Independent Namibia will not inherit debts

THE last sentence in your otherwise accurate and ground-breaking article on South African-occupied Namibia's external borrowings (AFRICA No. 133) is both probably inaccurate and (contrary to your intent) helpful only to South Africa and its allies. The status of the Mudge Administration's external debt does not bear any legal examination. The precedents of revolutionary governments which repudiate their predecessors' borrowings but honour their own (eg. most recently Cuba) do not suggest that such action automatically ends access to international finance. The 'SWA/Namibia' regime has been widely recognized to be unlawful for many years. The UN General Assembly, the Security Council and the World Court are agreed on that. Therefore, it has no power to borrow and every bank is on notice of that fact. If the banks took their case to international law, the World Court's answer is quite easy to predict as it (by a very large majority) has already advised that all South Africans or South African territorial regime economic transactions in respect to Namibia since the revocation of the mandate are unlawful and legally unenforceable.

The loans floated to date are — apparently without significant exception — fully guaranteed by the Republic of South Africa. Therefore, the logical and simple course of action for the banks after the 'SWA/Namibia' Administration (valid under South African law but not internationally) is gone is to claim from Pretoria, not Windhoek. Very few overseas loans have been floated because — even with South Africa's guarantees — the odium and risk attached to such a paper is high. Suggesting that a lawful Namibian Government would feel obliged to repay can only help sales outside South Africa.

Given the known illegality of the issuing body, the South African guarantee, the limited number of loans outside South Africa, and SWAPO's clear stand that an independent Namibia is not in law the successor to the illegal occupation regime, declining to accept any responsibility for the Mudge borrowing spree is not only economically imperative and legally correct but perfectly practicable for the future independent Namibia.

Vincent A. Okolor
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MANY African countries, instead of being in the forefront of the battle for the total liberation of southern Africa, apparently prefer territorial aggression, rancour and civil strife with all culminate in the inability of the Organization of African Unity (OAU) to embark upon a common assault aimed at up-rooting racism and colonialism in Africa. Britain and the US with all their Western ideologies based on democracy and intrigue seem unconcerned about the inhuman treatment being perpetrated on Africans in South Africa and Namibia. As far as southern Africa's leading liberation groups, it must be stressed that no meaningful tribute is being done Nelson Mandela and the other martyrs of the struggle as long as they are disunited.

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The OAU Summit

I READ with consternation the recent happenings in Tripoli, Libya (AFRICA No 132). This incident has proved beyond reasonable doubt the immaturity of some African leaders in probing the affairs of the OAU. I see no reason why some African countries should be pressured by the United States of America, notably by the Reagan Administration, not to attend the 19th OAU Summit.

My own suggestion regards the forming of a quorum in the OAU is that instead of two-thirds it should be changed to one-third in order that what happened in Tripoli may not repeat itself. Why is it that some African countries are against the admission of Sahroli Arab Democratic Republic (SADR). Why are we fighting for the emancipation of our brothers who are still under colonial rule when those who happen to procure their independence are debarring from being members of the Organization?

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