946 to 1989, South Africa, which administered Namibia, had managed to defy at least six rulings of International Court of Justice and several UN General Assembly and Security Council resolutions.

South Africa, which was earlier dragged into negotiations in the face of a hostile world community, had to yield ultimately in a changing regional and global power configurations, thereby ushering in the independence of Namibia.

Although, the Namibian Accord of 22 December 1988 had its origin in contacts between the parties earlier in the 1980s, it was chiefly the product of ten rounds of publicly announced negotiations, which began in May 1988.



Such multi-round negotiations which culminated in Namibia's independence were of considerable importance, because these negotiations remained too obvious a complex process that warranted an academic pursuit. The present work attempts to study the whole lot of these complexities involved in the mediation and seeks to analyse both traditional and non-traditional application of negotiating methods.

The Namibian negotiation was complex, for it tried to sort out separate as well as related issues through a process of "linkage". Theoretically, "linkage" suggests that negotiators deal simultaneously with two or more notionally separate issues within a close time-span in order that each side can trade concessions.

Despite profound juridical differences, the issues of South Africa's withdrawal from Namibia and the Cuban withdrawal from Angola were bargained through linkage. Although, linkage makes negotiations more flexible, it invariably makes negotiations more complex and often generates resentments.

Besides, there was deviation from the traditional assumption that successful mediation requires impartiality. Here, the case of US as the mediator casts doubt on its

impartial status owing to its alleged involvement with UNITA, the armed insurgents of Angola. Similarly, the choice of Brazzaville for negotiations, instead of any traditional diplomatic sites outside Africa, provokes academic inquiry as to how the reluctant parties were accommodated on the matter.

However, there can be little doubt that the skilful employment of the diplomatic procedures made a major contribution to the success of Namibian talks in December 1988. Just how great this contribution was, and of which of the procedures themselves were most important, have been discussed with greater clarity and understanding in the present research work.

Since, Namibian question brings in a whole lot of related issues, an attempt has been made to deal them with utmost sincerity. For the purpose of an orderly presentation as well as comprehensive analysis of the Namibian negotiation, the present study has been divided into four chapters.

As theoretical framework is an essential pre-condition for any genuine research work, the Namibian negotiations

have been dealt in such a spirit in the first chapter.

Every event has got an historical precedence or factoral antecedents. With regard to Namibian negotiations, although the last ten rounds of negotiations in the year 1988 finally rendered independence to Namibia, the entire process started much before. The second chapter, therefore, is a background work of Namibian issue and the accompanying diplomatic efforts till 1988 to resolve the crisis.

Immediate situational environment has always been a factor either for escalation or for ultimate resolution of any crisis. Second-half of 1980s saw changes in global power configurations, from confrontations to co-operation. Such changes had their peripheral effect on Southern Africa. As a result, the Namibian negotiations in the year 1988 compromised the regional intransigents, thereby signalling the independence of Namibia. The last two chapters have not only discussed the 1988 Namibian negotiations within a global power scenario, but also dealt with specifics of these negotiations.

In the ultimate analysis, i.e., the conclusion, an appraisal of the negotiating techniques of Namibian

negotiations have been attempted.

The method used in this dissertation is descriptive, comparative and analytical. In writing this dissertation, I have mostly relied on secondary sources. However, primary sources have been used wherever necessary.

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LIST OF ACRONYMS.

LIST OF ACRONYMS

ANC	: African National Congress.
CPSU	: Communist Party of the Soviet Union.
DTA	: Democratic Turnhalle Alliance
DAC	: Damara Advisory Council.
FAPLA	: Popular Armed Forces for Liberation of Angola.
FNLA	: National Front for the Liberation of Angola.
ICJ	: International Court of Justice.
MPLA	: Popular Movement for the Liberation of Angola.
NAM	: Non-Aligned Movement.
NNC	: Namibia National Convention.
NNF	: Namibia National Front.
OAU	: Organisation of African Unity.
PLAN	: People's Liberation Army of Namibia.
PRA	: People's Republic of Angola.
SADF	: South African Defence Force.
SWA	: South West Africa.
SWANU	: South West Africa National Union.
SWAPO	: South West Africa People's Organisation.
SWATF	: South West Africa Territory Force.
UN or UNO	: United Nations Organisation.
UNIN	: United Nations Institute for Namibia.

- UNITA : National Union for the Total  
Independence of Angola.
  - UNTAG : United Nations Transitional  
Assistance Group.
  - USA : United States of America
  - USSR : Union of Soviet Socialist  
Republics.
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CHAPTER - I

INTERNATIONAL NEGOTIATIONS AND THE INDEPENDENCE  
OF NAMIBIA.



"International negotiations" - an age old concept - is a configuration of strategies, methods and tactics to resolve different kinds of disputes and to accomodate conflicting interests of two or more countries. It is the means by which such nations manage their relations and try to accomodate conflicting interests, while each of them tries to obtain the maximum benefits with minimum of costs, generally without the use of violence and with minimum of friction and resentment. The relevance of negotiations as an important aspect of diplomacy has gained currency particularly after the post - war period since the pressures to negotiate solutions to disputes and situations are much more pervasive and broad based than they were before. And with the rapid strides of scientific advancement in the technology of communications, many negotiations now proceed in a large multilateral forums with many participants, instant press coverage and a keen sensitivity to public opinion. Not only this, "most diplomacy is concluded less discretely and more under the surveillance of domestic interests than was the case previously",<sup>1</sup>

It can probably be said that bargaining through

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1  
Gilbert R. Winham, "Negotiation as a Management Process", World Politics (Princeton), vol. 30, October 1977, p. 88.

negotiations is a basic process in the practice of international relations. A cursory glance at the general international scene testifies that hardly any day passes when the great powers or other states do not make some direct or indirect efforts to negotiate various problems and crises which keep on cropping up in one or the other corner of the world. The attempts may be towards bilateral negotiations, may involve the super powers or may be confined only to the developing countries of the world, they are almost constantly in progress. "The increased complexity of the international system has resulted in an intertwining of political and technical issues that are often discussed in multilateral forums where the competing interests of many nations must be reconciled."<sup>2</sup> The style of diplomacy has now been considerably changed by multilateral conferences and activities of international organisations. Both the operations of domestic groups and the incidence of multilateral negotiations enormously complicate the task of the diplomat. But still most of the negotiations take place for setting or avoiding disputes or steering the world through the dangerous situations. To call this era as an "era of

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2

Daniel Druckman and Robert Mahoney, "Process and Consequences of International Negotiations", Journal Of Social Issues (California), vol.33 (1977), p. 61.

negotiations" will not be an exaggeration.

## II

Negotiations and the agreements they lead to are part of the sharp political struggle going on at international and national level between advocates and opponents of co operation. This underlines the relevance of the problem and the need to study it carefully. Like other concept in international relations, it is a much debated and discussed subject. The scholars hardly seem to agree in one explanation or definition.

Fred C. Ikle defines negotiations "as a process in which explicit proposals are put forward ostensibly for the purpose of reaching agreement on an exchange or the realization of a common interest where conflicting interests are present".<sup>3</sup> Plano and Olton have described negotiations as "diplomatic technique for the peaceful settlement of differences and the advancement of national interests... accomplished by compromises and accommodations".<sup>4</sup> But perhaps international negotiations can best be described in Arthur Lall's words as the "process of consideration of an international dispute or situation by peaceful means;

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3

Fred C. Ikle, How Nations Negotiate (New York, 1964), p.4.

4

J.C. Plano and R. Olton, The International Relations Dictionary (New York, 1969), p. 218.

other than judicial or arbitral processes, with a view to promoting or reaching among the parties concerned or interested some understanding, amelioration, adjustment or settlement of the dispute or situation".<sup>5</sup>

All of these features are important and can be seen as part of the larger context within which international negotiations occur.

What is needed, however, primarily to make talks more effective is undoubtedly political will, for it enables the parties to negotiate more or less successfully, with the result that the agreements signed by them become milestones on the road to closer co-operation. There have to be bold political decisions at top level stimulating current and future negotiations and offering them a programme. Such decisions understandably play a role as highly important components of the process of normalizing international relations including negotiations.

It is becoming more and more evident, however, that along with political will, a "political climate" and other components of the negotiating process, a conceptual theoretical background is needed to make talks effective and

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5

Arthur Lall, Modern International Negotiations (New York, 1966), p. 9.

lend them the character of a durable everyday process of intercourse between states.

### III

There have been several attempts to develop what can be termed as a "theory of negotiations", i.e. "a set of general interrelated casual statements which explain how and which outcomes are chosen".<sup>6</sup> In the field of negotiations certain theories have been put forward like the game theory models and experimental designs based on bargaining theory, which are, though based on relevant and identifiable variables prove to be inadequate as far as their operationalization and utility in explaining the real situations are concerned.<sup>7</sup> Of late, some scholars have tried to suggest some other frame works and methodologies for analysing behaviour of various parties in negotiations. Such approaches and models range from "dispute settlement", "crisis solution", "cybernetics decision - making"<sup>8</sup> to cognitive, influence and system approaches.

But, there is still no generalised and harmonious

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<sup>6</sup> William Zartman, "Negotiations : Theory and Reality", Journal of International Affairs (Columbia), vol.29(1975), p.70.

<sup>7</sup> For details see, Druckman and Mahoney, n.2, p. 61.

<sup>8</sup> For details see, Daniel Druckman, Human Factors in International Negotiations: Social Psychological Aspects of International Conflict (Beverly Hills; Sage, 1973).

theory of international negotiations even though the scholars have been studying the problem for a long time. The absence of such a theory was long compensated for by the vast experience gained in diplomatic talks over the centuries. This spontaneous empirical approaches had the following characteristics among others: negotiations were a special foreign policy process performing an auxiliary function with regard<sup>9</sup> to the aims and interests of the negotiating state; they were a covert form of struggle in which each participant strove primarily for "victory", to be achieved either by signing an agreement on his terms or by demonstrating that the opponent's stance was "uncompromising" and "unreasonable"; negotiations were directly conditioned by the balance of power between the partners and were, therefore, considered worthwhile, only if the balance was suitable, otherwise they were to be avoided. Furthermore, the parties to political negotiations took account primarily of the balance of military power.

Negotiations were seen as something of a supplement to unilateral steps to obtain one's own external objectives. They were, therefore, entrusted solely to people enjoying

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<sup>9</sup> Victor Kremenjuk, "International Negotiations need a Scientific Approach", International Affairs (Moscow), vol. 6, June 1989, p. 100.

special confidence thanks to years of exemplary service and proficiency in the art of diplomacy. Accordingly, an unwieldy bureaucratic system was set up to ensure the conduct of negotiations and to hold as well as to control them. This mechanism whose operation in the inner political sphere was based on a bureaucratic interdepartmental compromise, spent the greater part the working day and resources on internal co-ordination and clearance instead of actually carrying on talks.

Various attempts have, therefore, been undertaken to substantiate the international negotiating process in terms of theory and in the light of new thinking. New political thinking implies an entirely different approach and recognition of the role of negotiations as virtually the only mechanism of settling international disputes, a mechanism operating on the principles of equal benefit, reciprocal regard to the legitimate interests of the other side and openness. In the new situation, negotiations must establish a balance of interests, for without it no equitable and lasting agreement can be reached.<sup>10</sup>

#### IV

Keeping in view of the above approaches and methods

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<sup>10</sup>  
Kremenjuk, n.9, pp. 101 -2.

an attempt is now made to delineate the dynamic process of negotiations by integrating some of the above discussed efforts. To put it more sharply, the attempt is to answer the following questions;

- a) What are the goals of negotiation, or why do nations negotiate;
- b) How do negotiating parties arrive at their initial positions or the factors which determine the position taken by various parties;
- c) What factors facilitate or impede the process of negotiating differences in these positions; and
- d) What are the consequences of negotiations or outcome for the future relationship between the parties.

The decision to enter negotiation is by no means an easy one, particularly where the parties to the conflict pursue basically incompatible objectives. The decision to negotiate, therefore, is generally taken when both sides perceive a greater probability of achieving some gains through negotiations, as opposed to obtaining no more gains by holding out or continuing the status quo. Arthur Lall terms them as "irreducible minimum objectives".<sup>11</sup> on which parties must agree before negotiations can proceed.

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11  
Lall, no.5, p. 46.



Fred Charles Ikle identifies four types of issues or problems that figure in international negotiations and four corresponding purposes;<sup>12</sup>

- a) It can be the extension of an existing agreement, with or without modifications.
- b) The normalization of a relationship or situation, e.g. establishing or restoring diplomatic relationships.
- c) Redistribution, that is, when one side demands change requiring sacrifice by the other.
- d) Innovation - when one or more parties seek change that is, allegedly in the common interest; conflicting interests are mostly secondary, and may or may not be talked about.

But there are certain conditions which must be fulfilled before the two parties enter into negotiations. First, there must be something to negotiate about - an identifiable dispute or any other situation which in their opinion might work as a source of potential friction. Alongwith this, parties must admit that such a dispute or situation exists, or in other words they must desire an agreement.

Second, the major parties to a dispute or situation must accept some form of negotiation as way, though not

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For details see, Ikle, n.3.

necessarily unconditionally or as the only way - and not necessarily accompanied by renunciation of the use of force - of arriving at understanding, amelioration, adjustment or settlement of the dispute or situation.<sup>13</sup>

So, in many cases, negotiations would be of little value as some of the essential conditions would not be present. There can be several "non-agreement" reasons which might motivate a nation to enter the negotiating process.<sup>14</sup> "Negotiations often do not occur simply to resolve specific points of dispute between the parties although disputes are certain to be embedded in the fabric of any negotiations".<sup>15</sup>

A nation may enter the negotiations simply to gain time realising that the agreement in and of itself will not really solve the problem, but it may help reaching a stage of temporary resolution - a kind of status quo which gives time for chalking out the further strategy.

And at other times nations enter into agreements in

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13  
Lall, no.5, p. 46.

14  
For details see, Ikle, n.3, and also, Robert L. Wendzal, International Relations - A Policy Maker Focus (New York, 1977).

15  
Winham, no.1, p. 94.

order to deceive and hide their real stand.

Another reason which may prompt a nation to engage in negotiations is to be on record as having exhausted every means of peaceful redress so that when the situation reaches a stage of open collusion, the nation in question could say - she had no choice left but to take particular step other than the negotiations. In other words, nations sometimes embark on negotiations realising that no agreement can be reached, <sup>but</sup> doing so only in an attempt to provide themselves with an excuse to undertake other recourses when the negotiations fail.

Sometimes, the purpose is reaching an agreement, which may not in itself be a final solution, but may be used as a stepping stone towards a final settlement.

In sum, one sees that many a times signing of an agreement means nothing more than that an agreement has been signed. The reasons, the aspirations, the objectives, which prompt the two or more nations to negotiate - resulting in an agreement or otherwise are very important.

The way in which nations arrive at their positions and postures - the factors which determine them, have been inviting attention of many scholars recently. This is so

because the "communication which takes place prior to bargaining may be more important than that which takes place during bargaining, especially if the opposing parties attempt to explore a range of fair proposals".<sup>16</sup>

Then comes the most crucial aspect of the negotiation, i.e., the actual negotiating process, which involves distinct steps: (a) preparatory meetings which define the issues and arrange the conditions under which the negotiations take place; (b) tactics employed by the negotiating parties to reach an agreement which is acceptable to both the sides, and (c) factors which influence the process induced by both internal and external environment.

Coming to the first part of the process, prior to this crucial stage of negotiations, both parties must perceive some degree of common interest in order to have a stake in maintaining the relationship. If no component of common interest is perceived, negotiations cannot proceed. The "decision is based on the belief by both the parties that they have more to gain than to lose by interacting with each other". And once the parties have decided to join at the negotiating table they must agree on a "normative

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16

Krans and Deutsch, "Communication in International Bargaining", Journal of Personality and Social Psychology (Washington D.C.), 1966, no.4, pp. 572-7.

framework<sup>a</sup>, within which the deliberations will be conducted. This stage includes drawing up an agenda that identifies the issues and the order in which they will be discussed.

Further, the negotiating parties should accept certain rules of conduct. Adherence to such rules help in sustaining the mutual relationship. Then there are other rules and norms which generally emerged during the negotiations to regulate the conflict. These norms ensure that power remains equally distributed among the parties - which sometimes is a necessary pre-condition for effective bargaining. And generally these rules function effectively when bargainers have power that is both higher and relatively equal.

Moreover the precise identification of issues to be discussed has very important implications for the course of the negotiations. For example, smaller issues are likely to be easier to resolve and they subsequently help resolve larger issues. Moreover, "whenever possible, intangible issues should be recast in concrete dimensions, fractioned into their tangible components, and negotiated in operational terms".<sup>17</sup>

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17  
Rubin and Brown, The Social Psychology of Bargaining and Negotiation (New York, 1975), p. 155.

Preliminary procedural conferences also serve the function of providing a chance to obtain information about each other's intentions and goals which can be helpful in forming positions when actual deliberations start.

As noted earlier, international negotiations do not involve the sort of offer-counter-offer bargaining that is conceptualized by game theory or bargaining theory models. The negotiator is often put in the position of a "boundary role" when he must try to achieve an agreement that coincides with the expectations of his own side and of his opposite side. In other words, he must mediate the differences in order to ensure that the agreement reached, is acceptable to both parties.

The tactics which are generally used at the negotiating table include threats, promises, commitment tactics and concession making strategies while the choice depends upon the degree of incompatibility between the parties' objectives and interests, threats emphasize the negative consequences for not going along (i.e. the costs that would put them in a worse position than the status quo). Promises or offers stress the positive inducement for going along (i.e. the benefits that would accrue, putting them in a better position than the status quo). Fisher, however, claimed in his work that "the process of exerting

influence through offers (promises) is for more conducive to international peace than the process of exerting influence through threats".<sup>18</sup>

Coming to the bilateral negotiations, it is found that the commitment tactics and concession making strategies are used more often as compared to promises and threats. A negotiator is said to be adopting commitment tactics when he effectively influences an opponent by communicating and demonstrating that he is irretrievably committed to a position because of domestic, ideological or other kind of constraints and that he cannot concede beyond a clearly defined point.<sup>19</sup> And "if a negotiator is successful in convincing his opponent that the commitment is binding, the burden of concession - making to reach agreement is shifted to the opponent".<sup>20</sup> Unless effectively executed, bilateral use of commitment tactics often lead to deadlocked negotiations.

To sum up, the effective art of negotiation consists of trying to convince an opponent that one is committed to

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<sup>18</sup>  
See, Negotiation Journal, vol.2, no.3, 1986, pp.233-6.  
(New York, N.Y.)

<sup>19</sup>  
Thomas C. Schelling, The Strategy of Conflict (New York, 1963), pp. 34.

<sup>20</sup>  
Druckman, n. 8, p. 33.

a particular position while timing his concessions, so as not to lead the opponent to believe that he has forfeited the original commitment.<sup>21</sup>

Apart from these, there are other factors which impede the deliberations. These have been referred to as "the self aggravating aspects of negotiations that are relatively independent of the substantive questions involved and that can impede or facilitate negotiations about any issue".<sup>22</sup>

Cultural differences between the negotiating parties is one of the factors which may directly or indirectly influence the course of negotiations. "Even on issues in which only national interests are involved; broad differences between parties on ideology, language and cognitive structure may influence the outcome of negotiations."<sup>23</sup> And the influence is all the more, if incompatible goals are intertwined with contrasting styles.

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21

For details see Thomas C. Schelling, n. 19.

22

Cited in Druckman and Mahoney, n.2, p. 74, from Frank, Sanity and Survival (New York, 1968), p. 192.

23

Druckman, n. 8, p. 60.



Again, the personality of a negotiator(s) plays a very important role so as to affect negotiations in a subtle manner. And rightly so, as it is the person who in the roles of negotiators, communicate positions, make demands and concessions, respond to changing signals, and arrive at outcomes.<sup>24</sup>

Whereas sometimes, it is the individual personality of the negotiator, which affects the negotiating process and outcomes, at other times it may be the personality compatibility among negotiators representing opposing parties. A negotiator's perceptions and expectations of the opponent, his strength and weaknesses, his intentions and goals, and his commitments to positions and persuasive mechanism employed by him to modify the bargaining positions and values of the opponent to achieve a more favourable convergence of interests play a crucial role at the bargaining table.

These "self - aggravating" aspects of negotiations also include the diplomatic style of nations at the bargaining table as "nations differ considerably in their general approach to diplomatic bargaining and the value orientations which their bargaining behaviour expresses".<sup>25</sup>

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For details see, Bertram I, Spector, "Negotiations as a Psychological Process", Journal of Conflict Resolution (Beverly Hills), vol.21, December 1987.

25

*ibid*, n. 24, p. 609.

The diplomatic style of a particular country is best revealed by personal diplomatic memoirs, historical case studies and academic analyses. But the point which should be taken note of at the very outset is that negotiations are dynamic processes wherein the choice of methods or styles does not remain static, but is subject to important forces of change.

The last phase of the process, that is, the outcome, can be generally conceived of as emerging out a process of continuous assessment by negotiators of their three-fold choice - reach agreement, abandon negotiations, continue bargaining.<sup>26</sup> If the first option is chosen, that is, if a treaty or "understanding" is reached between the negotiating partners then the terms on which such an agreement has been reached, must be clearly spelled out - or at least they can estimate all such terms.

The second possible outcome can be defined as "to choose no agreement" (to borrow Ikle's term). This usually results, when one of the parties try to induce the opponent to soften his term or it wants to gain time to resume negotiations under better conditions. At other time, a party may choose such an outcome, <sup>if</sup> it feels no

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Ikle, n.3, p. 61.

purpose would be served by continuing the negotiation.

The last option, i.e., to engage in further bargaining is chosen, when it becomes obvious to any of the negotiating parties that it cannot afford to reach a situation of no agreement, while it is not getting incentives from the opponent to reach an agreement. So the choice may be a postponement of negotiating efforts to make additional efforts for improving the available terms or a postponement in the hope that "extraneous new developments might help to change the opponent's mind".<sup>27</sup>

#### v

The negotiations for Namibia's independence reflects a queer mixture of techniques and modalities, both traditional and modern. The protracted process of negotiating an agreement on UN Resolution 435 and struggling for its implementation has confirmed evidently the fundamental importance of negotiations in the settlement of international as well as regional disputes.

To begin with, the negotiation with the parties involved in Namibian problem, initiated in 1977 by the then five Western members of the Security Council<sup>28</sup> known

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<sup>27</sup>  
ibid, p. 62.

<sup>28</sup>  
The five western members of the UN Security Council in 1977 were: USA, UK, France (Permanent members) and Canada and Federal Republic of Germany (non - permanent members).

as "Contact Group", in conjunction with the frontline states, took many years to mature and involved the changing patterns, procedures, techniques and strategies of present day negotiations.

The question of Namibian independence had been on the international agenda for a number of years and various attempts at different levels were made to resolve it. Complex diplomatic negotiations involving the United Nations, Super-powers and other regional powers, were conducted to achieve an agreeable solution to the problem. Although the concerned parties were of vastly different decision-making styles and capabilities with varying degrees of domestic compulsions and interests, yet the political will of the respective leaders and the changing global scenario cleared the path for a negotiated settlement.

While co-operation between Washington and Moscow as a result of Super-power détente in late 1980s provided an impetus to the negotiation process, a number of economic and military factors forced South Africa back to the negotiating table for a peaceful solution. The cost of fighting the war in Namibia against the South West African People Organisation's (SWAPO) guerrillas, the reversals suffered by the South African Defence Forces (SADF) in Angola, the high number of white casualties in the war

and the heavy burden on South African economy resulting  
 from Namibia's administration and <sup>lastly,</sup> economic sanctions of  
 International communities compelled South Africa to go  
 in for a settlement. Similarly, in the case of Angola and  
 Cuba, the economic and social collapse brought about by  
 the fourteen year old civil war, the adverse domestic  
 public opinion and the pressure from the Soviet Union,  
 their ally, for a peaceful settlement made their stance more  
 flexible and adjustive at the negotiating table.

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Again, the diplomatic scheme, like other negotiations,  
 was based on a realistic appraisal of the ultimate interests  
 of the parties. While, by setting the Namibian question,  
 South Africa would be able to reduce the pressure of  
 economic sanctions and avert the threat of fresh ones,  
 Angola would gain the security from external threats and  
 much-desired peace in the region and Cuba would be credited  
 with having compelled South Africa to yield the independence  
 it would otherwise not grant to Namibia. Both the Super  
 powers would gain a reduction in East-West tensions, relief  
 from the expense of financing an endless war in an area  
 not of vital interest to them and one more credit to their  
 role as the guarantor of peace in the world.

In the present day negotiations, there are atleast  
 two basic approaches to an apparently intractable problem:

DISS

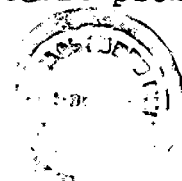
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piece-meal approach and linkage approach. The linkage theory has gained considerable importance in the present circumstances in which one can link the problem to issues that open the possibility of trade-offs between an expanded list of parties.<sup>29</sup> The acceptance of this "linkage approach" became inevitable in the settlement of Namibian question as the issues linking independence of Namibia with the withdrawal of Cuban troops from Angola were vital to the success of these negotiations.<sup>30</sup>

Again, as in the case of all negotiations and settlements, the military force remains an important bargaining tool in Namibian settlement which forced the concerned parties to give leading roles to military commanders and intelligence chiefs in the negotiations. South Africa's team regularly included General Jannie Geldenhuys, Chief of Staff of the SADF and also Lukas Neil Barnard, the Director of National Intelligence Service where as the joint Cuban-Angolan delegation was normally headed by General Franco Ndalú, Chief of Staff of the Angolan armed forces

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The "concept of linkage" was popularised by Henry Kissinger, See, Henry Kissinger, The White House Years (London, Weidenfeld and Nicolson/Michael Joseph, 1979), p. 129.

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For details see, Geoffrey Berridge, "Diplomacy and the Angola/Namibia Accords", International Affairs, (London), 65(3), Summer 1989(London), p. 471.

(FAPLA) and also Deputy Minister of Defence.<sup>31</sup>

The accord on Namibia also demonstrates the mediation efforts by a third party, (United States), which has become an important negotiating strategy in the present situation. The Namibian accords was chiefly the product of eight years of American mediation efforts and the man behind this was Chester Crocker, the US Assistant Secretary of State for African Affairs, in the role of official American mediator.

Thus, almost all the negotiating techniques and strategies were vividly demonstrated in the process of negotiation for Namibia's independence. The skilful employment of these diplomatic procedures contributed in a major way to the success of negotiating efforts in December, 1988 and eventually, the independence of Namibia.

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31  
ibid, p. 471.

CHAPTER - II

THE HISTORICAL BACKGROUND AND DIPLOMATIC EFFORTS  
TILL 1988.



For an objective appreciation of any dispute of problem in all its dimensions, a study of its historical background is absolutely unavoidable. Thus, a brief history of Namibia, till recently known as South West Africa<sup>1</sup>, merits some attention, in order to follow the process of decolonization in perspective.

The occupation of Namibia at the end of the 19th century took place at the threshold of a new epoch in the history of modern imperialism. It was the German military conquest which robbed Namibians control of their own history. The Germans who found the territory as the most suited for the white settlements gave it the name of "German South West Africa". The German rule which lasted over three decades from 1883 to 1915 brought enormous sufferings

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Namibia was earlier known as "South-West Africa" as named by the Swedish explorer C.J. Anderson in 1840s. The territory became known as "German South-West Africa" in 1884 after German colonization. Under the Treaty of Versailles, it once again became simply the "South -west Africa". The SWAPO started calling the country "Namibia" after the Namib desert as early as the 1950s. But the formal re christening ceremony of South -West Africa took place in 1968 when the United Nations General Assembly, vide Resolution 2372 (XXII) of 12 June, 1968 gave it the name of "Namibia" at the request of the people of territory. The name was, however, banned in South Africa until 1977.

to the natives. The abominable system of "apartheid" was first introduced into the territory by the Germans.<sup>2</sup> The brutality committed by the Germans upon the people of South-West Africa remains unsurpassed to this day.

The out break of first world war in Europe in 1914 between the major imperialist powers brought Namibia under new colonial domination. Acting as allies of the British, South African forces seized the territory from the Germans and then collaborated with the Portugese forces in 1915 to colonialize the South-West Africa in toto. But imperialist rivalry prevented South Africa from gaining complete sovereignty over its conquest. The United States, which did not have much of a colonial empire, objected to those who did adding to their territories from the German ex - colonies. Thus, at the Versailles Peace Conference in 1919, the spoils of war were allotted to their conquerors as Mandates in three classes, subject to the supervision of the newly constituted League of Nations. Namibia or South-West Africa was duly awarded to South Africa as a "C" class Mandate, to be administered as an integral part of the metropolitan area, subject only to the obligation "to promote to the utmost the material and moral well-being

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S.C. Saxena, Namibia : Challenge to the United Nations, (Delhi, Sandeep Prakashan, 1978), p. 4.

and the social progress of the inhabitants of the territory,"<sup>3</sup>  
 Thus, South Africa was expected, under the terms of the  
 mandate to administer Namibia as a "sacred trust of civili-  
 zation."<sup>4</sup>

But South Africa not only failed to promote the  
 "material and moral well being" and "social progress" of  
 the people of Namibia it actively set about moulding them  
 into servants of white society.<sup>5</sup> South-West Africa had,  
 thus, been made into a colony of apartheid. The system  
 of race rule, which has been condemned by the whole world,  
 firmly entrenched itself in South-West Africa. From the  
 day, the South African troops landed in South West Africa,  
 it had been the constant endeavour of South African gover-  
 nment to incorporate South-West Africa into the Union of  
 South Africa as its "fifth" province.

During the existence of the League of Nations, the  
 South African Government made several attempts to incorporate  
 South-West Africa into her territory in a clandestine  
 manner. However, the League of Nations was extremely

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3  
 Department of Information and Publicity, SWAPO of Namibia,  
To Be Born A Nation: The Liberation Struggle for Namibia  
 (London. Zed, 1981), p. 15.

4  
 Peter H. Katjavivi, A History of Resistance in Namibia  
 (London, James Currey, 1988), p. 13.

5  
 Robert Leroy Bradford, "Blacks to the Wall", in Ronald  
 Segal and Ruth First, ed., South West Africa: Travesty  
of Trust (London, Andre Deutsch, 1967), p. 93.

watchful of such attempts and took fairly strong stand on all such occasions. Despite all these attempts, the South African government had never made a formal request for the incorporation of South West Africa into the Union and the League had never called upon that Government to grant freedom to the territory.

The United Nations which came into existence in 1946 after the end of the Second World War, sought to revoke the mandate but South Africa refused to comply. It rejected proposals for a trusteeship for Namibia despite a number of resolutions to this effect by the United Nations. All these years the racist regime in Pretoria had defied world opinion and violated the UN Resolutions asking it to withdraw its administration from that territory. In the words of Ronald Segal, "it derides the intentions of the Charter, mocks the authority of the UN. There has never been an International responsibility so clearly and widely acknowledged and so flagrantly, so contemptuously defied".<sup>6</sup> South Africa's arrogant and lawless behaviour had embittered the Namibians to such an extent that they began to hit back. The guerilla movement led by South West African People's Organisation (SWAPO), established in April, 1960

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6  
ibid, preface.

and which aims at "the realization of genuine and total independence of Namibia in the spheres of politics, economy, defence, social and cultural affairs"<sup>7</sup> received impetus due to the delay in Namibian peace settlement and the introduction of apartheid policies by South Africa.

Finally in 1966, the UN General Assembly expressed its conviction that South Africa had conducted its administration of the territory in a manner contrary to the Mandate, the Charter of the United Nations and Declaration on the Granting of Independence to colonial countries and People's contained in the General Assembly Resolution 1514 (XV) of 14 December 1960. Subsequently, the General Assembly decided to terminate South Africa's Mandate unilaterally and to place the territory under the direct responsibility of the United Nations.<sup>8</sup> The Council for Namibia was set up in 1967 to give effect to the UN claim to administer the territory until independence. International pressures continued through the United Nations and other organizations to persuade South Africa to accede to the legitimate demands of the Namibian people. On 21 June 1971, the International Court of Justice (ICJ) in its

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7

Political Program of the South West Africa People's Organisation (SWAPO, Lusaka, 1976), pp. 5-6.

8

V.K.H. Jambholkar, "The Path of Protracted Negotiations", in Vijay Gupta, ed., Independent Namibia: Problems and Prospects (Delhi, Konark, 1990), p. 67.

Advisory Opinion declared,

"...that the continued presence of South Africa in Namibia being illegal, South Africa is under an obligation to withdraw its administration from Namibia immediately and thus put an end to its occupation of the territory...<sup>9</sup>

All these diplomatic attempts to compel South Africa to withdraw from Namibia proved useless, as the permanent Western members of the UN Security Council had consistently blocked several moves initiated by the United Nations, non-aligned countries and other organisations. The right to veto was misused on many occasions by the Western countries, with the selfish motive of safeguarding their economic interests in the region. Besides, they wanted to avoid a "radicalisation of South Africa" through a long-drawn-out armed liberation struggle, that might jeopardise their long term economic and strategic interests in the region.<sup>10</sup>

The Southern African scenario took a new form after 1974 coup in Portugal in which the 500-year-old Portuguese colonial - empire collapsed. The establishment of democratic

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<sup>9</sup>  
International Court of Justice, "Namibia Opinion (1971)"  
(The Hague), p. 58.

<sup>10</sup>  
Jambholkar, n. 8, p. 68.

government in Portugal after April 1974 gave impetus to various liberation movements in Southern Africa.<sup>11</sup> The independence of Angola in December 1975 had a direct bearing on the Namibian war of liberation. Following a civil war in Angola, South Africa faced a disastrous failure of its military gamble after it invaded Angola. This brought in Cuban troops at the invitation of the Government of Angola to fight the South African invaders. SWAPO established its headquarters in Luanda, the capital of Angola, with bases in Southern Angola, giving a new strategic dimension to the Namibian guerilla war.

Meanwhile, in September 1974, the Executive Committee of the National Party of South-West Africa first proposed, talks between the whites and the representatives of the other population groups of Namibia on the future pattern of its constitutional development. The Legislative Assembly approved the proposal for a conference but gave emphasis on separateness of the other "population groups" in Namibia. The Assembly, also, denied the participation of non white political parties at the conference and stressed that each non-white "population groups" would be separately represented.<sup>12</sup>

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<sup>11</sup>  
ibid, p. 71.

<sup>12</sup>  
Saxena, n. 2, p. 233.

Both SWAPO and the Namibia National Convention (NNC) were excluded from sending representatives to the talks.

Constitutional Conferences and its various phases:

The first phase of the constitutional conference attended by 156 delegates representing all the "other population groups" in the territory as well as whites, was held in closed sessions at Windhoek from 1st to 12th September, 1975 under the Chairmanship of Dirk Mudge, the present leader of Democratic Turnhalle Alliance Party. Although the declaration did not postulate sovereign independence for each of the so called population groups, it did in essence envisage the attainment of independence by Namibia as a loose confederation of ethnic states with whites retaining the most valuable land areas.

The second phase of the Constitutional conference resumed on 10th November which excluded the authentic representatives of Namibian people. The United Nations urged the international community to frustrate the South African manoeuvre and to exercise pressure on the South African racist regime in order to compel it to withdraw from Namibia. SWAPO has consistently condemned the conference as a device by South Africa to entrench "bantustanization" in the territory.<sup>13</sup> SWAPO warned

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13  
ibid., p. 235.



South Africa that unless "meaningful" talks were held, the struggle for National Liberation would continue and grow. Even NNC disregarded to any settlement as the organisation was represented by a minority of the population of Namibia. The Damara Advisory Council and other opponents of the conference met at Okahandia, known as the Okahandia Summit to issue a statement officially dissociating themselves from the conference and expressing their intention to strive for a unitary state based on a universal declaration of human rights.<sup>14</sup>

Previously in 1974, there was a move by South African Government to settle dispute over South West Africa at the United Nations. The plan was to divide the territory into an independent Ovambo State on the one side and a loose confederation of the rest of the population groups on the other dominated by the whites. The basic point of conflict was that United Nations wanted South West Africa to be independent and as a single territory, whereas Mr. Vorster, the Prime Minister of South Africa proposed independence for the various ethnic units separately under his apartheid policy.

Namibia became a Chinese box of problems for everyone

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14  
National Herald (New Delhi), 27 September 1976.

with a say of interest in its evolution. South Africa had a say as the country administering Namibia. The United Nations had a say, having resolved with the support of International Court, that South Africa's continued control is illegal. The inhabitants had no say but a strong interest. Britain had a commercial interest because of the larger quantities of Uranium it had contracted to buy for the British nuclear programme. Paradoxically, the United States and other Western Powers who, while calling the present political status of South West Africa as a colonial anachronism and supporting the independence demand refused to back concrete steps to achieve the desired end. Veto by United States, France and Britain in the Security Council had blocked moves by Asian and African countries to impose mandatory arms embargo on South African government to force it to grant independence to Namibia. Frustrated with South African defiance and lack of support from the West, SWAPO freedom fighters saw no other way but to intensify the guerilla war.

In May 1975, Mr. Vorster made it clear that whatever changes are to be expected in South West Africa they must come about in Mr. Vorster way, not the SWAPO way or the UN way. SWAPO's demand was for direct negotiations between a single Namibian team and a white settler team, with South African standing aside, to decide the terms and time

table for a transfer of unfragmented authority from white to black.

On the contrary, Vorster insisted that the conference in Windhoek's historic Turnhalle shall have option of breaking up the country into half a dozen independent black mini-states and a white state. Only if the several black leaders combine to negotiate for the Namibia that SWAPO wants, could Mr. Vorster meet SWAPO's or the UN's demand. SWAPO saw this outcome as improbable.

The Turnhalle Conference which eventually began on 1 September 1975 met only infrequently and spent most of its time discussing economic and social issues and not constitutions. SWAPO and other political parties were kept out of constitutional talks and all those who participated were nominated by South Africans on an ethnic basis. SWAPO called the talks a "farce... aimed at the perpetuation of white minority rule under which South African domination would continue".<sup>15</sup> The crucial difference was that while SWAPO urged a "unitary state" in which the entire population would be welded together whereas the

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SWAPO, "Discussion Paper on the Constitution of Independent Namibia", 1976, 4th Revise, Para 37.

white sponsored conference wants a federated nation comprising different ethnic groups with local rights.

However, in August 1976, due to SWAPO's intensive lobbying and the victory of the MPLA in Angola the Western powers were forced to pass a crucial UN Security Council Resolution (Security Council 385 of 30 Jan, 1976), which set out the conditions for withdrawal of South Africa from Namibia. It threatened to take "appropriate measures... under the Charter" unless South Africa took steps by 31 August 1976 to withdraw its forces and allow free national elections for Namibia as a single political entity, to be held under UN supervision and control.<sup>16</sup>

In February 1976, SWAPO's international campaign had borne further fruit when the nine foreign ministers of the European Common Market declared for the first time their endorsement of the right of the Namibian people to self determination and independence and to free elections under UN supervision and control, and condemned South Africa's continued occupation.

With the August deadline fast approaching, the South Africans had to pull something out of the bag to

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<sup>16</sup>  
Katjavivi, n. 4, p. 98.

buy time from the West. The Turnhalle's "Declaration of Intent", adopted in September, 1975, had promised completion of a draft constitution within three years, "if possible". But on 18 August, with the UN deadline looming and the South Africans anxious to head off the possibility of sanctions being imposed on them, the Turnhalle Conference committed itself to "independence", set 31 December 1978 as a target date and promised to establish a Turnhalle based "interim government", if possible by 31 March 1977.<sup>17</sup> This was sufficient pretext for Britain, France and the U.S. to cast a triple veto in the Security Council on 18 October, saving the regime from punitive action under Chapter VII of UN Charter as a threat to world peace.

On 18 March 1977, after months of haggling and informal discussion, the Turnhalle delegates finally ratified their constitution for an "interim government". But it was already far too late for such a plan to have the slightest popular appeal. The Namibian people, inspired by the Angolan revolution and the mass protests in South Africa, were powerfully on the move once more under the leadership of SWAPO. The SWAPO, which was recognised by

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ibid, p. 98-99.

the UN General Assembly resolution of December 1976 as the "sole and authentic representative of the Namibian people" and as the principal actor in the effort to bring about national independence for Namibia<sup>18</sup>, refused to attend the conference and instead, laid out certain principles<sup>19</sup> on which it would negotiate with the South African regime. Likewise, South Africa refused either to negotiate directly with SWAPO or to convene the Conference in a form which would allow SWAPO to participate in co operation with the United Nations. As the Turnhalle proposals were unacceptable to SWAPO, the western powers saw no other way but disapproving it. Nevertheless, South Africa went ahead with its original Turnhalle proposals and held ethnically based international election in December 1978 which took place in an atmosphere of extreme intimidation and widespread propaganda promoting the Democratic Turnhalle Alliance (DTA) Party. SWAPO and the Namibia National Front (NNF) boycotted the elections.<sup>20</sup>

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18  
ibid, p. 100.

19  
These principles were restated in six point in the new Political Programme adopted by the Central Committee at its meeting in July - August 1976. They entail South African acceptance of the right to independence, absolute territorial integrity, the release of all political prisoners, the free return of all exiles, a commitment to withdraw its occupation army and police and UN supervision and control of elections. See, To Be A Born Nation: The Liberation Struggle for Namibia, n.3, p. 240.

20  
The NNF consisted of those members who did not join SWAPO but were still opposed to the Turnhalle whereas the DTA headed by Dirk Mudge, a dissent leader of Afrikaner National Party who broke away to form the all white Republic Party in 1977, supported the Turnhalle Proposals. For details see, S.C. Saxena, "Guiding Principles for Constitution Making", in Vijay Gupta, ed., n.8.

CONTACT GROUP INITIATIVES:

The racist regime's plan of internal settlement through elections and a sham independence in Namibia perturbed the Western powers who were till now shielding South Africa with vetoes. In fact, the disclosures of South Africa's cynical designs in Namibia posed a challenge to the entire Western diplomacy in Africa.

It was against this background that, in 1977, the five Western members of the Security Council ( the three permanent members, the U.S., Britain, and France, together with Canada and West Germany) came together to form a "Contact Group", and initiated negotiations with SWAPO on the one hand and South Africa on the other to try to reach a peaceful settlement in Namibia.

The formation of the Contact Group was also the result of the Western dilemma as to how to respond to the African demands for mandatory sanctions against South Africa and it was evident that the interests of the Namibian people did not appear in their calculation at all. However, in the absence of a "credible negotiating initiative", the West feared the pressure would increase tremendously. The Western view was best summed up in the words of Cyrus Vance, then U.S. Secretary of State,

who stated:

...We all felt that unity among the five would give us greater strength and lessen the chance of fragmentation of effort. We agreed to work with the frontline states to bring Nujoma and SWAPO into serious negotiations, taking care to have one or more frontline states present when the Contact Group met with SWAPO leaders. This would help to allay suspicion that we are trying to play the Africans off against each other. All Contact Group proposals were accordingly to be advanced jointly. (21).

Thus, the "vehicle for Western Cooperation", the Contact Group had come into being. The man behind the idea, was Andrew Young, whose dynamism along with his able deputy, Ambassador Donald Mc Henry, who became the Chairman of the Contact Group, helped accelerate the process of negotiations for the independence of Namibia.<sup>22</sup>

In early 1977, in the first months of President Carter's Administration, the Namibian situation took an encouraging new turn. The Contact Group, on 7 April 1977, had worked out a basic negotiating position and an unprecedented joint aide memorie was presented to South Africa's Premier, Vorster in Cape Town. The aide-memorie

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21  
Cyrus Vance, Hard Choices: Critical Years in American Foreign Policy (New York, 1983), p. 276.

22  
ibid, p. 276.



warned South Africa against its "internal settlement" plan and threatened to impose economic sanctions in case of its failure to agree on early negotiations for Namibia's independence.

The Contact Group had vigorously carried out its objectives to obtain agreements on proposals involving elections under UN supervision and a peace keeping role for the world organisation. On 9 February 1978, it convened the so called proximity talks in New York,<sup>23</sup> at which SWAPO and South African delegates were present but not face to face because of South Africa's refusal to deal with SWAPO. The crucial negotiations to expedite independence to Namibia collapsed because of the intransigence of the South African government. However, on 17 April 1978, the Contact Group formulated yet another proposal for a peaceful settlement of Namibian question on the basis of Security Council Resolution 385 of 1976. It was an ambitious proposal and South Africa accepted it with some reservations. Again, on 12 July 1978, the Contact Group was successful in inducing SWAPO to accept its proposal in principle.<sup>24</sup>

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"To be Born a Nation: The Liberation Struggle for Namibia", n.3, p. 241.

24

ibid., p. 242.

The provisions of the Western proposals were important and clearly demonstrated the reasons for Pretoria's acceptance. Under the provisions, SWAPO would have to transfer its guerillas immediately and totally while allowing South Africa not only to retain a force strength but also to locate their soldiers at sensitive work points. Another important provision was the exclusion of Walvis Bay (the only port in Namibia which is considered vital for its security) from independent Namibia.

In this case, SWAPO perhaps decided that it stood to gain more by compromising than by staying outside and giving its black political rivals inside a chance to consolidate their advantage. Another factor in SWAPO's acceptance of the negotiated plan was the reported decision of President Neto of Angola to put his weight behind such a settlement.<sup>25</sup>

But again, there was a deadlock and on October 16th, 1978 attempts were made to break the deadlock. Ministers from five Western powers and South Africa began talk in Pretoria.

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For details see, Ronald Dreyer, "Dispute Over Walvis Bay: Origins and Implications for Namibia's Independence", African Affairs (Oxford), 83 (333), October 1984.

At the talks, South Africa intended to go ahead with its plan to hold unilateral elections in the territory in December, 1978 and as a result, the talk failed to produce any concrete proposal. However, the failure of the conference was mainly due to the diverse interests of the negotiating parties. The Western powers saw no way of reconciling the December election with the United Nations settlement plan. Because, if election were to be held, it might pose serious consequences for their huge economic interests not just in Namibia, but in the entire Sub-Saharan Africa. Secondly, South Africa threatened the West with its own sanctions. The Soviets wanted to consolidate their loss in Zimbabwe by ensuring that SWAPO emerges as the government of an independent Namibia.<sup>26</sup> SWAPO though not a communist organisation was supported by the Soviets and operated from Angola where there was a strong Soviet-Cuban-East German presence.

On May 4, 1978 a unit of racist paratroopers unleashed a blood bath, killing 600 women, men and children at Kassinga (Angola) in an UN maintained refugee camp. This barbaric act could not be ignored by the Western Powers and they had to officially demand Namibian independence.

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Dawn (Karachi), 6 May 1981.

The UN General Assembly held its 9th Session on Namibia from April 24 - May 3, 1978, and adopted a UN Resolution No.435/78 for independence of Namibia. The resolution, which presented a radical departure from Resolution 385/1976, called for and supported Namibians' right to self-determination, independence and, inter alia, provided for the creation of a United Nations Transition Assistance Group (UNTAG) that would ensure an early independence of Namibia through free and fair elections under the supervision and control of the United Nations.<sup>27</sup>

The South African government, after a world-wide condemnation, formally recognised the Resolution 435/78 on 29 September 1978 and agreed to implement it. However, the racist regime subsequently tried to reject some of its part such as the presence of SWAPO military bases in Namibia, the size of UNTAG, and the question of minority rights. SWAPO's political plans and its commitment to a democratic process, constantly deliberately misinterpreted by South Africa and its Government had always attempted to run away from the settlement plan.

Since neither South Africa nor its allies - the

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For details of UN Resolution 435/78, see, Appendix - A, p. 109.

Western powers - were prepared to implement the Resolution 435 sincerely, the SWAPO continued its armed struggle against the racist occupation forces and created conditions of panic among the white racialists through sabotage, attacks and guerilla fights.

Then in January 1981 the UN brought both sides together in a 'Pre-Implementation Meeting' in Geneva, to try to resolve all outstanding issues. Delegations came from SWAPO. South Africa and the DTA, with South Africa trying to use the meeting to promote the DTA and encourage direct talks between it and SWAPO, thus 'Namibianising' the issue. South Africa and the DTA also accused the UN of bias in favour of SWAPO. Then, in the middle of the meeting. South Africa announced that it was 'premature to proceed with the discussion of the setting of a date for implementation'<sup>28</sup> and the talks broke up.

A key factor in the South African withdrawal at Geneva was the victory of the Republican Ronald Reagan in the US Presidential election in January 1981. The American President favoured a policy of "constructive engagement", under which

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D. Geldenhuys, The Diplomacy of Isolation: South African Foreign Policy Making (Johannesburg, MacMillan, 1984), p. 230.

direct pressure on South Africa for change would not be considered. The US administration then introduced new issues to be resolved before the UN plan could be implemented. These were proposed 'constitutional principles' to be agreed in advance of meetings of the constituent assembly which was to be formed after UN elections, and the linkage of Namibian independence to the withdrawal of Cuban troops from Angola.

The linkage doctrine, which was developed by former secretary of State Henry Kissinger later implemented by National Security Advisor Zbigniew Brezezinski and perfected by Ambassador Jean Kirk Patrick, identified all regional conflicts within a framework of East-West global confrontations. It added a new dimension to the Namibian issue. Chester A. Grocker, US Assistant Secretary of State for African Affairs and the doctrine's chief strategist in Namibian issue, vigorously attempted to negotiate a package deal despite the almost universal criticism of it.

The South African government also accepted the linkage proposal and thereby gained an excuse for not proceeding with the implementation of the UN plan. The new South African strategy was designed to destroy the growing global consensus in support of Namibian independence and SWAPO

and to provide legitimacy for itself by involving the Western allies, and finally to discredit the UN and its authority to resolve the Namibian question.

However, the doctrine of linkage was rejected by the SWAPO, Angola, the Frontline states of Southern Africa, the Organisation of African Unity, the Non-aligned Movement and the United Nations. The British, West German, Canadian and French governments have all said that they do not believe that the withdrawal of Cuban troops from Angola should be a precondition for Namibian independence. France, in fact, under the Socialist administration elected in 1981, temporarily suspended its participation in the Contact Group in 1983, over the linkage issue. This ultimately amounted to virtual collapse of the Contact Group.<sup>29</sup>

This, with the changing situation, the Contact Group plan got modified, and new considerations diminished the earlier emphasis on a United Nations - sponsored solution.<sup>30</sup>

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Chester A. Crocker, "South Africa: Strategy for Change", Foreign Affairs (New York), Winter 1980-81, pp. 345-6.

30

ibid, p. 346-7.

The advent of Reagan administration brought a new dimension, by consciously seeking to remove South Africa from its "tar baby" status and involving its government in 'constructive engagement' not only with the West, but the global community.<sup>31</sup> This detente between the US and the South Africa was a consequence of the resurgence of the cold war in the late 1970s, in which American administrations viewed social change in the Third World through the lens of the East-West conflict rather than recognise the authenticity of anti-colonial and anti-imperialist struggles. The ramifications of this framework had been two-fold. Firstly, it enhanced the legitimacy of a regime that had been globally isolated and secondly, it had complicated the resolution of the Namibian question.<sup>32</sup>

The question of Namibian independence was, thus, no longer a straight forward issue of self-determination but had been made part of wider political and strategic concerns.

In May 1984, on the initiative of Zambian President

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A.E. Davis, "US Policy in South Africa", Strategic Studies (London), vol. XIII, no.1, Autumn 1989, pp. 97 - 98.

32

ibid, p. 98.



Kenneth Kaunda, a meeting was held at Lusaka (Zambia) to discuss the question of Namibian independence. South Africa instead of discussing the issue tried to place its puppets collected in the Multi Party Conference on an equal footing with SWAPO.

The SWAPO leaders dismissed the Multi Party Conference (MPC) as composed of traitors of Namibia and puppets of the Pretoria regime. The SWAPO delegation appealed to the MPC to refuse to accept the patronage of South Africa and join hands with SWAPO.

The Lusaka talks did not succeed as SWAPO refused to recognise the puppets and allow them to participate in the talks on the question of Namibian independence.

The SWAPO leader Sam Nujoma blamed South Africa for the failure of the Lusaka talks. He declared that SWAPO was being forced to step up its military pressure to compel South Africa to agree an independence settlement for Namibia within the terms of United Nations Security Council Resolution 435/1978, which provided for a cease-fire and UN supervised election.

SWAPO firmly upheld UN Resolution 435, It repeatedly

declared that any solution of the question of independence could be only between SWAPO, South Africa and the United Nations and no third party could be included in it. SWAPO had also rejected all efforts of South Africa and of the Reagan administration to link the issue of decolonisation of Namibia with the internal situation in Angola - i.e., the presence of Cuban troops there.

It was becoming obvious that unless the Western powers and South Africa changed their policy and agreed to majority rule in Namibia, the UN could not succeed. All its resolutions concerning economic sanctions were flouted by the West and South Africa continued its illegal presence in Namibia till Angolan forces inflicted a humiliating defeat on South Africa's aggressive troops in 1988.

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CHAPTER - III

NEGOTIATIONS FOR INDEPENDENCE: THE INITIAL PHASE.

Various attempts, as delineated in the previous chapter, were made both inside and outside the United Nations framework, to bring the fighting between the Namibian guerrilla movement led by SWAPO, and South Africa to an end prior to 1988, yet it was not until after that circumstances seemed to favour a settlement towards Namibian independence.<sup>1</sup>

In the first place, the military stalemate in Angola had become increasingly obvious with the battle in late 1987 for Cuito Cuanavale (the Angolan government's southernmost fortified air base) between Angolan and Cuban forces, UNITA and the South African Defence forces (SADF) which was the biggest conventional battle of Southern Africa. An initial assault by the Angolans, intended to cut off UNITA guerrillas, had been reversed by UNITA forces fighting with massive SADF assistance and driven back to Cuito Cuanavale where the Cuban reinforcements, the Angolans were able to withstand a protracted siege.<sup>2</sup>

Again, the fighting in Angola was also exacting an increasingly burdensome economic cost, particularly on

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1  
 Andre du Pisani, SWA/Namibia: The Politics of Continuity and Change (Johannesburg, Jonathan Ball, 1986), p. 451.

2  
Africa Confidential (London), 1 April 1988, See also John A. Evenson, "Namibia: The Transition Timetable", Africa Report (New York), March-April 1989, p. 27.

Angola and South Africa but also on the Cubans and their Soviet patrons. The Angolan economy was on the verge of disintegrating while the war was believed to be costing South Africa more than a million dollars a day - and this with an economy which had been in recession for a number of years.

Thus, as the war continued in a stalemate, and as each move by one side was successfully countered by the others, the infeasibility of a military solution became increasingly difficult to overlook. As the human and economic costs of war escalated for all parties, they became convinced that there was no alternative to a negotiated settlement.

Thirdly, the South Africans found it increasingly difficult to justify heavy military expenditures on their intervention in Angola and defence of Namibia, the white casualties and the rising cost of subsidizing the Namibian colony. The military situation was not only disposing the South Africans to think more seriously of diplomatic solutions, but also to abandon their earlier dreams of making their forces in Angola their main bargaining chip<sup>3</sup>

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3  
Independent (London), 5 May 1988.

and fall back on the offer of possible independence for Namibia. The two setbacks suffered by South Africa in 1988, the threat that SADF forces inside Angola would be cut off by Cuban forces on the Namibian border, and a successful Cuban air attack on the SADF - guarded Calueque Dam on the Angolan side of the border, also compelled South Africa for a peaceful settlement. The white casualties were also reaching politically serious levels which made the Pretoria regime realise that it was no longer militarily superior in the region.<sup>4</sup> According to Professor Reginald Green of the Institute for Development Studies in Sussex - "the conflict was costing white South Africa proportionately more in human terms than Vietnam did the USA."<sup>5</sup>

Coupled with this was the cost of fighting the war in Namibia against the SWAPO guerrillas. Namibian resources had declined and South Africa had to spend more than it could earn from Namibia. Thus, faced with these realities - the economic and military factors, South Africa was forced to go to the negotiating table where they needed

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4  
Virginia Curtin Knight, "Namibia's Transition to Independence", Current History (Philadelphia), vol.88, no. 538, (May 1989), p. 226.

5  
and others,  
Reginald H. Green, Namibia: The Last Colony (Essex, Longman, 1981), p. 61.

a political and strategic victory to show that the benefits of letting Namibia go free and leaving Angola to its own fate outweighed the costs.

In the fourth place, the Cuban leader, Fidel Castro, who had of late been re-emphasizing that his forces would remain in Southern Africa until apartheid itself was toppled, was now inclined to be flexible as well. The Cubans having invested their prestige and the blood of their youth in the inconclusive war in Angola, had come to see it as a quagmire. They needed a way to be able to declare their "internationalist" mission honourably fulfilled. A visible Cuban role in the achievement of Namibian independence and the consequent removal of the South African threat to Angola's sovereignty and territorial integrity could provide the political victory and security gains they needed to allow them to go home.

As for SWAPO, militarily weak and heavily dependent on Cuban and MPLA support, it was in no mood to stand in the negotiations. SWAPO stood to win perhaps the biggest prize of all, from a settlement. Because, there was no need to negotiate the terms of the South African withdrawal or Namibian independence; these had already been spelled out in U.N. Security Council Resolution 435 in 1978.<sup>6</sup> Thus,

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<sup>6</sup>  
On the history of Resolution 435/78, see, Pissani, no.1, pp.217-21.

Cuban troop's withdrawal from Angola would constitute a gain for SWAPO in the form of independence of their country. Besides, it had been initially encouraged by Angola to believe that it would play a formal role in any negotiation with South Africans.<sup>7</sup> The UNITA whose attitudes were likely to have a bearing on the prospects of negotiations was also in pacific mood. Its leader Jonas Savimbi, despite being kept out of the negotiations on the insistence of the MPLA was disinclined to use spoiling tactics as it would gain from the Cuban withdrawals, and increased pressure on the MPLA with US support to make peace.

Above all, the Super Powers had entered a new era of co-operation during 1987 and 1988. Both the United States and the Soviet Union sought to resolve regional disputes which would gain them a reputation as responsible international actors. While the Soviet Union would gain a reduction in East-West tensions, some easing of its relationship with the United States, and relief from the expense of financing a seemingly endless war in an area not of vital interests to it,<sup>8</sup> the United States's eagerness to gain a

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See, Independent, 3 May 1988.

8

K.M. Campbell, "Southern Africa in Soviet Foreign Policy", Adelphi Papers (London), Winter 1987-88, p. 51.



negotiated settlement in the region is attributed to its policy of "constructive engagement" to change South Africa's policy of apartheid. Moreover, the US military aid to UNITA, following the repeal in 1985 of the Clark Amendment<sup>9</sup> of 1976, had begun to prove quite embarrassing to the United States. Besides, the Reagan administration wanted to solve the Namibian crisis before the U.S. Presidential elections and thereby, boosting the public image of the Republican Party over his rival in the presidential poll.<sup>10</sup>

Thus, various factors, both internal and external, compelled the concerned parties in the year 1988 to move towards a negotiated settlement of the Namibian independence.

It is obvious, therefore, that circumstances in 1988 favoured a solution over the crisis of Angola and Namibia.

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<sup>9</sup>  
The Clark Amendment of 1976 prevented President Ford from involving the United States in War in Africa by supplying weapons to UNITA. But following its repeal in 1985, the US renewed arms supplies and routes through Zaire to strengthen its hold over UNITA greater than the South African influence. See, John A. Marcum, "Angola: Twenty-Five Years of War", Current History (Philadelphia), vol. 85, no.511 (May, 1986), p. 233-4.

<sup>10</sup>  
The Democratic Party Presidential Candidate Michael Dukakis had pledged to sever U.S. Relationships with South Africa, to end aid to UNITA and to abandon the linkage approach in case he gets elected.

Contemplating a choice between a negotiated settlement and bloody battles that would not alter the basic military balance between the involved parties, South Africa, Angola and Cuba forced seriously to contemplate the compromises necessary to reach agreements.

The first part of the last stage of the negotiations started in late January 1988 at Luanda in which representative of the governments of Angola and the United States met to continue talks aimed at finding a negotiated solution for the problems of Southern Africa, namely Angola and Namibia.<sup>11</sup> A Cuban government representative joined the Angolan delegation in order to take part in the negotiations.

The Angolan delegation at talks included Afonso Van Dunem Mbinda, external relations minister, Gen. Antonio dos Santos Franca Ndalo, FAPLA chief of staff; Venancio de Moura, deputy external relations minister; and Jose Maria, Secretary to the President for military affairs. The US delegation is led by the US Assistant Secretary for African Affairs, Chester Crocker, and includes high-ranking State Department Officials. This was the first official talks held between the two sides in 1988. The Angola

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11

Chas W. Freeman (Jr.), "The Angola/Namibia Accords", Foreign Affairs (New York, N.Y), 68(3), Summer 1989, p.134.

had given proof of goodwill and flexibility in this meeting, leading to stability in the region and independence for Namibia on the basis of the UN Security Council Resolution 435/1978. Though the dialogue in Brazzaville in April, 1987 had failed after Angola withdrew from the talks due to a lack of seriousness on the part of the United States and over the issue of aiding UNITA rebels following the repeal of Clark Amendment, but following the Brazzaville meeting and the Luanda talks in July, the Angolan authorities noted some common view points and intended to continue talks whenever the interested parties so desired.

At the Luanda talks, the Angolan side re-affirmed its principled stands whereby the problem concerning the withdrawal of the Internationalist Cuban forces from Angola was conditional on the withdrawal of the South African troops from Angolan territory, the end to aid to the UNITA puppet gangs by the United States and the Pretoria regime and others, the implementation of UN Security Council Resolution 435 on the independence of Namibia and respect for the PRA's sovereignty and territorial integrity.<sup>12</sup> The Cubans present at the talks confirmed their willingness

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Times of India (New Delhi), 30 March 1988.

for the first time to negotiate on the principle of a total withdrawal of the 50,000 strong Cuban contingent in return for Namibian independence under the UN Resolution 435 of 1978.

Though such a statement of principle did not appear to make the dead-locked negotiations further, but it was, nevertheless, an important step towards the resolution of South-West African crisis.

Then, another meeting in Luanda from March 9 to 11 had taken place between Angolan, Cuban and US representatives in a climate of mutual respect and constructive spirit. The Angolan delegation was led by Justice Minister Franca Van Dunem and the Cuban team by Rodolfo Plente Ferro, a Central Committee member of Cuba's ruling Communist Party. At the talks, the joint Angolan - Cuban delegation had presented proposals to the US for a Southern African peace accord involving Angola, Cuba, South Africa and the South West Africa People's Organisation (SWAPO). The proposals, also, included "a time table for the movement of Cuban internationalist troops from the South to the north of the 13th parallel (which passes through Central - Southern Angola), and the gradual departure of internationalist troops to Cuba until their withdrawal is

completed".<sup>13</sup> The cessation of US and South African support for Angola was a "compulsory condition" for the implementation of such a time table.

Again, talks in March between South African Foreign Minister R.F. "Pik" Botha and Assistant Secretary of State for African Affairs, Chester Crocker, in Geneva, confirmed South Africa's continuing willingness to solve the Namibian crisis.<sup>14</sup> This was the first direct meeting between the two country's representatives in almost two years. During the talks, Crocker was assisted by some of his senior officials, as well as the US ambassador to South Africa, Edward Perkins. Pik Botha, the South African foreign minister was accompanied by senior officials of his department, as well as the South African ambassador to U.S., Piet Koornhof. The meeting lasted for about five hours and resulted in South Africa's desire to continue further talks over Angola/Namibian situation in a constructive spirit. At the same time, the parallel talks between Chester Crocker and the Soviets for the first time suggested Moscow's interest in facilitating such a settlement.

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13  
ibid.

14  
Freeman(Jr.), n.11, pp. 134-5.

However, despite these early efforts, the negotiations for independence of Namibia and peaceful solution of Angolan crisis were chiefly the product of ten rounds of publicly announced negotiations which began in May 1988 and two "secret" talks held in Cape Verde in late July, and in New York in early October.

LONDON TALKS (FIRST ROUND):

In May 3-4, 1988, the representatives of United States South Africa, Angola and Cuba assembled at London to negotiate over the Angolan crisis and the implementation of UN Resolution 435 calling for Namibian independence. These hush-hush talks at London were seen as a diplomatic breakthrough. It was the first time that only the parties involved in the conflict had decided to meet formally to discuss the conflict. The London conference took place in a friendly atmosphere. Besides, Neil Van Heerden, the leader of the South African delegation, the team also comprised Defence Force Chief, Gen. Jannie Geldenhuys and representatives of the intelligence service. The Angolan team included External Relations Minister Afonso Van Dunem Mbinda, FAPLA Chief of General Staff Antonio dos Santos Franca Ndalo, Justice Minister Franca Van Dunem and others, whereas Jorge Risquet Valdes, member of the Central Committee of the Cuban Communist Party led the Cuban delegation to the meeting. The representatives of

the Soviet Union were also present outside the formal talks as counsellors.

The London talks were mainly exploratory in nature and not substantial. Each side merely stated its position and reportedly the discussions were only peripheral to the core of the issues involved. However, such a situation was perhaps inevitable when the negotiating sides came to London with varying perceptions about the talks. The Angolans stated that they had come to London "to secure a package which would bring peace to Angola and Namibia",<sup>15</sup> while the South African foreign minister Pik Botha had reiterated that, "as far as South Africa is concerned the talks are going to be about Cuban withdrawal, not about Namibia".<sup>16</sup> Furthermore, the leader of the South African delegation, Neilvan Heerden had said that "there should not be excessive expectations about the talks" which were "a step in the long process of achieving peace".<sup>17</sup> On the other hand, both Cuba and Angola had alleged that the South Africa was not taking the talks seriously and was trying to jeopardise the peace initiatives put forward by them, which were realistic and flexible.

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15  
Godwin Matatu, "Angola's Exploratory Talks", West Africa, (London), 26 May 1988.

16  
Weekly Mail (Johannesburg), 3 May 1988.

17  
ibid.

However, on the positive aspect, the London meeting marked an agreement in principle on a settlement based on the 'doctrine of linkage' that Chester Crocker, the U.S. official mediator, had formulated eight years before. At the talks, the Cuba had agreed to withdraw its troops from Angola over a four year period on the condition that the territorial integrity and sovereignty of Angola are not threatened by the racist Pretoria regime.

The Soviet Union, participating at the talks as counsellors, discussed with all parties from behind-the-scenes and convinced them that a settlement was indeed possible. At the end of the meeting the delegates of the four countries expressed their belief that progress had been made during the talks and decided to continue their talks in the near future.<sup>18</sup> The joint Angola-Cuban delegation stated that it will be possible to reach an agreement in the near future, if there was seriousness and goodwill on South Africa's part. However, South Africa had expressed his satisfaction with the progress achieved at the meeting describing them as a "serious initiative" and rejecting allegations that it was not taking the talks seriously. The South African representatives also commented on the apparent genuineness of

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18  
International Herald Tribune (Paris), 9 May 1988.



the Cuban offer to withdraw its troops from Angola and on the likely participation of UNITA leader Jonas Savimbi in the next round of negotiation process only with an observer status. The South African delegation was said to have been surprised by the seriousness of the other delegations about reaching a settlement and the Cuban determination to find a formula for the withdrawal of its troops from Angola.

As for as, the South West Africa People's Organisation (SWAPO) was concerned, it fully participated in the negotiation process.<sup>19</sup> However, it was completely excluded from the formal talks there after, though Chester Crocker, the U.S. mediator, always maintained a dialogue with SWAPO and informed the organisation about subsequent progress.

The London negotiations was made possible with the help and support of the Britain, USSR and West Germany beside the United States which was directly involved in the negotiation process. The British Foreign Secretary, Sir Geoffrey Howe was believed to have told the participants at London meeting that he would stand by for any assistance.<sup>20</sup>

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Geoffrey Berridge, "Diplomacy and the Angola/Namibia Accords", International Affairs (London), 65 (3), Summer 1989, p. 472.

20

Times of India (New Delhi), 4 May 1988.

Similarly, the Soviet Union no longer viewed global politics as a zero-sum game. An important component of solving crisis according to "new thinking" advocates is the belief in "national reconciliation", under which various political forces and ideology come together on a joint platform for solving national and regional questions.<sup>21</sup>

Thus, on Namibian issues, the Soviet Union, who had been supplying arms and money to Angola's MPLA government and also, supporting it through Cuban troops, was keen to disengage itself from the conflict and striving for a peaceful solution.<sup>22</sup> The West Germany, sensing Namibian independence in near future which might cause concern for the white populace of Germanic origin in Namibia, extended its support and co-operation towards the settlement of Namibian question.<sup>23</sup>

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21  
Pravda (Moscow), 19 April 1988.

22  
For detailed analysis, see, Colin Legum, "Southern Africa: Analysis of the Peace Process", Third World Reports, 11 January 1989.

23  
See, H.S. Chopra, "West Germany and Independent Namibia", in Vijay Gupta, ed., Independent Namibia: Problems and Prospects (Delhi, Konark, 1990), pp. 157-8.

BRAZZAVILLE MEET (SECOND ROUND):

The ice-breaking London meeting was followed by cordial bi-lateral talks between South Africa and Angola at Brazzaville, the Congolese capital, on 13 May. The ministerial level meeting which lasted only for four hours excluded the Americans and the Cubans and according to Pik Botha, the South African foreign minister, a frame work for settlement was established at the talks. The South African delegation was led by foreign minister Pik Botha and also included the Minister of Defence, Gen. Magnus Malan whereas the leadership of the Angolan team was taken by Justice Minister Franca Van Dunem.<sup>24</sup>

The Brazzaville talks produced hopeful signs of a de-escalation of the Angolan conflict and an ultimate Cuban disengagement from the sub-continent in return for the implementation of UN Resolution 435 by South Africa. The meeting had focussed mainly on bilateral Angolan - South African issues and matters related to the continuation of the work of the London meeting held in May 1988. At the end of the meeting both the parties decided to hold another quadripartite meeting involving Angola, Cuba, South Africa and the United States in the near future.

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<sup>24</sup>  
Independent (London), 14 May 1988.

The Brazzaville round of negotiations was important in many ways. In the first place, though the South African government did not recognise Angola's MPLA Government and they did not have direct contact with each other, both of them showed their willingness to cut the Americans out of the negotiations altogether and hold direct talks.<sup>25</sup> Secondly, the Angolan government had showed a diplomatic demonstration that the four-way talks were much more important to them than bilateral talks with the South Africans by sending its Justice Minister to head the delegation to the negotiating table.<sup>26</sup> But on the contrary, the South Africans were more interested to hold talks without the US mediation, which was merely a temporary diplomatic tactic designed to put pressure on the US for a more friendly attitude towards their various demands than proceeding with sanctions legislation against them.

The United States and Soviet officials, in the mean time, met in Lisbon on 19th May for peace talks on Angola/Namibia. Chester A. Crocker, U.S. Assistant Secretary of State for African affairs, and Anatolly Adamishin of the

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25  
However, the President Chissano of Mozambique mediated between Angola and South Africa to make a direct and face-to-face talk possible. See, The Times (London), 12 May 1988.

26  
Independent (London), n. 24, Also see, Guardian (London), 16 May 1988.

Soviet Union discussed how to maintain the momentum of negotiations and set the agenda for a repeat of ground-breaking talks held in London between Cuba, Angola, the United States and South Africa. The two negotiators also had started preparing detailed progress reports regarding the conflict which was expected before the Super-Power Summit scheduled to be held at Moscow on May 29, 1988.

During the Super-Power Summit, Mr. Crocker and his Soviet counter-part, Mr. Adamishin had intensive discussions over the issue and as a result, both the U.S. and Soviet Union offered joint guarantee to a peace settlement involving Cuban and South African troop withdrawals from Angola linked to the South African implementation of UN Resolution 435 giving independence to Namibia. The Super-Powers set September 29 as a target date for peace settlement. During the talks in Moscow, Mr. Crocker pressed for a much shorter withdrawal period preferably, no more than nine months in contradiction to Cuba's proposal of a four year time table for withdrawal of its forces. The U.S. and the Soviet Union focussed primarily on national reconciliation in Angola, the future role of UNITA and Super-Power guarantees for an eventual settlement.<sup>27</sup>

As a result of the efforts made by the U.S. and the Soviet Union, the negotiations were carried on by the concerned parties despite being accompanied by threats and counter-threats. After the Brazzaville meeting, for example, it was decided to hold the next round in the same town, but there were reports that President Botha was planning to use the opportunity to visit the Congolese capital and this led Luanda to decide on a change of venue. The United States, at last, was able to persuade Cairo to host the meeting. South Africa was furious at the alternation but there was nothing it could do; a negotiated settlement had become a matter of interest to it and Pretoria had realised that it no longer enjoys overwhelming military superiority.

CAIRO TALKS (THIRD ROUND):

The third round of negotiations on a settlement in Namibia was held in Cairo on 24-25 June 1988. It was the first occasion on which South Africa, Cuba and Angola had faced each other at ministerial level. The South African delegation was led by its Foreign Minister P. W. Botha, accompanied by Defence Minister Magnus Malan, Foreign Ministry Director General Neil Van Heerden and the Chief of the Defence Force, Gen. Jannie Geldenhuys where as Afonso Van Dunem, the Minister of External Relations was the leader of Angolan delegation.

The Cairo talks took place against a background of rising military tension in Southern Angola following reports of a build-up of Cuban troops near the Namibian border and witnessed furious exchanges which spilled over into the issue of apartheid itself.<sup>28</sup> However, at the end of the talks, some progress was made and a plan of work developed for continuing exchanges at an expert level to expand on the achievements made at Cairo. It was also decided that representatives of the four parties will meet in the United States on July 11 to work out technical details of the proposal for a time table of troops withdrawals.<sup>29</sup>

The hostility and suspicion among the parties was very high at the Cairo round of negotiations and had it not been for the presence of Chester Crocker, it seems highly likely that the negotiations would have foundered in Cairo itself. Mr. Crocker's mediation efforts was perhaps most conspicuous in this round of talks where he was ably aided by his Soviet counterpart, an African expert and deputy foreign minister named Vladilen M. Vasev.<sup>30</sup> The presence of Mr. Vladilen Vasev at Cairo was important

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28  
Guardian (London), 27 June 1988.

29  
International Herald Tribune , 28 June 1988.

30  
ibid., Also see, Berridge, n. 19, p. 469.

since he influenced the course of the talks by forcing Angola and Cuba to adopt a more flexible approach and change their tactics at the peace talks.

Thus, over the summer of 1988, despite occasional lapses into polemics, the negotiations continued and all the concerned parties showed their willingness to negotiate seriously. However, there were still wide gaps to be bridged in the implementation of the settlement plan.

NEW YORK TALKS (FOURTH ROUND):

An apparent breakthrough occurred following the fourth round of talks at Governor's Island in New York, which took place only three weeks after the Cairo talks, when negotiators for Angola, Cuba and South Africa reached at an agreement on a set of fourteen principles constituting the essential elements of a political settlement in Namibia.

The New York round of negotiations, which took place from 11 July to 13 July, dealt mainly with the drafting of a document which served as the basis for ministerial talks and included concrete proposals on guarantee for the security of the People's Republic of Angola and independence for Namibia. Instead of accusing one another, all the parties



realised that they had a problem to solve, thus, were serious at the talks.

As a result, the New York peace talks marked a significant change from the earlier rounds of negotiations. In a major breakthrough, a document entitled "Principles for a Peaceful Solution in South Western Africa" was issued on 20 July in Angola, Cuba and South Africa simultaneously. All these governments recognised that each one of these principles was "indispensable" for the achievement of a general solution and, also, "interdependent", which meant that there could be no agreement on the implementation of Resolution 435 or on a date for its commencement, without a parallel agreement on a timetable for a Cuban troop withdrawal.<sup>31</sup>

The main points of the document<sup>32</sup> were, the setting of a date for the implementation of UN Resolution 435, co-operation between Angola, South Africa and the UN Secretary-General towards ensuring the independence of Namibia through free and fair elections and the staged and total withdrawal of Cuban troops from Angola on the basis of a separate agreement involving Cuba and Angola.

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31  
The Times (London), 21 July 1988.

32  
For the full text of the document, see, Appendix B, p. 112.

The document, also, committed the three signatories<sup>33</sup> (Cuba, Angola and South Africa) to respect the sovereignty, sovereign equality and independence of each states and refrain from attacking one another, whether directly or through proxy.

The settlement package, for the first time, had accepted the link between a Cuban withdrawal and Namibian independence in terms of United Nations resolution which was adopted ten years ago in 1978. It, also, publicly and explicitly acknowledged the mediating role of the United States by incorporating it among its fourteen essential principles indispensable for a peaceful settlement of the conflict. Again, there was no mention in the document, of UNITA, the South African - backed Angolan rebel movement.

The SWAPO welcomed the peace plan adding that it meant that a peaceful solution to the conflict in Southern Africa was within the reach. It also hoped for direct talks with South Africa on a ceasefire, once a peaceful settlement was finalised.

However, there were still many obstacles which remained in the detailed implementation of the peace plan. As South African foreign minister Pik Botha had said,

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The United States was not a signatory of the document though very much involved in the negotiations. But as a permanent member of the UN Security Council, it could become "a guarantor" of any agreement eventually reached.

"We have travelled a long distance to get to this stage. We are still at the foot of the mountain that will have to be climbed". Similarly, Chester Crocker, the American mediator, said, "This is an important step : we are not saying it is more than that. It clears the way for hard bargaining that lies ahead. A great many hard and difficult compromises have to be achieved."<sup>34</sup>

The main difficulties were negotiations on the withdrawal schedules for Cuban forces, defining a verification regime for withdrawal commitment, deciding the process of disengagement of forces and above all, the future role of UNITA, the Angolan rebel movement led by Jonas Savimbi.

The Cubans were ready to withdraw their troops over a period of up to four years, with less than half leaving within two years whereas, the Resolution 435 envisaged a seven month transition to Namibian independence. South Africa would not tolerate the continued presence of a large number of Cuban troops in Angola after the independence of Namibia. This implied that, if a compromise was to be reached, a Cuban withdrawals would have to take place

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Times, n. 31, For details see, Gillian Gunn, "A Guide to the Intricacies of the Angola-Namibia Negotiation", CSIS Africa Notes, no.90, (September 8, 1988).

much faster or Namibian independence would have to be phased over a longer period, or both. It was also still far from certain whether the South African military establishment would be prepared to relinquish control of Namibia.

Despite all these hard and difficult gaps, there were many reasons for believing that there was a better chance of a settlement now than at any time before. The rising South African casualties, the sorry state of the Angolan economy after fourteen-years of civil war, the new political thinking in the Soviet Union and above all, the Super-Power rapprochement in the late 1980s - all these factors contributed towards creating a hopeful climate for a negotiated settlement of Namibian crisis.

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CHAPTER - IV

THE BREAKTHROUGH AND ACHIEVEMENT OF INDEPENDENCE

The outlines of a peace plan for Angola and Namibia that emerged after the New York round of talks marked a significant advance in the negotiation process. All the four concerned parties - South Africa, Angola, Cuba and the USA had agreed on the ground rules. Only the finishing touches were to be given to a final accord.

In the meantime, four days of secret military talks on Southern Africa were held between South Africa, Angola, Cuba and the United States<sup>1</sup> at Cape Verde Islands on 24 - 28 July to hammer out differences in order to end the thirteen-year-old civil war in Angola and bring independence to Namibia. At the talks, Angola was represented by Deputy Defence Minister Ndalo Franca while the South African delegation was led by Deputy Foreign Minister Kabus Meiring.

The initial phase of negotiations defined a basic structure, which provided a basis for final steps to a settlement. The points agreed upon by the negotiators at the New York meetings provided the basic guidelines on which the final phase of negotiations, starting from Geneva rounds, were to be built.

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The presence of United States at Cape Verde talks was controversial. While reports in the International Herald Tribune, (Paris) of 25 July 1988 confirmed the US presence, the opposite is confidently affirmed by Sean Cleary in "The impact of the independence of Namibia on South Africa", South Africa International, Jan 1989, vol. 19, no.3, p.124.

GENEVA TALKS (FIFTY ROUND):

The most important missing piece in the complex jigsaw puzzle was the time table which was the main subject on the agenda when senior officials of the three governments met again, with the US as mediator, on 2-5 August, 1988 at Geneva. If the "time table" issue was solved then all parties could find themselves locked into settlement process that would open the way to a solution of the Namibian problem.

Further, it was important for the Geneva talks to show some progress beyond what was achieved in the previous round in New York. The negotiators, therefore, were trying to narrow the gap between the four years originally proposed by Angola for a withdrawal of Cuban troops and the seven months demand by South Africa.

At the initial stage of negotiation, the South African delegation led by foreign minister Pik Botha proposed a swift ceasefire and withdrawal of South African troops from Angola by September, 1 to be followed by UN-supervised elections by 1 June for an independent government in South West Africa. He made the promises contingent on full Cuban withdrawal from Angola by the June 1 elections and the dismantling of seven African National Congress guerrilla

bases in Angola.<sup>2</sup>

However, Carlos Aldona Escalante, head of the Cuban negotiating team, and Deputy Foreign Minister Venancio de Moura, leader of the Angolan delegation rejected the South African proposal and said that the offer amounts to a reiteration of past promises to implement UN Resolution 435.<sup>3</sup> Since South Africa failed to respect the previous dates set, this offer was nothing but only a public relations gesture rather than a serious negotiating proposal.<sup>4</sup> The Cuban negotiator, Carlos Aldana, also, insisted that in any case, the time table cannot be set by South Africa, only Cuba and Angola has the right to solve it through bi-lateral discussion. However, both Angola and Cuba vowed to carry on negotiations despite their irritation.

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International Herald Tribune (Paris), 4 August 1988. All references to the International Herald Tribune in this chapter are to the Paris edition of that newspaper.

3

Washington Post Service, 14 August 1988.

4

Protocol of Geneva: August 5, 1988, "in Namibian Independence and Cuban Withdrawal (Pretoria: South African Department of Foreign Affairs, 1989), p. 29-30.



The discussions, thus, carried on in strict secrecy and surprisingly, the talks went into an unscheduled fourth day which showed the seriousness on the part of the negotiators to resolve the crisis. The delegations met in different working groups and the discussions were serious, and constructive.

As a result, the participants, at the end of the talks, had agreed on a sequence of steps to achieve peace in Namibia. The three parties - Angola, Cuba and South Africa, declared a ceasefire on 8 August pending more talks at the next round to be held on 22 August at an unspecified venue over the issue of ending the interlocked conflicts in Angola and Namibia. They also invited the UN Secretary General to start implementing on November 1 its long delayed plans for the independence of Namibia. In addition, Angola and Cuba had reiterated their decision to sign a bilateral agreement "which would include a timetable acceptable to all parties for the total withdrawal, in stages, of Cuban troops in Angola."<sup>5</sup> The parties were committed to reaching agreement on this by no later than 1 September. The declaration added that a series of practical measures were also adopted to "develop confidence,

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<sup>5</sup>  
ibid, p. 30.

reduce the risk of a military confrontation and create the conditions necessary in the region to conclude the negotiations".<sup>6</sup>

Under the terms, the disengagement or withdrawal of South African troops would begin on August 10 and a ceasefire would be effect on the Namibian -Angolan border on that day. The withdrawal process would be completed by September 1, 1988 and a liason and monitoring committee was to be established to oversee the preliminary phase of the ceasefire by August 20, 1988 as a first step towards the formal ceasefire in Namibia.

The SWAPO President Sam Nujoma welcomed the declaration of the Geneva quadripartite talks and said that hostilities between SWAPO and South African forces in Namibia would cease on September 1. He, however, warned that SWAPO's combat operations against South African troops and their local auxiliary units in Namibia would only hold if South Africa was prepared to reciprocate its gesture of goodwill by not mounting military operations against combatants of PLAN (SWAPO'S military wing) in the period leading to

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ibid, p. 30. For details see, Gillian Gunn, " A Guide to the Intricacies of the Angola-Namibia Negotiations", CSIS Africa Notes, no.90 (September 8, 1988).

a formal ceasefire in October, 1988.<sup>7</sup>

Thus, a defacto ceasefire and confidence-building measures among all parties were established at the Geneva talks, there was a further large obstacle to final agreement. That was doubt about South Africa's intentions.

Pretoria had agreed years ago to the UN plan calling for independence of Namibia, but then found one excuse after another to stall the process. South African officials were superb at negotiating away from seeming agreements. Thus, after the talks, they had mentioned a number of issues that could again serve as excuses : questions about UN impartiality in overseeing the Namibia plan funds to carry it out, the terms of the election and so on. To take Pretoria's word for granted, therefore, seemed premature, particularly when "details of the modalities" still need to be worked out.<sup>8</sup>

But, there were new realities and new factors working for peace, and a process had started in this direction.

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<sup>7</sup>  
The Namibian (Windhoek), 10 August 1988.

<sup>8</sup>  
International Herald Tribune, 10 August 1988.

The need was to carry that process forward : to test the commitment of the parties as each had to face the hard questions that were still unsettled.

BRAZZAVILLE TALKS (SIXTH ROUND):

Against this background, the sixth round of negotiations was held in Brazzaville, Congo in the last week of August by representatives of Angola, Cuba, South Africa and the United States.

During this round of negotiations, the terms of a timetable to be agreed upon between the governments of the People's Republic of Angola and the Republic of Cuba were examined.

The timetable dealt with the northward movement of Cuban troops and their phased and total withdrawal from Angola. Other themes related to the general situation of the conflict were also examined.<sup>9</sup> At the end of the three day meeting, all participants to the negotiations felt that they still need more time to consult their respective governments. Thus, the delegations agreed to meet again in Brazzaville during the week of September 7, 1988.

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<sup>9</sup>  
New Strait Times (Kuala Lumpur), 27 August 1988.

Representatives of Cuba, South Africa and Angola resumed their Brazzaville round of negotiations on September 7 which focused on the withdrawal of Cuban troops from Angola. The joint military committees of the three parties, also, had begun from that day monitoring the ceasefire to be implemented in the region from 8 September 1988.

Foreign Affairs Director General Neil Van Heerden led the South African delegation aided by SADF Chief Gen. Jannie Geldenhuys and Lukas Barnard, director-general of the National Intelligence Service whereas Lt. Gen. Antonio dos Santos Franca Ndalú and Cuban communist party leader Carlos Aldona were the leader of the Angola and Cuban team respectively.

Intense bilateral and trilateral talks continued in Brazzaville on the withdrawal schedules and it was decided that the timetable for Cuban withdrawal would have to be discussed by all parties and not by South Africa alone.

At the end of the three day negotiations, the delegations of three countries had expressed their views on the terms of a timetable for Cuban troops withdrawal from Angola and had agreed to give further consideration to the

to the proposals presented at this and previous meetings.<sup>10</sup> The parties also, had noted that the understanding reached in Geneva had been implemented, that South African forces had withdrawn from Angola by September 1, and that the joint military monitoring commission was operating satisfactorily.<sup>11</sup> At the talks, both Angola and Cuba had co-operated by broaching the issue of timetable for the withdrawal of Cuban troops and had reiterated their will to negotiate despite the fact that the nature of negotiation was a complex, difficult and slow process.

Again, the parties involved recognised that the "withdrawal schedules" was a sovereign matter for the two countries concerned and also, decided to meet again soon to follow up the significant progress which had been made.

BRAZZAVILLE TALKS (SEVENTH ROUND):

A further round of talks, thus, in Brazzaville had brought new progress towards a peace agreement that would secure both Namibian independence and the withdrawal of Cuban forces from Angola. The atmosphere was encouraging and the November 1 target for starting the Namibian independent process could still be met.

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<sup>10</sup>  
Namibian Independence and Cuban Withdrawal, n.3, p. 35.

<sup>11</sup>  
International Herald Tribune, 11 September 1988.

The composition of the delegations participating in the talks on Namibian issue was almost identical to that of the previous conference. The progress at the talks was very slow and as the head of the Angolan delegation, Lt.Gen. Antonio Franca Ndalu had described, "the negotiations was very difficult".<sup>12</sup> It noted that while Angola and Cuba had suggested a period of 48 months for Cuban withdrawal and the US had suggested 36 months, South Africa was insisting on a 12 month timetable. The peace talks ran into difficulties as South Africa dragged its political problems at home into the talks<sup>13</sup> and insisted on linking a South African withdrawal from Namibia with a Cuban withdrawal from Angola. Similarly, Angola and Cuba took the stand that they would only withdraw with the necessary guarantees for their security and that the agreement should not be determined by South Africa's domestic needs.

However, at the end of the three days (26 29 September) of negotiations, several obstacles had been overcome and a common ground was identified to reach some sort of closer position. All the four sides involved in the negotiation

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West Africa (London), 4 October 1988.

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For details see, Jeffrey Herbst, "The Angola - Namibia Accords: An Early Assessment", in Sergio Diaz - Briquets, ed., Cuban Internationalism in Sub - Saharan Africa (Pittsburgh, Duquesne University Press, 1989).

process agreed on Namibia's peace plan to begin on November 1 and had confirmed their previous recommendation to the United Nations Secretary General.

Despite these advances - pulling out of South African troops from Angola and the UN Secretary General's visit of South Africa for discussing the modalities regarding the seven month independence process for Namibia, the time frame for the pull-out of Cuban troops was yet to be decided by all parties. Some confusion was caused when unidentified American officials jumped the gun, as it were, to claim an agreement on the time-frame for the pull-out of Cuban troops from Angola even as Cuban and Angolan representatives denied any such break through at the informal talks held from 7-9 October in New York<sup>14</sup>. Carlos Aldana, head of the Cuban delegation to the quadripartite talks in New York categorically denied any such agreement. The period had, however, been narrowed down - 30 months as proposed by Angola and Cuba, against the compromise proposal of 24-30 months made by the US, presumably with Pretoria's support.<sup>15</sup> This was a vast improvement on the original four years

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Freiherr K. Von Der Ropp, "Peace Initiatives in South West Africa", Aussen Politik (Hamburg), 40(2), 1989, p.189.

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ibid., pp. 189-90.



and seven months, respectively, the two sides had wanted.

South Africa for the first time disclosed its negotiating position on the timetable after New York round of negotiations. Pretoria wanted 8,000 Cuban troops to be withdrawn before the implementation of UN Resolution 435 began. Once the Resolution 435 had gone into effect, the Cubans were to continue to withdraw at a rate of 4,000 a month, so that by the time election were held in Namibia on August 1 of next year 36,000 Cubans would have been pulled out.<sup>16</sup> By May 1 of next year, Pretoria also wanted all Cuban troops still left in Angola to be confined to the north of the 13th parallel, which roughly cuts Angola in half. The 16,000 Cubans who would still be in the country after August 1 would be removed over a further period not specified.

However, the American-brokered compromise proposal called for 4,000 Cubans to be withdrawn before implementation of 435 began and 3,500 a month thereafter upto 1st August<sup>17</sup> which would means that 28,500 Cubans would have been taken out by the time of elections in Namibia.

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<sup>16</sup>  
The Times (London), 1 November 1988.

<sup>17</sup>  
ibid.

The American and South African positions were, thus, quite close to the holding of elections. However, the American plan only envisaged another 9,500 Cubans being withdrawn in the twelve months after elections, with the remaining 14,000 going by stages in the year after that.

The Angolans and Cubans, on the other hand, had not responded at all to these proposals which was put forward on October 9 at the informal meeting in New York. They, probably, were waiting for the outcome of the US presidential election which might give them an unprecedented advantage, if Democratic Candidate Michael Dukakis were elected.

The informal talks, however, set a new target date of 1 January, 1989 for starting the implementation of 435 which provides for a seven month transition to elections and independence for Namibia. The parties to the negotiations also agreed to meet at Geneva on 11 November for a further round of negotiations.<sup>18</sup>

The Soviet Union, in the mean time, had urged President dos Santos of Angola, while he was in Moscow, not to delay an agreement. Britain had also asked Moscow to use its

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<sup>18</sup>  
Von Der Ropp, n. 14, p. 191.

influence to persuade President dos Santos to show more flexibility.

GENEVA TALKS (EIGHT ROUND):

Despite the failure of Brazzaville round of negotiations to produce a compromise formula, the concerned parties decided to proceed with another round of negotiations which finally took place at Geneva from 11 November to 15 November, 1988. The Geneva Peace talks which was earlier scheduled to end on 13 November was prolonged by another couple of days. However, the delay did not mean there were problems of any outstanding nature, rather it was the seemingly productive outcome of the proximity talks.

The point negotiated at this five-day peace talks were undertakings by Cuba to withdraw from Angola and by South-Africa to permit the implementation of UN Resolution 435. Although the possibility of a full agreement was out of question, the Geneva talks, however, had practically opened the doors for a solution to the conflict in South Western Africa. Here, Cuban, South African and Angolan negotiators agreed, subject to the approval by their respective governments, on terms and timetable for a Cuban troop pull-out from Angola in exchange of Namibia's independence. With this agreement, one of the stumbling blocks, a time-table

for pull-out of Cuban troops was removed with Cuba's acceptance of a 27-month period.<sup>19</sup> The draft agreement which had established a time-table for the withdrawal of estimated 50,000 Cuban troops, the agreement failed to specify the date for the commencement of Cuban troops withdrawal.

The Geneva negotiations, however, was of a decisive importance, for it paved the way for a full agreement which was expected to be concluded at Brazzaville talks, the ninth of its kind since the negotiations started at London in May, 1988.

Angola, Cuba and the South African governments, in the meantime, had accepted the terms of the agreement worked out in Geneva and, thereby, cleared the way for signing of the interlocking set of agreements the parties had agreed to conclude. There were, however, still some issues to be negotiated and this was expected to be reached at the Brazzaville session.

But before the Brazzaville round of negotiations, the

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International Herald Tribune, 20 November 1988.

delegations from South Africa, Cuba and Angola conferred with each other and with UN officials in New York on 21 November for a two day technical talks which included details about implementation procedures.<sup>20</sup> These discussions, which were also mediated by the United States, included the procedures for verification and monitoring of Cuban troops pull out from Angola and the final details of the UN role during the transition to Namibian independence.

BRAZZAVILLE TALKS (NINTH ROUND):

The next move in the process was the signing of a protocol by the parties concerned at Brazzaville which was scheduled to begin on 1 December. The aim of the Brazzaville negotiations was to consolidate the various agreements and understandings into a formal agreement to be known as the "Brazzaville Protocol".<sup>21</sup> The principal concern at the talks was to establish a "verification mechanism" of Cuban pull out acceptable to all parties involved in the negotiation. Discussions were also to be held on important additional matters, such as the end of South African and US support for UNITA, movement of South African troops from Angola's South-eastern border on a priority basis, and above all, a date and venue for the final signing ceremony. At the same time, there were important practical issues such as medical tests for refugees returning to Namibia which had to be discussed with UN

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Hindustan Times (New Delhi), 24 November 1988.

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Chas W. Freeman, (Jr.), "The Angola/Namibia Accords", Foreign Affairs (New York, N.Y.), 68(3), Summer 1989, p. 135.

Secretary General.<sup>22</sup> The next state, it was decided, would be the signing of a tripartite agreement followed by a Security Council decision giving the UN Secretary General the mandate to implement the settlement plan.

Work on the Brazzaville protocols took place in a series of bilateral discussions and the progress in negotiations has been brought about by an unusually high-level of co-operation between the US and the Soviet Union, whose governments exerted unrelenting pressure for a final settlement.

However, all these high hopes were shattered, when the planned signing of the peace protocols was held up due to last minute objections by the South Africans over the 'issue of verification procedures of the Cuban withdrawal from Angola.'<sup>23</sup> The ninth round of negotiations, thus, collapsed without any protocol being signed due to the objection by Angola and Cuba over the participation of South Africa in monitoring the Cuban withdrawal. The

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For details see, Herbst, n. 13.

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At earlier rounds of talks, South Africa had accepted that it could not participate in the verification because this would seem an affront to Angola's sovereignty and the withdrawal was to be verified by the United Nations. But later South Africa said that it must be satisfied with the arrangements if it is to continue with the peace process. See, The Observer (London), 4 December 1988.

Angola and Cuba were of the opinion that the issue of troops withdrawal was a sovereign issue concerning the Cuban and Angolan governments and that only the United Nations would be invited to participate in the talks.

BRAZZAVILLE TALKS (TENTH ROUND):

The sudden collapse of the ninth round of negotiations, though temporarily was a set back, the transition to Namibian independence, it, however, could not stop the struggle of Namibian people and efforts of the international community to find for a peaceful solution. The independence of Namibia was inevitable at this juncture and following international pressure on South Africa that it either accept peace in Southern Africa or face stiff sanctions, the tenth and last round of negotiations was resurrected in the Congolese capital of Brazzaville on 12 December, 1988.

Thus, an agreement envisaging independence for Namibia and peace in Angola was signed at the tenth round of negotiating in Brazzaville on 13 December, 1988. The "Protocol of Brazzaville" envisaged Namibians' transition to independence from 1 April, 1989 and an estimated 50,000 Cuban troops pull-out from Angola over a period of 27 months.

The long awaited protocol was signed by South African

Foreign Minister Pik Botha, Defence Minister Magnus Malan, Cuban Deputy Foreign Minister Richardo Alarcon and Angolan Chief negotiator General Antonio Dos Santos Franca Ndalu.

The agreement provided for Angola and Cuba to reach a bilateral agreement, subject to UN Security Council approval, on verification arrangements before the signing of a trilateral treaty in New York on 22 December, 1988. The provisions outlined in the accord stated that 3,000 Cuban soldiers would leave Angola before April 1 and a total of 25,000 by 1 November, 1988 and the rest would be withdrawn in prescribed stages upto the end of June, 1991.<sup>24</sup>

Additional clauses in the protocol provided for an unspecified exchange of prisoners on 22 December and for the creation of a tripartite joint commission, with the US and the Soviet Union as observers, for the solution of disputes.<sup>25</sup>

The Joint Commission, also represented by independent

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Phyllis M. Martin, "Peace in Angola?", Current History (Philadelphia), 88 (538), May 1989, p. 247.

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For details see, "Tripartite Agreement on South Western Africa: Blueprint for Peace and Namibian Independence", Southwestern Africa: Regional Brief (Washington, D.C.: United States Department of State, December, 1988).



Namibia besides South Africa, Angola and Cuba, will deal with any disputes arising from the implementation or interpretation of the tripartite treaty, but will not, prejudice any parties right to seek redress via the Security Council or pursue such means of dispute resolution as are available under international law.

The successful completion of the eight-months of U.S.-mediated negotiations was to be formalised by a treaty in New York on 22 December, 1988. Thus, the U.S. mediated negotiations over the last eight years led to the signing of two accords,<sup>26</sup> the first, signed by Cuba, Angola and South Africa and the second, signed by Cuba and Angola at UN head quarter in New York. The ceremony was witnessed by US Secretary of State George P. Shultz, Soviet Deputy Foreign Minister, Anatoly Adamishin, UN Secretary - General Javier Perez de Cuellar and other diplomats.

The first agreement was for one year transition to independence for Namibia to begin from 1 April, 1989.<sup>27</sup> The

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"Agreement among the People's Republic of Angola, the Republic of Cuba, and the Republic of South Africa", reprinted in United States Department of State, Bureau of Public Affairs, Selected Documents No.32, "Agreements for Peace in South Western Africa", December, 1988, pp. 4-5. For details of the New York Agreement, see, Appendix C , p.116.

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The earlier date for the implementation of UN Resolution 435/78 was 1 January 1989.

pact also called for South Africa's withdrawal from Namibia and the implementation of UN Resolution 435, thus ending 73 years colonial rule of South Africa.

The second agreement, signed between Cuban Foreign Minister Isidoro Malmierca and Angolan Foreign Minister Afonso Van Dunem, provided for the total withdrawal of Cuban troops from Angola, in stages, by July, 1991 and which was to be monitored by 70 UN peace-keepers. A Security Council plan for Namibia's independence called for about 2,000 civilian administrators and military police to back about 7,500 UN peace keepers as South African troops withdraw and a civilian government to be organised.<sup>28</sup>

The accord granting independence to Namibia was, thus, the first in 40 years of international efforts to praise the uranium - and diamond - rich desert territory of Namibia from South African control which had ruled over it since the First World War.

Cuba, Angola and the UN did not officially recognise any linkage between the two accords and had always insisted on Namibia's independence as a matter of principle without any preconditions. South Africa, on the other hand,

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International Herald Tribune, 23 December 1988. Also see, Colin Legum, "Southern Africa: Analysis of the Peace Process", Third World Reports, 11 January 1989.

always insisted on the Cuban withdrawal and the United States made linkage a centre-piece of the US government's Southern Africa policy.

The entire negotiating process, however, had certain peculiar features like the non-participation of SWAPO, barring the London conference in May 1988, and UNITA in the negotiation process and the United States dealing with Cuba and Angola with which it had no diplomatic relations.

The successful completion of a protracted process of negotiation was the product of several factors. Firstly, there was pressure on the Apartheid regime from the United States after the two super-powers had agreed at their Moscow Summit to help solve regional conflicts through negotiations and not through confrontation. Besides, the Reagan administration wanted to achieve a foreign policy success before the end of its term; thus it put greater effort into its Southern African diplomacy. The Soviet Union, which had been the Angolan government's main arms supplier, wished to disentangle itself from the Angolan conflict, in order to reduce military expenditures<sup>29</sup> and

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Africa Research Bulletin (Political series), 15 December 1987, p. 8687.

thereby removing the main obstacle from the path of negotiations. It, also, urged the Cuba, Angola and SWAPO to be flexible in the negotiations.

In the second place, South Africa was concerned about the cost of subsidizing the Namibian economy and security operations, and feared additional Western sanctions if it continued to refuse to grant Namibia independence. Thirdly, the Cuba had become increasingly frustrated with the stalemated military situation in Angola and the ongoing financial and human cost of the war. However, Cuban President Fidel Castro was anxious to avoid the appearance of a military or diplomatic defeat in Angola. The Cuban realization that the Soviet Union would welcome Cuban co-operation in the negotiations also encouraged Castro to adopt a flexible posture.<sup>30</sup> Finally, Angolan economy, which lay shattered as a result of continuous fight, could no longer afford the war to continue and as a result sought for peaceful settlement of the problem.

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Gillian Gunn, "Keeping Namibian Independence on Track: The Cuban Factor", CSIS Africa Notes, no. 103 (October 23, 1989), p. 3. Also see, Herbst, n43.

However, inspite of the decision of Namibian transition to independence from April 1, 1989, there were violence and clashes between South Africa and SWAPO guerrillas. It was feared that with South Africa having got out its beleaguered troops in Angola, it would be trying to dilute its commitment. South African Foreign Minister's threat to call for the withdrawal of UN Transitional Assistance Group indicated this trend. But frantic diplomacy involving Cuba, Angola and South Africa put the process back on the track. In November, SWAPO won the UN -supervised elections and gained control of the Constituent Assembly and on March 21, 1990, the SWAPO - dominated Constituent Assembly took over as the first Government of Independent Namibia, with Sam Nujoma as head of the State.

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## CONCLUSION

The signing of the trilateral treaty among Angola, Cuba and South Africa in New York marked the successful completion of a long and arduous process of diplomatic endeavour spanning several generations and opened the path towards the independence of Namibia, ending more than seven decades of colonial subjugation. The protracted process of negotiations, which reached its logical conclusion on 21 March 1990, generated a new imperative for Namibia : the restoration to its people, their inalienable right to freedom and self-governance.

However, the diplomatic efforts of the late 1980s, which ultimately yielded the breakthrough, were by no means the first attempt to resolve the Namibian crisis. Since the former German colony was bestowed to the racist white minority regime of Union of South Africa under a Mandate of the League of Nations way back in 1915, there had been several attempts both by domestic and international community to liberate the territory. But, all these initiatives had been scuttled by South African intransigence, which came up with some pretext or other to continue its fascistic grip on Southwest Africa and sought to incorporate the territory as its cherished "fifth province". The Western Powers', particularly the United States', backing of the South African regime gave the racist system the much-needed support at a time, when

there could be no justification of that system.

The United Nations, which came into existence in 1945 after the Second World War, rejected Pretoria's claim over South West Africa and recommended that the territory be placed under International Trusteeship System. The South African regime, however, spurned the recommendation and instead, adopted an attitude of the total contempt for resolutions of the Security Council, the General Assembly, the International Court of Justice and other United Nations bodies.

Since South Africa did not comply with the directives of the United Nations, the General Assembly in 1966, its patience at an end, decided to terminate South Africa's mandate and placed the territory under the direct responsibility of the United Nations. The South African occupation of Namibia (the new name given to South West Africa in 1968 by the United Nations) was considered illegal and a newly-appointed UN Council for Namibia was declared as the legal administering authority, till it achieved independence.

By then the SWAPO, born in 1960, had made it mark as an important liberation movement inside and outside Namibia. On the day of the 1966 UN verdict, a SWAPO



statement declared: "We have no alternative but to rise in arms and bring about our own liberation". Over the next few years it prepared itself for armed struggle by establishing the People's Liberation Army of Namibia (PLAN), and by sending hundreds of cadres abroad for training.

In the face of SWAPO militancy, the South African authorities launched a full scale assault on the PLAN combatants and unleashed a reign of terror in Namibia. The guerrilla warfare waged by SWAPO, however, continued to unnerve South Africa.

The problem became even more complicated after 1975, with the complex independence Angola gained from Portugal under conditions of civil war. Here, the Cuban and Soviet backed MPLA force, which helped establish the People's Republic of Angola, continued to fight a civil war with the US and South Africa backed UNITA rebels.

Meanwhile, South Africa started a unilateral exercise in self determination as a facade for independence by romping together some moderate political activists, who were opposed to the SWAPO. The leader of this group was Dirk Mudge, who is the present leader of the South

African-supported party, the Democratic Turnhalle Alliance (DTA). This political move by South Africa was to preempt the UN Security Council threat of "appropriate measures" unless South Africa withdrew by August 31, 1976.

The Western members of the UN Security Council, who were till now shielding South Africa with vetos, were not satisfied with Pretoria's moves of internal settlement and a sham independence in Namibia. Then came into existence the five nation Western "Contact Group" consisting of the United States, Britain, France, Canada and Germany, which initiated negotiations with SWAPO on the one hand and South Africa on the other to try to reach a peaceful settlement. The historic Resolution No.435, which was passed by UN Security Council on 29 September 1978 with the support of Western members, called for free and fair elections under the auspices of the United Nations, which would lead Namibia to independence. It was a plan for negotiated settlement within a framework acceptable to the SWAPO, the Namibian people as such, South Africa and the international community.

It seemed as though the Namibian independence was in sight. But it was initially a mirage of hopes, that

were raised and subsequently dashed. While SWAPO was pressing for an early implementation of the Resolution, South Africa found one pretext after another for preventing any real progress towards independence for Namibia. South Africa was afraid that SWAPO would sweep the polls if the United Nations Security Council Resolutions were actually implemented and therefore, they adopted the dual strategy of obstructing the negotiations through raising the question of modalities for implementing the plan and of utilising the time thus gained to impose "an internal solution" in the form of an administration subservient to itself.

With the coming of the Reagan Administration, the solution of the Namibian issue was further delayed. The Reagan Administration undertook a "policy of constructive engagement" based on the thesis that more could be achieved by friendly persuasion. It also created a new precondition for a Namibian settlement, that Cuban troops must first withdraw from Angola. Thus, with the changing situation, the Contact Group plan got modified, and new considerations diminished the earlier emphasis on a United Nations-sponsored solution. The policy of constructive engagement linkage doctrine thus added a new dimension to the Namibian issue. Its chief strategist, Chester A. Crocker, vigorously attempted to negotiate a package

deal despite the almost universal criticism of it. The Reagan administration thus created the major stumbling block to the implementation of Resolution 435.

But the global situation is always dynamic and impermanent in nature. As the world entered the mid-1980s, a qualitative change was introduced into the global situation with the advent of Mikhail Gorbachev, who brought in the concept of "new thinking" in Soviet foreign policy. The concept assisted in creating a major thaw in international tensions.

The Soviet Union, under the new political thinking made it explicit that it was keen on resolving regional conflicts peacefully, rather than fanning the flames, on taking such issues as Namibia out of the zone of "East - West" confrontation and working out their solutions within the regional context. Hence, it put gentle pressure on Cuba and Angola to move on with the tripartite talks, even if the mediator was already an interested party - the USA having become a direct party to the civil war in Angola since 1985 when it replaced South Africa as the main supplier of arms to the UNITA guerrillas - and even if it meant synchronised withdrawal of Cuban troops from Angola. The positive role of the Soviet Union was repeatedly and handsomely acknowledged by the

US Secretary of State George Shultz, after the tripartite agreement was signed and handed over to the UN Secretary General.

Besides, this, a number of military and economic factors also, contributed towards creating a new situation for a negotiated settlement. To begin with, the reversal suffered by South African Defence Forces (SADF) in the battle of Cuito Cuanavale, the increasing number of white casualties the rising cost of subsidizing the Namibian colony, the mounting domestic and international pressure and above all, the fear of fresh economic sanctions forced South Africa back to the negotiating table. Similarly, the poor economic and social conditions brought about by a prolonged civil war did not allow Angola to continue the war for a longer period and compelled it to expedite the negotiation process.

Thus convinced about the fact that the military victory was impossible for any side, and that the costs of the fighting in human, budgetary and political terms would continue to escalate for all, Angola, Cuba and South Africa decided to give peace a chance.

The final stage of the negotiation, which had their origin in early 1980s, started between Angola, Cuba and

South Africa with the United States and the Soviet Union acting as honest brokers. Following a number of meetings held in Brazzaville, Cairo, London, New York and Geneva, two agreements were signed in New York on 22 December 1988, the first, envisaging the implementation of Resolution 435 from April 1, 1989 and, the second providing for the withdrawal of Cuban troops from Angola, by July 1991, in stages; South Africa also gave a word in the accord, signed at the UN Headquarters, that it will help the process of free and fair elections.

These accords on Namibian independence were primarily the product of twelve rounds of negotiations, of which ten were publicly announced and that too in the year 1988. The two other rounds were, the secret talks held in Cape Verde in late July, and informal talks in New York in early October. The negotiations, which began in May 1988, were mostly chaired by Chester A. Crocker, in the role of official American mediator between Angola, Cuba and South Africa, while the Soviet Union acted as behind-the-scene partner. The Soviet deputy foreign minister Anatoly Adamishin attended the signing ceremony in New York and thus added to the overall settlement, the Soviet seal of approval.

The settlement process itself, and the transition to independence, confirmed once again the fundamental

importance of negotiations in the resolution of international disputes. It heralds that the negotiations do remain an indispensable instrument for the management of international crisis. However, mere negotiations can hardly be of any result, unless it is thoroughly versed with diplomatic procedural tactics. As regards Namibia, the lengthy process of negotiation would not have come to its logical conclusion if certain characteristic ploys of diplomacy had not been employed with great skill by the parties concerned.

To begin with, the negotiations for Namibia's independence reflects almost all the techniques and modalities of modern diplomatic endeavours in one way or other. Coupled with this, the traditional patterns, such as presentation of a face saving agreement suitable to its own national interests and progress towards them through proper stages - clarification of positions, determination of general principles, and final concentration on detail - were also effectively used in the Namibian negotiation process.

However, the diplomatic procedures of importance in the negotiations, which led to the signing of the Namibian accords, are as follows: mediation; the linkage of separate or related issues; the use of senior officials rather than ministers in negotiations; the choice of

venues for negotiation which give extra incentives to one or more of the parties to negotiate; the setting of deadlines, and the suggestion that success is imminent in order to sustain momentum; and the offer of guarantees to generate confidence in the observance of any agreement reached.

In view of the length, complexity and bitterness of the Namibian conflict and the profound mistrust it had bred on both sides, it can be said with confidence that all the above mentioned procedures and techniques and their skilful application made a major contribution to the success of the tripartite talks in December 1988. Moreover, the guideless mediation efforts, the linkage of different issues imperative for peace and the Super Power's guarantee to any eventual settlement were the most important of all the procedures followed in the negotiations.

Thus, it seems reasonable to conclude that the only deal that will work is one which is good for all the parties to it and tolerable to those who have the capacity to wreck it, i.e., a peace without losers. In other words, if the art of negotiation is that everyone walks away from the bargaining table a winner, the settlement of Namibian question is a classic example of that art.

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APPENDICES

Appendix - ANAMIBIA: RESOLUTION 435 SECURITY COUNCIL  
RESOLUTION 435 (1978) OF 29 SEPTEMBER 1978

## The Security Council

Recalling its resolutions 385(1976) of 30 January 1976 and 431(1978) and 432(1978) of 27 July 1978.

Having considered the report submitted by the Secretary - General pursuant to paragraph 2 of resolution 431(1978) (S/12827) and his explanatory statement made in the Security Council on 29 September 1978 (S/12869),

Taking note of the relevant communications from the Government of South Africa addressed to the Secretary-General,

Taking note also of the letter dated 8 September 1978 from the President of the South West Africa People's Organization (SWAPO) addressed to the Secretary-General (S/12841),

Reaffirming the legal responsibility of the United Nations over Namibia,

1. Approves the report of the Secretary-General (S/12827) for the implementation of the proposal for a settlement of the Namibian situation (S/12636) and his explanatory statement (S/12869);

2. Reiterates that its objective is the withdrawal of South Africa's illegal administration of Namibia

and the transfer of power to the people of Namibia with the assistance of the United Nations in accordance with resolution 385(1976);

3. Decides to establish under its authority a United Nations Transition Assistance Group (UNTAG) in accordance with the above-mentioned report of the Secretary-General for a period of up to 12 months in order to assist his Special Representative to carry out the mandate conferred upon him by paragraph I of Security Council resolution 431(1978), namely, to ensure the early independence of Namibia through free and fair elections under the supervision and control of the United Nations;

4. Welcomes SWAPO's preparedness to co-operate in the implementation of the Secretary-General's report including its expressed readiness to sign and observe the ceasefire provisions as manifested in the letter from the President of SWAPO dated 8 September 1978 (S/12841);

5. Calls on South Africa forthwith to co-operate with the Secretary General in the implementation of this resolution;

6. Declares that all unilateral measures taken by the illegal administration in Namibia in relation to the electoral process, including unilateral registration of

votes, or transfer of power, in contravention of Security Council resolution 385(1976), 431(1978) and this resolution, are null and void;

7. Requests the Secretary General to report to the Security Council no later than 23 October 1978 on the implementation of this resolution.

Appendix - B

PROTOCOL OF BRAZZAVILLE, DEC. 13, 1988.

Delegations representing the Governments of the People's Republic of Angola, the Republic of Cuba, and the Republic of South Africa.

Meeting in Brazzaville with the mediation of the Government of the United States of America,

Expressing their deep appreciation to the President of the People's Republic of the Congo, Colonel Denis Sassou Nguesso, for his indispensable contribution to the cause of peace in Southwestern Africa and for the hospitality extended to the delegations by the Government of the People's Republic of the Congo,

Confirming their commitment to act in accordance with the Principles for a Peaceful Settlement in Southwestern Africa, initialled at New York on 13 July 1988 and approved by their respective Governments on 20 July 1988, each of which is indispensable to a comprehensive settlement; with the understandings reached at Geneva on 5 August 1988 that are not superseded by this document; and with the agreement reached at Geneva on 15 November 1988 for the redeployment to the North and the staged and total withdrawal of Cuban troops from Angola,

Urging the international community to provide economic

and financial support for the implementation of all aspects of this settlement,

**Agree as follows:**

1. The parties agree to recommend to the Secretary General of the United Nations that 1 April 1989 be established as the date for implementation of UNSCR 435/78.

2. The parties agree to meet on 22 December 1988 in New York for signature of the tripartite agreement and for signature by Angola and Cuba of their bilateral agreement. By the date of signature, Angola and Cuba shall have reached agreement with the Secretary General of the United Nations on verification arrangements to be approved by the Security Council.

3. The parties agree to exchange the prisoners of war upon signature of the tripartite agreement.

4. The parties agree to establish a Joint Commission in accordance with the annex attached to this protocol.

**Annex on the Joint Commission:**

1. With the objective of facilitating the resolution of any dispute regarding the interpretation or implementation of the tripartite agreement, the parties hereby establish a Joint Commission, which shall begin its work upon signature

of the tripartite agreement.

2. The Joint Commission shall serve as a forum for discussion and resolution of issues regarding the interpretation and implementation of the tripartite agreement, and for such other purposes as the parties in the future may mutually agree.

3. The parties invite the United States of America and the Union of Soviet Socialist Republics to participate as observers in the work of the Commission. Furthermore, the parties agree that, upon the independence of Namibia, the Namibian Government should be included as a full member of the Joint Commission. To that end, the parties will extend a formal invitation to the Namibian Government to join the Joint Commission on the date of Namibian independence.

4. The Joint Commission shall be constituted within thirty days of the signing of the tripartite agreement. The Joint Commission shall establish its own regulations and rules of procedure for regular meetings and for special meetings which may be requested by any party.

5. The decision by a party to discuss or seek the resolution of an issue in the Joint Commission shall not prejudice the right of that party to raise the issue, as

it deems appropriate, before the Security Council of the United Nations or to pursue such other means of dispute resolution as are available under international law.

6. The Joint Commission shall in no way function as a substitute for UNTAG (including the monitoring role of UNTAG outside Namibia) or for the UN entity performing verification in Angola.



Appendix - C

TRIPARTITE AGREEMENT, DECEMBER 22, 1988

AGREEMENT AMONG THE PEOPLE'S REPUBLIC OF ANGOLA  
THE REPUBLIC OF CUBA AND  
THE REPUBLIC OF SOUTH AFRICA

The government of the People's Republic of Angola, the Republic of Cuba, and the Republic of South Africa, hereinafter designated as "the Parties,"

Taking into account the "Principles for a Peaceful Settlement in Southwestern Africa," approved by the Parties on 20 July 1988, and the subsequent negotiations with respect to the implementation of these Principles, each of which is indispensable to a comprehensive settlement,

Considering the acceptance by the Parties of the implementation of United Nations Security Council Resolution 435 (1978), adopted on 29 September 1978, hereinafter designated as "UNSCR 435/78,"

Considering the conclusion of the bilateral agreement between the People's Republic of Angola and the Republic of Cuba providing for the redeployment toward the North and the staged and total withdrawal of Cuban troops from the territory of the People's Republic of Angola,

Recognizing the role of the United Nations Security Council in implementing UNSCR 435/78 and in supporting the

implementation of the present agreement,

Affirming the sovereignty, sovereign equality, and independence of all states of southwestern Africa,

Affirming the principle of non interference in the internal affairs of states,

Affirming the principle of abstention from the threat or use of force against the territorial integrity or political independence of states,

Reaffirming the right of the peoples of the southwestern region of Africa to self determination, independence and equality of rights, and of the states of southwestern Africa to peace, development, and social progress,

Urging African and international cooperation for the settlement of the problems of the development of the southwestern region of Africa,

Expressing their appreciation for the mediating role of the Government of the United States of America,

Desiring to contribute to the establishment of peace and security in southwestern Africa,

Agree to the provisions set forth below.

1)The Parties shall immediately request the Secretary

General of the United Nations to seek authority from the Security Council to commence implementation of UNSCR 435/78 on 1 April 1989.

2) All military forces of the Republic of South Africa shall depart Namibia in accordance with UNSCR 435/78.

3) Consistent with the provisions of UNSCR 435/78, the Republic of South Africa and People's Republic of Angola shall cooperate with the Secretary General to ensure the independence of Namibia through free and fair elections and shall abstain from any action that could prevent the execution of UNSCR 435/78. The Parties shall respect the territorial integrity and inviolability of borders of Namibia and shall ensure that their territories are not used by any state, organization, or person in connection with acts of war, aggression, or violence against the territorial integrity or inviolability of borders of Namibia or any other action which could prevent the execution of UNSCR 435/78.

4) The People's Republic of Angola and the Republic of Cuba shall implement the bilateral agreement, signed on the date of signature of this agreement, providing for the redeployment toward the North and the staged and total withdrawal of Cuban troops from the territory of the

People's Republic of Angola, and the arrangements made with the Security Council of the United Nations for the on site verification of that withdrawal.

5) Consistent with their obligations under the Charter of the United Nations, the Parties shall refrain from the threat or use of force, and shall ensure that their respective territories are not used by any state, organization, or person in connection with any acts of war, aggression, or violence, against the territorial integrity, inviolability of borders, or independence of any state of Southwestern Africa.

6) The Parties shall respect the principle of non interference in the internal affairs of the states of Southwestern Africa.

7) The Parties shall comply in good faith with all obligations undertaken in this agreement and shall resolve through negotiation and in a spirit of cooperation any disputes with respect to the interpretation or implementation thereof.

8) This agreement shall enter into force upon signature.

Signed at New York in triplicate in the Portuguese, Spanish and English languages, each language being equally authentic, this 22nd day of December 1988.

FOR THE PEOPLE'S REPUBLIC OF ANGOLA

AFONSO VAN DUNEM

FOR THE REPUBLIC OF CUBA

ISIDORO OCTAVIO MALMIERCA

FOR THE REPUBLIC OF SOUTH  
AFRICA

ROELOF F. BOTHA.

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Appendix - D

BILATERAL AGREEMENT DEC . 22, 1988

AGREEMENT BETWEEN THE GOVERNMENT OF PEOPLE'S  
REPUBLIC OF ANGOLA AND THE REPUBLIC OF CUBA  
FOR THE TERMINATION OF THE INTERNATIONALIST  
MISSION OF THE CUBAN MILITARY CONTINGENT

The Government of the People's Republic of Angola  
and the Republic of Cuba, hereinafter designated as the  
Parties.

Considering.

TH-61287  
That the implementation of Resolution 435 of the  
Security Council of the United Nations for the Independence  
of Namibia shall commence on the 1st of April.

That the question of the independence of Namibia and  
the safeguarding of the sovereignty, independence and  
territorial integrity of the People's Republic of Angola  
are closely interrelated with each other and with peace  
and security in the region of southwestern Africa,

That on the date of signature of this agreement a  
tripartite agreement among the Governments of the  
People's Republic of Angola, the Republic of Cuba and  
the Republic of South Africa shall be signed, containing  
the essential elements for the achievement of peace in  
the region of southwestern Africa,

That acceptance of and strict compliance with the



foregoing will bring to an end the reasons which compelled the Government of the People's Republic of Angola to request in the legitimate exercise of its rights under Article 51 of the United Nations Charter, the deployment to Angolan territory of a Cuban internationalist military contingent to guarantee, in cooperation with the FAPLA (the Angolan Government army,) its territorial integrity and sovereignty in view of the invasion and occupation of part of its territory,

Nothing,

The agreement signed by the Governments of the People's Republic of Angola and the Republic of Cuba on 4 February 1982 and 19 March 1984; the platform of the Government of the People's Republic of Angola approved in November 1984, and the Protocol of Brazzaville signed by the Governments of the People's Republic of Angola, the Republic of Cuba and the Republic of South Africa on December 13, 1988,

Taking into account,

That conditions now exist which make possible the repatriation of the Cuban military contingent currently in Angolan territory and the successful accomplishment of their international mission,

The parties agree as follows:

#### Article 1

To commence the redeployment by stages to the

15th and 13th parallels and the total withdrawal to Cuba of the 50,000 men who constitute the Cuban troops contingent stationed in the People's Republic of Angola, in accordance with the pace and time frame established in the attached calendar, which is an integral part of this agreement. The total withdrawal shall be completed by the 1st of July, 1991.

#### Article 2

The Governments of the People's Republic of Angola and the Republic of Cuba reserve the right to modify or alter their obligations deriving from Article 1 of this Agreement in the event that flagrant violations of the Tripartite Agreement are verified.

#### Article 3

The Parties, through the Secretary General of the United Nations Organization, hereby request that the Security Council verify the redeployment and phased and total withdrawal of Cuban troops from the territory of the People's Republic of Angola, and to this end shall agree on a matching protocol.

#### Article 4

This agreement shall enter into force upon signature of the tripartite agreement among the People's Republic



of Angola, the Republic of Cuba, and the Republic of South Africa.

Signed on 22 December 1988, at the Headquarters of the United Nations Organization, in two copies, in the Portuguese and Spanish languages, each being equally authentic.

FOR THE PEOPLE'S  
REPUBLIC OF ANGOLA

AFONSO VAN DUNEM

FOR THE REPUBLIC OF CUBA

ISIDORO OCTAVIO MALMIERCA

Annex on Troops Withdrawal Schedule

CALENDAR

In compliance with Article 1 of the agreement between the Government of the Republic of Cuba and the Government of the People's Republic of Angola for the termination of the mission of the Cuban internationalist military contingent stationed in Angolan territory, the parties establish the following calendar for the withdrawal:

Time Frames

Prior to the first of April, 1989

(date of the beginning of implementation  
of Resolution 435

3000 men

Total duration of the calendar	
Starting from the 1st of April, 1989	27 months
Redeployment to the north:	
to the 15th parallel	by 1 August 1989
to the 13th parallel	by 31 Oct, 1989
Total men to be withdrawn:	
by 1 November 1989	25,000 men (50%)
by 1 April 1990	33,000 (66%)
by 1 October 1990	38,000 (76%); 12,000 men remaining
by July 1991	50,000 (100%)

Taking as its base a Cuban force of 50,000 men.

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## THE ROAD TO NAMIBIAN INDEPENDENCE: A CHRONOLOGY.

- 1884: Germany colonizes South-West Africa.
- 1904-7: German troops put down rebellion by local population, killing 70,000 Herero people.
- 1915: South Africa invades and Germany surrenders Territory.
- 1920: League of Nations gives South Africa mandate to administer South West Africa.
- 1946: U.N. Trusteeship replaces league mandate but South Africa rejects change.
- 1966: SWAPO launches guerrilla war to liberate territory, U.N. strips South Africa of Trusteeship rights.
- 1968: U.N. renames territory Namibia.
- 1971: International Court of Justice rules South African presence in Namibia illegal.
- 1975: South Africa holds independence talks with internal political parties, excluding SWAPO. Angola becomes independent from Portugal. Cuban troops drafted into Angola at the request of ruling Popular Movement for the Liberation of Angola.
- 1978: U.N. Security Council passes resolution 435 envisaging a ceasefire, U.N. sponsored elections and a peace-keeping force. Pretoria holds elections in Namibia which are boycotted by SWAPO and are won by multiracial Democratic Turnhalle Alliance (DTA) Elections are not recognised internationally.

- 1982: All parties agree on constitutional principles but South Africa, with U.S. backing, says independence must await departure of Cuban Troops from Angola. The linkage of the two issues rejected by the U.N. General Assembly.
- 1983: The DTA leader, Mr. Dirk Mudge, resigns and South Africa resumes direct rule over Namibia. In December, South Africa launches major operation against SWAPO guerrillas in Angola.
- 1984: South African troops pull out of Southern Angola.
- 1988: U.S. mediated talks begin in London in May between South Africa, Cuba and Angola on withdrawal of an estimated 50,000 Cuban troops from Angola and independence from Namibia under U.N. resolution 435. Talks culminate in agreement signed in New York in December by South Africa, Cuba and Angola.
- 1989: Independence process starts on April 1, overseen by biggest civilian military operation ever undertaken by U.N., but is immediately jeopardized by SWAPO incursion from Angola. More than 300 SWAPO fighters and 27 members of the South Africa - led security forces killed in two weeks of clashes. The killings bring the total death toll in the war

to more than 12,000 Namibia , mostly SWAPO supporters, and 700 South African conscripts. Frantic diplomacy involving South Africa, Cuba and Angola puts process back on track. In November, SWAPO wins U.N. supervised elections and gains control of the Constituent Assembly which drafts a liberal Constitution.

March 21, 1990: The SWAPO - dominated constituent Assembly takes over as the first Government of Independent Namibia with Mr. Sam Nujoma as head of State.

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