



Africa: Observations on the Impact of American Foreign Policy and Development Programs in Six African Countries. Report of a Congressional Study Mission to Zimbabwe, South Africa, Kenya, Somalia, Angola, and Nigeria

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COMMITTEE PRINT

**AFRICA: OBSERVATIONS ON THE IMPACT OF
AMERICAN FOREIGN POLICY AND DEVELOPMENT
PROGRAMS IN SIX AFRICAN COUNTRIES**

R E P O R T

OF A

CONGRESSIONAL STUDY MISSION

TO

**ZIMBABWE, SOUTH AFRICA, KENYA, SOMALIA,
ANGOLA, AND NIGERIA, AUGUST 4-22, 1981**

SUBMITTED TO THE

COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES



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FOREWORD

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C.

This report has been submitted to the Committee on Foreign Affairs by the study mission to the African Continent conducted between August 4 and 22, 1981. The findings in this report are those of the study mission and do not necessarily reflect the views of the membership of the Committee on Foreign Affairs.

CLEMENT J. ZABLOCKI, *Chairman.*

(III)

LETTER OF TRANSMITTAL

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, D.C., April 6, 1982.

HON. CLEMENT J. ZABLOCKI,
*Chairman, Committee on Foreign Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: During the August 1981 summer recess, I had the privilege of leading a seven-member congressional delegation on a 21-day factfinding mission to Africa. The delegation was composed of Representatives Shirley Chisholm, Richard Ottinger, Berkley Bedell, Gus Savage, David Bowen, and George Crockett. During our 3-week trip to Africa, we visited six of the most important countries on the continent: Nigeria, South Africa, Angola, Zimbabwe, Somalia, and Kenya. We also made a brief stop in Senegal.

As the new chairman of the Subcommittee on Africa, I thought it was important to see firsthand how our political, economic, and development policies were affecting our relations with Africa and to meet directly with the leaders of the Organization of African Unity (OAU) and the most important states in the region. I believe we accomplished those objectives and came away from our experience with a better appreciation of both the magnitude of Africa's economic and political difficulties as well as the role the United States can and should play in promoting peaceful change in southern Africa, stimulating economic development throughout the continent, and expanding U.S. trade and investment opportunities in such states as Nigeria, Zimbabwe, and Kenya.

Africa is a continent of extreme diversity—geographically, politically, ethnically, and economically. It is also a continent undergoing constant change. Since the 1960's, American interest in Africa has increased dramatically. However, this increased interest has not always been accompanied by an increased understanding of what is going on there. We hope that this report will contribute in a small way to a better understanding of recent developments in the countries we visited and suggest a few alternatives in our current policies toward those countries and the continent as a whole. We believe these policy alternatives could more effectively advance both African and American interests.

The views expressed in this report reflect the opinions of the study mission and not those of the Foreign Affairs Committee or the Subcommittee on Africa.

Sincerely,

HOWARD WOLFE,
Chairman, Subcommittee on Africa.

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INTRODUCTION

During our 3-week stay in Africa, we attempted to get an introduction to three very distinct regions of the continent—regions with different political and economic problems and regions where American interests are directly at stake.

In West Africa we visited Nigeria, the world's fifth largest practicing democracy, Africa's most populous country and America's second largest supplier of imported crude oil. In recent years, Nigeria's elected leaders have played an increasingly important role in both regional and international affairs. We found Nigeria's leaders deeply committed to maintaining democratic rule in their country; to improving that country's agricultural productivity and overall economic strength; and to working with the United States and other Western nations to promote peaceful change and social justice in southern Africa.

In southern Africa, we visited Angola, Zimbabwe, and South Africa. While Angola's economy has been ravaged by 6 years of civil strife and military conflict, Angola has the potential of becoming one of Africa's most economically sound viable states. Moreover, Angola is an important source of crude oil for the United States and the West. Gulf, Texaco, and Cities Service are all engaged in oil exploration and production in that country. Angola is also actively engaged in the U.S.-led effort to achieve an internationally acceptable solution to the Namibian problem, which Angola's leaders think will reduce their dependence on Cuban troops and contribute to the rehabilitation of their country's economy. Although the United States does not have formal diplomatic relations with Angola, Angola's President welcomed our visit as an opportunity to demonstrate his country's desire to normalize relations with the United States.

Zimbabwe is Africa's newest state. It is also the largest recipient of economic support funds in Africa. We traveled to Zimbabwe to see how officials in that country were utilizing U.S. aid funds and dealing with their postindependence economic and political problems. Although Zimbabwe faces many problems, Prime Minister Mugabe is attempting to follow pragmatic policies at home as well as abroad. However, Zimbabwean officials are concerned with the pro-South African drift of American policy and the economic pressure that South Africa has been applying on their country.

South Africa's dehumanizing system of apartheid and its police state tactics of maintaining and enforcing this racially motivated system of domination have concerned a great many American citizens. We wanted to see for ourselves whether South Africa was beginning to change its apartheid policies. We also wanted to observe how the current administration's policy of constructive engagement was working and to determine whether this policy would help to achieve the goal of the United States and the United Nations to persuade South Africa to relinquish its illegal control over Namibia.

(1)

We came away from our South African visit with several impressions. First, America's policy of constructive engagement is a high risk gamble which may be unintentionally encouraging the most intransigent elements in the South African Government to resist change. Second, although some change is occurring in South African society, it does not represent the type of fundamental change which is designed to eliminate apartheid and lead to genuine power-sharing between blacks and whites. Third, although negotiations on Namibia are continuing, there is no evidence on the public record that any progress has been made on resolving the substantive issues that stalled the Namibian negotiations some 18 months ago; moreover, our discussions with South African officials suggested that South Africa was still following a two-track strategy on the Namibian question. Finally, while our policy of constructive engagement may be winning friends for the United States among Afrikaner government leaders, it has lost us friends among those in South Africa (both black and white) who support racial equality and social justice. This policy has also reduced our credibility and influence throughout black Africa.

Finally, we visited two countries in East Africa: Kenya and Somalia. In Kenya, we met with President Daniel Arap Moi, the current chairman of the OAU, to get his views on developments in the Horn of Africa, the western Sahara, Chad, and Namibia. We also wanted to determine how our facilities agreement with Kenya was working and how that nation was dealing with its food shortages and acute population problems. Under President Moi, the OAU has played a constructive role in trying to resolve several of Africa's most pressing regional problems. Kenyan officials are also working very hard to reverse their country's agricultural shortfalls, but face serious obstacles in turning around their country's spiraling population growth.

In Somalia, we were concerned about Africa's most serious refugee problem. We visited Somalia's largest refugee camp and were happy to see an improvement in the condition of many of these homeless men, women, and children. However, we were disturbed by the lack of effective coordination of the international relief effort. We talked with President Siad Barre about regional stability in the Horn and the Ogaden. It was evident that there was marked improvement in relations between Somalia and Kenya, but the rift between Somalia and Ethiopia over the Ogaden remains as wide as ever. President Siad's comments on the Ogaden left us with the impression that there could well be another round of military and political strife between Ethiopia and Somalia in the future.

What follows are a series of country reports on what my delegation observed, together with a number of policy recommendations. We hope that they will be useful in advancing America's interests in Africa and in improving America's relations with that vast mineral rich and increasingly important continent.

SUMMARY OF RECOMMENDATIONS

ZIMBABWE

(1) The administration, through "quiet diplomacy" or public statements, should press South Africa not to destabilize Zimbabwe's economy or political system.

(2) The United States should maintain its present high-level aid commitment to Zimbabwe. This aid is of genuine symbolic, political, and economic importance to Zimbabwe. It is symbolic of America's support for the new government. It also contributes to Zimbabwe's economic stability and helps lessen that country's dependence on South Africa.

(3) Zimbabwe, with its highly developed private sector, would seem to be a logical choice for special consideration under the new U.S. AID program designed to stimulate private enterprise in important African states. State, AID, and OPIC officials should work closely to promote greater trade and investment opportunities in Zimbabwe. Since Zimbabwe's independence there has been virtually no new American investment.

SOUTH AFRICA

(1) The United States should resume its previous policy of speaking out publicly against serious human rights abuses perpetrated by the South African Government. Since the current administration has been in office, it has exhibited only passive interest in such issues as the removal of thousands of Africans from the Capetown area, the arrest and detention of hundreds of black labor officials and the continued banning of black and white student leaders.

(2) In its attempt to get Pretoria to agree to a Namibian settlement, the United States should not abandon its effort to get the South African Government to dismantle its apartheid system. The South African Government remains acutely sensitive to American opinion and policies and the leverage we have should be exercised.

(3) The United States should not alter the previous administration's position on not supplying highly enriched uranium to South Africa. Before any processed nuclear fuel is sent to South Africa, the United States should insist that the South Africans sign the Nuclear Non-Proliferation Treaty, adhere to the IAEA's full-scope safeguards, and publicly renounce any intention to build nuclear weapons.

(4) In view of the evidence of growing repression in South Africa, and the negative impact our policy toward the Republic is having on our relations with black Africa, the administration should reevaluate its policy of constructive engagement toward South Africa.

(5) The administration should not provide U.S. Government funding directly or indirectly to the South African Government or any South African Government agencies, institutions, or organizations.

Funds for educational and social programs should go to broadly representative nongovernment groups and institutions.

(6) The United States should reconsider its decision to relax the pre-1982 foreign policy export control regulations which prohibit all sales to the South African military, police, and security forces. Administration officials have wrongly labeled these regulations as "ineffective" and "ineffectual pinpricks" in our relationship with South Africa.

(7) The United States should endorse and support the passage of legislation requiring all large American companies operating in South Africa to adhere to a fair employment practices code. American companies should follow practices in South Africa which are compatible with labor practices in the United States. Clearly, American companies can and should do more in providing their workers with decent wages, better working conditions, and greater promotion opportunities.

(8) To counteract the increasingly negative attitude toward the United States within South Africa's black, colored, and Asian communities the administration should consider expanding its educational and cultural programs for nonwhites in the Republic.

KENYA

(1) For the first time since its independence in 1963, Kenya is facing a major food crisis. The United States should step up its efforts to help Kenya regain food self-sufficiency and should provide Kenya with adequate supplies of Public Law 480, titles I and II, until it has overcome its current food shortages.

(2) Kenya has the largest population growth rate of any country in the world. This has exacerbated Kenya's economic development problems and increased pressure on Kenya's land. The United States should work closely with the Kenyan Government to develop a population control program.

(3) The United States should encourage the continued cooperation and rapprochement between Kenya and Somalia over Kenya's North-eastern Frontier Province. Both countries have made a great deal of progress in resolving their differences and the United States should continue to lend quiet diplomatic support to this effort.

(4) Although Kenya's chairmanship of the Organization of African Unity expires in June 1982, the United States should continue to encourage Kenya's President Daniel Arap Moi to play a moderating role in resolving Africa's regional problems: The Western Sahara conflict, the Chadian situation, and Namibia. The United States and other Western states may want to look to President Moi for advice on regional problems after June 1982 rather than to Libya's head of state who is slated to become the new chairman of the OAU later this year.

(5) The United States should maintain the American Peace Corps program in Kenya at its present level. The Peace Corps is doing an excellent job in Kenya. Its programs are effective and its volunteers are highly regarded by the Kenyan Government. The United States should do everything possible to avoid any reduction in that country's program, which is the most visible aspect of America's support and commitment to Kenya's moderate policies.

SOMALIA

(1) The United States should not provide Somalia with offensive military equipment. Given Somalia's continuing support for the WSLF, such new military aid could encourage even greater Soviet, Cuban, and Libyan support for Ethiopia's military, and would divert scarce resources from Somalia's domestic needs which must be better satisfied if there is to be political stability and economic development. Providing Somalia with offensive military equipment could also risk U.S. association with or involvement in yet another Ethiopia-Somalia war at great cost to our African relations and worldwide strategic priorities.

(2) U.S. AID should continue to support the CARE-led commodity management system which has significantly increased the effectiveness and efficiency of refugee relief. It should also encourage the full extension of the system to the northwestern part of the country.

(3) U.S. AID should press for improved planning and for assurances of equitable distribution of donated commodities.

(4) In cooperation with other donors and the Somalia Government, U.S. AID should redouble its efforts to find means of overcoming continuing shortages of protein, iron, and vitamin C in refugee diets. Similar attention should be given to overcoming shortages of medicine, milling and grinding facilities, and fuel.

(5) The U.S. AID, CARE, and U.N. volunteer monitoring effort must be reinforced at the level of the camps themselves and their sections/subsections, so as to control diversion of refugee supplies by camp administrators, the Somalia military, and privileged refugees.

(6) U.S. AID should assist the Somalia Government in financing and planning agricultural development programs for refugees in areas adjoining the camps, where feasible. The 1982 foreign assistance legislation provides \$30 million for such longer term rehabilitation efforts in Africa.

ANGOLA

(1) The United States should continue to work with the Angolans in trying to resolve the Namibian conflict. The Angolan economy, particularly in the southern part of the country, has been severely disrupted by the continuing conflict.

(2) The United States should formally recognize the Angolan Government and establish an American Embassy in Angola. Such a move would facilitate direct communication between our two nations on both bilateral and regional issues.

(3) Should formal recognition of the Angolan Government not be possible, the United States should establish a U.S.-interest section in Luanda. Although the Angolans would prefer normal diplomatic relations with the United States, they would probably not reject the concept of an interest section as an interim step toward the establishment of formal political ties.

(4) The United States should continue to provide Export-Import Bank loans and guarantees to the Angolan Government. Since Angola's independence, the United States has provided \$111.1 million in Eximbank facilities to Angola. Most of these loans have gone into Angola's transport and petroleum sectors to assist in the purchase of American-made aircraft and diesel locomotives.

(5) The United States should not now repeal the Clark amendment which prohibits the United States from providing covert military and paramilitary assistance to Angolan dissident groups. The Angolans are strongly opposed to this legislation because they think it portends a resumption of U.S. covert assistance to UNITA, which has been engaged in guerrilla activity against the Angolan Government since 1975.

NIGERIA

(1) In the political arena, the United States should consult with Nigeria more closely on African issues.

(2) The United States should send top-flight commercial officials to Nigeria. Experienced commercial officers can provide invaluable service to U.S. businesses interested in trade and investment with Nigeria.

(3) The cooperation between the United States and Nigeria with respect to the Joint Agricultural Consultative Committee should be strengthened. In this connection the delegation was encouraged by evidence of both American and Nigerian Government support of JACC's efforts in Nigeria's agricultural sector.

(4) Given Nigeria's poor sewage system and serious drinking water problems, the United States should support the work of UNICEF in the field of clean water delivery.

ZIMBABWE

The purpose of the delegation's visit to Zimbabwe was to assess United States-Zimbabwean relations; to ascertain the views of the Government of Zimbabwe (GOZ) on U.S. policy in southern Africa, particularly Namibia; and to review U.S. foreign aid programs in Zimbabwe. On the domestic side, we discussed the condition of the Zimbabwean economy; the internal political situation, particularly the demobilization and integration of military forces; and the status of the white community.

During our visit, the delegation met with officials of the GOZ, including Prime Minister Robert Mugabe and with representatives from the U.S. Embassy. The delegation also visited the Gokwe District in Northwestern Zimbabwe to observe activities of the Zimbabwe Department of Agricultural Development.

UNITED STATES-ZIMBABWEAN RELATIONS

United States-Zimbabwean relations have been quite good since Zimbabwe attained independence in 1980. The United States was quick to establish diplomatic relations, appoint an Ambassador, and offer assistance. The Carter administration recognized that Zimbabwe's continued stability would be crucial to the prospects for future economic growth and political harmony. The Reagan administration has taken a similar position and has sought to maintain close bilateral relations. An indication of this continuity in policy is the U.S. pledge of \$225 million in development aid to Zimbabwe for fiscal years 1982 through 1984. This was the largest single pledge made at the March 1981 Donor Conference on Assistance for Zimbabwe.

Most frequently cited U.S. interests in Zimbabwe are:

(1) *Location*.—Zimbabwe is located in the heart of southern Africa, sharing borders with South Africa, Mozambique, Zambia, Botswana, and Namibia. The ultimate outcome of the political situation in Zimbabwe could have a significant impact on the surrounding countries.

(2) *Economic interests*.—Zimbabwe possesses large reserves of chromium, a metal essential in producing steels with significant military applications. Zimbabwe also has significant quantities of nickel and asbestos. While Zimbabwe's economy is strong because of its mineral wealth, it also possesses a highly productive agricultural sector and diversified manufacturing capacity. Continued economic growth could provide trade and investment opportunities for the United States while serving as a stabilizing economic influence in the southern Africa region.

(3) *Symbolic value*.—The Mugabe government enjoys wide support in Africa. U.S. policy toward Zimbabwe could have a significant effect on U.S. relations with other African countries.

At the time of our visit to Zimbabwe there were no serious problems affecting the bilateral relationship between the two countries. There are, however, problems of a regional nature which, depending on the direction of U.S. policy, could have a major impact on relations between the two countries.

REGIONAL PROBLEMS

The Government of Zimbabwe probably views the manner of U.S. participation in the pursuit of independence in Namibia and U.S. attitudes toward the Republic of South Africa as two issues which could affect relations between the United States and Zimbabwe. South Africa is seen by Zimbabweans as the principal obstacle to peace and stability in the southern Africa region.

NAMIBIA

The Government of Zimbabwe believes that the collapse of the January 1981 United Nations Geneva Conference on Independence for Namibia was due in large part to two developments: First, the election of President Reagan, and, second, the elections in South Africa which took place in April 1981. The thinking seems to be that South Africa believed its position would be viewed more sympathetically by the new U.S. administration. It appears that the Government of Zimbabwe is also waiting to see how the relationship between the United States and South Africa will evolve.

On Namibia, the GOZ believes that U.N. Resolution 435¹ must be the basis for any settlement. Resolution 435 is viewed as a Western initiative. Great emphasis is placed by the GOZ on the role of the United States in resolving the Namibian question. It seems apparent that the Government of Zimbabwe believes the United States has great leverage which it could exercise to help bring independence to Namibia.

SOUTH AFRICA

Regarding internal conditions, particularly apartheid, Zimbabwean officials believe that if South Africa is left alone change will take a long time. The view seems to be that there will probably be violence on a large scale. In the view of these officials the degree of likely violence will be determined by the willingness of the Western countries to apply pressure on South Africa to change its racial policies. It was noted that while South Africa sees itself as a part of the Western world with Western values it follows policies which are opposed by other countries of the Western group. South Africa, Zimbabwean officials believe, must be made aware of this and pressure must be brought upon South Africa to change these policies or see its relations with Western countries suffer. It appears obvious that Zimbabwean officials feel that the West, as in the case of Namibia, has great leverage, particularly in economic matters, which it could bring to bear on South Africa so as to bring about more rapid change within that country. In this regard, Zimbabwean officials noted that the failure

¹ See appendix 7, p. 70, for text of resolution.

of the United States to speak out against certain activities of the South African Government (for example, South African incursions into Angola) leaves the impression of U.S. acquiescence in such activities.

ZIMBABWEAN ECONOMY

Compared to most African economies, Zimbabwe's economy is highly industrialized. Manufacturing accounts for almost 25 percent of its gross national product (GNP); agriculture contributes over 12 percent; and mining about 8 percent. The economy is, however, a grossly imbalanced one, as evidenced by the large gap in living standards between Africans and Europeans. It is the need to address this imbalance that presents the GOZ with its most immediate economic problem.

The long-suppressed demands by the black community for access to education, medical care, goods and services, and land must be met if a stable, prosperous society is to develop in Zimbabwe.

Upon coming to power, the new government moved quickly to institute reforms and meet these demands. The minimum wage was increased; fees for primary schools and medical care were eliminated; and assistance was provided for public housing. These moves, while expected and needed, barely scratched the surface in bringing greater economic and social benefits to those long deprived. Moreover, independence has brought with it rising popular expectations—expectations that greatly exceed the budgetary capability of the government.

Among the principal challenges facing the Government of Zimbabwe are the following:

(1) Resettlement of returnees and refugees is virtually complete, but the more difficult task of integrating returnees into the economy and mainstream of Zimbabwean life is still underway and a source of major concern.

(2) Rehabilitation and reconstruction remain key objectives. Much of the economic infrastructure in the countryside was either abandoned or destroyed during the war. Included in this was the decimation of livestock. At the time of our visit, reconstruction was expected to take another year. In addition to this reconstruction, the GOZ faces the task of modernizing much of its economic plant. During the war, much of the industrial capacity, including the transportation system, deteriorated due to neglect and a lack of foreign exchange for maintenance and replacement. The GOZ must somehow generate the necessary foreign exchange to modernize these facilities.

(3) Integration of the three military forces that fought in the war has also had an impact on the economic situation in Zimbabwe. At its independence, Zimbabwe inherited a standing army of between some 40,000 to 60,000 men, far in excess of the country's needs. Maintaining this army has placed a serious drain on Zimbabwe's budget. At the time of the delegation's visit, integration of the various armies was expected to be completed without serious difficulty. In order to reduce the budgetary drain, the GOZ has also been encouraging members of the military to return to civilian life. However, unless suitable employment is provided for those who are demobilized it is difficult to see why many soldiers will leave the military where salaries are relatively high.

(4) Probably the most difficult economic issue facing the GOZ is land distribution. Agriculture has been the economy's success story, producing 50 percent of the country's foreign exchange and employing 34 to 38 percent of the labor force. The return of peace to the countryside and a 50-percent increase in producer prices for maize have encouraged subsistence and commercial farmers to expand their plantings. Production is expected to be enough to meet all domestic requirements and provide a large surplus for export. Although tobacco, beef, and wheat production are likely to drop, the maize and livestock earnings overall should register substantial increases.

Zimbabwe's agricultural success has, however, come principally from large commercial farms owned by whites. The majority of the black population, living primarily on preindependence tribal trust lands, land formerly set aside for blacks on a communal basis, are engaged in subsistence agriculture. The Government of Zimbabwe is seeking to assist these farmers in moving from subsistence to commercial agriculture as a means of improving income. The problem is finding land; much of the land in the tribal trust areas is in poor condition and incapable of producing large surpluses. Many blacks who live in the tribal trust areas, as well as returning refugees and party officials, would like to settle in formerly white areas. The Government has stated that it does not intend to confiscate land but does not have the massive financial resources to acquire white-owned farms which are being underutilized or placed on the market by departing white settlers. One GOZ official stated that a high percentage of young Zimbabweans would like to go into farming. This same official also noted that there is sufficient land available in Zimbabwe.

The problem is maldistribution. Finding the resources to acquire such land for distribution remains a serious problem. The United States, like other donors, has refused to provide funds for the purchase of land.

MINERALS MARKETING BOARD

A recent development in the mining sector was the establishment by the Zimbabwean Government of a Minerals Marketing Board as a minerals marketing authority to control production and marketing of the country's minerals. At the time of the delegation's visit, this program was still in its early development and no decisions had been made on what the board's functions would be or the extent to which the Government would become directly involved in the production and marketing of Zimbabwe's minerals.

The creation of the board has caused growing concern within the mining industry and may prove to be an obstacle to attracting new foreign investment in the mining sector. Our Embassy personnel stated that, until the Government outlines the board's functions and policies, American mining companies operating in Zimbabwe (or thinking about establishing operations there) would exercise caution. However, the GOZ has indicated that it will not nationalize the mines, although it may seek status participation in certain mining enterprises. Creation of the board seems to have grown out of the Government's concern that it was unaware of many of the marketing and foreign exchange activities of the mining companies.

ROLE OF SOUTH AFRICA IN ZIMBABWEAN ECONOMY

Mention should be made of the role of South Africa in the Zimbabwean economy. The economic and financial links between Zimbabwe and South Africa go back to Rhodesia's founding as a colony in 1890. Zimbabwe's economy is today heavily oriented toward South Africa. Included in these links are South African investment in Zimbabwe, but more important are the trade relations between the two countries, Zimbabwe's dependence on South Africa's transportation network and port facilities, and Zimbabwe's total dependence on South Africa for petroleum. Until recently, a South African press group owned the largest newspaper chain in Zimbabwe. Approximately a year ago the South African Government announced it would end a 16-year-old preferential trade agreement with Zimbabwe. Subsequently, the South Africans indicated a willingness to discuss continuing the agreement, but this is an example of the kind of pressure South Africa can bring upon the GOZ.

It is with respect to transportation links, port facilities, and fuel requirements that Zimbabwe is most dependent on South Africa. The nature of this dependence is illustrated by South Africa's recent withdrawal of the 25 locomotives which it had loaned to the previous government of Zimbabwe. Although the South Africans have now entered into discussions with Zimbabwe pointed toward the possible return of these locomotives, this case, like the cancellation of the trade agreement, illustrates the vulnerability of Zimbabwe's economy to South African actions.

The Government of Zimbabwe is pushing hard for the development of alternative transport links and fuel sources. These efforts are concentrated on rail links through Mozambique and that country's ports of Beira and Maputo. Zimbabwe is also working with Mozambique to reopen a long closed gasoline pipeline between Beira and Salisbury. This would reduce its dependence on South Africa for fuel.

Zimbabwe officials reported that they see no prospect for reducing their country's economic dependence on South Africa in the foreseeable future. Until such time as alternative sources of fuel are developed and other reliable, safe transportation outlets become available, the Zimbabwean economy, as well as the economies of other countries in the region, will remain vulnerable to South African harassment.

U.S. ASSISTANCE TO ZIMBABWE

As noted above, the United States was the first country to provide assistance to Zimbabwe. At its inception, U.S. assistance to Zimbabwe was designed to meet those needs determined by the GOZ as requiring immediate attention. During fiscal years 1980-81 the United States provided:

- \$48 million for balance of payments support, infrastructure reconstruction and rehabilitation, resettlement of returnees to Zimbabwe, and training.
- \$50 million in Housing Investment Guarantees.
- Food assistance under the Public Law 480 program.

The fiscal year 1982 program will provide \$75 million, the first installment of a \$225 million pledge made by the United States at the

1981 donors' conference. These funds will be used to meet immediate needs while Zimbabwe begins to focus on long-term programs. The 1982 program includes:

- Infrastructure rehabilitation, including transport links, and technical assistance to upgrade and improve the maintenance capacity of the National Railways of Zimbabwe.
- A program to assist farmers in the former tribal trust lands in moving from subsistence to commercial agriculture as a means of improving individual incomes.
- New projects in health care, and education and manpower development.

The United States is also planning a small IMET program (\$65,000) to train Zimbabwean Army officers in the United States in logistical and support areas.

The United States Export-Import Bank has approved a \$33 million loan for the expansion of the Wankey coal mine and a \$6 million loan for purchasing locomotives for the National Railways of Zimbabwe.

POLITICAL SITUATION

Since independence, Prime Minister Mugabe has had to contend with several potentially divisive situations within the country: First, the problem of integrating into one army the three military forces that had participated in the war: The forces of the Zimbabwe African National Union (ZANU) led by new Prime Minister Mugabe, the forces of the Zimbabwe African People's Union (ZAPU) led by Joshua Nkomo, and the forces of the Rhodesian Army; second, continuing conflict between ZANU and ZAPU forces with respect to the political control of Zimbabwe; third, tensions between Zimbabwe's black and white communities. Zimbabwean Government officials commented on these matters as follows:

- Integration of the armies has proceeded well and at the time of our visit was completed. After early serious clashes between ZANU and ZAPU forces, the GOZ proceeded to disarm remaining forces. It appears that the GOZ is exercising control over the various military factions. The remaining problem, as noted above, is the need to reduce the size of the army so as to reduce the drain on the budget.
- Relations between the ZANU and ZAPU forces were good at the upper levels of both parties. The delegation was told that there were good personal relations between party leaders but that political relations, particularly at lower levels within the parties, were at times discordant.² The ZANU party of Prime Minister Mugabe consists primarily of Shona, who comprise approximately 77 percent of the population.

² In February 1982, Prime Minister Mugabe dismissed Joshua Nkomo and three members of Nkomo's ZAPU party from his Cabinet, charging them with stashing arms to overthrow the government. The arms were discovered on farms owned by ZAPU and Nkomo. Ousted along with Nkomo, who was serving no Minister without portfolio, were Transportation Minister Josiah Chinamano, Natural Resources Minister Joseph Msiko and a deputy minister. The arms discovery is under investigation and threatens to end the coalition government between ZANU and ZAPU which was formed after the election in April 1980. ZANU holds a majority of the seats in the Zimbabwe Parliament and thus does not need ZAPU support to continue to govern.

—Relations between blacks and whites were improving. A principal reason given for this is the lessening of feelings of insecurity of whites. At the time of our visit whites were emigrating from Zimbabwe at a level of 1,000 to 2,000 a month, approximately the same as before independence. U.S. officials estimated that 90 percent of the whites in country before independence had remained. These officials believe the white population will stabilize by mid-1982. Whites have continued to prosper under the new Government but they still harbor concerns over whether their long-term economic and security interests will be protected.

RECOMMENDATIONS

The administration, through "quiet diplomacy" or public statements, should press South Africa not to undermine Zimbabwe's economic or political stability. Economic ties between South Africa and Zimbabwe make Zimbabwe vulnerable to pressures from South Africa and create opportunities for destabilization in Zimbabwe. The GOZ does not see a lessening of such economic ties in the foreseeable future.

The United States should through development programs, assist the Zimbabwean Government in lessening its dependence on South Africa. The most obvious is development of alternative transportation routes for Zimbabwean goods.

Zimbabwe, with its highly developed private sector, would seem to be a logical choice for consideration under the new U.S. emphasis on private enterprise in the U.S. foreign aid program. State AID and OPIC officials should work closely to promote greater trade and investment opportunities in Zimbabwe. A stable and prosperous Zimbabwe could become a critical symbol of the viability of democratic multiracial states in southern Africa.

SOUTH AFRICA

INTRODUCTION

In an effort to assess the current situation in South Africa and the prospects for a speedy solution to the Namibian conflict, the delegation spent 4 days in South Africa. During our visit, the delegation met with a wide spectrum of black and white political leaders, church officials, labor union members, student activists, banned individuals, American businessmen, journalists, and academics. In Johannesburg, we met with Bishop Desmond Tutu, Secretary-General of the South African Council of Churches; Dr. Nthatho Motlana and Mr. Leonard Masala of the Committee of Ten; and Chief Gatsha Buthelezi, Chief Minister of Kwazulu. In that same city, the delegation also met with Mr. John Knoetze of the West Rand Administration Board; Mr. Ben Porgund of the Rand Daily Mail, Ms. Sheena Duncan of Black Sash; Mr. John Barrett of the South African Institute of International Affairs; members of the South African American Chamber of Commerce; and representatives of the South Africa Foundation. In an effort to get a genuine sense of both black and white attitudes in South Africa, three members of the delegation and their wives spent 1 night as guests in the home of three black families in Soweto. On another evening the same members accepted the overnight hospitality of three white families.

In Capetown, the delegation met with a variety of South African Government officials, including Foreign Minister Roloef Botha; Dr. Dennis Worrall of the Presidential Council; Mr. Van Zyl Slabbert, leader of the Progressive Federal Party (PFP); Mr. Colin Eglin of the PFP; and Mrs. Helen Suzman of the PFP.

Members of the delegation also traveled to Port Elizabeth, the hub of South Africa's auto industry, to visit the Ford and General Motors auto assembly plants. The members met with management officials at both the plants and later with union members and workers at offsite locations. Several members of the delegation also visited Walmer township, a small black suburb 15 miles from the center of Port Elizabeth. The South Africa Government has declared Walmer a "black spot" in a white area and has initiated plans to tear down the township to make way for white homes and businesses.

Prior to our departure, we also visited Nyanga, a black squatter camp outside of Capetown. On the morning of our visit, the weather was damp and cold and the people there—mostly women and children—lacked shelter, food, and protection from the winter-like conditions. The night before our visit, the South African authorities had raided Nyanga and destroyed all the houses and shelters. They then imposed a blockade on all food and medical supplies. Several days after we left, the South African Government forcibly deported the squatters to the Transkei homeland, over 500 miles away.

BACKGROUND

The continuation of South Africa's system of apartheid and the complex web of security laws used to enforce that system have transformed that country into an international pariah and made it a growing source of international concern. Since the Afrikaner-dominated Nationalist Party took power in 1948, South Africa's internal policies have sharpened the racial and political divisions that divide that nation's 4 million whites and 22 million blacks, coloreds, and Asians. Institutionalized and constitutionally sanctioned racial discrimination has become commonplace and has systematically denied South African's overwhelming black population their fundamental rights. Non-white South Africans are denied the right to vote, to sit in Parliament, to live where they choose, to marry whom they wish, to work where they desire, to use public amenities, to attend multiracial schools and to purchase land and property. Moreover, since 1975, the South African Government has stepped up its efforts to permanently disenfranchise blacks and fragment South Africa along racial lines by the creation of separate ethnic homelands.

In the last 6 years, the South African Government has established four so-called independent homelands: Transkei, Bophthatswana, Venda, and Ciskei. Efforts are underway to create six more homelands. When the process is completed, the Nationalist Party hopes to transform South Africa into a nearly all white state surrounded by 10 economically and politically dependent black states.

As the National Party has entrenched its control, more and more blacks have come to the conclusion that the prospects for peaceful and evolutionary change have all but evaporated. As a consequence, racial tension has escalated and labor strife, student protest, and urban violence have flared throughout the country on a recurring basis. Once moderate black demands have also become more radical and strident. And popular support for the South African's two banned black political parties, the African National Congress and the Pan African Congress, has become far more visible.

The Government's reaction to this new black political activism has oscillated between tentative reforms and intensified repression. As a part of its reforms, the Government legalized (for the first time) black trade unions, permitted blacks to buy 99-year leaseholds in urban areas, dropped some of its petty apartheid regulations and established a Presidential Commission to look into a new constitution for the country. These reforms, however, have been overshadowed by the detention of black trade union members (300 detained in 1981 alone), the arrest of black and white student leaders, the exclusion of blacks from the Presidential Commission, the banning of two black newspapers, the continuation of the homeland policy, and the failure of the Government to address any of the fundamental concerns of the black majority.

UNITED STATES-SOUTH AFRICAN RELATIONS: THE IMPACT OF
CONSTRUCTIVE ENGAGEMENT

Our principal objective in traveling to South Africa was to determine whether the administration's policy of "constructive en-

agement" was having any impact in ameliorating South Africa's system of apartheid or getting that country to implement U.N. Security Council Resolution 435 on Namibia.

Since coming into office in January 1981, the Reagan administration has adopted a more positive and conciliatory attitude toward South Africa. This policy of "constructive engagement" has stressed that positive change is underway in South Africa in a number of areas and that America can best encourage this change through quiet diplomacy, increased economic linkages, and government-to-government contacts. Rhetorical denunciations of apartheid and threats of economic and political sanctions were deemed to be ineffective and counter-productive.

The administration has adopted this policy because it believes that South Africa is the most important state in sub-Saharan Africa and that it is of long-term global and strategic significance to the United States.

As evidence of South Africa's importance, administration spokesmen and supporters have cited three factors: South Africa's strategic location along the Cape sea route; its possession of over a dozen critical minerals needed in the West for military and industrial purposes; and its anti-Communist and "democratic institutions" which make it a bulwark against Communist expansion in the region.

Constructive engagement has also been embraced for another reason. Many in the administration believe this policy promises a way out of the diplomatic impasse on Namibia. By improving our economic and political relations with South Africa, some in the administration believe they may be able to enhance our influence and credibility in Pretoria and to convince South Africa's leaders to agree to an acceptable international formula for Namibia's independence.

In our various discussions in South Africa we observed two sharply contrasting responses on the efficacy of America's new policy. Supporters of the current South African Government applauded the administration's new attitude. They saw in it a tardy recognition of South Africa's strategic, military, and economic importance to the West as well as a shared perception that the fundamental problem facing Africa was not decolonization or economic deprivation but the "Communist onslaught." These views were expressed frequently by verkrampte Members of Parliament and by some American and South African businessmen.

On the other hand, opponents of the South Africa Government were extremely critical of our policies. Within South Africa's black and colored communities this criticism was particularly bitter. Leaders in those communities told us repeatedly that they felt betrayed, abandoned, and deserted by this administration's policies. Many of these leaders, like Bishop Desmond Tutu, General Secretary of the South Africa Council of Churches, plaintively asked whether the United States still stood for human decency, social justice, and equal opportunity.

Few if any of the people with whom we talked expressed any confidence in the administration's approach to the South African Government. On the contrary, they felt America's policies of quiet diplomacy would be misinterpreted by officials in Pretoria, and that those officials would step up their harassment, banning, and arrest of non-

white leaders with the clear knowledge that Washington would either ignore or downplay what they were doing. These same individuals were fearful that the South African Government would continue its destructive raids into Angola and would continue to stall on the Namibian negotiations further delaying that country's hopes for independence.

These fears were not limited to the black community. White liberals—both Afrikaans and English-speaking—shared the same apprehensions and concerns as their black colleagues. Several white opposition Parliamentarians pointedly asked whether they were witnessing the end of a period in which the United States would be at the forefront of the attempt to foster social change in South Africa.

We left South Africa with the clear impression our current policy of constructive engagement may be reinforcing the most intransigent elements of Afrikaner society in the belief that the United States is not serious about getting South Africa to change its apartheid policies. We also sensed the growing alienation of South Africa's black community from the United States. Ironically, given the professed anti-communism of both the United States and the South African Government, these developments play directly into the hands of the Soviets, by allowing them to champion the cause of black independence in South Africa while portraying the United States as the supporter of continued white domination.

NAMIBIA

We also discussed the urgent and dangerous problem of Namibia with a number of people, including South Africa's Foreign Minister. We were disappointed to encounter considerable skepticism concerning the possibility of moving expeditiously toward Namibian independence through internationally acceptable free and fair elections.

During our lengthy discussions with Foreign Minister Botha, he reaffirmed his government's support for U.N. Resolution 435. However, he forcefully reiterated his government's complaints about the U.N. bias toward SWAPO and the lack of consultation by the contact group with the internal parties in Namibia. These, of course, were the two issues which South Africa raised in its August 29, 1980, letter to former Secretary-General Waldheim. They were also the issues which led to the collapse of the January 1981 Geneva Conference on Namibia.

The Foreign Minister charged that the United Nations was biased in favor of SWAPO. Citing the U.N. General Assembly's recognition of SWAPO as the "sole legitimate representative" of the Namibian people, and U.N. funding for SWAPO's information office in New York, he questioned whether the U.N. could ever be entrusted to administer a fair election in Namibia. He said the U.N. forces monitoring the election would be perceived by blacks in Namibia as SWAPO's army. This would not be fair, he claimed.

He also stressed that the contact group and the U.N. had neglected to consult with Namibia's internal parties, leaving them apprehensive and uncertain about the negotiations.

Botha indicated that both of these objections could be overcome, but the U.N. would have to demonstrate its impartiality by perhaps rescinding its resolution on SWAPO and withdrawing its financial support from that organization. The U.N. and the contact group would

also have to show greater concern and deference for the interests and views of the Democratic Turnhalle Alliance (DTA) and the other internal groups. If some accommodation could be reached on these issues, Botha estimated that a settlement might be achieved in the next 18 to 24 months. However, he stressed the next 12 months would be critical. The internal groups would have to be reassured that the U.N. will be fair and that they have a genuine chance to win the proposed elections.

When asked whether the South African Government had established any new preconditions for a settlement, Botha replied in the negative. The drafting of a constitution and the establishment of a set of constitutional principles were not a precondition for a settlement. Nor was the removal of all Cuban troops from Angola prior to independence a South African precondition. While all of these actions might be worthwhile accomplishments, they were not essential to a Namibian settlement. In fact, Foreign Minister Botha volunteered that the constitutional issue was of no real concern to South Africa and that this was an initiative conceived and launched by the United States.

Botha denied that South Africa was likely to be wooed into accelerating the pace of a Namibian settlement because of the new administration's policy of constructive engagement. South Africa, the Foreign Minister said, was not impressed by the fact the United States has permitted South African Coast Guard personnel to be trained in the United States, upgraded the level of military representation in Pretoria, and allowed the South African Government to establish several honorary consulates in the United States. Mr. Botha asserted that these actions were motivated by American self-interest, and did not represent concessions to South Africa. Nor was South Africa likely to be impressed by other so-called "carrots" since Pretoria officials were keenly aware of Washington's limitations. They knew that anything the administration provided South Africa that did not require legislative action could be undone within days and weeks after a new administration assumed office. And if the administration wanted to do something for South Africa that required legislative action, the U.S. Congress would probably criticize or oppose it.

Since our departure, negotiations between South Africa and the contact group have continued. Administration officials have traveled to southern Africa and Europe on several occasions to meet with the leaders of the Front Line states and South Africa. And officials from Africa have come here. Discussions have also been held on the adoption of a set of constitutional principles. All of these are hopeful signs.

However, there continues to be nothing on the public record to indicate that there has been any progress in resolving the substantive issues which South Africa raised in August 1980. Nor is there any indication that South Africa's leaders—regarded by most observers as the main stumbling block to a settlement—have yet concluded that a settlement of the Namibian problem is in their country's national interest. The war in Namibia has not been a particularly serious physical or financial drain on white South Africa. With an increasing number of black troops fighting on the Namibian front, whites are not being killed in large numbers and the reports of spreading war weariness appear to be exaggerated. Nor are the economic costs of the war that great for South Africa. However, as the price of gold continues to slip,

financing the Namibian effort could well become a worrisome financial burden.

What Foreign Minister Botha did not mention are the fears and apprehensions that are strongly felt about the depth of the white backlash which may ensue should there be a settlement leading to an inevitable SWAPO victory. There was also no mention of the psychological inspiration Namibia's independence would give to South Africa's black population and their two banned political movements. Clearly, all of Africa and the international community would focus on the need for change in the Republic of South Africa once a Namibian settlement was achieved.

Despite the apparent lack of progress on Namibia, we left South Africa with the impression that this administration—more than any other—has the credibility in Pretoria to get the South African Government to surrender Namibia. However, this administration—through faulty tactics and excessive generosity—may squander its leverage without advancing either the independence of Namibia or social justice in South Africa. If the administration's policy of constructive engagement fails, the ripples will be felt from the black townships of Soweto to the Arab-African states of the Sahara. We will have alienated all of Africa, opened the door to greater Soviet adventurism and set back U.S. relations with Africa by a decade.

SOUTH AFRICAN TRADE UNIONS, U.S. BUSINESS, AND U.S. POLICY

Through our discussions with businessmen and workers in South Africa, we were sensitized to the significance of the mushrooming independent black labor movement in urban areas. The increasing militance of the new unions reflects not only economic grievances but broad political ones. And independent black unions are frequently allied with black community organizations in local coalitions for social change.

Since the Wiehan Commission Report of 1979, the South African Government has taken steps to influence the direction of this union movement by officially recognizing its existence and steering it into the official framework of national-level industrial councils. At the time of our visit, the Government was trying to co-opt continuing black union militance by proposing legislation to extend official recognition to even multiracial unions and those including migrants and commuters. Yet the legislation also encouraged all unions to officially register with and provide information about their membership to the Government on pain of losing their "checkoff" privileges for union dues; outlawed union financial assistance to illegal strikes; and banned "political" activities by unions. Except for the last provision, which white and black labor opposition caused to be restricted to "political party" activity, all of these proposals were subsequently enacted.

But new legislation has not succeeded in stemming deep-rooted trade union militancy. As a result, the Government has embarked upon the largest crackdown on black labor since the Soweto uprisings of 1976. In June and again in November, the South African police arrested over a dozen prominent labor leaders and organizers representing perhaps 35 to 40 percent of the estimated 200,000 members of independent black trade unions. At the same time, the police of the Ciskei home-

land arrested leaders and members of some of the same unions. All of those arrests were under South African security legislation which permits detention without charges for "security" cases. Among the unions caught up in the wave of repression have been the South African Allied Workers Union (20,000 members), African Food and Canning Workers Union (12,000), Commercial Catering and Allied Workers Union (10,600), Black Municipal Workers Union (10,000), Black Allied Workers Union (6,000), Motor Assembly and Components Workers Union (2,000), and the Media Workers Association (400). Detentions have focused not only on unregistered, community-oriented unions like the South African and Black Allied Workers Unions, but also on leading members of the two black labor federations which have chosen to register: The African Food and Canning Workers Union of FOSATU and the Commercial Catering and Allied Workers Union of CUSA. Some of those arrested, like Emma Mashinini of the Caterers, have been trained in the United States on official labor leader scholarships in the Cornell University School of Industrial and Labor Relations.

The recent unexplained death in detention of Neil Aggett, a white doctor who was an organizer for the Food and Canning Workers, and the psychiatric commitment of a prominent black detainee, Thozamile Goweta, president of the South African Allied Workers Union, are further evidence of the serious repression now underway.

We left our conversations in South Africa convinced that U.S. subsidiaries can and must play a more significant role in accommodating the demands of black workers. Black employees of U.S. subsidiaries in South Africa probably amount to more than 5 percent of urban black workers (excluding domestic servants and government employees). They represent an even greater proportion of urban black workers in multinational and advanced industry. And most of our interlocutors agreed that progressive steps by U.S. subsidiaries in dealing with their workers have had "ripple" effects on other multinationals and South African-owned firms.

During its visit to Port Elizabeth, the delegation visited the Ford and General Motors auto plants and observed concrete programs to raise black wages, increase the number of blacks in skilled jobs, and expand training for blacks. We came away from these plant visits with a keen sense of still how far there is to go. The South African manager of a leading U.S. subsidiary told us that half the companies which had signed the Sullivan (fair employment) principles were giving them only lipservice, and that the principles themselves needed to be expressed through goal-oriented criteria and perhaps could only be realized through some official "compulsion."

At a meeting with the American Chamber of Commerce in South Africa, a representative of a U.S. bank subsidiary declared that his company had a worldwide policy of opposing trade unionism. And the autoworkers we met at Ford and General Motors complained that their advancement continued to be delayed by discrimination. For example, even Ford, regarded by many as the most progressive American company in South Africa, has no "African" general foreman and just 3 Africans in management out of about 300; only 1 African is said to supervise whites. Union leaders in and out of the auto industry

emphasized that there is no independent verification (including union input) of company reports on their compliance with the Sullivan principles of fair employment and union recognition.

We were also discouraged to note that very few American companies are working collectively or independently to press the South African Government to undertake significant reforms outside of the workplace. For the most part, American companies appear to be concerned mainly about profit and loss statements and with the elimination of the most egregious aspects of segregation in their own plants. The single exception to this is the American business communities enthusiastic support of the new and modern PACE Commercial High School in Soweto. The American Chamber of Commerce in South Africa and the American companies affiliated with it have the capacity to play a constructive role in helping to promote change in South Africa. That organization and its affiliates should do more for its black workers as well as black entrepreneurs.

RECOMMENDATIONS

The United States should resume its previous policy of speaking out publicly against serious human rights abuses perpetrated or condoned by the South African Government and should publicly condemn acts of South Africa cross-border aggression. Since the current administration has been in office, it has exhibited only passive interest in such issues as the removal of thousands of Africans from the Cape-town area, the arrest and detention of hundreds of black labor officials, the continued banning of black and white student leaders, and the repeated South African invasions of Angola.

Among many blacks and liberal whites in South Africa, the U.S. policy of "quiet diplomacy" has been interpreted as nothing more than tacit acquiescence of South Africa's policies.

In its attempt to get Pretoria to agree to a Namibian settlement, the United States should not abandon its effort to get the South African Government to change its apartheid policies. The current administration has said that the United States does not have any leverage to make the South African Government change its racial policies. This is a shortsighted view. Although U.S. leverage is limited, the United States could exert some meaningful pressure on South Africa by:

(a) Barring the export of particular categories of U.S. goods, services, and technology through the Export Administration Act;

(b) Downgrading U.S. diplomatic and military representation in South Africa;

(c) Initiating and supporting the passage of U.S. legislation mandating a fair employment code for American companies operating in South Africa;

(d) Barring American bank loans to South African Government entities;

(e) Barring the sale of S. A. Krugerrand in the United States; and,

(f) Breaking off all nondiplomatic and nonessential contacts between U.S. Government agencies and South African Government agencies.

The United States should not alter the previous administration's position on prohibiting the supply of highly enriched uranium to South Africa. Before any processed nuclear fuel is sent to South Africa, the United States should insist that the South Africans sign the Nuclear Non-Proliferation Treaty and adhere to the IAEA's full-scope safeguards. The United States should also demand that South Africa renounce any future intention to develop nuclear weapons. Although the South Africans have recently been able to acquire highly enriched uranium from European sources, there are indications that they would like to obtain nuclear fuel from the United States. This should be discouraged as long as South Africa refuses to accept international safeguards and to sign the NPT.

In view of its failure to produce any meaningful changes in South Africa's internal policies and the negative impact our policy is having on our relations with black Africa, the administration should re-evaluate its policy of constructive engagement toward South Africa. Thus far, constructive engagement has not increased America's influence among South Africa's leaders. Nor has it led to any improvement in the human rights climate in the Republic. On the contrary, our policy has undermined U.S. credibility among many of those in South Africa who support fundamental change and reform. In addition, leaders in black Africa have begun to seriously question America's commitment to the principle of social justice and racial equality in South Africa.

The administration should not provide U.S. Government funding directly or indirectly to the South African Government or any South African Government agency, institution, or organization for black education or for other social programs that would operate on a segregated basis. The education of all of South African citizens is the responsibility of the South African Government. South Africa currently has the political power and financial wherewithal to remove the legal barriers to integrated education and to begin to provide equal and quality education for all its citizens. Instead, the South African Government maintains its system of legalized educational segregation at every level, from primary school through university. In addition it spends 10 times as much on white education as it does on black education. There are no signs that South Africans are about to make any fundamental changes in this area. Should the South African Parliament legally abolish discrimination in education, the United States should consider ways of assisting in the effort to expand educational integration in South Africa. For now, however, U.S. funds should not be used in ways that would indirectly foster segregation.

The United States should endorse and support the passage of legislation requiring all large American companies operating in South Africa to adhere to a fair employment practices code. There are over 350 American firms in South Africa, employing nearly 100,000 workers. Some 137 of these firms are now signatories to the so-called Sullivan Code, which is voluntary. Many South African blacks prefer American disinvestment. However, there is an equally strong feeling that as long as American companies—particularly those in the mining and mining equipment sectors—remain in South Africa, they should

abide by and live up to a fair employment practices code which seeks to eliminate racial bias and to provide equal opportunity in the workplace. These companies should also follow practices in South Africa which are compatible with labor practices in the United States. Clearly, American companies can and should do more in providing their workers with decent wages, better working conditions, and greater promotion opportunities.

To counteract the increasingly negative attitude toward the United States held by many black South Africans and to simultaneously accelerate the process of social change, the administration should consider expanding those educational and cultural programs that bring nonwhite South Africans to the United States. Such exchanges help promote a healthier attitude toward the United States by demonstrating America's commitment to social justice.

The United States should reconsider its decision to relax its pre-1981 foreign policy export control regulations which prohibited all sales to the South African military, police, and security forces. Administration officials have labeled these regulations "ineffective" and "ineffectual pinpricks" in our relationship with South Africa. American businessmen have complained that these regulations have cost them sales. But what is at issue here is not how much money American businessmen have lost or how much they are likely to earn from a relaxation of the regulations. Nor is the issue one of getting other countries to terminate their sales. The issue is whether the United States wants to be identified in any way with providing material support (of whatever type) to those agencies of the South Africa Government which are principally responsible for enforcing and maintaining South Africa's repressive racial and police state system. There should be a complete ban on the sale of all items to the South African police, military, and security forces.

KENYA

INTRODUCTION

The delegation visited Kenya from August 11 through August 13. The purpose of the visit was to assess United States-Kenya relations, discuss the Kenya Government's views on U.S. policy toward southern Africa, and to review Kenya's foreign assistance needs and the U.S. role in meeting them. The delegation also wanted to discuss the United States-Kenya military facilities agreement, and the role of Kenya's President Daniel arap Moi as 1981-82 Chairman of the Organization of African Unity (OAU). Two members of the delegation (Congressmen Richard Ottinger and Berkley Bedell) also took an active part in the U.N. Conference on New and Renewable Energy Resources which took place at the time of our visit. The delegation met with President Moi, Vice President and Minister of Finance Mwai Kibaki, and Minister for Foreign Affairs Robert Ouko. The delegation also visited an agricultural AID project and three Peace Corps sites in several locations outside of Nairobi. The Embassy provided a thorough briefing on developments in Kenya and several members of the delegation met with the Peace Corps Director.

Since its independence from Great Britain in 1963, Kenya has been regarded as one of Africa's true success stories. Unlike many other African states, it has not experienced any major or prolonged political or social unrest and its economy has performed reasonably well—given its meager mineral resources and its acute shortage of arable land. However, some aspects of this situation may be starting to change.

Politically, the situation remains optimistic. President Daniel arap Moi, who assumed power by a peaceful and constitutionally sanctioned procedure following the death of Jomo Kenyatta, appears to have consolidated his rule and gained the confidence of his party and his country's people.

A great deal of President Moi's strength rests on three factors: First, Moi has developed a reputation for personal honesty and has attempted to reduce government corruption and nepotism, which was becoming a serious problem under his predecessor. Second, as a member of the small Kalenji tribal group, Moi has managed to maintain the sometimes fragile ethnic balance which exists between Kenya's two largest linguistic groups—the dominant Kikuyu and the smaller Luo. Third, Moi has continued to enjoy the support of Kenya's apolitical and professional army which is dominated by officers from the Kamba ethnic group.

Kenya's short-term economic outlook is not nearly as bright. During the 1960's and most of the 1970's, Kenya's economy flourished. Real economic growth was recorded in the agricultural sector and in tourism, Kenya's two largest earners of foreign exchange. The country's industrial sector grew and several U.N. organizations established their permanent headquarters in Kenya's capital. Kenya also gained some

notoriety as one of only a half dozen African states producing a sufficient amount of food to feed its own population.

However, in recent years Kenya's economy has experienced a serious downturn. Nowhere is this more evident than in the agricultural field where 85 percent of Kenya's population is employed. Coffee and tea—important export crops—have experienced depressed world market prices since 1977, and agricultural output as a whole has declined since 1978. Kenya, once self-sufficient in food production, is now a major importer of food crops and a major recipient of Public Law 480 food grains from the United States. Domestic policy difficulties, poor agricultural planning, an acute shortage of arable land, and weather problems have contributed to Kenya's agricultural decline.

Increased energy import costs over the last 9 years have also placed a heavy burden on Kenya's trade balance, and now absorb more than the total export earnings from coffee. In addition, Kenya's domestic population growth rate is approximately 4 percent per year, the highest recorded growth rate in the world. As a result, Kenya's short-term economic gains have been devoured by its burgeoning population.

In spite of these difficulties, Kenya's long-term economic prospects remain promising. It still offers one of the more attractive investment climates in Africa. Kenya's relatively stable political orientation and excellent transportation and communications infrastructure are well suited to foreign investment. However, much will depend on whether President Moi can maintain his political balancing act and how successful his government is in reversing Kenya's agricultural problems.

UNITED STATES-KENYA RELATIONS

ECONOMIC AND COMMERCIAL

The United States and Kenya have enjoyed excellent relations since Kenya gained its independence. Commercial trade between the United States and Kenya amounts to approximately \$150 million annually. U.S. business investment in Kenya is highly visible in and around Nairobi and is valued at \$220 million countrywide. Approximately 125 U.S. firms have a presence in Kenya, although the number has not grown substantially in recent years. Kenya is one of Africa's foremost tourist attractions, annually hosting substantial numbers of Americans and Europeans. The volume of this tourism has remained roughly constant in recent years.

Kenya is black Africa's second largest recipient of U.S. foreign assistance. In fiscal year 1982, Kenya is slated to receive \$34 million in development assistance, \$19.4 million in Public Law 480 food commodities, and \$10 million in economic support moneys. American assistance to Kenya is aimed primarily at the troubled agricultural sector. The United States maintains a commodity assistance program which is administered under the auspices of the Catholic Relief Services and assists in such activities as a manpower training program and a scientific research scheme to improve food production. The United States also provides ESF for budgetary support and assistance for the purchase of much needed fertilizer.

During the visit, the delegation visited an aid funded seed and crop development station 30 miles outside of Nairobi. The work being done

to multiply hybrid seeds and to develop high-yield, protein-rich indigenous crops reflected U.S. aid's emphasis on helping Kenya's struggling agricultural sector. The chairman of the delegation also visited three Peace Corps projects in various parts of Kenya. One project consisted of a fish farming development scheme to improve nutrition in the general population and to provide a suitable supplementary cash crop for rural farmers. The project was progressing satisfactorily and the volunteer thought it had great promise. The chairman also visited a Peace Corps run farmers cooperative and credit bank. The delegation left Kenya with the strong impression that the Peace Corps was doing an excellent job in Kenya and that it is probably the most highly visible and respected of America's assistance efforts in the country. President Moi told the entire delegation that he thought the Peace Corps was doing an excellent job in Kenya and that funding for his country's program should be maintained at the existing level. The delegation agreed.

POLITICAL AND MILITARY

The United States provided Kenya with \$6 million in foreign military sales credits during fiscal year 1981. In fiscal year 1982, this figure will rise to \$52. These funds will be used for training pilots for Kenya's air force, as well as for the purchase of aircraft spare parts, and other miscellaneous items. In addition, in 1981 a \$2 million downpayment was made for the purchase of two F-5F trainer aircraft.

In June 1980, the Kenyan Government agreed to allow the United States future access to port and airfield facilities in the coastal city of Mombasa. This access to facilities was sought as an element of America's overall rapid deployment force (RDF) planning. It is projected that from fiscal years 1981 to 1983, the United States will spend some \$50 to \$55 million on improvements in harbor, docking, and warehouse facilities, in addition to airfield modifications. There are currently no plans or projected need for the deployment of onsite U.S. personnel.

Although the Kenyans expressed pleasure with the facilities arrangement, the United States will have to monitor this situation carefully to insure that our limited and periodic military presence does not become a domestic political liability for the Moi Government and that the United States does not begin to make Kenya a permanent base for large numbers of American sailors and troops. In addition, the United States should be exceedingly cautious about increasing Kenya's current level of FMS. Kenya's problems are principally economic and social, not military and security related. Since Kenya is now facing a short-term economic crisis at home and has improved its relations with Somalia and Uganda, America should be concentrating its assistance in development rather than military aid.

REGIONAL

Kenya-Somalia relations have been strained since the end of the colonial period by traditional Somali claims to areas of northeast Kenya inhabited by ethnic Somalis. In his discussions with the delegation, President Moi stated his hope that the U.S. Government would not provide Somalia with more military assistance than is required for defense of Somalia's internationally recognized boundaries. President

Moi confirmed that relations between Kenya and Somalia have improved significantly during the past year. Officials from both Governments were meeting regularly and Kenya and Somalia soldiers were working together to apprehend Somali bandits operating in Kenya's northeastern frontier district. He expressed the hope that this new spirit of cooperation would continue and have some impact on reducing tensions throughout the region, particularly between Ethiopia and Somalia.

Kenya maintains formal diplomatic relations with Ethiopia. Despite their strong political and ideological differences, both nations have a common apprehension regarding Somalia's territorial ambitions. This concern led to the signing of a mutual nonaggression treaty and a decision to work together to thwart any future Somali incursions in the area where the Somali, Kenyan, and Ethiopian borders intersect. However, the continued flow of Ethiopian refugees into Kenya and the harsh anti-Western rhetoric from Addis contribute to a sometimes uneasy relationship between the two governments.

Kenya and the Sudan share a short narrow border and maintain a close and cordial relationship. As a result of Uganda's internal difficulties over the last 10 years, Kenya's relations with that country have been strained. During the reign of Uganda's President Idi Amin (1971-79), tens of thousands of Ugandans sought refuge in Kenya. The overthrow of Amin, and the disputed election of President Milton Obote in 1980 have not extinguished prospects for renewed violence in Uganda. Although vital to Uganda as an access point to world trade routes, Kenya has some concerns with regard to its neighbor to the west.

Kenya has a troubled relationship with Tanzania which stems largely from differences between their respective economies and societies. Tanzania's strict agrarian socialism stands in stark contrast to Kenya's free spirited Western-style capitalism. Recent difficulties between Kenya and Tanzania center on questions relating to the division of assets remaining from the defunct East African Community, outstanding trade and tariff claims, and developments in Uganda. The border between Kenya and Tanzania has been closed to transit since the 1977 demise of the East African Community and its reopening does not appear imminent.

In 1980, Kenya agreed to allow the United States the right to use facilities at the Port of Mombasa in exchange for \$40 million in surplus food and military sales credits for possible weapons purchases. In his discussions with the delegation, President Moi expressed his country's gratitude for the U.S. congressional response to the administration's request for an increase in foreign military sales credit guarantees from \$31 million to \$51 million. President Moi, however, expressed his country's preference for low interest direct credits and urged a modification of U.S. credit terms. President Moi stressed the versatility of U.S. military assistance and described the applicability of the C-130 aircraft for civilian purposes. He argued that Kenya had in the past been reluctant to devote its resources to national defense but that, by 1977, increased regional turmoil and tension required that attention be given to legitimate defense concerns.

KENYA'S OAU ROLE

As chairman of the OAU, President Moi's views on issues in the broader African context were of interest to the delegation. He noted that King Hassan had made a commitment to supporting a referendum in the Western Sahara to decide the fate of that former Spanish colony. He also pledged Kenya's impartial cooperation in working toward solution of this problem and maintained that the United Nations should play a role in the process.

On the issue of Namibia's future, President Moi suggested that the United States should not give South Africa any encouragement to continue its occupation. He stated that the current situation in Namibia and South Africa invites Soviet involvement in the region. It was his hope that U.N. Security Council Resolution 435 would remain the basis for a Namibian settlement. He called on the United States to recognize Angola as a way of attempting to reestablish some American influence. He was harshly critical of "racialism" in South Africa and termed apartheid a roadblock to the development of the people of that country.

President Moi stated that the time has passed when the United States and other Western powers could play a direct and constructive role in the shaping of Angola's future. However, he urged the United States to establish diplomatic relations with Angola in order to reduce Soviet influence in that country.

U.N. CONFERENCE ON NEW AND RENEWABLE SOURCES OF ENERGY

At the time of the congressional delegation's official visit to Kenya, that country was host to the United Nations Conference on New and Renewable Sources of Energy.

In May 1981 the Senate Foreign Relations Committee in its report on the Foreign Assistance Act went on record in support of the conference and urged a high-level and meaningful participation by the United States in the proceedings.

Two members of the congressional delegation, Congressman Richard Ottinger and Congressman Berkley Bedell were congressional advisers to the U.S. delegation to the conference, and participated in U.S. delegate briefings, delegate meetings, conference functions, and press conferences during the first week of the conference. Both members criticized the U.S. position in private and public forums and urged the U.S. delegation to exercise flexibility in the U.S. approach to the conference so as to demonstrate cooperation with developing countries and to maintain U.S. leadership in the area of renewable energy. Ottinger and Bedell met with delegation representatives from other countries to exchange information and discuss energy technologies and economic conditions.

Ottinger also delivered an address to the conference's Non-Governmental Forum (NGO) on energy policy conservation, calling the absence of energy efficiency from the conference's agenda a significant deficiency.

BACKGROUND

The United Nations General Assembly in 1978 decided to convene a U.N. conference to address energy problems and development issues. The objective of the conference was to promote increased international measures to accelerate the encouragement, development, and utilization of new and renewable energy sources, particularly in the developing countries.

Planning for the conference was conducted over the past 2 years, during which time countries prepared national and regional papers and international experts drafted documents on renewable energy technologies for a synthesis report. Four major preparatory sessions were held as technical panels assessed the state of the art of the technologies and the expert groups identified cross-cutting issues and institutional problems. These preparatory efforts were considered the foundation of the program of action, the document which was to offer the statement of commitment and needs, the recommendations and direction of the conference body.

The conference, held August 10-21, in Nairobi, Kenya, addressed 10 alternative energy sources and 14 conversion technologies, including: solar, wind, geothermal, ocean, biomass, hydropower, fuelwood and charcoal, oil shale and tar sands, peat and draught animal power.

The fuelwood crisis had dominant visibility as a critical problem requiring priority action.

The program was divided into five areas of focus: (1) the energy transition framework for national action; (2) objectives; (3) measures for concerted action; (4) implementation; and (5) monitoring. During the 2 weeks of the program, two committees debated the provisions of the program, reached consensus, and reported back to the primary session, which met in plenary throughout the conference. Committee I covered the issues of institutions and financing. Committee II discussed goals and priority action areas.

The conference was attended by many heads of state and numerous Ministers and Members of Parliament. The U.S. delegation was led by Stanton Anderson, an international lawyer who had been counsel to the Republican National Committee and the Reagan-Bush campaign. Anderson, in his address to the plenary assembly, announced a doubling of U.S. bilateral energy aid to \$70 million in the next year. However, the U.S. pledge paled next to other Western nation commitments to development aid, notably Canada's contribution of \$1 billion over the next 5 years. The U.S. funds are to be reallocated from existing U.S. commitments to international energy development programs.

Addressing the opening session of the U.N. Conference were Secretary-General Kurt Waldheim; Indira Gandhi, Prime Minister of India; Edward Seaga, Prime Minister of Jamaica; Thorbjorn Falldin, Prime Minister of Sweden; Pierre Trudeau, Prime Minister of Canada; and Daniel T. arap Moi, President of Kenya, who delivered the inaugural address.

Common themes included the need to accelerate the transition from reliance on conventional fuels to new and renewable sources of energy, the importance of mobilizing resources to accomplish that goal in developing countries, and the need for improved response by industrialized countries to the global energy crisis.

In his inaugural remarks, President Daniel T. arap Moi stated that it was important to examine the effect of lifestyles on national consumption for if there is to be substantial change in the energy situation, it will require changes in those lifestyles, "especially in the developed countries," for "it is they who consume most of the energy."

In order to grow, he said, the developing countries will need increased access to energy resources which will necessitate special measures, as simple reliance on the market would mean that the rich would acquire more, and the poor still less. Poor countries, he added, euphemistically characterized as "developing," are now facing "a desperate situation," spending up to 50 percent or more on imported fuel supplies with "no room to maneuver" unlike industrialized countries. Too often industrialized countries in the past have tried to solve problems in isolation; now, however, the global energy crisis requires international action that is "positive and practical, and untainted by national economic self-interest." He contrasted what he described as the substantial aid programs to poorer nations by OPEC countries, to the failure of industrialized countries to meet even the modest targets of international assistance which had been set. However, the international community should not completely rely on the OPEC countries.

Moi urged consideration of a two-tiered price system for developing and industrialized countries. In addition to development assistance, industrialized countries were asked to devote more effort to energy

trade development with developing countries. He called for a dynamic plan for the transfer of resources and appropriate technology and stressed that urgent action is needed to alleviate the enormous problem of wood and charcoal shortages faced in Africa and other Third World regions.

In other comments by African officials the opening week, Kenya's Minister for Economic Planning and Development Zachary Onyonka cited a lengthy and far-reaching list of recommendations on institutional and financial arrangements. He suggested a new intergovernmental committee be established under U.N. Director General for Development and International Economic Cooperation Dadzie, with a supporting Secretariat headed by an executive director at the level of Under Secretary General. He proposed new assessed contributions to the U.N. based on a percentage of GNP, voluntary contributions from U.N. members, particularly those in the balance of payments surplus, and proposed increased energy funding from the World Bank, and other international agencies. Onyonka also called for the re-channeling of expenditures on armaments to help energy-deficient developing countries.

Representing the Economic Commission for Africa (ECA) Deputy Executive Secretary Marc Manirakiza predicted that development of new and renewable energy will help Africa become energy self-sufficient. He reported that costs of importing oil for African countries increased about 37 percent a year from 1973 to 1980, from \$800 million to \$7.4 billion during that 7-year period.

In another plenary presentation, Angolan Energy Minister Pedro Van Dunem spoke of the subregional activities of the Southern Africa Development Coordination Conference (SADCC) created to accelerate economic development and reduce dependence on South Africa. The SADCC energy commission, headed by Angola, is conducting an energy assessment for member states, identifying subregional projects. Increased energy exploration will be undertaken in the subregion for both conventional and renewable resources.

POLITICAL ISSUES

The conference delegates confronted a number of sensitive issues: the prospects for new institutional and financial commitments; the establishment of a new international economic order versus private sector participation; and, the dichotomy between the Third World emphasis on international and regional responsibility for economic development versus the Western emphasis on getting Third World states to take greater responsibility at the national and local level for their own economic growth. Debate on all these issues was divided along North-South lines.

The principal controversy of the conference was the determination of what institutional mechanism would be established to implement the conference goals and how it would be financed. The developing South, represented by the Group of 77 (referring to the original caucus of 77 developing nations within the U.N.) supported multi-lateral financing, and the establishment of a new and separate body to pursue renewable energy development. Another area of conflict was the question of expanded lending for energy projects and the creation of a World Bank energy affiliate, opposed by the United States. The United States led the effort to oppose new institutions and

financing. In contrast to many European and other industrialized countries participating in the conference, the position and role of the United States was widely perceived as inflexible, limited, and negative.

AFRICAN GROUP ISSUES

During the first week of the conference Angolan delegates distributed a press release attacking South African aggression against Angola. Angola informed the U.S. delegation that African states at the conference had appointed Zimbabwe responsible for taking the lead on a resolution condemning South Africa.

The closing week of the conference, a draft resolution sponsored by over 30 countries of the African group was introduced, condemning South Africa for exploitation of Namibian energy resources and military activities in Namibia and in Angola. The resolution was adopted by a non-roll-call vote in the final plenary by a count of 77 in favor, 8 against, and 24 abstentions, including the United States.

The United States offered a declaration in explanation of its abstention, stating that:

It is our view that the important issues raised therein are outside the mandate of the conference. With its contact group partners, the United States is dedicated to finding a peaceful solution of the question of Namibia. Since 1977, the Western Five have worked to negotiate a settlement. Because of our intimate role in these ongoing negotiations, we have not taken a position on this resolution.

The African group also sponsored a resolution on the implementation of the Lagos plan of action which was adopted unanimously in the final plenary with no vote. Referring to the Lagos plan of action, particularly elements dealing with the development of new and renewable sources of energy, which were adopted at the second session of the assembly of heads of states and governments of the Organization of African Unity (OAU), the resolution notes the decision to establish an African Energy Commission and an African Energy Development Fund for the implementation of the plan in the area of new and renewable sources of energy and:

Calls on the United Nations and other international bodies to give effective financial and technical support for the development of new and renewable sources of energy in Africa.

REGIONAL CONSIDERATIONS

The African plan of action for development and utilization of new and renewable sources of energy, based on the fundamental assumptions of the Lagos plan, was drawn up by African energy experts with a view to rectifying the following weaknesses common to many states in Africa: (a) An absence of national energy policies and development programs integrated into national development plans; (b) insufficient national capability to inventory energy resources; (c) lack of capability for planning; (d) absence of qualified manpower and training institutions; (e) inadequate R. & D. activities; (f) inadequate information; and (g) inadequate financial resources.

It is thought that, due to the decentralized potential of new and renewable sources of energy in Africa, it would be possible for African countries to avoid or to delay setting up a complex energy production, transport, and distribution system modeled on the pattern of energy growth in industrialized countries.

Moreover, the utilization of new and renewable energy sources could be of strategic interest for the development of African countries in that it could contribute significantly to meeting national energy self-sufficiency, and to a long-term improvement in the balance of payments since the energy costs involved would be much lower than the costs of imported oil products. The energy and economic strategists concluded that although there is some difficulty in evaluating the contribution to be made by new and renewable sources in Africa in the context of a global economic approach, these sources of energy can play an important role in improving the quality of life of the population and the rate of development, particularly in rural areas.

General and specific recommendations were crafted for priority activities to be carried out under the African plan, as well as guidelines for short-term and long-term action at the national, regional, and sub-regional levels. The following recommendations were viewed as being of primary importance:

- Elaboration of a comprehensive and coordinated energy policy based on as complete an inventory as possible of all energy resources;
- Assessment of energy consumption and estimates of future needs;
- Building of national technological and political structures responsible for energy problems (design, planning, and management);
- Establishment of coordination machineries at subregional and regional levels;
- Setting up of African consultancy firms;
- Training of skilled manpower;
- Development of science and technology in the field of new and renewable sources of energy and dissemination of scientific and technological information;
- Promotion of R. & D. through a policy clearly aimed at strengthening existing centers and creating new centers if necessary;
- Insistence on special efforts on the part of African financial institutions and on larger contributions, on the most favorable terms possible, from international organizations.

CONFERENCE CONCLUSION AND FOLLOWUP

At the close of the Conference, some key controversial issues remained. Among these were the form of the institution to be established to oversee the implementation of the Nairobi plan of action and the financial targets and mechanisms for handling funds.

Late in the last day, the Conference adopted a Nairobi plan by consensus. Consistent with U.S. policy, it avoided new funds, institutions or aid targets. Permanent resolution of the followup intergovernmental mechanism was not settled, but only postponed. The implementation of the plan of action is to be launched by an intergovernmental committee with a 1-year lifespan which will be a one-time reincarnation of the Conference Preparatory Committee. It will meet late in 1982 for 2 weeks, report on an assessment of new institutional and funding arrangements and make recommendations to the Economic and Social Council and, in turn, to the 1982-83 U.N. General Assembly. The interim committee will "coordinate" through its limited powers and will "review, recommend, monitor and be informed of"

plans and guidelines for the plan of action. Thus, the plan provides that the United Nations will not vote on the establishment of a new renewable entity until the fall of 1982. The basic framework for a lean central U.N. role is thereby set—a “policy oriented” intergovernmental committee, a small secretariat unit, and systemwide coordination through existing U.N. offices.

Increasingly in isolation during the second week of the Conference, the United States was the only delegation to hold firm against language calling for additional resources to be provided for financing activities through U.N. system channels. Other delegations accepted the Group of 77 language on these points, explaining that it was known that some countries were planning to contribute additional resources through these channels, or that overall U.N. system zero net growth commitment insured that any additional resources would come from “redeployment,” similar to domestic reprogramming.

During the Conference, the U.S. delegation had attempted to persuade countries to agree to delete any explicit reference to a World Bank affiliate. However, some Group of 77 countries held out for explicit reference throughout the final sessions, forcing the United States to enter a specific explanation and reservation to the consideration of an energy affiliate following the consensus vote on the plan of action.

The principle of “additionality” (the need for “additional” new funds to be found for developing energy sources) became less of a controversy, while the question of whether financial targets should be set, specifying the amount of additional funds, was hotly debated. The Group of 77 insisted that even establishing targets would be meaningless without multilateral mechanisms to disburse funds. The U.S. position was founded on the familiar assertion that additional financing resources could be attracted from the private sector for economically viable projects.

Committee II, the “technical” committee charged with drawing up an agenda outlining actions required to promote the development and application of renewables, called for action in five general areas: assessment and planning; information flow; education and training; research, development, and demonstration; and technology transfer. The committee also attacked the task of defining a set of institutional arrangements that could be used to form a global network of energy action centers, not necessarily within the U.N. system, that would act from the national level. Fuelwood, a prominent focus of the conference, and the application of mature technologies for rural energy use were also targeted as specific priority action areas.

A number of developments have occurred since the time of the conference. In the fall, the House Energy Conservation and Power Subcommittee chaired by Congressman Ottinger, held a hearing to examine issues of international energy development and investment needs. Witnesses included Robert MacNamara, formerly of the World Bank, and Elliott Abrams, former Assistant Secretary of State for International Affairs.

Two days later at the Cancun international economic summit, developing and industrialized countries identified unresolved energy issues as an agenda priority. However, after Cancun, the status of the agenda policy debate remained unchanged. Later, at the U.N., the General Assembly received the report of the conference, and approved a resolution adopting the Nairobi plan of action.

SOMALIA

INTRODUCTION

The delegation visited Somalia from August 14 to August 17. In our discussions and field visits, we focused on regional issues, U.S. foreign policy interests, and the refugee crisis. The delegation met with President Siad Barre, Minister of Planning Ahmed, the Vice Minister of Defense, other Government officials, leaders of the People's Assembly of Somalia, Western Somalia Liberation Front (WSLF) leaders, and the staff of the U.S. Embassy. We also met with leaders of the National Refugee Commission and representatives of numerous international and voluntary agencies working with Somali refugees, including officials from the UNHCR, WFP, and CARE. The delegation received helpful documentary materials from these agencies as well as U.S. AID. Finally, the delegation spent 1 full day traveling to and surveying four refugee camps at Jalalagsi, 166 kilometers and 4 hours' ride north of Mogadishu. These camps, two old and two new, were said to be representative of most established refugee camps in Somalia.

BACKGROUND

Somalia is one of the poorest countries in the world with a per capita income of \$111. Most of its 4.2 million people (not counting refugees) are nomadic pastoralists; the remainder are semisedentary agriculturalists or residents of urban areas. No more than 15 percent of the arable land is currently utilized. In recent years Somalia has experienced negative economic growth and high inflation due to both natural disasters and policy difficulties. Many of its skilled workers migrate to the Gulf States to take advantage of better job opportunities.

In 1977-78, Somali troops invaded the predominantly Somali-populated Ogaden region of Ethiopia to support the guerrilla insurgency of the Western Somalia Liberation Front. Although the invasion was repelled by Ethiopian and Cuban troops, with Soviet advisers and equipment, Somalia has continued to support the WSLF insurgency in the Ogaden, including the provision of material and, from time to time, of some regular reconnaissance forces. In turn, Ethiopia has conducted cross-border air strikes and aided a Somali opposition group, the Somalia Salvation Front, which has some guerrilla bases in the Ogaden. The intensifying regional conflict has also spawned the largest refugee problem in Africa, as more than a million people have fled to the refugee camps, towns, and villages in Somalia.

During the last decade, Somalia's international alliances have shifted dramatically in accordance with her perceived regional needs. In the early 1970's, Somalia grew close to the Soviet Union as a counterweight to its traditional rival, Ethiopia, which had substantial U.S. backing. But Marxist revolution and civil war in Ethiopia after 1974,

and the Somali venture into the Ogaden in 1977, produced a juggling of great power relationships in the region. Failing to find the military support it sought from its customary American backers, the Ethiopian Government obtained the necessary assistance from the Soviets and Cubans. Somalia expelled its erstwhile friends and mended relations with the United States.

In the aftermath of U.S. reverses in Iran and Afghanistan, an agreement was reached with Somalia in 1980 for American military access to Somali air and naval facilities at Berbera and Mogadishu in order to improve the U.S. military position in the Persian Gulf region. At the same time, the United States promised to finance Somalia's purchase of \$40 million in military equipment over the next 2 years. The administration emphasized that the equipment was to be "defensive" in nature—to avoid exacerbation of the regional conflict—and the House Appropriations Committee further required that sales and deliveries await the withdrawal of Somali regular forces from the Ogaden. Administration plans for spending on military construction in Somalia have recently been scaled down from \$84 million to \$24 million (\$400,000 of which was to be spent in fiscal year 1981) as Somalia's role as a "backup" facility has become precisely defined.

Beset by war, a massive refugee problem, and economic deterioration, the military regime in Somalia has frequently reshuffled its political base. In the last 3 years, a number of representatives of the Majerteen, Issaq, and Hawiwe clans have lost their positions, and many observers believe the regime is increasingly dependent upon the President's own clan, the Marehan. Whether these political changes have increased or decreased political stability in Somalia remains to be seen.

REGIONAL ISSUES AND U.S. FOREIGN POLICY

A major concern of the delegation was continued conflicts between Somalia and its neighbors. The historical effort of the Somali who are not in Somalia to secede from three internationally recognized African states (Ethiopia, Kenya, and Djibouti) or to unite a "Greater Somalia" state—has produced recurrent violence, a mini-arms race in the region, opportunities for Soviet and Cuban intervention, strong resistance to Somali secession and irredentism by the OAU (whose charter calls for the maintenance of colonial borders in independent countries), and a crushing refugee burden.

The delegation was pleased to learn of constructive discussions between President Siad and President Moi of Kenya which have resulted in practical steps by Somalia to control "shifita" (bandit) activity in the Somali-populated Northeastern Province of Kenya.

The Ogaden region of Ethiopia is far more important to Somali irredentists than Northern Kenya, due to its significantly larger population and the presence of several major Somali clans. Yet here, too, there were some indications of a lessened military emphasis on the part of Somalia. The delegation received evidence of reduced Somalia Government support, both in material and cadres, to the WSLF and its Oromo ally, the Somalia Abo Liberation Front. And in our discussions with President Siad, he reiterated Somalia's willingness to undertake unconditional discussions of regional problems with

Ethiopia. In some of our informal discussions with Somali officials we detected a measure of war weariness and a growing realization that Somalia could no longer afford continued war, given its current economic straits and political difficulties.

On the other hand, Somali officials from President Siad on down insisted that the people of "Western Somalia," as they call the Haberge, Bale, and Sidamo Provinces of Ethiopia, had the right to self-determination of their own political future. President Siad specifically opposed such suggested compromises as autonomy within Ethiopia, dual citizenship, and open borders. A high Somali official acknowledged that his government was continuing to provide some material support for WSLF operations in the Ogaden.

Our meeting with Chairman Mohammed Dure and other officials of the WSLF did not disclose any potential flexibility on the substance of the issue in the Ogaden. They insisted that the Ogaden should be an autonomous state.

In his conversation with us, President Siad stressed that the first priority for U.S. aid should be arms to defend Western strategic interests in Somalia against the Soviet threat to the region. At the time of our visit, Somalia had not yet received the defensive equipment (radar and towed antiaircraft guns) promised by the United States. Subsequently we learned that Somalia has decided against this defensive equipment and is seeking instead ground transport, communications and other equipment which is probably less "defensive" in character.

Our delegation came away from Somalia convinced that:

- Somalia has no realistic hope of accomplishing the secession of the Ogaden region from Ethiopia through military action.
- United States provision of offensive equipment could: (a) encourage even greater Soviet and Cuban (and Libyan) assistance to Ethiopia; (b) divert scarce resources from domestic needs which must be better satisfied if there is to be political stability and development; and, (c) risk U.S. association with or involvement in yet another Ethiopia-Somalia war—at great costs to both our African relations and our worldwide strategic interests.

U.S. FOREIGN POLICY IN SOUTHERN AFRICA

The delegation was also very interested in President Siad's remarks on current U.S. policy toward southern Africa. Speaking from the perspective of an anti-Soviet, pro-Western moderate, he underlined the necessity of a "more dynamic" U.S. effort to bring Namibia to independence. In Siad's view, a Namibian settlement would free Angola from the South African military threat and from its dependence on the Soviets and Cubans, and would also prevent the growth of Soviet influence over SWAPO, the premier liberation movement in Namibia. In this regard, Siad recalled that he had warned the British to cease supporting Ian Smith in Rhodesia 8 years ago! The Somali leader also emphasized the need for U.S. policy to achieve democratization within South Africa in order to forestall growing Soviet influence in the region.

REFUGEE PROGRAMS

Based on its on-the-spot investigation, the delegation concluded that there has been slow but significant progress toward a minimally adequate refugee relief program in Somalia, but major problems remain to be addressed in the areas of obtaining an accurate census of refugees in camps, meeting specific nutritional, medical, fuel, and other shortages, controlling diversion of donated goods within the camps, and initiating appropriate medium-term rehabilitation programs.

The U.S. Government remains the major food donor for Somali refugees, accounting for approximately 40 percent of food relief in 1981. Beginning last spring, an American private voluntary agency, CARE, took over from both the UNHCR and the Somali Government the logistics of commodity distribution from port to warehouse to the refugee camps. The presence of the experienced CARE operation within the National Refugee Commission's Emergency Logistics Unit has helped to bring about a more reliable supply system—and one less susceptible to diversion of commodities. By the time of our visit, most refugee camps were receiving fairly regular deliveries of 10-day rations (of 595 grams and 2,000 calories per person per day). In addition, 14 CARE field monitors, several CARE-supervised U.N. volunteers, and 4 U.S. food-for-peace monitors were at work assessing the systems of accounting and distribution.

We were able to gage some of the results of this revamped system during our visit to the Jalalaqsi refugee camps. Ten-day rations had begun to be received, and the refugees' physical appearance was relatively good, with no examples of the "matchstick" arms and legs that were so horrifyingly common in earlier photos and films of Somali refugees. The delegation also reviewed recent surveys of Jalalaqsi and other refugee camps by the Center for Disease Control characterizing child nutrition as "moderately overall good." (Approximately 11 percent of the small children were malnourished with higher averages reported for newer camps.) Since our return, U.S. aid has received new reports of further improvements in these camps, and overall supplementary feeding levels have dropped 25 percent, indicating improved child nutrition.

Nevertheless, the delegation encountered several major problems in the U.S.-aided refugee program:

- (1) There was an urgent need for the completion of a complete census of the refugee camps in order to permit accurate planning and proper distribution of international assistance. According to all the experts we met in Somalia, the number of refugees in camps totals between 500,000 and 700,000 or about half the official Somali estimate of 1.3 million. Ironically this inflated figure has probably proved beneficial to the refugees in the absence, until recently, of a minimally efficient and diversion-resistant commodity management system. It has insured that extra rations would be available to counterbalance ineffective delivery systems and poor utilization of assistance. But at the time of our visit an accurate census was thought to be urgently needed to refine planning, preserve the credibility of international assistance, and assure equitable distribution within refugee camps. It was also felt that an accurate census had become feasible, as the number of refugees in Somalia had actually declined somewhat due to the rela-

tive lull in the Ogaden fighting and the advent of the rains in Ethiopia. Many refugees had returned to their herds in the Ogaden and the inflow into Somalia has lessened considerably. As this report was being completed, we learned that a census has been achieved, and the total number of refugees in camps has been established at roughly 650,000.

(2) Despite major improvements in the distribution of food and medicines—with slower progress in the northwest region however—refugees still suffer from particular shortages. There are insufficient supplies of meat and beans to provide necessary protein, and the refugee health unit has been troubled by the appearance of a number of cases of kwashiorkor. Nor are the refugees receiving enough fruits and vegetables: Iron and vitamin C deficiencies are common and played an important role in the deaths of hundreds of weakened children from malaria last summer. During our visit to Jalalaqsi we observed shortages of milk, meat, wheat flour and sugar (used to make unfamiliar cereals more palatable). Largely because of food shortages, children were often very anemic and succumbed to malaria, whooping cough, tuberculosis, gastroenteritis and other prevalent illnesses. Medical supplies were also barely adequate. At the end of 1981, the world food program projected no meat or dates availability, little beans, and insufficient sugar for 1982.

In many areas there are shortages of milling and grinding facilities for cereals; without these many infants and other children are not able to digest their food. Recurrent fuel shortages hamper the fragile transportation system.

A particularly serious problem is the depletion of vegetation surrounding the refugee camps that can serve as cooking fuel. Refugees must frequently walk distances of 40 kilometers or more to obtain wood, straining both individual health and a precarious ecosystem. Refugee sites and the adjoining communities are increasingly vulnerable to floods, dust pollution and desertification. It has been estimated that up to 20,000 square kilometers of deforestation annually result from refugee fuel demands.

(3) While the new CARE commodity management system has helped control diversion from the port, the warehouse, and the truck, it has not focused as strongly on the serious problems of diversion and inequitable distribution at the camp level.

Members of the delegation were told by expatriates working in the refugee program that a credible estimate of diversion of refugee supplies by the military and camp administration was 30 percent. In a number of cases, food monitors became aware of military trucks carrying food out of the camps and regularly discovered refugee food sacks in the local market. According to one report of a visit to refugee camps in the Northwest last August,

Misuse of Title II food for refugees starts in Berbera where many shops contained full, unopened bags of CSM (corn-soybean mix) DSM (milk) and corn. In Hargeisa one can buy any commodity supposedly available only to the refugees. It is not uncommon to see donkey carts leaving camps loaded with refugee food.

Although some progress has been made recently in establishing the beginnings of an accounting system at the camp level and influencing the National Refugee Commission to replace ineffective officials, much remains to be done. The situation appears most serious in the north-

west where the Somali military has a greater role in camp administration than elsewhere.

Within the refugee camps, distribution of donated commodities has not been placed on a rational and equitable foundation. Without an accurate census of the population, food is often given to fictitious families or to social influentials out of proportion to their true family needs. For example, according to a food monitor's report of last September,

I believe that the diversions which are now occurring are from the section and subsection levels in the camps. There are still individuals and groups within the camps who, for reason of wealth or social status, are receiving multiple rations. I was told that in Jalalaqsi one individual was found to have been collecting the entire rations for a subsection of 50 families who did not exist. The detection of diversion at this level will require that the monitors spend considerable time in the camps, perhaps staying in the camps, and have total mobility.

And another food monitor observed in October, in a different area of the country,

For example, in section 8 I saw the store keeper taking a full bag of wheat flour into his house * * * when I stopped and asked him why he was taking the full bag, he went into his house and showed me 10 books with different names on them. I took the books and read them in front of the people gathered at that time and nobody knew the people I read except his own name. This shows us that there are a lot of cases where people write false names in the register and take the ration. Since there is no strict control over this registration the officials in every camp can register as much as they can. I have seen ladies with three or four books to collect ration for four families. Since the refugees are not conscious of the measuring instrument they mostly receive less than what they should get.

(4) According to Somali Refugee Commission officials and other experts we talked with in Jalalaqsi and Mogadishu, residents of refugee camps want and need to be more self-reliant. Recently there has been a shift in voluntary agency priorities, with less emphasis on immediate relief and more on medium-term settlement and development. For example, there have been a few pilot agricultural development efforts near refugee camps, and many refugees are being trained by the National Refugee Commission and voluntary agencies as community health workers. In the long run, it would be in the economic interests of those refugees who will remain in Somalia to be resettled on arable land slated for development by the Somalia Government and international agencies. But the Government and the refugees themselves—if we are to judge by an enthusiastic WSLF demonstration we witnessed upon arrival at Jalalaqsi—are not prepared to acknowledge that Western Somalia may remain unliberated. Although it is clear that there is simply not enough good land available near the refugee camps to support their populations, it is also apparent that these refugees could achieve a greater degree of self-reliance through well-planned and funded agricultural efforts in these regions. For this to occur, the Somalia Government will have to provide greater support than planned for rainfed agriculture (sorghum) near the refugee camps. Some assistance would also be appropriate from the \$30 million for African refugee rehabilitation and resettlement provided in the 1982 Foreign Assistance Act.

In focusing on medium-term settlement and development for refugees, both Somalia and the U.S. AID mission will have to take

greater account of the relationship between the refugees and their host population. First, several hundred thousand refugees have settled with kinfolk in urban and rural areas, straining family budgets, Government services, and the surrounding environment. Second, the increased security of the refugees has meant that in some areas they are in many ways better off than nonrefugees. This disparity could be explosive, especially as there are sometimes clan and, in the case of Oromo refugees, ethnic differences with the local population. If new development efforts are exclusively focused on refugees in these localities, it could dramatically increase social tension. Third, the most efficient way of solving certain interrelated problems (such as lack of Government services in an area or deforestation) may be to help both refugee and host populations.

SUMMARY OF RECOMMENDATIONS

(1) The United States should not provide Somalia with offensive military equipment. Given Somalia's continuing support for the WSLF, such new military aid could encourage even greater Soviet, Cuban, and Libyan support for Ethiopia's military, divert scarce resources from domestic needs which must be better satisfied if there is to be political stability and economic development, and risk U.S. association with or involvement in yet another Ethiopia-Somalia war—at great loss to our African relations and worldwide strategic interests.

(2) U.S. AID should continue to support the CARE-led commodity management system which has significantly increased the effectiveness and efficiency of refugee relief. It should also encourage the full extension of the system to the northwestern part of the country.

(3) U.S. AID should redouble its efforts, in cooperation with other donors and the Somalia Government, to find means of overcoming continuing shortages of protein, iron, and vitamin C in refugee diets. Similar attention should be given to overcoming shortages of medicine, milling and grinding facilities, and fuel. In addition, it is urgent that a program be developed to combat deforestation which threatens both individual health and the ecosystem.

(4) U.S. AID, CARE, and UNHCR monitoring efforts must be reinforced at the level of the camps themselves and their sections/subsections to control diversion of refugee supplies by camp administrators, the Somali military, and privileged refugees. AID's Inspector-General should undertake periodic audits on the system of commodity distribution.

(5) U.S. AID should assist the Somali Government in financing and planning agricultural development programs for refugees in areas adjoining the camps, where feasible. The 1982 foreign assistance legislation provides \$30 million for such longer term rehabilitation efforts in Africa. AID should also take account of the increasing need for assistance to be directed to both refugees and their host populations, as in the areas of deforestation and Government services.

ANGOLA

INTRODUCTION

On August 17 and 18, the delegation spent approximately 36 hours in Angola. It was the first large congressional delegation to visit Angola since that country's independence in November 1975. The delegation accomplished a great deal in a very short period. We were received by senior MPLA [Popular Movement for the Liberation of Angola] party officials as well as the Acting Foreign Minister, Vinaceu de Moura, and the Minister of Petroleum and Energy, Mr. Pedro Van Dumen. The chairman of the delegation, Congressman Howard Wolpe, Congressman George Crockett, and Congressman Gus Savage also met for nearly 2 hours with Angola's new head of state, President Eduardo dos Santos. This was the first such meeting between President dos Santos and any American leaders from either the executive or legislative branch of the U.S. Government.

The delegation also met briefly with a number of Western diplomats stationed in Luanda, including the British Ambassador, Francis Kennedy, and with representatives of American and other Western oil companies.

At the delegation's prior request, the Angolan Government arranged for all the members of the delegation, together with two journalists from the Washington Post and Forbes magazine, to visit southern Angola. The delegation was flown to Lubango, a town of 50,000 people, 125 miles north of the Angolan-Namibian border. The visit to Lubango gave the delegation an opportunity to see the extent of South African incursions into southern Angola and to gage, in part, the effectiveness of the MPLA's control over a portion of the southern part of the country. Approximately 1 week after our visit to Lubango, South African air and ground forces initiated a major invasion into the region, hitting SWAPO and Angolan targets.

BACKGROUND

U.S. relations with Angola have been strained since that country's independence in November 1975. Prior to, and during, Angola's 14-year independence struggle against Portugal, the United States maintained close ties with the Portuguese Government in Lisbon. As a NATO ally, Portugal allowed U.S. Navy ships to call at Angola's two main ports of Lobito and Luanda. While the United States frequently urged Portugal to grant independence to all its African territories, most Angolan nationalists dismissed these statements as political rhetoric—designed to placate independent black Africa while not jeopardizing American access and use of Portuguese naval facilities in the Azores, Angola, and Mozambique.

Following the April 1974 coup in Lisbon and Portugal's subsequent announcement that it would grant independence to Angola in late 1975,

a fragile coalition composed of the three major Angolan liberation groups was created to work out plans for preindependence elections and a peaceful transition to majority rule. The coalition collapsed. Factional fighting erupted, and outside forces intervened on behalf of each of the major liberation groups.

In the ensuing civil war, which ranged over three-quarters of the country and resulted in the exodus of nearly 300,000 white Portuguese, the current MPLA government emerged victorious. Supported by the intervention of nearly 23,000 well armed and highly trained Cuban troops, the MPLA was able to capture Luanda and to gain a substantial degree of control over most of Angola's major urban areas and important economic zones. Prior to the conflict, the MPLA had established itself as the largest and most ethnically diverse nationalist organization in Angola.

The United States supported—in varying degrees—the two losing factions, the FNLA¹ and UNITA.² Until prohibited from doing so by the Clark amendment (1976), the United States covertly provided the FNLA and, to a lesser degree, UNITA with several million dollars in arms and cash to fight MPLA and Cuban troops. The FNLA and UNITA were also actively supported by South Africa, which sent several thousand of its own soldiers into Angola for a brief period.

Although the Angolan civil war has been over for nearly 5 years, the United States has refused to normalize relations with the Angolan Government. In explaining America's position on this question, successive American administrations dating back to 1975 have questioned the legitimacy of the MPLA government in Angola and have said that the United States cannot normalize relations with the Angolan Government until there is a withdrawal or substantial drawdown in the number of Cuban troops in Angola.

UNITED STATES-ANGOLA RELATIONS

One of the principal reasons for our visit to Angola was to assess the state of United States-Angola relations and to determine whether Angola's leaders were interested in improving relations with the United States. Currently, the United States does not recognize Angola's MPLA Government. Consequently, the United States does not have an ambassador or embassy in Luanda, Angola's capital city.

During our discussions in Angola, President dos Santos, Deputy Foreign Minister Vinaecu de Moura and senior party officials all emphasized that Angola wanted to normalize relations with the United States, including the accreditation and exchange of diplomatic representatives, and stressed that it was not Angola which was barring the door to the establishment of diplomatic ties.

In his opening meeting with our delegation, Deputy Foreign Minister de Moura stated that Angola's criteria for establishing diplomatic relations with other countries was based on a set of internationally recognized principles (respect for sovereignty, respect for territorial integrity and noninterference in a nation's internal affairs) and that it was on that basis Angola had established relations with nations in Africa, Western Europe, and the Communist bloc. Angola, he insisted, did not establish relations with other nations

¹ FNLA—Front for the National Liberation of Angola.

² UNITA—Union for the Total Independence of Angola.

based on whether they shared similar political and social systems or whether they permitted foreign troops to be stationed in their countries. Based on these internationally recognized principles Angola was prepared to normalize relations with the United States, just as it has done with Portugal, its former colonial power, and with both Zaire and Zambia which had supported the forces of FNLA and UNITA.

The Angolians with whom we spoke complained that the United States was imposing a different set of criteria for the establishment of relations. The United States was demanding the withdrawal of all foreign troops from Angolan soil. Angolan officials said they could not accept this stipulation because it constituted unwarranted interference in Angola's internal affairs.

Deputy Foreign Minister de Moura said that Angola had worked closely with the Carter administration on several important regional issues and expressed some sadness that the Carter administration had not moved more expeditiously toward the normalization of relations with Angola.

At the request of officials in the Carter administration, Angola had agreed to reopen its borders and to establish normal diplomatic and economic relations following the second invasion by ex-Katangan soldiers in Zaire's Shaba Province in 1979. In addition, the Angolan Government—in an effort to permanently defuse tensions along the 800-mile border with Zaire—had facilitated the return of Zairian refugees to their homes and forced the remaining Katangan soldiers to move several hundred kilometers away from the Zaire-Angola border. All of this was done largely at the insistence and prodding of the Carter administration.

In another goodwill gesture designed to improve United States-Angolan relations and lead to recognition, the Angolans released an imprisoned American pilot, Mr. Thomas Willet, whose airplane had mysteriously crashed in Angola. None of these goodwill gestures had resulted in the establishment of diplomatic relations.

THE CLARK AMENDMENT

Angolan officials complained that the current administration's approach toward Angola had apparently hardened. In addition to asking for the withdrawal of Cuban troops, the Reagan administration was seeking the repeal of the Clark amendment, expressing political support for UNITA and at times linking the withdrawal of Cuban troops from Angola with a settlement of the Namibian problem. Virtually every Angola official we met made it clear that the repeal of the Clark amendment would seriously impair the political climate between Luanda and Washington. It would engender grave suspicions in Angola about America's real motives toward Angola and the MPLA, and impose another barrier to the normalization of diplomatic contacts between Angola and the United States. The Deputy Foreign Minister said that repeal of the Clark amendment would offend a larger number of African states, resulting in a deterioration of America's relation with many of its traditional black African friends. Because of America's growing economic, commercial, and political links with the continent, the Angolans argued that the United States should be interested in adopting policies which safeguard these ties.

ANGOLAN VIEWS ON JONAS SAVIMBI AND UNITA

Because of widespread publicity in the United States about Dr. Jonas Savimbi and his UNITA movement, members of our delegation were particularly interested in assessing the degree of his local support, and determining whether there was any possibility for a rapprochement between the Angolan Government and UNITA.

The Angolans expressed dismay at the current administration's encouraging statements about UNITA and its leader, Jonas Savimbi. Deputy Foreign Minister de Moura dismissed the importance of Savimbi and his UNITA forces. He called Savimbi a traitor and described his forces as a group of bandits and common criminals. The Angolans also claimed that UNITA does not have any popular support and does not hold any territory or towns in southern Angola.

In an effort to prove their point, the Angolans allowed our delegation to visit Lubango in southern Angola. Clearly, in and around Lubango, the MPLA forces exercised complete control and authority and our delegation was able to drive by bus some 30 miles farther south along one of the region's main roads. Although we saw evidence of several destructive raids by South Africa forces into the region, we were unable to get any sense of UNITA's strength or weakness or how far the MPLA's control of the countryside extended beyond the one major city and command post we visited.

The regional military commander insisted that UNITA was not a serious threat to the MPLA in southern Angola; the threat came only from the South Africans who frequently crossed the border to attack SWAPO camps and Angolan civilian and military targets. However, several people in the town, including one Soviet adviser, reported rumors of UNITA activities. Angolan officials denied these reports. Based on our limited observations, UNITA did not pose a threat to MPLA rule in south-central Angola.

NAMIBIA

The Namibia issue figured prominently in our conversations. Angolan officials expressed their strong support for an international settlement of the Namibian problem and told us repeatedly that they would like to see the Namibian issue resolved quickly. The Angolans said that they supported U.N. Security Council Resolution 435 and that any settlement should take place within that context. Deputy Foreign Minister de Moura reassured the delegation that Angola had made a number of concessions to both South Africa and the U.N. to keep the talks going. Among these concessions was Angola's decision to establish a demilitarized zone between Namibia and Angola in an effort to overcome South African objections to possible infiltration of SWAPO insurgents into Namibia during that country's transition to independence. SWAPO and the other front line states had made similar substantive concessions, but there had been very little new progress in resolving the Namibian problem.

The Angolans blamed South Africa for the lack of progress on Namibia. They said South Africa is not ready to give up its economic and political stake in Namibia and is, therefore, not willing to come to terms on the independence of the territory. Without any pressure

from the West, the Angolans believe the South Africans will continue to stall.

The Angolans reiterated that the presence of Cuban troops in Angola was directly related to the ongoing conflict in Namibia. The Acting Foreign Minister said that it is the continued occupation of Namibia by South Africa which gives rise to Angola's security problems and to the need for foreign troops. If the Namibian conflict were settled and South African troops were withdrawn, De Moura said Angola would no longer need any foreign troops and their numbers would be substantially reduced.

Since our departure from Angola, senior officials of both the Angolan Government and the Cuban Government have said that once Angola's security problems are resolved, there would no longer be any need for the Cuban troops and they would leave Angola. This joint communique marked the first occasion in which both governments have stated that the Cuban troops would be withdrawn following a Namibian settlement and a withdrawal of South African troops from that territory.

ANGOLA'S ECONOMY

One of the reasons the Angolans would like to resolve the Namibian problem is because of Angola's ailing economy. A solution to the Namibia problem would give Angolan officials an opportunity to concentrate on rebuilding their country's economic base.

Prior to 1974, Angola was widely regarded as one of Africa's wealthiest states. Endowed with vast amounts of arable land, two major ports, a key rail link to the Atlantic, and a variety of mineral and oil resources, it was considered a state with almost unlimited growth potential.

Because of the 18-month civil war and the continuation of the Namibian conflict, the Angolan economy is now in disarray. Agricultural productivity, especially tea and coffee, has declined sharply. Activity on the docks of Luanda and Lobito has slowed to a crawl. The Benguela railroad, which earned large amounts of foreign exchange and handled the bulk of Zaire's copper exports, has been all but closed since 1975. And diamond production, also a principal pre-independence foreign exchange earner, has been reduced to a trickle.

The only bright spot in the Angolan economy is oil. Exporting over 180,000 barrels per day and accounting for 80 percent of the country's foreign exchange, oil exports from the Angolan enclave of Cabinda are virtually the only thing keeping the Angolan economy afloat. Despite the slow but steady increase in Cabinda oil production and the prospects for increased production further south along the Angolan coast, the revenues from oil exports are not enough to cover Angola's defense expenditures and development costs.

Most of Angola's foreign exchange is being used to pay for the large number of Cuban troops and foreign advisers now working in the country. These costs are estimated to run several hundred million dollars a year. Because of this heavy drain on funds, the Government has had very little money to construct past war damage or to revive Angola's once prosperous economy. As long as they have to pay Cuban troops, buy expensive armaments, and focus on the country's security and defensive needs, all of which are associated with the Namibian

problem, the Angolans recognize that they will be unable to devote much time or money to their country's economy.

AMERICAN PRISONERS

During our visit, we also raised the issue of the three American prisoners who are now being held in Angola. Two of the Americans, Gary Acker and Thomas Grillo, have been in jail in Luanda since October 1976 when they were captured and subsequently convicted by an Angolan court for working as foreign mercenaries. A third American, Geoffrey Tyler, has been in jail in Luanda since January 1980, when he was arrested following the crash of a small plane that he was ferrying from the United States to Namibia.

We asked the Angolans how these Americans were being treated, whether they were receiving mail and packages, and whether foreign diplomats were being allowed to visit them. Although our request to visit the Americans was denied, the Government did assure us that all three of the Americans were in good health and were being well treated. The Government also agreed to deliver a number of packages to Mr. Tyler and to insure that any future mail from his family and friends would be passed on to him.

During their meeting with President dos Santos, Congressman Wolpe and Congressman Crockett asked the Angolan President to release Mr. Tyler, who has never been charged with any criminal or civil offense. Congressman Wolpe said Mr. Tyler's early release would be a significant goodwill gesture that would be hard for the current administration and American public to ignore. President dos Santos said that he would consider our request but noted that in 1980 the Angolan Government had released another American pilot, Mr. George Gause, in the expectation that this would improve United States-Angolan relations and pave the way to the establishment of diplomatic relations. Instead, Angola's goodwill had achieved neither of these objectives. President dos Santos did promise, however, that consular access would be granted to the three American prisoners and that they would be well treated.

RECOMMENDATIONS AND CONCLUSIONS

The United States should continue to work with the Angolans in trying to resolve the Namibian conflict. The Angolan economy, particularly in the southern part of the country, has been severely disrupted by the continuing conflict. The breakdown in the economy and the continued fighting in the south have forced the Angolan Government to divert scarce foreign exchange from development needs to defense outlays. For economic reasons the Angolans are very interested in trying to bring this conflict to an end.

The United States should formally recognize the Angolan Government and establish an American Embassy in Angola. Such a move would facilitate direct communication between our two nations on both bilateral and regional issues. It would also bring us into step with our European allies and the other four contact group nations—all of whom recognize the Angolan Government and maintain embassies in Lu-

anda. Recognition would not imply or connote acceptance of Angola's internal or international policies.

Should formal recognition of the Angolan Government not be possible, the United States should establish a U.S. interest section in Luanda. Although the Angolans would prefer normal diplomatic relations with the United States, they would probably not reject the concept of an interest section as an interim step toward the establishment of formal political ties. The presence of American diplomats in Luanda would facilitate contacts with Angolan leaders and provide a mechanism for rapid diplomatic exchanges on Namibia and other bilateral issues. During our visit to Luanda, several Western diplomats and businessmen suggested that the establishment of an interest section would be a positive and constructive step in improving our relations with Angola.

The United States currently maintains an interest section in Havana, even though we do not have formal relations with the Cuban Government.

The United States should continue to provide Export-Import Bank loans and guarantees to the Angolan Government. Since Angola's independence, the United States has provided \$111.1 million in Exim-bank facilities to Angola. Most of these loans have gone into the transport and petroleum sectors to assist the Angolan Government in the purchase of American-made aircraft and diesel locomotives. Other Exim facilities have been used to help Angola modernize its petroleum industry and to help American companies in their exploration for oil. The continued extension of these facilities should have a positive economic and political impact on relations with Angola. Economically, it would promote American oil and commercial interests in Angola. Politically, it would allow the United States to present itself as an alternative to Soviet and Cuban influence in Angola.

The United States should not now repeal the Clark amendment which prohibits the United States from providing covert military and paramilitary assistance to Angolan dissident groups. The Angolans are strongly opposed to this legislation because they think it portends a resumption of U.S. covert assistance to UNITA, which has been engaged in an armed struggle against the Angolan Government since 1975. The Angolans have also noted that relations between the current administration and UNITA leader, Jonas Savimbi, have been much warmer and this administration has pushed for the inclusion of UNITA leaders in the MPLA Government as a way of ending the struggle.

Although the administration should not be guided in its foreign policy deliberations by the Angolan Government, there is a great deal at stake for U.S. foreign policy interests in Angola and throughout Africa should the Clark amendment be lifted at this time. First, lifting the ban on the Clark amendment could seriously undermine the United Nations and Western Five effort to resolve the Namibian crisis. For the past 4½ years, the United States has taken a prominent role in working with the United Nations, West Germany, Canada, France, and the United Kingdom in negotiating an internationally acceptable settlement to the problem in Namibia. This initiative could be seriously jeopardized by an untimely repeal of the Clark amendment.

Second, repeal of the Clark amendment would not lead to a withdrawal of or a reduction in the number of Cuban troops or Eastern bloc advisers currently in Angola—which has been the principal objective of U.S. policy through three administrations. Instead, repeal of the Clark amendment would very likely play into the hands of the Soviets and Cubans by increasing, rather than diminishing, the reliance the Angolans currently have on the Cubans for their security needs.

Finally, removing the ban on the Clark amendment could have disastrous consequences on our relations with black African states. Before our departure to Africa, 50 black states at the United Nations issued a joint communique warning of the dangers of lifting the Clark amendment. While we were in Africa, every major black political leader with whom we talked stated that it was not in America's overall interests in Africa to lift the Clark amendment at this time. This was the view expressed by Kenya's President Daniel Arap Moi, the current President of the Organization of African Unity (OAU), and by Prime Minister Robert Mugabe of Zimbabwe.

Although the Members of the congressional delegation believe that the administration should be given maximum flexibility in the management of American foreign policy, the Clark amendment should not be removed until there is a settlement of the Namibian problem or until the United States and Angola have normalized diplomatic relations. In this regard, the administration could strengthen its credibility and negotiating position by simultaneously recognizing the Angola Government and then requesting the Congress to lift the ban on the Clark amendment.

In the continued absence of any U.S. diplomatic representation in Angola, the United States should negotiate and sign a formal agreement with the British Government, which maintains an Embassy in Luanda, to handle U.S. consular issues in Angola. At present, the Italian Ambassador looks after consular issues for the United States under a very informal arrangement. According to reports we have received, this arrangement has not worked well. The British have expressed some willingness to visit the Americans who are jailed in Angola and to carry out other U.S. consular duties.

NIGERIA

INTRODUCTION

During our 4-day visit to Nigeria, the delegation met with Vice President Alex I. Ekueme; Special Adviser to the President for Political Affairs Chuba Okadigbo; former Nigerian Ambassador to the United Nations B. A. Clark; Deputy Speaker of the House of Representatives Alhaji Idris Ibrahim; Permanent Secretary of the Ministry of Commerce B. A. Ehizuenlen; Minister of Agriculture Alhaji Ibrahim Gusua; Director of Trade and Investment Promotion Mr. A. Lawal; executives of the Nigerian National Petroleum Corporation [NNPC] and U.S. oil company representatives.

The delegation also spent 1 day in Port Harcourt as guests of the Rivers State government. After receiving a warm welcome by local government officials in Isiokpo and touring a local health facility, the delegation called on His Excellency, Dr. Prince Sir Frank Eke, Deputy Governor of Rivers State. Representatives Howard Wolpe and Shirley Chisholm informally addressed the Rivers State House of Assembly. Before returning to Lagos, the delegation met with Vice Chancellor E. U. Ekong at the University of Port Harcourt.

UNITED STATES-NIGERIAN RELATIONS

American interests in Nigeria have grown significantly since Nigeria's independence from Britain in 1960. In the early 1960's, hopes in Washington were high for the viability of Nigerian democracy and the country's emergence as a pro-Western leader in Africa. During this period, Nigeria was one of the 10 largest recipients of U.S. foreign assistance and hosted the second largest Peace Corps contingent. Despite the souring of relations in the early 1970's, Nigeria's importance to the United States was realized once again in the aftermath of the 1973 Middle East war and the subsequent oil embargo. During this critical period, Nigeria emerged as the second largest supplier of crude oil to the United States and continues this role today, shipping nearly 1 million barrels of oil a day into the United States. This figure represents 16 percent of total American oil imports.

Yet it is not only oil that ties American economic interests to Nigeria. Today, Nigeria is the United States principal trading partner in sub-Saharan Africa. The United States purchased approximately 11 billion dollars' worth of Nigerian goods in 1980. During this same period, U.S. exports to Nigeria nearly doubled, for the first time reaching the \$1 billion level. The resulting \$9.8 billion trade deficit with Nigeria represents the second largest bilateral trade deficit in our trade account. The Shagari government, fully committed to free enterprise and a large role for the private sector in Nigeria's economy, has openly encouraged greater U.S. trade and investment. This could provide an important means to offset our trade deficit.

Beyond the growing economic interests, the United States has a substantial political stake in Nigeria. On October 1, 1979, Nigeria returned to civilian rule following 13 years of military rule—an event of enormous political and international significance—and adopted a constitution modeled after our own. With an estimated population of 85 million, 1 out of every 4 Africans is a Nigerian. Nigeria's gross national product exceeds that of all other black African nations combined. Thus with its emergence as black Africa's richest and most populous nation, Nigeria has assumed a prominent leadership role in Africa. Nigeria not only exerts great influence in African diplomatic channels but, in the past, has consistently supported United States-British efforts to find internationally acceptable solutions to the problems of southern Africa. Nigeria has played an important role in its endorsement of the Western contact group's efforts with respect to Namibia and, together with other African States, induced SWAPO to enter into meaningful discussions with the five Western Powers.

Recognizing the great importance of strong United States-Nigerian relations and the role that Nigeria plays as a barometer of African sentiment on issues that affect the continent, we set out to meet with senior Nigerian officials to ascertain Nigerian views on the situation in southern Africa, particularly with respect to Namibian independence and South Africa, and to assess the current status of United States-Nigerian relations.

POLITICAL ISSUES

Within Nigeria there is a genuine desire to seek a close relationship with the United States and, in recent years, that relationship has been significantly strengthened. In our discussions, the past administration's African policies were characterized by Nigerians as reflecting a renewed interest in human rights and self-determination, policies which, in effect, recognized black aspirations. It is against this backdrop that the current administration's African policies are being watched with great caution, concern and a degree of skepticism.

Perhaps it is because the Nigerians see themselves as playing a predominant role in African affairs that Nigerians feel so deeply about the issues of racial justice in South Africa and majority rule in Namibia. Indeed, of all the issues affecting Nigerian-American relations, no two issues are as important or as emotive for Nigerians. The prevailing attitude appeared to be that the basis of the United States-Nigerian relationship turns on the issue of racial justice in southern Africa, and the prospects for closer relations with the United States will be evaluated in terms of official American policy toward southern Africa. In this regard, the Nigerian's perception of substantive changes in the current administration's posture with respect to southern Africa does not bode well for the prospect of improved relations between the United States and Nigeria.

In our discussions with key Nigerian officials, while there appeared to be a willingness to take a "wait and see" attitude, most found the early signs and official statements of the current American administration as troubling. The view was expressed that the policies in their early formulation represented both a substantive and tactical shift from the policies of the previous administration. This shift is perhaps

most dramatic in the case of South Africa and Namibia, where the most conservative elements of these societies took heart from Reagan's victory. As one Nigerian put it, "the South African attitude of renewed intransigence comes from the rightist stance of the United States. Now the United States is less sensitive to Africa. Africa feels disappointed."

It was noted that since the Reagan victory, South Africa had launched a new campaign of aggression, both internally, with a new wave of bannings and detentions, and externally, in renewed efforts to destabilize the neighboring nations in southern Africa. This stepped up activity was attributed by the Nigerians to friendlier U.S. policies toward South Africa and numerous statements made in past months by various administration officials which, in effect gave the South African Government the confidence that such activities would pass without condemnation. As one official noted, this has in fact happened and U.S. silence is viewed by the Nigerians as acquiescence.

We also found that the then pending tour to the United States of the South African Springbok rugby team had profound political meaning in Nigeria. Nigeria, as a prime actor in efforts to sever relations with countries that have sports ties to South Africa, was highly critical of the Springbok rugby tour to the United States. The delegation was urged to do all in its power upon its return to the United States to prevent the tour from occurring.

Nigerians view the United States as having the economic and political wherewithal to bring about racial justice in South Africa, Nigerians expect that as the world's greatest power, the United States has the responsibility to be consistent with its own constitutional ideals of equality and to play an active role in resolving the crisis in South Africa. While concern was expressed with the early signs of the administration's policies toward South Africa, the Nigerians expressed confidence that should the administration make the difficult, perhaps politically unpopular choice of supporting black aspirations in South Africa, through economic and other pressures on the Pretoria regime, that the United States could avert a racial confrontation in South Africa. Fear was expressed that the longer it took the United States and Western Powers to convince Pretoria to share power with the majority, the more likely the escalating domestic and external opposition to white rule would become anti-West in its orientation.

With respect to Namibia, Nigerian officials expressed strong support for UNSCR 435 as the basis for a Namibian settlement and stressed the need for greater U.S. pressure on South Africa. The Nigerians sensed that little, if any, progress had been made in the Namibian negotiations because it was felt that South Africa had not yet made the political decision to fully embrace UNSCR 435.

As far as the Nigerians were concerned, no deviation from UNSCR 435 was possible, as UNSCR 435 contained many delicate compromises by SWAPO and the Angolans. Any revision to UNSCR 435 would be viewed by African leaders as an attempt to exclusively accommodate South African concerns and would, thereby, risk the support and cooperation of SWAPO and the Angolan Government.

Our discussions touched upon the possible repeal of the Clark amendment and the prospects for the withdrawal of the Cuban troops

from Angola. Strong opposition was expressed to the repeal of the Clark amendment. The Nigerian view was that repeal of the Clark amendment would only reinforce the Soviet/Cuban role in Angola and would be viewed as an effort to destabilize the Angolan Government. As one official put it, "Dos Santos feels that your administration has a plot to put Savimbi in power. If you repeal the Clark, it will look like there is a plot." Such an action would only serve to increase South African intransigence and, we were told, would be deeply resented by African governments.

The view was expressed that the U.S. administration would find little support for making the removal of Cuban troops from Angola a precondition for a Namibian settlement. Rather, it was felt that a Cuban withdrawal would be a natural outflow of a Namibian settlement. The Nigerians felt confident that when independence came to Namibia, and the threat posed by South Africa was eliminated, there would no longer be a need for Cuban troops in Angola and they would be asked to leave.

In broader terms, the administration's Africa policies were criticized as inconsistent and characterized by a tendency to view the continent in excessively East/West geopolitical terms. Such an approach, it was felt, led to a portrayal of African liberation groups as Communist or under the direct influence of Cuba or the Soviet Union. This view, it was felt, failed to appreciate the realities of nationalism and nonalignment in Africa, thereby resulting in irrational fears of Soviet influence.

OIL WEAPON

There was much discussion, and speculation, about the prospect of reprisals against the United States over the administration's policies on the question of South Africa and Namibia. One senior adviser indicated that the Nigerians, under certain circumstances, would "take all necessary steps" to persuade the United States to understand their position and to stop the United States from being so "patently anti-African." Such measures have been invoked in the past, most recently in the case of the nationalization of BP, as a way to move the British on the question of independence for then Rhodesia. While the political will to employ such measures of political pressure was extended in several meetings, the present world glut of oil and the resulting shortfall in production of oil make the termination of shipments to the United States unlikely at this time. But, we were told by a number of key American oil executives in Lagos, "there is no doubt that the Nigerians are very serious, and we are very vulnerable."

REGIONAL ISSUES

A strong commitment to a "free and stable Africa" is the cornerstone of Nigeria's foreign policy. Perhaps this is why the Nigerians have played a key role in negotiating Chadian peacekeeping efforts and in seeking solutions to the conflicts in both the Western Sahara and the Ogaden.

The majority of our discussions on regional issues centered on the Libyan role in Africa generally and in Chad specifically. The Libyan-Nigerian relationship was characterized as "very cool," although

Nigeria and Libya maintain a constant dialog. Discussions of a Libyan withdrawal from Chad were underway at that time with both President Goukouni of Chad and Colonel Quaddafi of Libya. The Nigerians expressed confidence that President Goukouni would seek a withdrawal of Libyan troops from his country if he could be guaranteed replacement troops to prevent a recurrence of a full-scale civil war between government and rebel forces. The Nigerians planned to play a key role in that effort. The conflict in Chad has produced a great number of refugees. We were told of Nigerian efforts to actively resettle over 1 million Chadian refugees and to provide the refugees with food, clothing, and shelter.

Colonel Quaddafi is scheduled to be the next chairman of the OAU and host of the upcoming OAU meeting scheduled to be held in Tripoli. Nigeria has openly opposed this and does not anticipate that plans will go through as currently contemplated.

ECONOMIC ISSUES

OIL INDUSTRY

By 1980, 96.1 percent of Nigeria's export earnings were derived from oil. As the U.S. second largest supplier of foreign oil, Nigeria now ships to the United States nearly 1 million barrels per day. However, Nigeria was particularly hard hit by the global oversupply of oil which has lowered demand for Nigeria's highly priced light crude oil. The fall in demand has forced the Nigerians to cut production to the August 1981 low of 714,000 barrels per day from an estimated high of 2.6 million barrels per day in January 1981. Oil industry experts asserted at that time that Nigeria's oil revenues were below the level needed to sustain the country's ambitious development programs. However, this condition was viewed by the Nigerians as temporary and it was predicted that production would, in the near future, resume normal levels. Shortly after the delegation's departure from the country, the Nigerians dropped the price of light crude by \$4 a barrel and production is now on the upswing.

The delegation met with officials of the government-controlled Nigerian National Petroleum Corporation (NNPC). Discussions focused, for most part, on the price of liquefied natural gas that Nigeria hopes to sell the United States from a liquefaction plant currently under development. The officials expressed disappointment at the U.S. response on price. Nigerians want a price comparable to the \$7.34 per million Btu's set in a 1977 agreement between the American companies and Algeria. The U.S. position is that prices will have to be more in line with the \$4.94 per million Btu's at which Canadian and Mexican gas enters the United States. The Nigerian Government, faced with the heightened expectation of some 85 million citizens, is anxious to maximize LNG revenues. To date, no agreement has been reached.

FOOD PRODUCTION

Despite vast oil wealth and favorable conditions for high agricultural productivity, food production in Nigeria is now on the downswing. Indeed, Nigeria is facing a very serious food crisis. Agriculture, once the country's mainstay, is now the country's problem. Once

a prime source of export earnings, Nigeria now spends \$3.1 billion annually on food imports and its population is growing at a faster rate—2.5 per annum—than its increases in agricultural growth. Thus, on the economic front, Nigeria's greatest challenge is to convert its oil earnings into a solid foundation for self-sustaining growth and stable development.

President Shagari has cited agricultural development as being the Government's top priority and, in the Fourth National Development Plan (1981–85), has committed \$8 billion for agricultural development over the next 5 years. Among the strategies identified in the plan are modernization of agricultural production, the establishment of large-scale farms by private entrepreneurs, subsidies to encourage the use of fertilizers and pesticides, improve seed, and added emphasis on the establishment of agricultural cooperatives and farm service centers. The program has as its ambitious goal self-sufficiency in food crops by 1985 and in cash crops by 1987. Citing U.S. strengths in agricultural productivity, President Shagari has asked for increased U.S. assistance and participation in this effort. An agreement was subsequently signed between the United States and Nigeria to form a joint agricultural consultative committee to assist Nigeria in achieving its agricultural development objectives by encouraging U.S. private sector investment in agriculture. The JACC is now viewed as one major focus of the United States-Nigerian bilateral economic relationship.

OPPORTUNITIES FOR U.S. BUSINESS

Because Nigeria represents Africa's largest consumer and capital goods market—and is the source of our second largest trade deficit—members of the congressional delegation were particularly interested in having concrete discussions on ways to improve American trade and investment opportunities in Nigeria. As a way of facilitating the exchange of trade information between the two countries, and stimulating commerce and trade between Nigeria and Michigan, Congressmen Wolpe and Crockett pursued, in several discussions with Government officials, the possible opening of a Nigerian trade office in Detroit, Mich.

With a new 5-year plan in the offing, Nigeria offers tremendous potential for U.S. exports and investment. Nigeria's Fourth National Development Plan (1981–85) represents the best indicator of opportunities for U.S. firms. The plan lists as its priority areas agriculture, housing, education, industrialization, infrastructure development and the development of a new capital at Abudja. The Shagari government is anxious to see increased U.S. participation in its development plans, and has openly encouraged greater U.S. trade and investment.

The Nigerian Government, which is fully committed to free enterprise and a large role for the private sector in the economy, realizes that foreign investments are required if the country is to achieve its full economic potential. As the Minister of Agriculture told our group "the unexploited agricultural potential of Nigeria is enormous. To achieve self-sufficiency in the shortest possible time will require, in addition to a huge public investment, private capital and the know-how. We are convinced American business has both and their contribution to our development effort can make all the difference."

In discussions with the Minister of Commerce and the Director of the Nigerian Trade Promotion Office, several members raised a number of concerns that have been expressed by American business about the operating difficulties of doing business with Nigeria—difficulties in getting visas; overwhelming, and often changing, import restrictions; and bureaucratic delays. Acknowledging the system inefficiencies, the Nigerian officials expressed their Government's intent to relax the environment for foreign business. We were told business travelers would now be issued multiple entry visas in the place of the single entry visas, and would receive greater assistance in the lengthy licensing process. In an effort to attract private industry to enter Nigeria's agricultural sector, the Government has begun to liberalize restrictions on foreign equity ownership, by making possible 60 percent foreign ownership. And there is great movement in the direction of streamlining a number of lengthy procedures. Furthermore, to encourage investment, the Nigerian Government has implemented a new law providing for 3 to 5 years of exemptions from Nigeria's income tax. With respect to import restrictions, Government officials indicated they would be reduced, but emphasized that the use of the country's foreign exchange must be limited to approved projects that reflect Government priorities.

The discussions on trade and investment were productive. The Nigerian Government recognizes the difficulties of doing business in Nigeria and is making a genuine effort to improving the trade and investment climate. In general, great enthusiasm was expressed about the prospects for increased U.S. trade and investment in Nigeria in the future.

A WORD OF CAUTION

There exists the possibility that U.S. companies with involvement in both Nigeria and South Africa might be adversely affected by changes in U.S. policy toward Africa. Nigerian Government policy is to prohibit investment by companies which do business in South Africa. While this policy is not strictly enforced, it is clear that U.S. relations with South Africa could at some point affect the ability of American companies to operate in Nigeria.

TRADE CENTERS AND MICHIGAN

Nigeria intends to open up two trade and investment offices in the United States as a way of facilitating an increased level of trade and investment activity between the countries and to provide for greater exchanges of information. Representatives Wolpe and Crockett expressed Michigan's desire to host a Nigerian trade office in Detroit as a way of developing a greater trade relationship between the Midwest and Nigeria. They argued that Michigan has a highly sophisticated agricultural sector with an ability to transfer training and technology as well as investment. While the Nigerians had already decided upon Chicago and New York as locations for the new trade centers, the Nigerian officials indicated that the activity of their trade representatives would not necessarily be limited to those areas. The possibility of Chicago staff making frequent visits to Detroit was discussed. While reservations were expressed about the possibility of each state opening up individual trade offices in Nigeria's capital, the idea of establishing

a sister-state relationship with one of Nigeria's states was received enthusiastically.

DEVELOPMENT PROBLEMS

Nigeria has an infant mortality rate among the highest on the African Continent. In rural areas, where 82 percent of Nigeria's population is located, infant mortality rates run as high as 250 per 1,000, and child mortality rates (to age 6) run as high as 350 per 1,000; 85 percent of the deaths among infants and children are due to waterborne diseases, primarily cholera, typhoid, and dehydration. The lack of a clean water supply has been characterized as Nigeria's most serious and urgent health care problem.

UNICEF has been active in this area, testing different methods that would enable the Nigerian Government to provide clean water at an acceptable cost. While the U.S. Government has estimated the cost of making clean water available to the Nigerian population at \$85 per capita, UNICEF has begun testing a hand pump system developed at the lower cost of \$15 per capita. While the UNICEF budget of \$5 million in 1981 represents the best financed U.N. agency active in Nigeria, it is too small to support the important work in the area of clean water delivery. The congressional delegation applauds UNICEF's work in this area and is supportive of an increased budget for UNICEF for this purpose.

CONCLUSION

There is a genuine desire, within Nigeria, to strengthen the relationship between the United States and Nigeria. However, there is great concern about the United States changing policies in Africa, particularly with respect to South Africa and Namibia. The Nigerians with whom we spoke argued strongly for policies which include greater pressure on South Africa, if Nigerian-American relations are to be improved. Future cooperation will depend, in part, on what policies the United States adopts with respect to South Africa.

The perception that the United States has abandoned its opposition to apartheid or its commitment to Namibian independence cannot be allowed to grow, or America's interests in Nigeria and the continent as a whole could be seriously jeopardized. There has been substantial speculation that Nigeria, under some circumstances, might seek to penalize the United States for its continued, if not escalated, involvement with South Africa. There is no question that the Nigerian Government is making a genuine effort to attract foreign investment. Given proper inducements, a foreign business whose capabilities and products match Nigeria's needs will find in Nigeria a very attractive market. However, it is possible that U.S. investment, and trade in Nigeria, might be adversely affected by an American failure in the Namibian diplomacy, or by increased American accommodation to the apartheid regime in South Africa.

What is most significant about Nigeria's return to civilian rule is that the most populous and ethnically diverse nation on the African Continent has demonstrated that democratic rule is possible in a highly pluralistic society. Nigeria's ability to merge competing ethnic interests into a cohesive state exposes the fallacy of South Africa's policy of separate development.

RECOMMENDATIONS

(1) In the political arena, the United States should consult more closely with Nigeria on key African issues. Given the role that Nigeria plays as a barometer of African sentiment on issues that affect the continent, greater consultation with key Nigerian officials could well result in U.S. policies that better reflect African sensitivities, thus improving the prospects for greater support among black African nations for U.S. policy toward Africa. The delegation also believes that a policy of greater consultation with Nigeria would bring about a greater awareness of ways in which U.S. policies could better encourage and support African solutions to Africa's most pressing political problems.

(2) The United States should send additional top flight commercial officers to Nigeria. Experienced commercial officers can provide invaluable service to U.S. business interested in trade and investment with Nigeria. U.S. firms have expressed concern about lack of support from the Embassy in Lagos in helping to identify key Nigerian personnel, and to better understand Nigerian procedural requirements, and Government policies which affect U.S. trade and investment. If the United States is serious about correcting our \$9.8 billion trade deficit with Nigeria, it is critical that commercial attachés are up-to-speed on changing Government regulations and policies.

(3) The cooperation between the United States and Nigeria with respect to the JACC should be encouraged and strengthened. The delegation has been encouraged by the Government support of the JACC and is hopeful that additional support will be made available as membership expands. Cooperative ventures, such as the JACC, offer great opportunities not only to increase U.S. private investment in Nigeria but to make a solid contribution to Nigerian efforts to meet stated development objectives. The delegation hopes that additional cooperative ventures can be identified and made available to American investors interested in other sectors of Nigeria's economy. Given our massive trade deficit with Nigeria, the delegation urges stronger Commerce Department support for such activities as the Kaduna Trade Fair, high-level trade missions, and other commercial promotion activities.

(4) Given the serious health problems within Nigeria which result from the lack of a clean water supply, the United States should support the important work of UNICEF in the field of clean water delivery. It has been estimated that 85 percent of the deaths among infants and children are due to waterborne diseases, such as cholera, typhoid, and dehydration. The delegation applauds UNICEF's work in the area of clean water delivery and strongly recommends an increased budget for UNICEF for this purpose.

APPENDIX 1

TEXT OF PRESS CONFERENCE STATEMENTS ON SOUTH AFRICA

Ladies and gentlemen: We have just concluded a 4-day visit to South Africa as part of an 18-day congressional study mission to the African Continent. For most of us, it was our first visit to this country.

As I and my colleagues stated when we arrived, our purpose in coming here was to discuss with a broad spectrum of South African opinion the direction and pace of internal change within South Africa, and the prospects for an international settlement of the war in Namibia.

Over the past several days, we met with a variety of South African officials, leaders, and private citizens. In Johannesburg, we met with such black leaders as Bishop Desmond Tutu, Dr. Moflana, Chief Gatsba Buthelezi, and Mr. Leonard Masala of the Committee of Ten. In that same city, we met with Mr. John Knetzee, Director of the West Rand Administration Board, Mrs. Sheena Duncan of the Black Sash, Mr. John Barrett of the South African Institute of Race Relations, members of the American Chamber of Commerce, and Representatives of the South African Foundation.

In Cape Town, my delegation met with Foreign Minister Roloef Botha, Dr. Dennis Worrall, and several of his fellow white, colored, and Asian Commissioners on the President's Council, as well as a half-dozen Members of Parliament from both the National and Progressive Federal Parties. The delegation also traveled to Port Elizabeth to visit two American firms—Ford and General Motors—and to meet with black and colored trade unionists as well as community leaders.

In addition to these meetings, several members of the delegation spent the night with Afrikaner families in the Johannesburg area and with black families in Soweto.

In several of our conversations, we encountered the fear that our purpose in being in South Africa was to pass righteous judgment on complex human problems. We would be less than honest if we pretended that we did not come to South Africa with some very real feelings and concerns with respect to racial discrimination and the system of apartheid. Clearly our own society has, throughout its history, wrestled with racial fears and prejudices, and that struggle continues today. Indeed, it is precisely our recognition of the tragic cost of racial prejudice in the United States that leads to much of the widespread American sensitivity to the difficult and unique racial situation in South Africa. Yet our delegation approached the major question of whether or not there can be evolutionary, nonviolent change in the racial order with an open mind.

American concern about South Africa goes beyond the social and moral questions at stake. For the United States, political, economic, and strategic interests throughout the African Continent are very much affected by the continuing political and military conflict in southern Africa, which in our view, increases the prospects of outside involvement and intervention. Clearly, it is the system of apartheid and the continuing control of Namibia by South Africa that is at the heart of the growing violence and instability.

Based on our visit to several cities and our wide-ranging discussions with a broad—and we think—representative spectrum of South Africans, we would like to share some of our impressions:

The system of apartheid is a hurtful and almost inhuman system which strips individuals of their fundamental rights as well as their human dignity. In the three cities that we visited, we saw repeatedly and with greater force than we anticipated how social relations and legal-political rights are related to skin color. We received numerous personal accounts of the human cost of apartheid.

In the small black community of Walmer, near Port Elizabeth, we witnessed the neglect and poverty which can afflict an area when the Government arbitrarily decides in the name of racial homogeneity to remove a longstanding black

population from an otherwise white area. We talked to the old-age pensioners about their fears of being forcibly relocated into distant and sometimes unknown areas. We also visited Langa where black women and children who were resisting the Government's efforts to relocate them were sheltering from the rain and the cold with only scrap pieces of plastic, wood, and metal. We witnessed the desperation and human tragedy which we had heard so much about but were so wanting to disbelieve. We saw the human cost of apartheid.

We also spoke with a number of people who had suffered the consequences of peacefully and publicly trying to change South Africa's system of apartheid. These individuals told us how they had been followed, harassed, arrested and banned for trying to exercise their fundamental rights and liberties. Indeed, it was the stories of the government's dependence upon an all-persuasive police power which in some ways shocked us more than some of the poverty and economic deprivation which we witnessed.

In our discussions, most South Africans acknowledged the necessity for fundamental, nonviolent political change. At the same time, we came away with a sense that most South Africans feared that the government was currently resisting major political reforms and perhaps even beginning to take some significant steps backward. This feeling was reflected in all of South Africa's major communities—blacks, coloreds, Asians and whites (including, to our surprise, some disillusioned Afrikaner National Party members). Everywhere, we found great apprehension about the increasing chances for violent upheaval.

Concerning the U.S. administration's emerging policy toward South Africa, we observed two sharply contrasting responses. Supporters of the current South African Government applauded the new posture of "constructive engagement." But opponents of the government criticized the administration's stance. We were particularly struck by the bitterness of black and colored responses and the ambivalence of many blacks toward meeting with a U.S. congressional delegation—a major change we are told from the experience of another congressional delegation which visited South Africa 1 year ago.

We also discussed the urgent and dangerous problem of Namibia with a number of people, including the foreign minister. We were disappointed to encounter considerable skepticism concerning the possibility of moving expeditiously toward Namibian independence through internationally acceptable free and fair elections. While the fact that negotiations are continuing may be a hopeful sign, we cannot point to any evidence of significant progress on the substance of the dispute.

We have now visited Zimbabwe and South Africa and will continue our congressional study mission in Kenya, Somalia, Angola, and Nigeria. In these countries too, U.S. policy toward Namibia and South Africa will be a central concern of our delegation. At the conclusion of our trip we will report to Congress our further reflections on the stimulating and emotionally powerful experiences we had in South Africa. We also intend to share our findings with Secretary of State Haig and President Reagan.

Thank you.

NIGERIA: EKWUEME SAYS U.S. POLICY BASED ON "MISCONCEPTION"

(Lagos Domestic Service in English, August 21, 1981)

The Vice President, Dr. Alex Ekwueme, called on the five nation contact group to identify themselves with the realities of the Namibian question. He made the call while receiving a three man United States Congressional Delegation which paid him a courtesy call at State House today. The Vice President told the contact group, which included the United States, Britain, France, Canada, and West Germany, that there was no justification for the illegal occupation of Namibia by the racist South Africa. He noted that American policy on the problem of racist South Africa and Namibia was based on misconception of Africa's views.

Dr. Ekwueme said that it was wrong to assume that the Cuban presence in Angola constituted total adherence to Communism and urged the United States and other members of the contact group to do all they could to bring freedom and human dignity to the people of Namibia. He reminded the United States that it stands to gain far more from Africa by identifying with African views than aiding the South African regime in its atrocities against the freedom fighters.

Replying on behalf of his colleagues, Mr. Howard Wolpe states that the delegation was on an eight nation tour of Africa to assess ways in which the American Congress could influence the Reagan administration's policy on Africa as it affects South Africa and Namibia.

NIGERIA: NAN CITES WOLPE REMARKS ON SOUTH AFRICA

(Lagos Nan in English, August 22, 1981)

PORT HARCOURT, August 22.—The leader of a U.S. Congressional Delegation, Representative Howard Wolpe, has said that the issues of apartheid in South Africa cannot be settled by the use of force. Mr. Wolpe said this at banquet held in their honour at Government House, Port-Harcourt on Thursday.

Appealing to African leaders not to misinterpret the U.S. "peace formula" as support for South Africa. Mr. Wolpe stated that the peace formula would solve the problem if given the necessary support by the African leaders as it did in the case of Angola and Zimbabwe.

He, however, said that Ronald Reagan's administration was not in support of the apartheid policy of South Africa.

The Congressman, who is also the chairman of the Subcommittee on Africa, of the Congress' Foreign Affairs Committee, pledged that his committee would work hard to persuade the Secretary of State, General Alexander Haig, that a redirection of policy on apartheid was essential to peace and stability in South Africa.

The delegates, which included Representatives George Crockett and Gus Savage, arrived Port Harcourt yesterday on their way to Lagos.

NAIROBI, August 23.—"We simply must recognize the importance of removing South Africa's illegal occupation of Namibia," said Howard Wolpe, chairman of the Foreign Affairs Subcommittee on Africa of the U.S. House of Representatives in an interview with the Sunday Nation of Kenya published here today.

"I see the issue of Namibia and apartheid in South Africa the number one concern of U.S. foreign policy in respect to Africa." He said, "the continued intransigence of the South African Government and the continuing conflicts in Namibia threaten to erode our relationships with the rest of the continent," he warned.

He pointed out that "it is our interest in Southern Africa to remove all the Cuban troops in Angola, but as long as the system of apartheid continues and as long as conflicts in Namibia continue, that instability provides the very conditions for the expansion of the Soviet.

APPENDIX 2

NEWSPAPER ARTICLES ON SOUTH AFRICA PORTION OF TRIP

[From the New York Times, Aug. 12, 1981]

SOUTH AFRICA BURNS A BLACK CAMPSITE AND BARS U.S. VISITORS¹

(By Joseph Lelyveld)

CAPE TOWN, August 11.—The South African police raided a black squatter camp at dawn today, a few hours before it was to be visited by an American Congressional delegation, and set on fire its flimsy shelters of plastic sheeting and tree branches.

The five-member delegation was later turned back at a police roadblock when it tried to visit the camp, which was on bare ground between a black township called Nyanga and a shantytown known as Crossroads. Later Representative Shirley Chisholm, Democrat of Brooklyn, broke into tears at an airport news conference, saying she was deeply concerned by "what had been done to black mothers and children."

The nameless squatter camp came into existence after a series of police raids last month on Nyanga and Langa township that resulted in the eviction of more than a thousand blacks, many of them women, who had come to Cape Town in search of work or to live with husbands on migrant labor contracts, even though they lacked official permits to be in the area. Most were from impoverished rural areas of Transkei, a black state that was proclaimed independent five years ago.

Classed as illegal migrants, the squatters had been arrested, jailed and ordered to leave Cape Town but had stayed on in defiance of the white authorities. Most lived without shelter. They started putting up their plastic huts given over the weekend after Peter G. Koornhof, the Cabinet minister whose department is supposed to regulate the movement of blacks, denied at a press conference that officials had been tearing the shelters down.

By last night, the campsite had about 60 shelters made of a plastic similar to that used in heavy-duty garbage bags. All the small children had been sent to churches but the huts typically seemed to contain six or seven people, usually huddled around small fires that somehow were kept from setting the shelters ablaze.

The number of people at the campsite appeared to have roughly doubled since last week despite the removal of the children, and there was a committee that seemed to have established a kind of political authority. It appeared clear that the committee meant the camps to be seen as a form of political protest, a kind of sit-in in a so-called white area.

WHITE WOMAN REBUFFED

A committee member softly rebuffed a white South African woman who congratulated him on the snugness of the shelters. "It is very bad," he said, reminding her of the squalor in the camp.

Yesterday the police searched cars headed for the campsite and turned back those with provisions or plastic for the squatters. There was no indication that this morning's raid was timed to head off the Congressional delegation, but the Americans had already clashed with South African officials.

Before it arrived, the delegation formally asked to visit Nelson R. Mandela, the imprisoned leader of the outlawed African National Congress who is serving a life sentence on Robben Island in Cape Town's Table Bay. This was turned down. Then a 90-minute session with Foreign Minister Roelof F. Botha turned acrimonious and he eventually refused to answer questions put by Howard Wolpe, a Michigan Democrat who is chairman of the House Subcommittee on Africa.

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Later Mr. Botha accused the delegation of arrogance and "obvious intolerance." In a long statement, he lambasted the Americans for refusing to take seriously South African charges that the United Nations was too biased on the issue of South-West Africa, or Namibia, to be trusted by political parties in the territory. They had come to South Africa with "preconceived viewpoints," he said.

The themes of Mr. Botha's statement were then taken up in the morning commentary on the radio, which made a point of saying that the Congressional visitors were all Democrats and out of step with the Reagan Administration.

When it was turned back at the first roadblock near Nyanga, the delegation attempted to approach the smoldering campsite from another direction, but a phalanx of policemen and armed officials intercepted them. From a distance of about a hundred yards they then observed a singing, chanting crowd of several hundred blacks who were protesting the razing of the shelters.

[From the Washington Post, Aug. 20, 1981]

CONGRESSMEN GET WARM RECEPTION—ANGOLA INTERESTED IN BETTER U.S. TIES

(By Jay Ross)

LUANDA, ANGOLA, August 19.—Angola's government, the only one on the African continent the United States does not recognize, has sent a new signal to the Reagan administration that it would like to normalize relations, despite differences over the presence of 20,000 Cuban troops here.

A desire to improve ties and growing Angolan concern over the escalation of South African military attacks on its territory were the main impressions gained by a U.S. congressional delegation that ended a 31-hour visit here last night, according to Rep. Howard Wolpe (D-Mich.), leader of the group.

The five members of the House of Representatives, all Democrats, were given a top-level reception and the most extensive tour of this Soviet ally that has been accorded to any of the few official U.S. delegations that have visited this country.

The delegation met for one hour with President Eduardo dos Santos. It is believed to be the first time the Angolan leader has met with U.S. officials since he took office two years ago.

The delegation also was taken to the edge of the war zone, 250 miles north of the border of South Africa-administered Namibia, and shown damage from South African air attacks.

After these contacts, Wolpe said: "The Angolans were saying as loudly as can be heard that they want positive relations with the U.S., just like they have with Europe. They can't understand why the United States stands so alone on the subject."

They also emphasized their good relations with the American oil industry; the United States is the major country helping Angola exploit its growing oil discoveries. Angola recently signed an \$85 million loan with the U.S. Export-Import bank to expand its oil industry.

Wolpe, chairman of the House Foreign Affairs Committee's Africa Subcommittee, also said the Angolans "find incomprehensible the U.S. preoccupation with South African security concerns when no nation in the region has attacked South Africa." In contrast, the Angolans noted, Angola is subject to virtually daily incursions by South African troops from across the Namibian border without any public criticism being voiced in the United States.

Earlier this month, Angola said South African forces had pushed more than 60 miles into the country to occupy seven towns. Vice Foreign Minister Vennacio do Moura told the Congressmen that the South African forces are still holding three of the towns.

South Africa said its forces crossed the border to attack bases of the South-West Africa People's Organization (SWAPO), which is fighting for independence for Namibia, controlled by South Africa in defiance of the United Nations. The Angolans say the South Africans hit civilian targets in Angola.

Wolpe said the welcome accorded the Congressmen was one of the warmest in their African tour, which has included Zimbabwe, South Africa, Kenya and Somalia. The team left last night for Nigeria, the last stop of the trip.

Considering that the two countries have no diplomatic relations, the level of reception and the rare access to the countryside was significant. Both sides ex-

changed warm words of friendship at a dinner in Luanda Monday night and a luncheon yesterday in Lubango, where the party was taken to see war damage.

Lt. Col. Pedro Soguetao, the military commander in the Lubango region, said there have been more than 1,000 South African actions in the last eight months, mainly reconnaissance flights, but also 156 African attacks by land forces, helicopter-borne troops and planes. About 120 people were killed and almost 200 were injured, about half civilians, he said.

During the visit, military officials told Wolpe they had just learned of a South African attack yesterday 100 miles to the south in which seven Angolans were killed. They had no other details.

The Congressmen were shown what were described as captured South African weapons, many of American origin. An American military aide to the party said much of the U.S. equipment was outdated and obtainable through private arms markets. The U.S. maintains an arms embargo against South Africa.

Wolpe said there was no movement over the issue of Cuban troops, which Angola says are needed because of frequent South African incursions from Namibia.

Dos Santos and Moura, in separate meetings, said once the external cause for the Cuban presence disappears, then there will be no reason for the presence to exist, according to Wolpe.

They were careful, however, not to make a formal connection between the two issues.

Angolan officials also resented the U.S. linkage of diplomatic recognition to the Cuban presence, Wolpe added. They said it was as illogical as if the Soviet Union made the American's preponderance in Angola's oil industry a barrier to relations.

On the Namibian negotiations, the officials said they would have no objection to U.S. proposals for human rights guarantees in an independent Namibia as long as they were for everyone regardless of race. The Reagan administration has proposed that guarantees be worked out in advance of a settlement.

APPENDIX 3

STATEMENT ON REPRESENTATIVE WOLPE'S INTERVIEW WITH BANNED STUDENT LEADER ANDREW BORAINÉ

During my stay in South Africa I had an opportunity to talk directly with a banned South African student leader, Andrew Boraine. Mr. Boraine is the son of Alex Boraine, a prominent moderate politician who has served in South Africa's Parliament for the past fifteen years as a member of the Progressive Federal Party. Until the time of his banning, the younger Boraine was a full time student at South Africa's Cape Town University and a former President of South Africa's largest student organization—the National Union of South African Students.

My brief private discussion with Andrew Boraine graphically illustrates the police state tactics which are common in South Africa today. Following are some of the points Boraine made in that interview :

JUSTIFICATION FOR BANNING

Boraine said that he was banned because of his political activities—political activities which in any other democratic state would be well within the law. During the two weeks preceding his arrest, Boraine said that he addressed several public rallies of black trade unionists and black student leaders and had strongly criticized South Africa's apartheid policies, the continued removal of blacks from so-called white areas to impoverished rural homelands and the mounting human misery associated with the government's pass laws. It was in the aftermath of these anti-apartheid speeches that he was detained.

INITIAL TREATMENT

Immediately following his arrest, Boraine said that he was kept incommunicado and in solitary confinement for five days. After his release from solitary confinement, he was moved into a part of the jail with other prisoners. He told me that during his detention, black detainees were tortured, handcuffed to poles and allowed to swing by their hands and wrists for extended periods of time.

BANNING RESTRICTIONS

Following his release from jail, the South African Minister of Justice served him with a five year banning order which is slated to expire in 1986. This banning order was promulgated without regard to any legal or judicial proceedings in which he was represented by an attorney.

Banning is a unique form of political punishment. Now that he is banned, Boraine said that he is cut-off and his activities are severely restricted. As a result of his banning, he cannot :

Meet with more than one person at any one time ; obtain or secure a job without a permit from the police ; attend educational institutions ; enter any factories or industrial facilities ; participate in any trade union activities ; enter any non-white areas ; or enter any building with a printing press or any other reproduction facilities.

Additionally, Boraine said that his banning order prevents him from writing for newspapers and journals and prohibits journalists and writers from quoting him in any publications in South Africa. He also believes that his mail, especially his overseas letters, are occasionally intercepted and interfered with. There is also intermittent political surveillance—sometimes everyday, sometimes only once a week. Boraine indicated this type of treatment creates a paranoid attitude among those who are being watched.

BORAINÉ'S POLITICAL ATTITUDES

When asked about what the U.S. should be doing about South Africa, Boraine said he supported a full sports embargo against South African sporting teams and advocated economic disinvestment by western companies doing business in South Africa. He also noted that while there is a lingering distrust of America by the Afrikaner leadership, the Afrikaners were basically very happy and pleased by the more conciliatory and conservative approach being shown to South Africa by the current Administration, particularly President Reagan and Secretary of State Haig.

APPENDIX 4

REPRESENTATIVE RICHARD L. OTTINGER'S STATEMENT ON LIFE IN SOWETO

SOUTH AFRICA—OBSERVATIONS ON A TOTALITARIAN STATE

Most Americans deplore the system of apartheid in South Africa, but envision it as little more than officially sanctioned racial discrimination. They think of it in terms of segregated schools and housing.

It is important for the American people to know, especially in light of the Reagan Administration's cozy relationship with the South African government, that apartheid is brutal police state action that condemns a large proportion of the black population to starvation, encourages the peonage of black males in city factories while prohibiting their wives and children from living with them, condemns black city dwellers to insufferable living conditions in ghettos, and submits to torture and death any black who dares speak out against these policies.

These are my observations from a trip to South Africa last summer, accompanying the Subcommittee on Africa of the House Foreign Affairs Committee. We spoke to a wide range of South Africans, Americans and foreigners who live and work there, and had the unique experience of staying overnight both in the home of one of the leading Afrikaner (white) families and (illegally) in the home of a black family in Soweto (South West Township), one of the black ghettos to which blacks who work in Johannesburg are by law consigned.

To give the American people some idea of what apartheid really involves, I relate here some of our experiences.

Johannesburg is a golden city, as clean and skyscraper-modern as any in the world. Its residents enjoy the world's highest per capita income. Blacks may by permit work but not live here. Indeed, the so-called "pass laws" prohibit blacks from being outside their "homelands" without a government-issued permit.

The blacks who have permits to work in Johannesburg must live in totally black communities like Soweto. Whites are required to have permits in Soweto after dark and are prohibited from living there. As we traveled towards Soweto to stay with a family there, we were greeted by a police roadblock at the entrance; our hosts told us this was common. The occupants of cars are checked to see if they have the government passes that permit them to be in the area. If the police desire, they search the cars, ostensibly for weapons or drugs. They sometimes tear the insides out of the cars, for which there is no compensation.

Since my wife and I and two other Congressmen and their wives were entering Soweto illegally, without a pass after dark, and planning to stay overnight there illegally, our hosts decided we should try a different entrance into the community. We were fortunate to find one without a police blockade, though we were told there had been one there earlier.

You approach Soweto from Johannesburg over a hill that permits a good view of the community. The overwhelming first impression is of the crowded conditions. Row upon row of tiny houses extend as far as the eye can see. You can't see the crowded conditions inside the houses, however. Soweto is a community of 110,000 houses and 1.4 million people, averaging 8 to 10 per two-bedroom house.

As you get closer, the overwhelming impression is on your sense of smell. The people cook with kerosene or coal and the pollution is so thick from so many people cooking in such a concentrated area that you gasp for breath and your eyes smart—even hours after the dinner hour when we arrived. Our hosts said that during dinner the smog is so thick you can't see to drive a car.

We arrived at our hosts' modest residence to find that some 15 people were living in their bigger than usual four-bedroom house. The bedrooms were tiny, scarcely bigger than the bed, with no closet space. There was a living room and kitchen, and just one bedroom. Four generations were living together and from

time to time they took in assorted refugees who for one reason or another had no place to live. They cared for two children abandoned by their mother because her husband left and she had no way to support the children.

We sat up much of the night listening to our hosts tell about the incredible conditions under which blacks live in South Africa. They told us that although they were born in Soweto and lived all their lives there, they were considered by the government to be citizens of a tribal homeland they had never seen, and were subject to deportation at any time at the whim of the government.

The man of the house was once invited to a conference abroad. He was unable to get a South African passport, being eligible only for a passport from his homeland, which is not recognized by any other country. It took a special act of Parliament to obtain a South African document in lieu of a passport. He showed it to us. It showed that he was born in South Africa, lived in South Africa, but under "citizenship," listed his homeland.

The awful conditions in the homelands and the desire of families to be together lead to considerable illegal migration to the cities. The police conduct frequent raids, unannounced and unwarranted, of peoples' homes searching for illegal entrants.

We visited a "pass court" before which blacks are tried when accused of illegal entry. The courts are conducted in the Afrikaans language, which most of the blacks being tried cannot understand. A volunteer organization seeks to supply interpreters and counsel. It's a kangaroo operation, though, with cases averaging about ten minutes each.

We asked our hosts why there were not passive resistance protests and marches like those we had in America under Martin Luther King. They told of an incident several years ago when school children organized a march to protest deplorable conditions in the schools. The police came in and mowed them down with machine guns. Hundreds of youngsters were killed and maimed. He said the price is just too great.

We learned that as in all totalitarian states, there are police informers everywhere. Someone even warned us that our host's wife was an informer, hard to believe considering the risk she took to have us in. It is nonetheless conceivable that the police would plant such ideas to foment distrust in the black communities.

Houses and cars are bugged, and of course telephones where they exist. We discovered a bugging device in an official vehicle in which we were driven to meet with Foreign Minister Butler in Capetown.

Our hosts told us of the "group of 10," a group of prominent Soweto leaders who tried to get improved conditions for community residents. We met some of them. One told us of his experiences a short time ago when the government imposed a 30 percent rent increase. When word of this impending action got out, the government imposed by executive order a law making it an illegal conspiracy for more than two blacks to gather anywhere in the city. One of the group of 10 felt it imperative that there be a meeting of residents to discuss the devastating increase. He posted notice for a meeting. The police got word of it and roped off the meeting place. The leader passed word of a new meeting place by word of mouth and 6,000 residents showed up. As a result of this defiance, the leader was jailed for three months, reported beaten and hung by his feet naked for three weeks.

They told us about Steve Biko, the black leader who rose to prominence in Capetown seeking to champion a better life for South Africa's blacks. The story of his bludgeoning to death by the police received world attention through the writings of Donald Woods, a white newspaper publisher whose paper was confiscated for printing true criticisms of the government. Woods escaped South Africa and published a book about Biko's courageous life and dreadful murder.

My wife and I slept on a tiny cot in one of the rooms of the house. August in South Africa is mid-winter. There was no heat and the temperature was close to freezing.

The next morning we went with our host's wife to visit some of the neighbors. In a one-room cupboard there lived a woman and her two children, who had been deserted by her husband. She had no source of income and, there being no welfare system, lived by charity of the residents. She had no clothes other than the rags on her back. The children slept in towels on the cold cement floor. All were visibly ill. There is a hospital and a clinic, but for those without funds, it's a very long wait. Unless there is a critical illness, there are no hospital beds available.

Repeatedly we heard ruling Afrikaners boast with pride that South Africa's blacks enjoy a better standard of living than any other blacks in Africa—simply untrue statistically. Soweto is their showcase community. Some showcase!

We went to Capetown, where the South African government sits during our summer months. We met with many of the ministers, including the well known courageous white members of Parliament, all of British origin, who are fighting to liberalize South Africa's vicious racial laws. We asked them if there was no realization among the Afrikaner ruler's that their brutal repression was inviting violent revolution. They answered that it's been "five minutes to midnight" for so long in South Africa that nobody believes revolution will ever happen any more. They are inured to the very real threat of the inevitable.

Outside the city of Capetown a number of years ago a large group of mothers and children descended on the city seeking to join their husbands and fathers. They formed the squatter community of Crossroads. The police were about to bulldoze their shacks and drive them back to their homelands. Some courageous white residents of Capetown, led by their clergy, formed a human chain around Crossroads and physically prevented the demolition. The government's actions caused such an international furor that the government relented, permitted the squatters to stay and is building permanent housing for them.

When we arrived in Capetown, another flood of women and children had descended upon the city and were squatting just outside of Crossroads in a field called Nyanga. Since their plight had been much reported in the international press, we decided to visit them. Our delegation had arranged an official visit for the day we were to leave South Africa, but on the previous day my wife and I decided not to join a trip of the main delegation to visit labor unions and made an unannounced visit to the Nyanga squatters.

We arrived at the edge of the field on which more than a thousand women and children were gathered. Upon arrival a South African policeman came up to our car and asked me if I had a permit to be there. "Permit?", I responded. "No, of course we don't have a permit." The officer announced he would have to place us under arrest. "Marvelous," I replied. Completely nonplussed at my reply, he asked who I was—and foolishly I told him. Had I not, we would have been arrested for the crime of visiting and seeking to observe the squatter situation, and their plight would have been on the front pages around the world. As it was, the officer called his superiors and they decided not to arrest us.

There were 40 to 50 cars in the field belonging to white residents who had permits. They had set up a soup kitchen and clinic to feed and give rudimentary health care to the squatters.

We mingled among the squatters and heard their frightening tales of starvation and misery in the Transkei, the homeland from which they had fled, and the incredible harassment they had experienced at the hands of the police in Nyanga. Church people had brought them plastic to make rudimentary shelters. Every week or two the police would raid them (at night) and tear down the plastic. It was very cold, near freezing. While we were there, it started to rain, sleet, and hail. Even in lined rain coats, it was so cold that after a half hour in this torrent, our teeth were chattering and we had to return to our car. Many women and their children, including babies, had to stay and spend the night in drenched clothing, for there was only plastic enough to give shelter to about a third of the squatters.

The next day at dawn, our entire delegation—seven Members of Congress, the U.S. charge d'affaires, a dozen embassy officials, South African television and assorted international press—all descended on Nyanga. We arrived to find that the police had raided during the night and not only removed all the shelters but also the food facilities and clinic and had revoked all permits for anyone to visit the squatters. The intent was to starve out these hopeless women and children. We were told that transportation would be provided for them to go back to their homelands.

The police at the squatter field told us we could not enter, but an Episcopal minister said he could lead us to the squatters through the back of the field via the Crossroads community. About 20 cars and trucks took after him in a huge procession through the narrow dirt road between the tin and tarpaper shacks of Crossroads. Arriving at the back end of the field, the 50 or so of us started to walk across towards the squatters who were huddled together for warmth and singing hymns, so reminiscent of the freedom marches with Martin Luther King in our own Southland. As we approached, the police sent out paddywagons toward us headed by a police car with lights blazing and sirens screaming. Immediately the

South African television crew and journalists scampered for cover. After much deliberation and dispute, the chargés decided we should retreat rather than be arrested—again, an unfortunate decision from my viewpoint.

This, then, is apartheid, and the government the Reagan Administration is befriending. We got to see human rights violations in the raw, and it's not a pretty sight.

How anyone can think that acceptance of this brutality is in the interests of the United States is hard to comprehend. In our visits to the officials of every other African country—Senegal, Zimbabwe, Somalia, Kenya, and Nigeria—the number one issue each raised with us is to use our influence to end South African apartheid, its interference in their affairs and to pressure South Africa into a settlement with Namibia as directed by the United Nations. It was made clear time and again that we risk losing support from 80 percent of Africa, including that of countries with huge critical resources like Nigeria, if we champion the cause of South Africa.

The Reagan posture towards South Africa is, simply put, stupid, dangerous, and contrary to morality, justice and our national interests.

APPENDIX 5

TEXT OF ARTICLE BY JOHN MATISONN, WASHINGTON CORRESPONDENT,
SOUTH AFRICA MORNING NEWSPAPER GROUP, ON REPRESENTATIVE
DAVID R. BOWEN'S VISIT TO NAMIBIA

ELECTION WIN FOR SWAPO "INEVITABLE"

WASHINGTON.—A conservative Southern Congressman who has consistently supported the South African Government concluded from a South Africa Foundation sponsored tour of South West Africa that a non-Swapo party would not win an election in the disputed territory.

Congressman David Bowen of Mississippi said he was surprised to discover Swapo was gaining increasing support within tribes which were traditionally hostile to the predominantly Swapo Ovambo.

He also found many whites in SWA who believed the delays in bringing about elections were being caused by friction in the National Party, more than consideration of the best interests of SWA.

"The Democratic Turnhalle Alliance government which has been established has not succeeded in winning the confidence of the people of SWA," he said in an interview in Washington.

"Among the black people I spoke to, it is still regarded as an arm of the South African Government."

Mr. Bowen, who visited Windhoek, Walvis Bay, Swakopmund, Oshakati and Ondangwa, made clear his preference for the more pro-Western DTA, and strongly commended the South African Defence Force.

"I was very impressed with South Africa's military prowess.

"The problem that occurred to me as a friend, who is also concerned with American interests, is that while I saw military victories being won, I did not see that reflected in any pattern of growing support for alternatives to Swapo within SWA.

"That made me fear that the military victories might not be translated into political strength when the time comes for the elections.

"I don't want to see South Africa drawn into the situation in which we found ourselves in Vietnam, with head counts showing a high kill ratio, when it just goes on and on, never getting anywhere," he said.

"I found with blacks and whites there the feeling that whether the election is held now, next year or in two years, Swapo would be likely to win."

Swapo internal leaders, whom he met freely, were so confident of victory that they were willing to "play the game by any rules" regarding the demilitarised zone, troops and police presence.

Congressman Bowen, a graduate of Harvard and Oxford universities, voted for the Springbok rugby tour of the U.S., consistently for continued supply of Rhodesian chrome to the U.S., and refused to sign a congressional letter attempting to halt the Boks' tour of America.

The South Africa Foundation invited him to visit SWA, where he met the Administrator-General, Mr. Danie Hough; Mr. Peter Kalangula, chairman of the DTA; and received briefings from South African military officers.

Dr. Andre de Villiers, deputy director of the SA Foundation in Washington, said the aim of these visits was not to convince outsiders that South Africa's views were correct.

"Their conclusions are their business. Our intention is to have them come and see for themselves, so that their conclusions are based on facts."

Congressman Bowen will report to the Congressional Foreign Affairs Committee on his conclusions regarding SWA, and he stressed that he remains a sympathetic voice in the Congress supporting sporting ties and opposing disruptive actions against South African representatives.

Talking to heads of state and heads of government in Zimbabwe, Sudan, and elsewhere in Africa, he was told a Swapo government would be "even more pro-Western and pro-capitalist than Zimbabwe."

APPENDIX 6

CRS LEGAL MEMORANDUM ON ESTABLISHING A U.S. INTEREST
SECTION IN LUARDA

Congressional Research Service
The Library of Congress

Washington, D.C. 20540

February 18, 1982

TO : House Committee on Foreign Affairs
Subcommittee on Africa

FROM : American Law Division

SUBJECT : Relationship of Recognition to Establishing Diplomatic Relations

This is in response to your request for a discussion of whether a nation may establish an interest section in a third country embassy before formally recognizing the receiving nation. It would appear that an interest section may be established under such circumstances.

The practice of establishing an interest section in a third country's diplomatic mission is generally employed when the nation establishing the section has broken off its diplomatic relations with the receiving State. Article 45 of the Vienna Convention on Diplomatic Relations provides:

If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled:

(c) the sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State. 23 U.S.T. 3227, 3248. See generally, Denza, *Diplomatic Law* 278-81 (1976); Sen, *A Diplomat's Handbook of International Law and Practice 196-97* (1979) [hereinafter cited as Sen]; 7 *Whitman, Digest of International Law* 455-56 (1970) [hereinafter cited as Whitman].

The Vienna Convention also provides that

a sending State may with the prior consent of a receiving State, and at the request of a third State not represented in the receiving State, undertake the temporary protection of the interests of the third States and of its nationals. Art. 46, 23 U.S.T. 2248.

This provision, proposed by Colombia, Guatemala, India, and Spain, and supported by the United States, was designed to deal with a situation not included in an earlier text of the Convention, that is, "the simple absence of diplomatic relations, as in the case of new States." 1 United Nations Conference on Diplomatic Intercourse and Immunities, Vienna, 2 March - 14 April 1961, Off. Rec. 85-86, 217, quoted in 7 Whiteman at 450 (1970). See also Sen at 15-16. Whiteman has described the manner in which States, recognized as sovereign by other states, have resolved the problem of protecting their interests through less than a formal diplomatic post as follows:

Because of lack of experienced personnel, budgetary problems, and other factors, newly independent States may decide that, at least in their early years, it is not practical to maintain diplomatic and consular posts in other than those few countries with which the particular new State has close political, economic, or social problems. In consequence, nationals of the new State—businessmen, travelers, merchant seamen, etc.—suddenly find themselves without such assistance in many countries. To resolve this problem, a number of States established in the period following World War II requested the State from which the particular State gained its independence to continue furnishing protective services to its nationals in countries in which the new State was not represented. The arrangements have varied. In some countries, the former sovereign has undertaken the diplomatic and consular protection of the interests of the new State and its nationals. In other situations, the former sovereign has rendered the full range of consular services to nationals of the new State while not undertaking diplomatic protection of the interests of the new State. In still others, the protecting power has performed a more limited range of functions more in the nature of exercise of good offices on an *ad hoc* basis, such as the furnishing of health and welfare reports, the transmission of messages, and the furnishing of funds for repatriation or other purposes on instructions of the protected power. In each case, it was necessary that the new State request the former sovereign State to perform such functions and that the third State consent to the performance of such functions.

The absence of diplomatic relations, however, is a separate question from recognition. As a general rule, before a State can enter into diplomatic relations with another State it must be fully sovereign and recognized as such by the State with which it desires to establish relations. Sen 406. In addition, recognition of a new State is generally considered to constitute simultaneous recognition of the government of that State "because without its government being so recognized no formal relations are possible between that State and other States." Sen 419; 7 Whiteman 1. Once recognition has taken place, diplomatic relations may be established, provided there is mutual consent. Vienna Convention on Diplomatic Relations, Art. 2, 23 U.S.T. 3231. If they so choose, the two States may conduct their relations through something less than permanent missions, deciding instead to operate through their missions in a third State or through the missions of a third State in the respective receiving countries. Sen 16; 7 Whiteman 450.

Recognition, however, may be implied. The term "recognition," when used to refer to the recognition of new governments, generally means "the establishment of normal official relations by the recognizing government with the recognized government, or an indication of readiness to do so." Hackworth, Dep't of State memorandum, May 17, 1933, quoted in 2 Whiteman at 48. Thus, as recognition of States or governments is primarily a question of intent, implied recognition requires an unequivocal act that clearly indicates that recognition "was intended or is inescapable, as for example, by the exchange of diplomatic and consular officers, the negotiation of a treaty, etc." Hackworth, Dep't of State memorandum, Dec. 13, 1940, quoted in 2 Whiteman at 48. It could be argued that a nation may establish an interest section in a third country's mission in the receiving State

(with the consent of the receiving State) and thereby impliedly recognize the receiving country. However, it might also be contended that such an action is ambiguous, rather than unequivocal. For example, the United States might wish to refrain from recognizing the government of that State and instead deal with the State on an informal level. Thus, establishing an interest/section, constituting something less than a formal exchange of diplomatic representatives might well be considered insufficient to imply that recognition was intended.

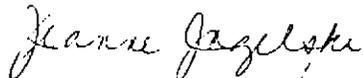
The United States has in the past carried out informal relations with unrecognized States. Hackworth has noted that conducting informal relations with the officials of a new State or government does not imply recognition per se. 1 Hackworth, Digest of International Law 327 (1940). Thus, in the 1930's United States consular officers functioned in Manchuria, which was unrecognized by this country at the time, 2 Whiteman 588, and in 1973 the United States established a liaison office in the People's Republic of China without a formal statement of recognition of the latter. The U.S.-P.R.C. agreement was announced by the two nations in the Shanghai Communique, which stated in part:

The two sides agreed that the time was appropriate for accelerating the normalization of relations . . .

To facilitate this process and to improve communications, it was agreed that in the near future each side will establish a liaison office in the capital of the other. 1973 Digest of U.S. Practice in International Law 141.

We note finally that the broad wording of Article 46 of the Vienna Convention, discussed above, might also support the conclusion that an interest section may be established without formal recognition, provided the consent of the receiving State exists.

We hope this information will be helpful to you and that you will call upon us if you have any additional questions.



Jeanne Jagelski
Legislative Attorney

APPENDIX 7

TEXT OF U.N. SECURITY COUNCIL RESOLUTION 435 AND REPORT OF SECRETARY GENERAL CONCERNING THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTIONS 435 AND 439



UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/RES/435 (1978)* -
30 September 1978

RESOLUTION 435 (1978)

Adopted by the Security Council at its 2087th meeting
on 29 September 1978

The Security Council,

Recalling its resolutions 385 (1976) and 431 (1978), and 432 (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 1 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;

▪ Re-issued for technical reasons.

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 cease-fire 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 voters, or transfer of power, in contravention of Security Council resolutions 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.

8/109/3



UNITED NATIONS
SECURITY
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REPORT OF THE SECRETARY-GENERAL CONCERNING THE IMPLEMENTATION
OF SECURITY COUNCIL RESOLUTIONS 435 (1978) and 439 (1978) ON
THE QUESTION OF NAMIBIA

1. Pursuant to paragraph 7 of Security Council resolution 439 (1978) concerning the situation in Namibia, I held meetings in New York with the Secretary for Foreign Affairs of South Africa and the Foreign Minister of South Africa from 23 to 24 November (S/12938) and from 27 to 29 November, respectively (S/12950). The meetings focused on paragraph 5 of Security Council resolution 435 (1978), by which the Security Council called on South Africa forthwith to co-operate with the Secretary-General in the implementation of that resolution; as well as on paragraphs 4 and 5 of Security Council resolution 439 (1978) by which the Security Council called upon South Africa immediately to cancel the elections it had planned in Namibia in December 1978; and demanded once again that South Africa co-operate with the Security Council and the Secretary-General in the implementation of its resolutions 385 (1976), 431 (1978) and 435 (1978).
2. In a letter dated 22 December 1978 (S/12983, Annex I), the Minister of Foreign Affairs of South Africa informed me that the Government of South Africa had decided to co-operate in the expeditious implementation of Security Council resolution 435 (1978), and invited me to arrange for my Special Representative to "proceed to South Africa and South West Africa" as soon as possible for the purpose of completing consultations on outstanding issues. By letter dated 1 January 1979 (S/13002), I informed the Foreign Minister of South Africa that, following his Government's decision to co-operate in the expeditious implementation of Security Council resolution 435 (1978), I intended to request Mr. Martti Ahtisaari, my Special Representative, to visit South Africa and Namibia in January to complete consultations on operational requirements for the deployment of the United Nations Transition Assistance Group (UNTAG).
3. My Special Representative, accompanied by the Commander of the Military Component of UNTAG and a staff of United Nations officials, visited South Africa and Namibia from 13-22 January for the purpose of completing consultations on the transitional arrangements called for in the Proposal for a settlement of the Namibian situation (S/12636) and the operational requirements for the deployment of UNTAG.
4. At a subsequent stage, after reporting to me in New York, my Special Representative visited Tanzania, Mozambique, Zambia, Botswana and Angola from 28 January to 10 February to consult with them on the current situation relating to Namibia. At the invitation of the Government of Nigeria, he also had talks in Lagos from 11-12 February.

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5. My Special Representative held consultations with Mr. Sam Nujoma, President of SWAPO, at Luanda on 9 and 10 February. Their discussions covered the implementation of the settlement Proposal and practical arrangements to be made for the transitional period.

6. My Special Representative has now reported to me on his discussions with the South African authorities, SWAPO and the Governments mentioned above. He informed me of the willingness of both South Africa and SWAPO to co-operate in the implementation of Security Council resolution 435 (1978). However, during the meetings between my Special Representative and the representatives of South Africa and SWAPO, it became apparent that the two parties concerned had differing interpretations and perceptions regarding the implementation of certain provisions of the settlement Proposal. With a view to resolving these differences, I considered it necessary to consult further with the five Western Powers, which had worked out the Proposal with South Africa and SWAPO, as well as with the Front Line States.

7. In the light of all the information I have been able to obtain, and after hearing the views of the parties directly concerned, I have concluded that, in the circumstances and as a practical matter, the outstanding issues referred to in the paragraphs below should be resolved along the following lines.

A. Return of Namibians

8. The settlement Proposal (S/12636), in paragraph 7 (c), states that "all Namibian refugees or Namibians detained or otherwise outside the Territory of Namibia will be permitted to return peacefully and participate fully and freely in the electoral process without risk of arrest, detention, intimidation or imprisonment. Suitable entry points will be designated for these purposes". The South African Government has confirmed to my Special Representative its acceptance of this provision in its entirety and I shall take all measures to ensure that it is scrupulously observed.

9. In order to facilitate the peaceful return of Namibians to the Territory, provisions have been made by the United Nations High Commissioner for Refugees (UNHCR) for the establishment of entry points and facilities to assist these returning Namibians. In accordance with normal UNHCR practice, reception centres will provide transit facilities for those returning Namibians who want them. These centres will be operated under the close supervision of the UNHCR to ensure that all returning Namibians will be free to locate where they wish; any other arrangements would be contrary to the guarantee of full freedom of movement in paragraph 6 of the settlement Proposal.

10. The provision made in paragraph 8 (d) of the settlement Proposal for SWAPO personnel outside of the Territory to return peacefully to Namibia through designated entry points to participate fully in the political process means that such return should take place without arms or other military equipment. Should any personnel seek to return bearing arms or equipment, such items would be placed under United Nations control.

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B. Restriction to base

11. According to the settlement Proposal, coincidental with a cessation of all hostile acts the South-African Defence Forces (SADF) and SWAPO armed forces will be restricted to base. This would involve the restriction to base of all SADF forces within Namibia and their subsequent phased withdrawal as outlined in the Proposal. Any SWAPO armed forces in Namibia at the time of the cease-fire will likewise be restricted to base at designated locations inside Namibia to be specified by the Special Representative after necessary consultation. The monitored move of these SWAPO armed forces to base cannot be considered as a tactical move in terms of the cease-fire.

12. All SWAPO armed forces in neighbouring countries will, on the commencement of the cease-fire, be restricted to base in these countries. While the Proposal makes no specific provision for the monitoring by UNTAG of SWAPO bases in neighbouring countries, nevertheless, however, paragraph 12 of the Proposal states that: "Neighbouring countries shall be requested to ensure to the best of their abilities that the provisions of the transitional arrangements, and the outcome of the election, are respected. They shall also be requested to afford the necessary facilities to the United Nations Special Representative and all United Nations personnel to carry out their assigned functions and to facilitate such measures as may be desirable for ensuring tranquility in the border areas."

13. I attach special importance to the repeated assurances which I have received from the neighbouring States to the effect that they will ensure to the best of their abilities that the provisions of the settlement are adhered to. In this connexion, in order to facilitate further this co-operation, I have sought the agreement of the Governments of Angola, Botswana and Zambia for the establishment of UNTAG offices in their countries to co-operate with them in the implementation of the relevant provisions of the Proposal.

C. Cease-fire arrangements

14. The settlement Proposal calls for "a comprehensive cessation of all hostile acts". As previously indicated by me (see S/12869 and S/12938) it is my intention to propose a procedure for the commencement of the cease-fire. Thereafter, the various steps indicated in the Proposal for a settlement, as reflected in resolution 435 (1978), would take place. I intend to send identical letters to South Africa and SWAPO proposing a specific hour and date for the cease-fire to begin. In that letter I would also request both parties to inform me in writing of their agreement to abide by the terms of the cease-fire. I would require that they advise me of their agreement by a specific date which would be ten days before the beginning of the cease-fire. This period is necessary for both parties to have adequate time to inform their troops of the exact date and time for the commencement of the cease-fire and for UNTAG to deploy. The text of the proposed letter is attached as an annex to this report.

D. Composition of the military component

15. Aside from the outstanding issues concerning the implementation of the settlement Proposal mentioned above, the question of the composition of the military component of UNTAG remains to be finalized. In the course of my consultations with the parties, I have communicated to them a list of possible troop-contributing countries which, in the circumstances, I consider can best meet the requirements of UNTAG. Before the commencement of the United Nations operation in Namibia, I shall submit to the Security Council, in accordance with established practice, the proposed composition of the military component. In drawing up the list of contributing countries, I shall take into due account the views of the parties while seeking to balance those factors I consider essential in the case, such as the principle of equitable geographical representation, the willingness of the troop-contributing countries to participate and, in the case of logistics, the capacity to perform the required tasks.

E. Agreement on the status of UNTAG

16. A draft agreement on the status of UNTAG was first presented to the South African authorities in August 1978. Agreement has now been reached with those authorities in respect of most of its provisions. As stated in my report of 29 August 1978 (S/12827) UNTAG and its personnel must necessarily have all the relevant privileges and immunities provided for by the Convention on the Privileges and Immunities of the United Nations, as well as those especially required for the proposed operation.

Concluding remarks

17. The settlement Proposal requires that all its provisions be completed to the satisfaction of the Special Representative. In agreeing to the implementation of Security Council resolution 435 (1978), the parties have agreed to abide by those provisions. The United Nations has the responsibility of assessing the implementation of the various military provisions of the Proposal. Similarly, the Special Representative is to be satisfied about the various provisions regarding the creation of conditions for and the conduct of elections. There is no basis for unilateral determinations or for unilateral actions by any party. At the same time it is recognized that the effective implementation of the Proposal is dependent upon the continued co-operation of the parties. Should the implementation of the Proposal be jeopardized as a result of failure of any party to carry out its provisions, I would bring the matter immediately to the attention of the Security Council.

18. I have already communicated to the Government of South Africa and SWAPO the basic elements of the proposals contained in this report. In the light of the above proposals, and if the co-operation of the parties concerned is forthcoming, I intend to designate the date of 15 March 1979 for the commencement of the emplacement of UNTAG and the entry into force of the cease-fire. The letter on the cease-fire will be transmitted accordingly. In the interim, I appeal to all parties to exercise restraint and to refrain from actions which might jeopardize the settlement.

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19. I should like to draw attention to paragraph 18 of my report of 29 August 1978 (S/12827) in which I stated that "it is expected that the duration of UNTAG would be for one year, depending on the date of independence to be decided by the Constituent Assembly".

ANNEX

Cease-fire letter to be sent by the Secretary-General to
both the South African Government and SWAPO

"In accordance with the Proposal for a Settlement of the Namibian situation as approved by Security Council resolution 435 (1978), I propose that a cease-fire take place beginning at 0000 hours on 15 March 1979. At that time comprehensive cessation of all hostile acts is to take effect.

"I request you to assure me in writing no later than 5 March 1979 that you have accepted the terms of the cease-fire and that you have taken all necessary measures to cease all warlike acts and operations. These include tactical moves, cross-border movements and all acts of violence and intimidation in, or having effect in Namibia."

