

UNTAG

N A M I B I A

Dear Mr. Administrator-General,

3 November 1989

In connection with the impending promulgation of the Constituent Assembly Proclamation, 1989, I would like to state the following:

1. In accordance with the relevant decisions of the Security Council, in particular resolutions 431 (1978) of 27 July 1978, 435 (1978) of 29 September 1978, 629 (1989) of 16 January 1989, 632 (1989) of 16 February 1989, 640 (1989) of 29 August 1989 and 643 (1989) of 31 October 1989, free elections will be held for the whole of Namibia as one political entity to enable the people of Namibia to freely and fairly determine their own future by selecting a Constituent Assembly to formulate and adopt a constitution for an independent Namibia.

2. If at any time during the functioning of the Constituent Assembly, the Special Representative is not satisfied that the Assembly is in a position to freely and expeditiously accomplish its tasks, he shall promptly so inform the Administrator-General and will make any comments and proposals in this regard that he considers necessary.

3. In accordance with his mandate to ensure the orderly transition of Namibia to independence under the United Nations Plan, the Special Representative will follow the work of the Constituent Assembly and will address to the Chairman of the Assembly such observations on its procedures and work as seem appropriate to him. In particular he will communicate formally to the Chairman the Principles concerning the Constituent Assembly and the Constitution for an Independent

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United Nations Transition Assistance Group in Namibia

Namibia which were accepted by all the parties concerned in 1982 (S/15287); these Principles, among other texts, were presented to the Secretary-General as agreed to by the parties; the Secretary-General referred to them in his report to the Security Council of 23 January 1989 (S/20142) and stated that "these agreements and understandings remain binding on the parties"; the Security Council approved that report by operative paragraph 1 of resolution 632 (1989). The Special Representative will keep the Secretary-General fully informed on the procedures and work of the Constituent Assembly, with special reference to the incorporation of the Principles referred to above in the draft constitution which is being prepared for adoption by the Constituent Assembly. The Secretary-General, for his part, will keep the Security Council informed so that the Council may take such action as it deems appropriate.

I would appreciate receiving express confirmation of your acceptance of the proposals in this letter. Upon receipt of that confirmation, I will not raise objection to the promulgation of the Constituent Assembly Proclamation, 1989.

Yours sincerely,



Martti Ahtisaari
Special Representative of the
Secretary General
for Namibia