Anti-Apartheid Movement

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MEMORANDUM TO THE FOREIGN AND COMMONWEALTH SECRETARY
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Introduction

1990 has already proved to be a dramatic year for Southern Africa. Agreement has been reached on a constitution for an independent Namibia; the SWAPO leader Sam Nujoma has been unanimously elected as President-designate, and independence is scheduled for March 21st. In South Africa, President de Klerk has unbanned the ANC and other political organisations, released Nelson Mandela and a few other political prisoners, lifted some elements of the State of Emergency and placed a moratorium on executions. These changes have come about as a result of internal resistance and external sanctions and other pressures.

The crucial issue, however, is whether this process is going to lead to the end of apartheid, the creation of a united, democratic and non-racial South Africa, and peace in the region.

Over three decades the Anti-Apartheid Movement has had serious disagreements with successive governments over British policy towards Southern Africa since they have failed to effectively challenge the apartheid system. Now, however, our disagreements are even more fundamental in that the positions now adopted by the British government are undermining and could actually jeopardise the prospects of securing genuine negotiations which lead to the ending of apartheid.

Creating a Climate for Negotiations

The most immediate matter which needs to be addressed is the need to create a climate conducive to genuine negotiations. At present such a climate does not exist, a fact which has been acknowledged by President de Klerk himself, who has referred to obstacles in the way of such negotiations and has agreed to meet the ANC with the aim of removing these.

The international community has unanimously agreed upon a list of measures necessary, as a minimum, to create such a climate. They are set out in the Declaration on South Africa adopted by consensus at the 16th Special Session of the UN General Assembly, on 12-14 December 1989. Only the UK delegation expressed reservations at the Special Session on these measures and then only in relation to the repeal of the Internal Security Act.

Immediately following the 2 February statement by President de Klerk, the British government retreated unilaterally from the agreed UN position. The Foreign Secretary stated in the House of Commons on 7 February that President de Klerk had "done enough in the minds of most reasonable people to open the way to negotiations".

In fact the moves announced by President de Klerk and the release of Nelson Mandela fall far short of the measures set out in the UN Declaration. A very small percentage of political prisoners has been released, political trials continue, and most provisions of the State of Emergency remain in force - as do all the repressive laws.

British policy is tragically wrong. It is sending a message to Pretoria that Britain sees no need for the South African government to take further steps to create a climate conducive for negotiations. Not only does this reduce the international pressure on President de Klerk but it could make him more vulnerable to those forces opposed to the action he has so far taken. They can now use the position of the British government to discourage President de Klerk from taking the further steps needed to create a climate conducive to negotiations, or to justify any failure on his part to take such steps.

It is also sending a discouraging message to those currently on trial or still imprisoned for their opposition to apartheid, including those under sentence of death, and to all those organisations and individuals now seeking to take part in free political activity, that the British government is indifferent to their legitimate concerns. For Britain to call upon the African National Congress to negotiate about the future of South Africa before a climate conducive to negotiations has been established is to expect the ANC to negotiate under duress.

The current hunger strike by 346 political prisoners on Robben Island and others in other gaols shows that the regime's reluctance to take all the measures identified by the international community is a potential source of conflict and tension which can only be removed by full compliance with the UN Declaration on South Africa. Especially is this the case with the State of Emergency, since nearly five weeks have passed since President de Klerk raised expectations that he would be lifting it shortly.

A united, non-racial, and democratic South Africa

British policy is also profoundly wrong in refusing to join with the rest of the world in making clear that the objective of any negotiating process must be a united, non-racial and democratic South Africa. Again at the UN Special Session the UK delegation was alone in expressing reservations on the principle, set out in clause 3(c) of the Declaration, of "universal, equal suffrage, under a non-racial voters' roll ... in a united and non-fragmented South Africa."

This ambiguity in British policy serves as an encouragement to those in South Africa who cling to the mistaken belief that there will be international support for a new constitutional dispensation in South Africa which falls short of a unitary non-racial democratic state.

Nelson Mandela made clear the ANC's position on the day of his release when he stated:

> "Universal suffrage on a common voters' roll in a united, democratic and non-racial South Africa is the only way to peace and racial harmony."

However, the National Party and President de Klerk have given no indication that they have abandoned the concept of "group rights" which was the cornerstone of the Manifesto on which they were elected to power last September.

To date British government policy is so ambiguous that even Pretoria must find it difficult to evaluate. The Foreign Secretary informed the House of Commons on 14 February that Britain had sought to persuade the South African government to 'think in terms of protection for minority rather than "group" rights.' However, John Major when Foreign Secretary stated, 'the important thing is to encourage and bring South Africans along the programme of reform that they set out in their election manifesto.' Yet it was this manifesto that involved a specific commitment to "group rights".

These are not matters of semantics. They are issues of fundamental substance. If a process of negotiations does begin in the near future it is of vital importance that the Pretoria regime stays at the negotiating table until there is agreement on a constitution for a united, democratic and non-racial South Africa. A determining factor will be the response of the international community if negotiations break down. Unless the British government is explicit in its commitment to a united, non-racial and democratic South Africa, in particular a common non-racial electoral roll, then the Pretoria regime may judge that it can break off negotiations on the pretext of ANC "intransigence" in the belief that it can count on British support. The consequences of such a scenario could be disastrous.

The Role of Sanctions

The British government's policy on sanctions is fundamentally wrong on two counts. First, its view as expressed by the Prime Minister, that sanctions have not achieved anything (Hansard Col.140, 13/2/90) is rejected by the rest of the international community. Even the National Party stated in its Manifesto that "boycotts, sanctions and disinvestment have strained the economy of the country and of every business and household". By refusing to recognise one of the key factors which are compelling the Pretoria regime to take the steps it is currently taking makes it impossible for Britain to analyse correctly the developments taking place.

Even more disastrous is the government's action in unilaterally and prematurely relaxing sanctions. The British government at the Kuala Lumpur Commonwealth summit expressed its approval in particular of that section of the Communique which stated that sanctions should not be punitive. But that very same section explained that the purpose of sanctions was "to abolish apartheid by bringing Pretoria to the negotiating table and keeping it there until that change was irreversibly secured."

The fact is that at present negotiations have not even started and yet Britain is already lifting sanctions, despite Nelson Mandela's warning that :

> "To lift sanctions now would be to run the risk of aborting the process towards the complete eradication of apartheid."

This is simple commonsense. Why remove the very pressures which have led the Pretoria regime to begin to address the measures necessary to create a climate for negotiations ? Why discard the international community's main incentive to the white community to accept a democratic constitution viz. the prospect that the economy would begin to flourish again with the lifting of sanctions ?

Support for the ANC and the Mass Democratic Movement

British policy towards South Africa has been influenced by a marked hostility towards the African National Congress and the Mass Democratic Movement - despite the fact that together they are the key forces for change in the country. This even went as far as a ban on ministerial contact with the ANC. It is encouraging that that ban has apparently now been lifted. However the Government needs to adopt a much more positive attitude to both the ANC and the MDM if it is going to be in a position to help those primarily responsible for change.

The British government should desist from promoting figures like Helen Suzman and certain Bantustan chiefs as being the major forces for change when their role is marginal in comparison with that of the ANC. It should no longer remain silent in the face of repression - as it did for example when UDF leaders were found guilty of treason for peacefully seeking an end to apartheid. It should be prepared to condemn attacks on the trade union movement -another powerful force for peaceful change - for example, under the Labour Relations Amendment Act.

The British government has regrettably succeeded in placing itself at odds with the ANC and the Mass Democratic Movement on all the three key policy issues outlined above : it has abandoned support for the measures necessary to create a climate conducive to negotiations, it fails to share the vision of a united, non-racial and democratic South Africa, and it is actively sabotaging one of the key pillars of the struggle against apartheid - sanctions.

Namibia and the Frontline States.

Following Namibia's independence on 21 March there will be seven Frontline States and ten member states in SADCC. Despite other developments there is evidence of continuing South African support for both UNITA and the MNR. The latter's destructive activities prejudice the development of at least four of the SADCC countries. At the same time South Africa is expanding its offensive capacity against independent states in the region. It is vital therefore that there is no relaxation of the arms

embargo. Indeed it needs to be strengthened and strictly implemented. In this context it is important that any changes in the COCOM regulations do not result in a relaxation in the controls regulating the export of arms and related materials to South Africa.

Furthermore it is important that Britain develops an effective programme of aid for an independent Namibia and expands its support for SADCC and the Frontline States. We would particularly wish to see Britain actively supporting the Republic of Namibia in its efforts to secure the reintegration of Walvis Bay and assert the territorial integrity of Namibia as a whole.

Conclusion

British policy towards South Africa is now of such a character that it could actually abort the prospect of a negotiated end to apartheid and the creation of a united, non-racial and democratic South Africa.

Moreover Britain has so blatantly gone back on undertakings and agreements which it has made that in South Africa, and especially amongst the Black majority, the credibility of the British government in general, and of the Prime Minister in particular, has surely declined.

Two matters are of key importance : (1) Britain's retreat from the agreed UN position as to the measures necessary to create a climate conducive for negotiations. (2) Britain's unilateral action in lifting sanctions - despite the Prime Minister's recognition that this should await the achievement of "profound and irreversible change," as agreed by EC Heads of Government meeting at Strasbourg, 9-10 December 1989.

Indeed the Prime Minister informed the Anti-Apartheid Movement in writing that in her view it would be right to lift some of the measures imposed by the international community '<u>if South Africa does take the necessary steps</u> to implement the negotiating concept developed by the Commonwealth Eminent Persons Group.' (Letter of 7 December 1989 - emphasis added). It cannot seriously be argued that South Africa has fully taken such steps, still less complied with the measures called for by the United Nations.

There appears to be neither logic nor reason for British policy towards South Africa today unless it is an overriding desire to appease President de Klerk and allow him to dictate the scope and pace of change. It is a short-sighted policy which could actually undermine the efforts of F W de Klerk if he proves to be serious in wanting democratic change. Certainly it is a policy that could do irreparable harm to Britain's long term relations with a democratic post-apartheid South Africa. For all these reasons it is a policy which must be changed.

Recommendations

We therefore call upon Her Majesty's Government to :

1) Restate Britain's support for the measures agreed by the UN as necessary to create a climate for negotiations, and to intervene with the South African authorities to ensure that they take the necessary steps. In particular, we urge immediate public intervention to secure the release all remaining political prisoners and the lifting of the State of Emergency.

2) Reimpose those sanctions measures which have already been relaxed, and abandon any intention of further lifting sanctions or seeking to persuade other governments to do likewise until there is agreement on a constitution for a united democratic non-racial South Africa.

3) Declare its full and unqualified commitment to maintaining and strictly enforcing the decisions of the United Nations Security Council on the arms embargo against South Africa, and to taking appropriate initiatives at the United Nations and through the tightening of its own regulations to make the embargo more effective.

4) State explicitly Britain's support for a united, non-fragmented, democratic and non-racial South Africa, with universal equal suffrage on a non-racial voters' roll.

5) Adopt a more positive and constructive attitude towards the ANC and the Mass Democratic Movement in recognition of their central role in effecting the democratic transformation of South Africa, and pursue appropriate policies.

6) Draw up, in consultation with the governments concerned, an effective aid programme for Namibia and the SADCC.