South Africa, which occupies the International Territory of Namibia in defiance of the lawful authority, the United Nations, has again committed an act of contempt of the world community and the Namibian people.

A South African judge sitting in Windhoek, Namibia's capital, on 15 July handed down prison sentences to four Namibian men convicted under South Africa's Terrorism Act. These members of SWAPO, the liberation movement recognized by the UN and the Organization of African Unity, were charged in February with terror activities and of promoting the violent overthrow of the existing order - South African rule.

Benjamin Chrispus Uulenga was convicted of armed infiltration of his country. He received 15 years in prison. Ruben Itengula was found guilty of infiltrating Namibia to canvass for SWAPO. He was sentenced to 12 years. Michael Shikongo and Lazarus Carl Guitibe were convicted of giving aid to the others, and received 5 and 8 years respectively.

Justice J. J. Strydom was the same judge who in May 1976 sentenced two SWAPO officials to death and two other members to prison terms under the Terrorism Act. That judgment was overthrown in the Appellate Division, South Africa's highest court, after it was found out that confidential defense documents had been leaked to the South African Security Police.

Also on 15 July 1977, a Namibian man was charged in a Windhoek occupation court with a part in the 1975 assassination of a chief in Owambo, one of the 'homelands' devised by South Africa to fragment Namibia. From descriptions in the WINDHOEK ADVERTISER the accused appears to be SWAPO's former secretary-general for Namibia, Axel Johannes. He and a fellow SWAPO officer, Victor Nkandi, both refused to testify for the State in last year's Terrorism Trial and were sentenced to a year for contempt. When these sentences expired, the two men were turned over to Owambo officials. Johannes' trial is expected to begin in September and will probably be based on South African criminal statutes.

The exercise in Namibia of any South African law is 'illegal and invalid' - as declared by the United Nations Security Council and affirmed by the International Court of Justice. It was on the basis of this illegality - as well as humanitarian grounds - that Episcopal Churchmen for South Africa wired President Jimmy Carter on 28 May 1977 asking that he intervene in the death sentence passed down by South Africa on a Namibian man.

Nduvuu Filemon Nangolo was convicted by a South African court in Windhoek of having 'common purpose' with the perpetration of a murder committed by another person. Nangolo was hanged on 30 May 1977.

These events occur during a period when the five Western members of the UN Security Council - the United States, Britain, France, West Germany and Canada - are engaged in what they term as not negotiations with the Pretoria regime and other parties in seeking a 'settlement' in Namibia. The Western Five did make de marches to the South African government in the Nangolo case.

ECSA has addressed another communication to President Carter saying that the sentencing of the four men on 15 July and the upcoming trial of yet another Namibian 'offers once again an opportunity for an American President to condemn strongly and publicly South Africa's illegal presence in Namibia and to uphold the law'.

A copy of this ECSA letter of 22 July is attached.
President Jimmy Carter  
The White House  
Washington, DC 20500

Dear Mr. President:

A South African court sitting in the occupied International Territory of Namibia on 15 July handed down prison sentences to four Namibian men convicted under South Africa's Terrorism Act. These sentences constitute another illegal act by South Africa and an added defiance of Namibia's lawful authority, the United Nations.

These members of the SWAPO liberation movement - Benjamin Chrispus Uulenga, Ruben Itengula, Michael Shikongo and Lazarus Carl Guithe - are destined to join fellow Namibians imprisoned on South Africa's penal colony of Robben Island since 1968.

Also on 15 July, a Namibian man was charged in an occupation court in Windhoek, Namibia, with the 1975 assassination of a chief of one of the South African-devised bantustans in Namibia. His trial is set to begin in September and will probably be based on South Africa's criminal statutes.

The exercise of South Africa law in Namibia is 'illegal and invalid' - as declared by the UN Security Council and affirmed by the International Court of Justice. At the end of May we called upon you to intervene in the death sentence meted out by South Africa to a Namibian, Nduvuu Filemon Nangolo, on the fundamental issue of its illegality. The man was hanged.

For years South Africa has rendered its illicit 'justice' in Namibia. For years United States governments have stated that they delivered notes, representations and de marches to the Pretoria regime about its occupation of the International Territory. The time is long past for such perfunctory formalities. The occasion of these latest sentences and the imminence of another trial offers once again an opportunity for an American President to condemn strongly and publicly South Africa's illegal presence in Namibia and to uphold the law. Can we expect that you will do so?

Very sincerely yours,

William Johnston  
President