



Foreign and Commonwealth Office

London SW1A 2AH

9 October 1989

UK/FRG Consultations: 11 October

As you know, Peter Hartmann will be meeting Roger Tomkys on 11 October to discuss Southern Africa. Our objectives at this meeting will be:

- to encourage Chancellor Kohl to lobby strongly against further sanctions when he visits the United States later this year;
- to lower expectations of the speed and extent to the reform process in South Africa;
- to try to prepare Chancellor Kohl to stand firm with us when the going gets rougher next year.

In support of these objectives, Roger Tomkys will give Hartmann a paper for use in the Federal Chancellery in briefing Chancellor Kohl before his visit to the United States, to cover the results of the South African elections, the prospects for political change and the international context. I enclose a copy of this paper which has been cleared with Robin Renwick. It is deliberately general and Roger Tomkys will supplement the paper with oral presentations elaborating on the US position and on the importance of Chancellor Kohl's lobbying President Bush on the need to avoid additional sanctions.

Yours ever
R N Peirce
(R N Peirce)
Private Secretary

C D Powell Esq
10 Downing Street

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PROSPECTS FOR CHANGE IN SOUTH AFRICA AND THE
INTERNATIONAL CONTEXT

INTRODUCTION

1. Developments in the Southern African region during the last year have been remarkable. The Angola/Namibia agreement, the consequent start on implementing the UN Plan for Namibian independence and the improved South African relationship with Mozambique all denote a substantial shift in South Africa's policy in the region. A successful outcome in the Namibia independence process will demonstrate the benefit of negotiation, not only to countries in the region but also to South Africans of all races. In South Africa itself, the departure of P W Botha, the rise of a new generation in the National Party and the election of a leading parliamentarian, F W de Klerk, to the Presidency have raised hopes of new departures.

South African Government After the Elections

2. The results of the elections on 6 September were encouraging. The National Party have a reduced but still comfortable working majority. The Conservative Party made fewer, and the Democratic Party more, gains than generally expected. They confirmed that de Klerk was right to direct his campaign at the "reformist" centre-left rather than the conservative right. They confirmed that there is a positive shift in white opinion. De Klerk himself has spoken of a "mandate for change". This has raised hopes both in South Africa and abroad of a resumption of the reform process.

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3. So far there has been little action - this is not surprising such a short time after the elections. Positive steps so far have included the toleration of large peaceful demonstrations and encouragement of town councils to lift separate amenity rules. Another promising move has been de Klerk's appointment of Gerrit Viljoen as Minister of Constitutional Development and Planning and National Education. Viljoen is on the liberal wing of the National Party and is likely to be able to establish a much more effective working relationship with opposition groups than Mr Heunis was able to do. Nevertheless, Mr de Klerk will clearly keep a tight personal control over developments in this field. He has made clear that he regards the present tricameral Constitution (now thoroughly discredited by the low turn out in voting on 6 September for the House of Delegates and House of Representatives) as an interim arrangement. His stated objective is to implement a new constitution within the five year life of the parliament elected on 6 September.

Short-term Prospects

4. De Klerk reaffirmed his commitment to change in his inaugural speech, but has given few clues about his short-term plans.

5. We would speculate that the most that de Klerk might do in the next six to nine months is:

- release political prisoners. Mandela is the big prize and the SAG will want to gain the maximum international credit. But they will want to release him into a political process. This

suggests that he is unlikely to be released until there has been the beginnings of a road towards dialogue with the black opposition. This argues for a release later, rather than earlier. But there are better prospects that Walter Sisulu and Oscar Mpetha will be set free.

- amend the State of Emergency, which was renewed for a further 12 months last June. His decision to allow the large, peaceful demonstrations in Cape Town and Johannesburg amounted to a temporary suspension of the emergency regulations. He is unlikely to lift the State of Emergency before Mandela's release. If that goes smoothly, he might persuade the securocrats that the extensive powers open to the SAG in the Internal Security Act would suffice to safeguard law and order.

- initiate "talks about talks". The process of consultation with black opposition groups, began by de Klerk even before he became State President, can be expected to continue. He may try to expand the various meetings between influential whites and ANC to include more direct representatives of the government if secrecy can be preserved. Progress will be slow.

- dismantle some apartheid legislation. Certain aspects are already crumbling. Recent decisions by city councils to end segregation of municipal public facilities and on public transport are major steps forward. So are the moves to create Free Settlement Areas. So we could see the replacement of the Group Areas Act.

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Longer Term Prospects

6. For the longer-term (which we interpret as the five-year lifetime of the new Parliament) de Klerk will maintain that he is already committed to working towards:

- a new constitution. The tricameral system is discredited. He has said that he wants to give the blacks a share of power. But he is still wedded to the idea of "group rights" and unless he modifies his negotiating stance it is going to be difficult to make progress;
- a "Great Indaba". This will not include the ANC until they renounce violence. But it will be difficult to make meaningful progress without them. Other participants, eg, Buthelezi, will not attend until pre-conditions are met, such as the release of Mandela. He might try holding elections among non-homeland blacks to choose delegates to an indaba, a device which is unlikely to work. Whether or not he is able to bring this idea to fruition will probably depend on the process of "talks about talks".
- a Bill of Rights for all South Africans. This would build on the work of the Law Commission.

Constraints on de Klerk's Freedom of Manoeuvre

7. De Klerk will argue that South Africa has already made some forward moves for which they have gained inadequate credit.

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- Namibia, where they have kept to their commitments in spite of provocations at various stages since 1 April.
- The conciliatory approach to the campaign of civil disobedience.

8. Whatever further positive moves he decides to take will be conditioned by:

- his own caution and the need to keep his party with him;
- the need to assert control over the securocrats;
- the threat to law and order posed by the defiance campaign. There were signs during and after the election campaign that the Mass Democratic Movement were pushing the authorities as far as they could. There are those among the opposition who would welcome the chance to prove that the de Klerk regime is going to be just as repressive as its predecessor;
- the outcome of the Namibian independence process. This can go wrong. If SWAPO are disappointed by the result they may return to the bush. The Constituent Assembly may take too long to produce a constitution.

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- new sanctions. If there are early moves to introduce new sanctions, de Klerk may not be able to convince his Cabinet or public opinion in SA that this is the time for more radical liberal steps.

The International Context

9. The Commonwealth meeting (in October) will include its usual show of anti-apartheid rhetoric, but there is less likelihood of a major row over sanctions than in previous years. The UN General Assembly will provide the normal annual opportunity for letting off steam, but the thunder may be saved for the UN Special Session on Apartheid in December.

10. US Congress remains keen to ratchet sanctions upwards, with particular attention to financial sanctions. The lobby seems to be prepared to give de Klerk until March to show his paces. The Administration is trying to buy more time. In his recent testimony to the Senate Foreign Relations Committee, Cohen argued that they should await the completion of the next South African Parliamentary Session (June 1990) the earliest opportunity for action to be taken on modifications to apartheid legislation. With mid-term elections due in the US later in the year, the demand for new sanctions is likely to become intense unless there has been significant progress in South Africa. Moreover, the desire of the Bush Administration for a bipartisan approach on South Africa leaves it reluctant to face up to lobbying.

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11. The current focus of attention for those pressing for more sanctions is the debt rescheduling negotiations with the international banks. The deadline for a new agreement is June 1990. In reality there is limited leverage, since, in the absence of an agreement, South Africa will simply impose its own debt repayment terms (as it did last time). The banks will have no alternative other than to accept, but they will want to talk tough to dilute the pressure from the anti-apartheid movement which is being directed towards them. Agreement seems likely to be concluded later this year on terms very similar to that of the existing interim agreement.

12. The ANC are moving to wrong foot the South African Government in the approach to negotiations by securing widespread international endorsement of their position. The ANC negotiating framework document has been endorsed by the OAU and NAM, with the prospect that similar endorsement will be sought from the Commonwealth and the UN. There is no chance that the SAG will accept this document as it stand. It amounts essentially to an agreement to transfer power. If the ANC document becomes a "sacred text" it will remove the flexibility from the ANC negotiating position which will be needed if they are ever to sit down at the same table as the South Africans. This makes it more important than ever to hold on to the EPG negotiating concept. Although the South African Government will not move to that position in the near future, it is likely to be pushed to that point eventually. The South African Government will go on wanting to know what the Western response will be if they do move in the direction the West wants (their main need is for renewed access to external capital of which an IMF stand-by arrangement might be a first step).

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Conclusion

13. De Klerk has aroused expectations, at least abroad, which he will find difficult, if not impossible, to satisfy. The fact is that the international timetable is conditioned by factors unconnected with South Africa, notably Congressional mid-term elections in the United States. De Klerk will be determined to keep control inside the country as he tries to make progress with "reform". There is a danger of an attempt by the US Congress next year to intensify sanctions at much the same time as de Klerk is trying to initiate negotiations. In mid-1990, US Congress-led pressures for more sanctions may become acute at the very moment when de Klerk is about to begin his initiative process towards dialogue. it will be important for countries with influence on South Africa to stand firm against sanctions while pressing de Klerk to move forward.

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