THIS WEEK IN NAMIBIA
Week of July 9 - July 16, 1989

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

1. South Africa's "Operation Namibia" For the past week, Radio South Africa and the South West Africa Broadcasting Corporation (SWABC) have been reporting that the South African Government plans to bus some 100,000 South Africans from the Republic to Namibia to register as voters for the upcoming November elections. (Other sources, such as the BBC, have put the figure at 40,000.) The plan, which has been dubbed "Operation Namibia," apparently got underway on July 2 when the South African Government's Bureau for Information placed full-page advertisements in the Sunday newspapers giving details of South Africans who qualify to register for the vote and listing convenient places in Namibia where they can register. Since then, the SWABC and the AG have been extensively publicizing the "South African vote," the former even broadcasting the telephone numbers of companies which will be helping to bring the South Africans to Namibia. The first buses are expected to leave Johannesburg on July 21, with similar trips to be made on the next seven weekends. Arrangements are also being made for buses to depart from other major centres in South Africa and adjoining states to towns in Namibia as far away as Katima Mulilo, Rundu, Oshakati, and Oshikango.

Calling the "Operation Namibia" plan "the most blatant attempt thus far to rig the elections," SWAPO's Election Directorate has called on the AG and the UN Special Representative to stop the "election fraud" by excluding the following people from voting:

--- Seconded public servants, including police and military staff and their children born in Namibia;

--- Foreign employees recruited from within or outside Namibia for the public service, private commerce or industry, including the mining sector;
People who have voluntarily taken up foreign citizenship or allegiance and do not wish to become Namibian citizens and live in the territory after independence.

While neither the AG's office nor UNTAG officials have yet issued official responses to the charges being levelled against the "Operation Namibia" exercise, observers are skeptical that much can be done since the registration law clearly allows what SWAPO calls "loopholes" for South Africans to participate in the November election. According to SWAPO: "The very forces who for decades have blocked Namibia's independence are being permitted to participate and influence the outcome of the country's election."

2. The Registration Process

Two weeks into the registration process, the AG's office has announced that over 30% of the voter eligible Namibian population has been registered. Of the estimated 677,000 Namibians eligible to vote, a total of 213,009 had registered as of Thursday, July 13. The areas where registration was heaviest were Ovamboland (7,427), Kavangoland (2,736) and in Windhoek (4,078). However, optimism about the progress of the registration process was marred by increasing reports of registration "irregularities." Charges that South African registration officials were filling out registration cards improperly were countered with charges that the Lutheran Church has been issuing phony birth certificates to under-18 youths in an effort to get them registered.

A SWAPO delegation, headed by SWAPO's Chief of Voter Registration Nahas Angula, met for three hours on Wednesday, July 12, with UNTAG's Chief Electoral Officer Hisham Omayad because of complaints received from registration centres across the country that the South African registration officials were not properly registering applicants. The most serious charge was what one SWAPO official described as "a systematic pattern of [registration] cards being incorrectly filed." Other problems cited were: misspelling of names and villages, inaccurate recording of passport or ID numbers, failure to endorse (i.e. stamp) or sign registration cards, and harassment by Koevoet. In one case reported in Oshakati district, several hundred voter registration cards had been processed without inclusion of the applicants' thumbprint. (Voters who cannot sign their names are required to use thumbprints).

SWAPO officials also told Mr. Omayad that they had received numerous complaints from Namibians that UNTAG efforts to monitor the registration process were inadequate and minimal. "We are not satisfied that UNTAG is fulfilling its responsibilities to control and supervise the registration process," said Mr. Angula.
On Friday, Mr. Omayad stated that no voter would be prevented from voting because of "a mistake made by a registration officer." He said that the duplicate registration cards kept at the Central Registry in Windhoek would be scrutinized to ensure they contained the name of the applicant and a thumbprint or signature. Cards with mistakes, he continued, would be sent back to the districts for officials to trace the applicants, cancel the original cards and issue new ones. Ground Staff members were told that applicants would be "traced" by announcing their application numbers on the radio or by their addresses.

Meanwhile, it has been reported by certain UNTAG registration monitors in the north that significant numbers of youths, who are believed to be under the established voting age of 18, are producing as proof of their age birth certificates drawn up by ministers of the Evangelical Lutheran Church of Namibia (ELCIN). The certificate usually consists of a simple piece of paper with a name and birth date the authenticity of which, UN officials say, is virtually impossible to check. UNTAG registration officials in the north told Staff members that problems with these certificates arise when all the officials present agree that a youngster looks very far from being 18 or older, and the only verifying document is the ELCIN-issued birth certificate.

However, the UN did admit that it was later proved that several Namibian youths who visually appeared to be below the age limit were, in fact, 18 or older. An investigation was launched into all the cases where this problem had arisen, since it now seems to be based on misunderstandings rather than attempted fraud.

3. South African Officer vs. O'Linn Commission

The Namibian Administration's Chief Electoral Officer, Mr. A.G. Visser, appeared before the O'Linn Commission on Intimidation and Election Malpractices on Wednesday to answer charges calling for his removal. The case resulted from a complaint brought against Mr. Visser by the SWAPO Organising Secretary in the Caprivi, Mr. Boniface Likango, initially heard by the Commission on June 26. Mr. Likango objected to Mr. Visser's appointment following a report that appeared in The Namibian of June 7 which disclosed that he was a member of the National Security Council at a time when it discussed strategies to prevent SWAPO from winning the independence elections. Although he was not present, Mr. Visser admitted to receiving a copy of the minutes of the meeting. The Secretary of the Central Personnel Institution, Mr. S.F. Gous, who, according to the report in The Namibian was very vocal at the meeting, was subpoenaed to give evidence.

Counsel representing both government officials at the hearings immediately challenged the competence of the Commission to hear the matter on grounds that his clients' alleged acts occurred before April 1, from which date, under the provisions of
Proclamation AG 11, the Commission derives its authority. Commission Chairman Bryan O’Linn, now Acting Judge of the Namibian Supreme Court, disagreed with this view, saying that whatever actions to prevent a SWAPO election victory were decided upon at the NSC meeting of 7 September 1988 would have been carried over to the period after April 1, thereby bringing the matter within the Commission’s mandate. He overruled the respondents’ objections, but reserved a statement of his reasons for doing so until Tuesday, July 18.

Counsel for Mr. Visser and MR. Gous indicated that, if Mr. O’Linn stood by his decision, his clients would ask the Namibian Supreme Court to review the ruling on the question of jurisdiction. Such a challenge has serious implications since the first respondent in the case is the Administrator-General who also received a copy of the minutes of the NSC meeting. In addition, another case brought by Mr. Likango which is pending before the Commission names as respondent General Willie Meyer, former commander of SWATF, who also participated in the NSC strategy session against SWAPO.

4. **SWABC Bias**

At a press conference held on Wednesday, NPP 435 Acting Chairman, Mr. Peter Koepe, presented a report by a special sub-committee appointed by the group to investigate the electronic media in Namibia. The report, which covered a period from 18 June to 3 July, concluded that the SWABC disseminates information in a biased manner, inter alia, by “selective choice of content in editing and compiling of news bulletins aimed at supporting the current status quo," and by the use of "broad and sweeping statements without verification." Unless the SWABC stopped its bias in favor of the present state of affairs, the NPP Group threatened to bring the Corporation before the O’Linn Commission. The Group called on the SWABC to implement a program of live debates, and to promote reconciliation rather than the polarization of Namibian society. Finally, it urges the state-supported parastatal body, which has a monopoly on the country’s electronic media, to "seriously consider effecting changes in the personnel responsible for news policy and dissemination."

On Friday the SR issued a statement saying that he was "urgently studying " both the NPP 435 Group report into the SWABC media bias and proposals put to him by the SWABC. The SR stated that the SWABC proposals concerned access to the airwaves by various political groupings contesting the election. A meeting relating to SWABC impartiality was held on Wednesday by the Joint Working Group on Impartiality composed of officials from both the AG and UNTAG. In his statement, Mr. Ahtisaari said he had frequently expressed concern over the many complaints about the SWABC’s coverage of issues relating to the transition process. Because of the SWABC’s monopoly of the electronic media and the dependence of many rural Namibians on the radio for information,
Mr. Ahtisaari said that the SWABC "must be, and be seen to be, impartial."

5. **DTA Letter to UNTAG** In a letter addressed to the UN Special Representative, Mr. Ahtisaari, and bearing the signature of DTA senior vice-president Mishake Muyongo, the DTA party offered to take the lead in demanding the removal of all Koevoet personnel and equipment from SWAPO on condition that the UN ensure that SWAPO was in compliance with various provisions of Res. 435. The conditions include:

-- Verification that all SWAPO cadres were confined to base in Angola above the 16th parallel (citing the discrepancy between SWAPO's claim of 9,000 fighters and the 5,166 reported in the UN Secretary-General's report to the SC of 24 May);

-- A report from the SR on steps being taken to ensure that all SWAPO detainees were released and that the names of those killed are published;

-- Verification that no Namibians were being held outside the country against their will (citing UNHCR estimates that approximately 59,000 Namibians were outside the country, while only some 41,000 had allegedly elected to return);

-- Proof that no foreigners had infiltrated reception centres with sinister intentions.

It is believed by many Namibians that the DTA letter was clearly an attempt to capitalize politically on unconfirmed South African allegations about PLAN fighters in northern Namibia and stories of torture and murder by returning SWAPO ex-detainees.

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