THIS WEEK IN NAMIBIA
Week of July 2 – July 8, 1989

(A weekly report filed by the Lawyers' Committee for Civil Rights Southern Africa Project Staff in Namibia.)

1. Voter Registration Process

   a) General Comments

   The process of registering thousands of Namibians to vote in the elections scheduled for the first week of November began on Monday, July 3, the day the final draft of the registration law became available to the public. The Registration of Voters Proclamation, AG No. 19 of 1989, was promulgated and published on June 30 in the SWA Official Gazette. It establishes the period between 3 July and 15 September 1989 as the official time within which potential voters must register; only those who have registered in this period will be permitted to vote for a Constituent Assembly in the November elections.

   While the final text of the registration law has incorporated some recommendations proffered during the comment period following the publication of the draft registration law, the document remains unnecessarily complicated with numerous possibilities for abuse. This is particularly true of the provisions governing appeals against refusal to register and those under which parties or individuals can challenge someone's right to be registered.

   For registration purposes, Namibia has been divided into 23 districts, with varying numbers of registration offices set up within each district. The registration offices within each district may be permanent (e.g. existing through 15 September), temporary (existing through mid-August) or mobile (circuit teams which stay in a particular area for approximately 4-5 days at a time). Some regions in the north appear to have too few permanent registration offices.
At each registration point there are South African registration teams of 5-7 persons, registrars and translators. In addition two armed SWAPOL police are present to "maintain law and order." The UNTAG registration team consists of three persons: one trained UNTAG monitor, one police monitor and one Namibian translator/driver. The translator will not always be present.

b) South Africa's v. UNTAG's Registration Role

The Special Representative, Martti Ahtisaari, on Monday, June 26, sent a letter to the Administrator-General, Louis Pienaar to confirm understandings negotiated between them on the administration of the registration process. In brief, the AG and SR agreed that UNTAG personnel would accompany all South African registration teams, and would have to be present for registration to take place. South African registrars cannot cancel posted registration times without UNTAG concurrence. Any complaints about registration will be investigated by both the South African and UNTAG registration team leaders, and UNTAG personnel must be present at court hearings on the registration law.

Registration cards and ballot papers are also to be controlled jointly by UNTAG and South African registrars. The cards and paper are to be locked in a strongroom with two independent locks, one of which will be controlled by UNTAG, the other by the Chief Registration Officer. All operations at the Chief Electoral Office and the strongroom are guarded by SWAPOL and UNTAG monitors 24 hours a day.

c) Problems with Registration Process

Some problems with registration have surfaced, although the process appears to be working overall. At several registration centres during the first week, South African registration teams did not arrive. Apparently some refused to travel in rural areas without armored cars, while others claimed that they had been provided with no transportation to get to the sites, although public transportation was available. At Oshakati, a truckload of Koevoet police, instead of the stipulated two police, arrived. Residents also report that they have difficulty understanding some of the translators.

UNTAG monitors at the registration centres in the north do not appear alert to potential abuses of the process, nor do they seem to have familiarized themselves with the registration law. The paperwork on some of the earlier registrants was not filled out completely, and the registrants cannot be traced and notified that they must re-register. Other registrants are incorrectly registered because the election officials are incorrectly recording the names of their villages. Some complaints were also registered that UNTAG officials are not always present at their stations, and do not always have translators with them.
Rev. Matt Amadhila, Secretary to the Evangelical Lutheran Church, reported that despite encouragement from the churches, many of their parishioners were reluctant to register to vote in the elections because they believe the elections are a DTA-sponsored event. This perception has apparently been enhanced because all of the advertisements about the registration and election are from the AG's office through the government-controlled broadcasting company. In Amadhila's words: "We are failing to reach them." SWAPO members are rarely seen at registration sites, and no one seems to be assisting registrants or helping them understand the process.

2. **The Koevoet Issue**

Oshakati UNTAG District Police Commander Peter Fitzgerald reported that an agreement had been reached between the SR and the AG that 500 Koevoet policemen would be removed from SWAPOL. The removals are apparently taking place as agreed, but as with the South West Africa Territorial Forces (SWATF), Koevoet members are being put on an indefinite "paid holiday" instead of being released outright. Commander Fitzgerald also stated that there had been a dramatic decrease in Casspir patrols since Mr. Ahtisaari's visit to the north last week, and that the mounted machine guns were now entirely removed. SWAPOL has agreed to phase out Casspirs, and has begun to replace them with pickup trucks. Because of UNTAG's difficulty in finding Casspirs in good repair, UNTAG may also use trucks.

3. **SWAPO Detainees Controversy**

On Sunday, July 2, SWAPO launched its election campaign with a massive day-long rally in Katutura, the black township outside Windhoek. Estimates about the size of the crowd ranged from 20,000 to 35,000. The euphoria that followed in the wake of the SWAPO election kickoff rally was dampened somewhat with the arrival in Windhoek, on Tuesday July 4, of 154 former SWAPO detainees, bearing tales of beatings and torture during their detention in SWAPO camps. The former detainees, many of them wearing T-shirts with slogans like "Down with SWAPO, Down with Tyranny," denied SWAPO allegations that they had infiltrated the organization as spies for South Africa, and said that they had signed "confessions" in order to save their lives. Some of the group showed reporters scars on their bodies which they alleged was the result of SWAPO torture.

At the press conference in Khomasdal on Thursday, July 6, ex-detainees announced that they had formed a "political pressure group" to be known as the Political Consultative Conference which would oppose SWAPO in the elections. The organization claimed that SWAPO held over 1,000 detainees, and South Africa's Foreign Affair Minister, Roelof Botha, immediately demanded an accounting from SWAPO and a full international investigation. The South African initiative was echoed by the U.S. State Department. Meanwhile, on Wednesday, July 5, a spokesman for the AG said that
Mr. Pienaar would not release the political prisoners held locally until after he had ascertained whether all political detainees held by SWAPO were released and free to return to Namibia. UNTAG spokesperson Fred Eckhard stated that there was no conditionality provision governing the release of political prisoners under Res. 435.

On Sunday, July 8, Radio South Africa reported that SWAPO Foreign Affairs Secretary Theo-Ben Gurirab, on behalf of SWAPO, had publicly apologized for any mistreatment suffered by persons who had been detained by the organization. He also promised that SWAPO would bring those responsible for acts of torture and brutality to justice.

4. PLAN Fighters Controversy For the past two weeks, South Africa's Foreign Affairs Minister Botha and the AG have been claiming that armed PLAN combatants were moving though Angola south of the 16th Parallel, and that there had even been sporadic infiltration across the northern Namibia border. Both demanded an international investigation. Their allegations have been denied by SWAPO Regional Commissioner General Dreyer, SWAPO, Namibian residents living in the north, and UNTAG.

SWAPO Secretary for Publicity and Information, Hidipo Hamutenya, in dismissing the story as a South African fabrication in a speech on July 4, stated that most of the PLAN commanders and leadership were already back inside Namibia, and that a "majority" of PLAN fighters had already been airlifted from the Chibemba base, north of Angola's 16th parallel, to Windhoek where they had been processed along with other returnees. Hamutenya stated that none of the PLAN fighters would be returning to Namibia through the entry points designated under the terms of Res. 435, but instead would all re-enter the country unarmed and in civilian dress, along with other returning Namibian refugees. Although provisions exist in Res. 435 for processing PLAN combatants through specified entry points and confining them to bases, UNTAG spokesperson Fred Eckhard said that the PLAN fighters' return as civilians was not inconsistent with the settlement plan.

The UN High Commissioner for Refugees, Mr. Jean Pierre Hocke, made a special trip to Namibia over the weekend, reportedly to consult with SWAPO leadership about the refusal of Namibian refugees to leave their reception centres. The Commissioner announced at the end of his trip that his mission had been successful. One UN official speculated that SWAPO had requested the refugees to remain in the camps to demonstrate that SWAPO also had the capacity to derail the settlement if necessary.

Over 15,000 of the estimated 41,000 Namibian refugees have now returned home under the repatriation process, and repatriation coordinators expect the number to increase as problems
with clogged refugee centers and flight delays are resolved.

5. **Intimidation** Incidents of violence and harassment directed against SWAPO supporters continue unabated. On Saturday night, July 1, the owner of a shop in Oshakati, along with a young woman, were gunned down around midnight by a Koevoet policeman, Constable Muhambo Muneputu. The policeman was reportedly returning from duty at Oshakati police base when he encountered several people singing SWAPO songs at the shop. He began to an altercation with one of the patrons, but was persuaded to make peace. He left the shop, only to return with his R-4 assault rifle. According to eyewitnesses, he fired twice into the air and then directly into the shop. The owner was shot twice in the back and chest, while a female patron was hit in the head and chest. Both died instantly. Constable Muneptu handed himself over to the police, but allegedly claimed that he fired in self-defence. The matter has been taken up by the Legal Assistance Centre. In another incident that day, two men allegedly connected with SWAPOL attempted to plant a bomb on a parked car near a SWAPO rally. One of the men was apprehended and turned over to UNTAG police monitors.

6. **The Campaign** SWAPO elections officials are also encountering difficulties in getting permission to hold rallies in Walvis Bay, although the DTA is permitted to campaign there. SWAPO's attempts to get equal air time on SWABC were denied, as the AG claims parastatals do not qualify as state-owned and are not subject to fairness rules. SWAPO also reported encountering some difficulty in getting permission to purchase, rent, or build office space to conduct its campaign in certain areas.

For more information contact:
Gay McDougall
Lorraine Eide
(202) 371-1212