

The Inside Story of Britain's

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Secret Contract
for Namibian Uranium
The Campaign Against the Namibian
Uranium Contracts (CANUC)
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The Inside Story of Britain's Secret
Contract for Namibian Uranium
by Alun Roberts

"... nevertheless, in keeping with the spirit of these (UN) resolutions, we have decided to give no further promotional support for trade with Namibia..."

James Callaghan

House of Commons, December 1974

"we have already decided to terminate the AEA-RTZ contract for the supply of uranium from Namibia."

Tony Benn

Letter to the Guardian, September 19 73

"I will not give any undertaking about approaching the United Nations... and we have no plans to do so."

Sir Mark Thrner

Chairman of RTZ, May 1977

Campaign Against the Namibian Uranium Contract (CANUC)

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The CANUC group is jointly co-ordinated by the Namibian Support Committee, and the Anti Apartheid Movement, and the Haslemere Group

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Introduction

The Rossing File provides a penetrating account of collusion between a multinational corporation, Rio Tinto-Zinc, and western governments to exploit Namibia's uranium in defiance of international law. Despite a ruling of the International Court of Justice and repeated United Nations Security Council and General Assembly resolutions, the British based corporation RTZ has undertaken and expanded uranium mining operations in Namibia.

In 1966 the United Nations revoked the mandate of South Africa over Namibia and established the United Nations Council for Namibia as the sole legal administering authority for the territory. Since that time member states of the United Nations have had the obligation, according to the 1971 advisory opinion of the International Court to "recognise the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia and to refrain from any acts and in particular any dealings with the government of South Africa implying recognition of, or the legality of, or lending support or assistance to, such presence and administration." Recognition of corporate franchises or permits to exploit or export Namibian minerals granted by South Africa is thus prohibited by the Court's opinion. Nevertheless the EEC governments continue to allow importation and processing in their countries of Namibian uranium mined under South African licence. Based on the recommendation of the United Nations Council for Namibia as the legal administering authority for Namibia, the United Nations General Assembly adopted Decree No.1 for the Protection of the Natural Resources of Namibia. It declares that no natural resources may be taken from the territory without the consent and permission of the Council for Namibia and that any resources wrongfully exported are subject to seizure and forfeiture by the Council for the benefit of the Namibian people.

Every aspect - not only the illegality - of RTZ's Rossing operations in Namibia should be subject to an international outcry. Workers are subjected twenty four hours a day to low level cancer-causing radiation. They are paid grossly discriminatory wages and suffer appalling working conditions and living standards. As long as the South African illegal occupation of Namibia continues and the British Government protects RTZ's wrongful exploitation

of Namibian uranium, the so called development of the territory will never benefit the Namibian people. It can be expected that upon genuine independence the people of Namibia will estimate the profits accrued by all those involved through the years of plunder and quite rightfully demand just reparation.

Sean MacBride

(former United Nations Commissioner for Namibia)

January 1980

The Issues

The British Government is currently importing uranium from Namibia through contracts with the British based international mining company Rio Tinto Zinc. Namibia, however, continues to be illegally occupied by South Africa, which has imposed its policy of apartheid throughout the territory. The British Government's contracts, for 7,500 tons of Namibian uranium are, therefore, a violation of international law and defy repeated calls by the United Nations for all member states to refrain from any dealings with South Africa's illegal administration of Namibia. It is only with South Africa's consent, however, that RTZ are able to operate their Rossing uranium mine.

In 1977, CANUC, the Campaign Against the Namibian Uranium Contracts, was formed to research and campaign against the continuation of the British Government's contracts. Our research reveals that on no less than three separate occasions - in 1968, 1970, and 1974 - the cabinet was deliberately deceived over the source of supply, the amount of uranium to be delivered, and the availability of alternative supplies. The pamphlet particularly highlights the roles played by Lord Carrington, Jim Callaghan and Tony Benn in the issue, and exposes the powerful influence of RTZ and their allies within the Civil Service.

It is a direct result of the contracts with the British Government that provided RTZ with the basis for establishing the Rossing mine. With the help of information obtained under strict security measures the miserable working conditions, vicious application of South Africa's apartheid principles, and major health hazards from radioactivity at the mine, that are likely to damage Namibia's future for many generations, are all carefully documented.

The operation of RTZ's Rossing mine under South Africa's illegal occupation, the opinion of international law and - most immediate of all - the question of Britain's good faith in its involvement to negotiate a settlement in the Namibia dispute, all require that the contracts with RTZ's Rossing mine are terminated. The decision rests fully with the British Government and in particular with the Foreign Secretary, Lord Carrington, for many years a Director of RTZ and an apologist for these illegal contracts.

Rio Tinto Zinc

Britain's multinational giant

From an obscure mining company with investments in Spain, Rio TintoZinc has expanded over the last thirty years into one of the world's largest mining corporations, operating internationally with funds totalling £2,038 million and profits of no less than £284 million in 1978.¹ RTZ exerts a powerful influence on British Government; in 1975, the Daily Telegraph claimed that 'as well as supplying uranium, copper and other metals, Rio TintoZinc is also in a position to furnish a coalition government should one be required'.² The comment referred to the growing number of politicians recruited onto the company's board of directors, most of which had the ear of the Foreign Office and inner trade union circles. In addition to the appointment of the present Foreign Secretary Lord Carrington, in 1974, the company also recruited Lord Sidney Greene, former General Secretary of the National Union of Railwaymen, and past President of the Trade Union Congress. By May 1975 Lord Shackleton, a former Labour Foreign Office Minister, had become the company's deputy chairman; while efforts continued to find a replacement for Lord Byers, the senior Liberal peer, who also occupied a seat on the board.³

This policy of enlisting senior Foreign Office or Trade Union figures is a hallmark of RTZ's policy of acquiring influence. When Lord Carrington resigned from the board "a few days after his Cabinet appointment" Sir Mark Turner, RTZ's Chairman, was asked who might be able to offer similar experience and expertise in the company's operations in Southern Africa.⁴ He replied confidently that while: "We do have a very strong team within the organisation which handles all our international problems. I believe that Lord Charteris, who was recently elected to our Board and who, in his capacity as Private Secretary to the Queen, has travelled extensively throughout the whole overseas areas in which we operate, can also be of great value to us in this field." (See Box)

RTZ's growth as an international mining company was pioneered by its former chairman and chief executive, the late Sir Val Duncan. Under his guidance the influence of the company grew to such an extent that Sir Val

was personally chosen to prepare a report on Britain's Diplomatic Service. The conclusions of the Duncan Report were eventually accepted - but only after much criticism. It came as no surprise in some quarters that one of Sir Val's recommendations was that British diplomatic missions should be concentrated in areas where British business already had interests.⁶

In the course of its development, RTZ have established close links with the Atomic Energy Authority (AEA). On one occasion Sir Val recalled the day when in search for future contracts he left the offices of the AEA with a brief to "find uranium and save civilisation."⁷ Relations between RTZ and what is now the UKAEA have since developed to such a degree that Mr Alex Lyon, a former Minister of State at the Home Office, has claimed that the Government has a "gentleman's agreement" with RTZ giving it an effective monopoly of all uranium supplies to Britain.⁸ The claim is supported by a report that when the Rossing contracts were made, tenders were only put out to RTZ's mining subsidiaries - in spite of the fact that cheap uranium was readily available elsewhere.⁹

Links with the UKAEA were strengthened further in 1968, when Mr Alistair Frame, a former director of UKAEA's reactor research group, joined RTZ's board. Mr Frame is now the company's chief executive and number two to Sir Mark Turner.

RTZ's attitude to politics was revealed by Sir Val Duncan in an interview with *The Listener*. The company, he said, "were very politically minded, but not party-politically minded. If one saw a government was going to do something related to one's business I hope one would know Ministers well enough to be able to say so." It would seem that RTZ is taking a similar line with the EEC; a recent report refers to a detailed memorandum sent to the EEC Commission, suggesting that a "political risks" fund should be set up by the European Community.¹ Its purpose would be to "compensate mining companies who lost part or all of their investments as a result of political action by developing countries with mineral potential."² The fund, it was claimed, would provide "a satisfactory way of ensuring an adequate supply of raw materials from the rich deposits in the third world."³ It came as no surprise to find that the proposal was backed by three other mining companies Selection Trust, Charter Consolidated and Consolidated Gold Fields - all of which, like RTZ, have major mining interests in Namibia.

Whatever comes of this attempt to gain influence within the EEC, RTZ remains a major supplier of raw materials, and as such its influence is immense; just how close are the links between the company and the British government can be judged from the remarks of a civil servant in the Department of Trade and Industry, reported in the *Sunday Times* a few years ago: Asked about the government's attitude towards securing strategic mineral

supplies, he responded: "Oh, if any question of a shortage of anything crops up, you know, we just get on the telephone to RTZ, let them know, and leave the rest to them."⁴

RTZI

6. ST. JAMES'S SQUARE

LONDON, SW1Y 4LD

TELEPHONE: 01-930 2399

, H., 24th May, 1979

Dear Mr Roberts

Thank you for your letter of 18th May, asking me about Lord Carrington.

As I am only too well aware, Lord Carrington, on his appointment as Foreign Secretary, is unable to remain a director of this company; indeed, his resignation from our Board was announced a few days after his Cabinet appointment. As an old and valued friend of mine I very much hope that I shall have occasion to see Lord Carrington from time to time, but in his new capacity he is, of course, not available to advise us on any matters.

However, we do have a very strong team within the organisation which handles all our international political problems. I believe that Lord Charteris, who was recently elected to our Board and who, in his capacity as Private Secretary to the Queen, has travelled extensively throughout the whole overseas areas in which we operate, can also be of great value to us in this particular field.

Yours sincerely,

Mark Turner

Namibia

From Peace to Apartheid

Namibia is about three times the size of Great Britain, covering over 318,000 square miles. It takes its name from the Namib desert which stretches along most of its western coastline. Arid and sparsely populated, the country is dominated by rugged mountains and barren wastelands, but beneath the Namib desert lies enormous mineral wealth, including zinc, lead, vanadium and large deposits of tin and copper. These resources also include the largest source of gem diamonds ever discovered, and vast deposits of uranium - the amounts being estimated as representing one-sixth of all deposits in the noncommunist world.⁵ By the end of the 17th century African groups such as the Namas, Hereros, Ovambos and Damaras had established themselves in Namibia, and together they lived in peace for several hundred years. That peace was destroyed at the Conference of Berlin in 1884, when Namibia's present borders were defined and Germany was given possession of the territory. Bloody battles were fought with the African population, who fiercely resisted the theft of their land and livelihood by German colonists. The so-called 'Herero War', in which hundreds of thousands of people were killed by the German army, while many more fled into the

Kalahari desert to die of thirst, is perhaps one of the most fully documented cases of genocide ever recorded.

South Africa's first links with Namibia came with the outbreak of the First World War in 1914, when they were instructed by the British Government to invade the territory and seize Namibia from German hands. After the war the League of Nations, established in 1919, became responsible for determining the future of the former German colonies, and on the 17th December 1920 granted South Africa with a Mandate of Trusteeship for Namibia. The Pretoria Government was charged with the task of bringing the surviving population to independence and was specifically forbidden to introduce a military presence on Namibian soil.

The Mandate itself contained two important clauses, both of which played a significant part in the later disputes over Namibia. According to Article 2,

South Africa had full power of administration and legislation over the territory; but Article 7 also made it clear that, "if any dispute whatever should arise between the Mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the Mandate, such dispute; if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice."¹⁶ South Africa was therefore bound to abide by the decision of the International Court over any dispute concerning its administration of Namibia.

When the League of Nations was replaced by the United Nations Organisation in 1945, a Trusteeship Committee was formed to assist in bringing the Trust Territories, of which Namibia was one, to eventual independence. But three years later the Nationalist Party came to power in South Africa and immediately claimed that it had absolute rights over Namibia and its people, rejecting out of hand any attempt by the United Nations to interfere.

In response, the International Court of Justice, at the request of the General Assembly, duly ruled in 1950 that South Africa had a duty to bring Namibia to full independence, that the UN was the proper supervisory power for the territory, and that the Mandate was still in force. The Nationalist Government, however, disregarded the ruling, and began instead to impose their policies of apartheid on the Namibian people.

International Responses

When it became obvious that South Africa had no intention of bringing Namibia to independence and was bent on imposing apartheid on the territory despite persistent protest, the United Nations General Assembly terminated the League of Nations Mandate and took over direct responsibility for Namibia. On the 27th October 1966, the UN resolved that "South Africa has no other right to administer the territory".¹⁷

Further steps to bring Namibia fully under UN control soon followed: In June 1968, the Council for South-West Africa (the name given to Namibia by the South Africans) was replaced by the United Nations Council for Namibia, which now became the body with overall legal and administrative responsibility until such time as the territory achieved independence. Mr Sean MacBride the United Nations Commissioner for Namibia was to work through the Council to secure such independence as urgently as possible. These measures had the backing of the Security Council, who in a major resolution on the 12th August 1969, endorsed the termination of the Mandate and called upon South Africa to withdraw from Namibia immediately.¹⁸ The apartheid regime's refusal led the Security Council, under the terms set out in the original mandate, to seek the opinion of the International Court of Justice. On 21st June 1971 the Court declared that South Africa's presence was "illegal", and that it should "withdraw its administration from Namibia and

thus put an end to its occupation of the territory."¹⁹ Although South Africa had agreed to abide by the Court's ruling it pointedly ignored it and continued to occupy and administer the territory.

The International Court's decision affected not only South Africa but also all United Nations member governments in their future dealings with that country. According to the ruling, member governments were "under obligation to recognise the illegality of South Africa's presence in Namibia and the invalidity of its acts on behalf of or concerning Namibia."²⁰ In addition, they were specifically to "refrain from any acts and in particular, any dealings with the Government of South Africa implying recognition of, or the legality of, such presence and administration."²¹ This was a caution which RTZ and its allies in the British government would have done well to observe - especially in view of the measures the UN were shortly to introduce.

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The United Nations Decree No. 1

Since the discovery of Namibia's extensive range of mineral deposits, all mining companies wishing to establish operations in the territory have received their licences from the South African Government in Pretoria. But when in 1969, the Security Council endorsed the General Assembly Resolution and terminated South Africa's Mandate, it became obvious that western mining companies were continuing to operate under an administration which had clearly become illegal. All revenues and taxes paid by the mining companies went to the Pretoria government and therefore directly contributed to the maintenance of apartheid in Namibia. In addition no legal criteria of any kind existed to protect the exportation of the territory's rich mineral resources through the operations of the mining giants. Appropriate measures to take such exploitation into account were long overdue, and on the 13th December 1974 the United Nations Decree No.1 for the Protection of the Natural Resources of Namibia was established. As such the Decree had a clear message for RTZ and all other mining operations in the territory: not only were their ventures illegal, but they were also liable to claims for damages from a future internationally reorganised government of Namibia.

UNITED NATIONS

NAMIBIA GAZETTE No.1

-DECREE No. 1

FOR THE PROTECTION OF THE NATURAL RESOURCES OF NAMIBIA

Conscious of its responsibility to protect the natural resources of the people of Namibia and of ensuring that these natural resources are not exploited to the detriment of Namibia, its people or environmental assets, the United Nations Council for Namibia enacts the following decree:

DECREE

The United Nations Council for Namibia,

Recognizing that, in terms of General Assembly resolution 2145 (XXI) of 27 October 1966 the Territory of Namibia (formerly South West Africa) is the direct responsibility of the United Nations,

Accepting that this responsibility includes the obligation to support the right of the people of Namibia to achieve self-government and independence in accordance with General Assembly resolution 1514 (XV) of 14 December 1960,

Reaffirming that the Government of the Republic of South Africa is in illegal possession of the Territory of Namibia,

Furthering the decision of the General Assembly in resolution 1803 (XVII) of 14 December 1962 which declared the right of peoples and nations to permanent sovereignty over their natural wealth and resources,

Noting that the Government of the Republic of South Africa has usurped and interfered with these rights, Desirous of securing for the people of Namibia adequate protection of the natural wealth and resources of the Territory which is rightfully theirs,

Recalling the advisory opinion of the International Court of Justice of 21 June 1971,¹

Acting in terms of the powers conferred on it by General Assembly resolution 2248 (S-V) of 19 May 1967 and all other relevant resolutions and decisions regarding Namibia,

Decrees that

1. No person or entity, whether a body corporate or unincorporated, may search for, prospect for, explore for, take, extract, mine, process, refine, use, sell, export, or distribute any natural resource, whether animal or mineral, situated or found to be situated within the territorial limits of Namibia without the consent and permission of the United Nations Council for Namibia or any person authorized to act on its behalf for the purpose of giving such permission or such consent;
2. Any permission, concession or licence for all or any of the purposes specified in paragraph 1 above whensoever granted by any person or entity, including any body purporting to act under the authority of the Government of the Republic of South Africa or the

"Administration of South West Africa" or their predecessors, is null, void and of no force or effect;

3. No animal resource, mineral, or other natural resource produced in or emanating from the Territory of Namibia may be taken from the said Territory by any means whatsoever to any place whatsoever outside the territorial limits of Namibia by any person or body, whether corporate or unincorporated, without the consent and permission of the United Nations Council for Namibia or of any person authorized to act on behalf of the said Council;

4. Any animal, mineral or other natural resource produced in or emanating from the Territory of Namibia which shall be taken from the said Territory without the consent and written authority of the United Nations Council for Namibia or of any person authorized to act on behalf of the said Council may be seized and shall be forfeited to the benefit of the said Council and held in trust by them for the benefit of the people of Namibia;

5. Any vehicle, ship or container found to be carrying animal, mineral or other natural resources produced in or emanating from the Territory of Namibia shall also be subject to seizure and forfeiture by or on behalf of the United Nations Council for Namibia or of any person authorized to act on behalf of the said Council and shall be forfeited to the benefit of the said Council and held in trust by them for the benefit of the people of Namibia;

6. Any person, entity or corporation which contravenes the present decree in respect of Namibia may be held liable in damages by the future Government of an independent Namibia;

7. For the purposes of the preceding paragraphs 1, 2, 3,4 and 5 and in order to give effect to this decree, the United Nations Council for Namibia hereby authorizes the United Nations Commissioner for Namibia, in accordance with resolution 2248 (S-V), to take the necessary steps after consultations with the President.

1. Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971, p.16.

The foregoing is the text of the Decree adopted by the United Nations Council for Namibia at its 209th meeting on 27 September 1974 and approved by the General Assembly of the United Nations at its 29th Session on 13 December 1974.

The Decree, reproduced here in full, has three serious implications for the British government as a party to the Rossing contracts: first, although RTZ mines the uranium, the British government pays for and receives the endproduct. It is therefore as culpable under the terms of the Decree as RTZ itself.

Second, neither RTZ nor the Government can guarantee that the total 7,500 tons of uranium under contract will be delivered, since Part 5 of the Decree empowers any United Nations member nation, international or national body, or authorised representative to seize and impound "any vehicle, ship, or container" known to be carrying Namibian uranium, on behalf of the United Nations Council for Namibia.²²

Third, as we have already seen, in receiving the uranium, the British Government have laid themselves open to future claims for damages from the eventual independent Government of Namibia.

During the 1975 Commonwealth Prime Ministers' Conference in Jamaica, Mr Sean MacBride, the United Nations Commissioner for Namibia, "warned foreign companies to stop taking natural resources out of South West Africa without authorisation."²³ Under the terms of the Decree "any rights, concessions, or licenses granted by South Africa were void."²⁴ The warning went out to American, British, Canadian and South African companies with interests in Namibia. A short time later, it was reported that the United Nations Council for Namibia had received "150,000 to finance possible court actions against organisations trading in raw materials from the disputed territory."²⁵ Taken in conjunction with the United Nations Decree, these two pronouncements clearly spelt out to foreign companies the consequences they faced in removing Namibia's mineral riches.

Part 5 of the Decree which allows for Namibian uranium to be seized in transit perhaps deserves special mention. The procedure for seizure had been carefully thought out by the former UN Commissioner for Namibia, Mr Sean MacBride, a former Irish Foreign Minister and Nobel Peace Prize winner, who had also worked as a barrister in the High Court and Supreme Court of Dublin. In his opinion, once it had been discovered which countries the uranium passed through on its route to Britain, it would be possible to seek an order to secure the cargo through the courts of the countries concerned, without necessarily obtaining an endorsement from their government. The order would be sought on the grounds that South Africa was not empowered to licence the export of uranium from Namibia and that the cargo was stolen property which belonged rightfully to the UN Council for Namibia.

The thinking behind this particular clause of the Decree had already been firmly endorsed by the Security Council, which, on 20th October 1971 pronounced on the consequences for those involved in mining operations in

Namibia after the termination of South Africa's Mandate. Reaffirming the International Court's opinion that South Africa's presence was illegal, the Security Council had ruled: "franchises, rights, titles or contracts relating to Namibia granted to individuals or companies by South Africa after the adoption of General

Assembly Resolution 2145 are not subject to protection or espousal by their States against claims of a future lawful government of Namibia.'²⁶

Under the terms of Article 25 of the United Nations Charter, member states are obliged to comply with Security Council decisions even if they vote against them. Therefore, the Security Council's decision of 1971 and the Decree of 1974 affect both RTZ and the British government. Should a future internationally recognised government of Namibia decide to halt uranium exports or nationalise RTZ, the company would not be entitled to any assistance or relief from the British government. If such measures were taken, the British government, which had persisted with the contracts in spite of rulings by the UN General Assembly, the Security Council and the International Court, would be powerless to prevent its uranium supplies being terminated.

Effects of the Decree

The Decree No.1 did not go unheeded. In the course of 1975 four American oil companies - Getty, Continental, Philips and Standard - abandoned the exploration leases which had been granted to them by the South African Government.²⁷ American Metal Climax (AMAX), which owned 29.6 per cent of the Tsumeb Corporation, one of the largest mining operators in the country, also began "to take steps towards getting rid of its holdings in Namibia."²⁸ This, it was reported, was a direct result of "the threat of action by the United Nations."²⁹

RTZ, however, reacted very differently: ignoring the Decree completely. Furthermore, although the Labour government had completed an extensive review of their Southern African policy in the same month as the Decree was established, they put no pressure of any kind on RTZ to reconsider its mining operations at Rossing.

The British government can hardly have remained unaware of the many international rulings on Namibia - particularly the United Nations Decree No.1 ; yet successive administrations, Labour and Conservative, have failed to make any effort to terminate the uranium contracts.

This pitiful record is in marked contrast with the response of the American Government, who informed their companies long before the United Nations Decree was enacted that it would "officially discourage" investment in Namibia.³⁰ In May 1970 it became US policy to withhold export-import

credit guarantees from companies intending to trade with Namibia; it was also made clear that American companies who continued to invest in the territory after the termination of South Africa's Mandate "would not receive assistance" from the government in paying compensation for any losses incurred through the nationalisation of their assets by a "future lawful government of Namibia.'

The Federal Government of West Germany took similar measures. All tax incentives normally available to West German companies wishing to invest in developing countries were withdrawn from Namibian ventures.³² Pressure from the Bonn government also succeeded in preventing the Frankfurt company of Urangesellschaft from further involvement in the Rossing project. Urangesellschaft had depended heavily on the government's financial support for its prospecting operations with RTZ during the early development of the Rossing mine, and although it still retains an option on future supplies, when the government discontinued its support in 1971, the company's direct involvement came to an end.

Throughout the years since the signing of the Rossing contracts, the British government's policy in Southern Africa has been hamstrung by their dealings with the illegal South African regime in Namibia. Nowhere is this more dramatically demonstrated than in the issue of Rhodesian sanctions.

Initially, it had been thought that sanctions would topple the Smith government in "weeks rather than months", but this early forecast proved hopelessly optimistic. When asked in 1978 why sanctions had failed to bring an early end to the Rhodesian issue, Sir Harold Wilson, the Prime Minister of the day, replied: "We know we were partly frustrated by the United States refusing to carry out the sanctions on Rhodesian chrome. That would have been a very severe blow for the Rhodesians" - referring to the decision by the United States Congress to allow chrome exports to Rhodesia to continue in defiance of the United Nations Sanctions Order.³³ Wilson omitted to mention, however, that it had been in Britain's power to put pressure on Congress to reverse this decision. Yet it failed to do so, for the simple reason that Congress was only too well aware of Britain's questionable dealings, "marked by duplicity and secrecy", with Namibia.³⁴ Rather than risk the embarrassment of having the Rossing contracts exposed, the British government remained silent while Congress tore a gaping hole in their Rhodesian policy. Needless to say, this was an aspect of the matter that Sir Harold Wilson preferred to gloss over.

While American and West German governments attempted to persuade , their companies to have no further dealings with the illegal South African regime in Namibia, Britain's position remained hopelessly compromised: as those in government must have been aware, it was hardly feasible to

instruct British firms to refrain from exploiting Namibia's natural resources while the British government itself, through its contracts with RTZ, remained the number one culprit. As a result, the list of British companies now operating in the territory is depressingly long: BP, Shell, Charter Consolidated, Babcock and Wilcox and British Leyland are just a few of the leading names. All paid, and continue to pay taxes and revenues to the Pretoria Government. All therefore directly support the apartheid regime and its illegal occupation and oppression of the people of Namibia.

Enter RTZ

Most of Namibia's mineral prospecting began in the late 1950's, when mining engineers and analysts were beginning to tackle the problems involved with developing low-grade ore deposits. When the variety of the mineral deposits became apparent, AMAX, De Beers, Anglo American, Newmont Mining, Consolidated Gold Fields and other giants of the western mining world all gradually moved into the territory. It was during the mid-1960's that Rio Tinto-Zinc first began prospecting for uranium. In July 1966, barely three months before the UN General Assembly terminated South Africa's mandate, RTZ obtained the rights to the deposits at Rossing from the locally based company of G.P. Louw Ltd. It was not until 1969, however, that the economic potential of the mine became apparent; one year later the company of Rossing Uranium was formed.

South Africa's Atomic Energy Act of 1948, illegally enforced inside Namibia, prohibits the disclosure of any information concerning uranium; as a result it is difficult to ascertain the size and the grade of the uranium deposits at Rossing. However, in 1970 the 'Minerals Yearbook' a United States Department of the Interior publication, referred to an airgramme sent from the US Consulate in Johannesburg, which stated that the average grade of the ore was "0.3 per cent or 0.8 lbs a ton, while the size of the reserves is estimated at 100,000 tons of uranium oxide, mostly near the surface.'⁵

The technique of mining used at Rossing is that of the open-cast system, an operation in which RTZ are reputed to be world specialists. Construction began in 1973 but, encouraged by the reviving market for uranium, the company soon "doubled the proposed plant capacity to 5,000 tons of uranium oxide a year."³⁶ The schedule for the development of the mine was as follows:
(see overleaf)

Late 1960's Early 1970's

1973 1974 1975

Early 1976

Mid 1976 Late 1976

- Negotiations for long-term contracts
- Development of open-cast mine
- Construction of plant to commence
- Beginning of pre-production work
- Construction of metallurgical processing plant and further mining development
- First supplies of ore from extraction plant to processing plant
- Early production of Uranium (U308)
- Full production target 31

Estimated production figures were as follows:

Early Production - 60,000 tons of ore per day Full Production - 120,000 tons of ore per day, yielding 5,000 tons of uranium oxide (U308) per year.³⁸

Signing the Contracts

Cover-up, 1966-70

Discussions about supplies of uranium to Britain in the mid-to-late 70's first took place in the Cabinet of the Labour government between 1965 and 1968. Negotiations about the amount and delivery period involved were conducted by officials from the Ministry of Technology (MinTech), the United Kingdom Energy

Authority (UKAEA) - a MinTech agency - and representatives of RTZ. These discussions were thought by the Labour government to concern supplies from Rio Algom's Elliot Lake mine in Canada. A report of 1974 confirmed the Cabinet's understanding, indicating a 7' year agreement with RTZ's 51 per cent owned Canadian subsidiary, under which supplies of over 10,260 tons of uranium would be delivered between 1966 and 1982.³⁹ As a result of Rio Algom's potential a contractual understanding for further supplies already existed with the UKAEA and its purchasing agency British Nuclear fuels before any further contract was agreed.⁴⁰ In the discussions leading up to the signing of the March 1968 contract, as individual ministers and civil servants have since confirmed, the Cabinet were therefore given to understand that Rio Algom was once again to be the supplier.

In the small print of the brief submitted to the Cabinet by MinTech, however, was a caution: there was a remote possibility that Canada might not be able to supply the 6,000 tons contracted for; if that were the case, the contract would be switched to an RTZ supplier in South Africa. The brief made no mention of Namibia or South-West Africa, despite the fact that this was where RTZ were currently developing their Rossing mine.

According to research carried out by Barbara Rogers of the CANUC group, it was George Brown, then Foreign Secretary, who drew attention to the possibility that the contract might introduce another link with South Africa at a time when the government were trying to reduce official contacts with the apartheid regime. Although MinTech's brief claimed that the possibility of supplies coming from South Africa was exceedingly remote, Brown insisted that the contract should only go ahead on the strict understanding that if there were any chance whatever of South Africa becoming involved, the Cabinet should be informed immediately.

What the Cabinet were not told was that in March 1968 a group of MinTech officials, with representatives from the UKAEA and RTZ had already agreed that the uranium for the contract in question should come from Rossing.

RTZ's new mine at Rossing was an enormous venture; but several technical and financial hurdles stood in its way. The orebody was low-grade, and would not normally have been considered suitable for commercial mining; in order for the mine to be financially viable, the ore had to be extracted efficiently on a large scale - and this called for new and unproven technology. RTZ's solution was to use the extraction process developed at the company's Palabora copper mine in a joint venture with South Africa's Nuclear Fuels Corporation (NUFCOR) - but this in turn called for vast capital investment. In order to secure the huge sums needed to finance the specialised technology, RTZ therefore had to convince potential investors of the future demand for Rossing uranium - and this meant a substantial long-term contract.

RTZ's discussions with the British government promised to produce precisely that, but soon after, a second contract was agreed, this time for a further 1,500 tons. Originally the total amount to be supplied had been 6,000 tons. It was this second advance contract that secured the necessary loan finance required, and signalled the go-ahead for Rossing's operations to begin.

Sometime in late 1969, however, the Foreign and Commonwealth Office were notified by MinTech that the source of supply for the government's contracts was not to be Rio Algom, but Rossing in Namibia.

MinTech's notification omitted to mention that the Cabinet had asked to be informed - nor had anyone in MinTech bothered to set the process in motion. Amongst the mass of papers and reports passing through the busy Foreign Office, the MinTech's note could easily have been filed and forgotten - particularly as the office was at that time fully occupied in dealing with the many heated debates on Southern Africa at the United Nations. In January 1970, however, a new arrival on the Southern Africa desk noticed that MinTech's letter concerned uranium supplies, checked through the contents of the files, and realised that a clear Cabinet instruction was being deliberately ignored. After the appropriate Foreign Office Ministers had been alerted, the matter was put on the agenda for Cabinet discussion.

The Ministers present to discuss the issue at the Cabinet's Overseas Policy and Business Committee included the Prime Minister, Harold Wilson, the Secretary of State for Foreign Affairs, Michael Stewart, the Minister of Technology, Tony Benn (who also provided the brief on which the discussions were based), the Attorney General, Sir Elwyn Jones QC, and representatives from the Board of Trade, the Treasury, the Ministry for Overseas Development and the Ministry of Defence.

While the discussions concluded that Rossing was the only possible source of supply, a certain amount of confusion arose with regard to the second of the two contracts - which was not mentioned at all during the meeting. As we have seen, without the second contract, RTZ would have found it impossible to raise the

necessary finance to pay for Rossing's costly technology and neither of the contracts could have gone ahead. At the meeting, however, the Cabinet were somehow given the impression that only one contract existed, and that this had already been signed and could not now be revoked. In fact, the all-important second contract, without which Rossing would have remained at the drawing-board stage, was still under negotiation at the time of the Cabinet discussions and was not signed until after the meeting had taken place.

It was not until some years later that the first accounts began to emerge of how Britain had agreed to receive uranium from a territory illegally occupied by South African armed forces. Significantly, the first statement to be made came from Tony Benn, who as Minister of Technology had been responsible for the signing of the contracts. In a letter to the Guardian of the 13th September 1973 he suggested that RTZ and the UKAEA had been guilty of manipulating government officials and accused the AEA and RTZ of failing to be "altogether candid" with him: "That particular case... points to the need for even greater vigilance than has been shown in the past. As the minister responsible at the time, I certainly learned that lesson."^a (see page 26)

It is Tony Benn's view that in January 1970, MinTech officials authorised the UKAEA to approve a change in the Rossing contract switching supplies from Canada to Rossing. This they did, so Benn claims without consulting the Minister. RTZ, however, have given a completely different version of events: according to them, "the material to fulfil the contract in question... was clearly stated in 1968 to come from the Rossing mine," and although a stand by arrangement was made with Rio Algom, "once the Rossing mine was declared viable early in 1970, the back-up arrangement fell away."⁴² (see page 26)

RTZ's statement is supported by a letter from the UKAEA which states that both the Ministry of Technology and the Cabinet were informed that supplies would come from Rossing. After describing how the contracts with Rio Algom and Rossing were agreed, the letter goes on to claim: that Rossing was to be the actual place of supply, that MinTech were so informed, in 1968, and the whole contract came up for approval by MinTech/Cabinet in the same year.⁴³ (See page 27)

Thus, RTZ and UKAEA claim that the Cabinet and MinTech were informed about the change in the contracts; MinTech (in the person of Tony Benn) and the Cabinet insist that they were not. Both accounts cannot be correct; but whatever the exact circumstances that led to the contracts, they unleashed "a bitter row between the civil servants involved and members of the Cabinet."⁴⁴ Barbara Castle, a member of that Labour Government, not only accused MinTech of flouting Cabinet instructions but also insisted on a "secret inquiry as to the process by which officials at the Ministry of Technology" involved in 'the negotiations had "authorised the contract."⁴⁵ The outcome of that inquiry remains secret, as did the whole deal until after the 1970 election.⁴⁶ The fact that Prime Minister Wilson insisted on keeping the issue under wraps while Labour went to the polls gives some indication of how sensitive the matter was thought to be. Disregard and Promises 1970- 74

The incoming Conservative government's attitude to the Rossing contracts was best indicated by a statement from its Foreign Secretary, Sir Alec Douglas Home. After a visit to Namibia in 1968, two years after South Africa's Mandate had been terminated, Sir Alec declared that in his opinion South Africa was still "the natural administrator of South West Africa. . . It is difficult to see how it could be otherwise."⁴⁷ The statement betrayed a blithe disregard for the United Nations Council for Namibia, which had been appointed by the General Assembly in 1967 as "the only legal authority to administer the territory... until independence."⁴⁸

Sir Alec's attitude to the Rossing contracts was simply a logical extension of his attitude to Namibia, and it is hardly surprising to find that the matter was apparently never even discussed throughout the Conservative government's entire term of office.

During this same period the Labour Party in opposition considered the whole issue at length. As a result, in 1973 the Labour Programme for the next government pledged the party to terminating "the Atomic Energy contract with Rio Tinto-Zinc for uranium in Namibia."⁴⁹ The pledge was fully endorsed by the Party Conference, but was not included in the Party's 1974 election manifesto.

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About turn 1974-79

Immediately after Labour's return to office in February 1974, Joan Lester, Under-Secretary of State at the Foreign Office, was asked what steps the government were taking to end the Rössing contracts She replied ominously: "No decision has yet been taken. The whole question of our policy towards Namibia is currently under review." When Labour returned from the second General Election of that year with an increased majority, the conclusions of that 'review' were put before the House of Commons on the 4th December 1974 by the Foreign Secretary, Mr James Callaghan. According to Callaghan, the government had studied the 1971 Advisory Opinion of the International Court and had concluded that "the Mandate can no longer be considered as being in force, that South Africa's occupation of Namibia is unlawful, and that it should withdraw."¹ Although the government could not "agree that the existing Resolutions of the Security Council are mandatory... nevertheless, in keeping with the spirit of these resolutions, we have decided to give no further promotional support for trade with Namibia... The government look to South Africa to heed the United Nations calls on her to withdraw from this international territory, and we shall lend our support in the international community to help bring this about.⁵²

It is difficult to see quite how the Labour government hoped to lend their 'support' for the withdrawal of South Africa from Namibia, when it was clearly aware that all taxes and revenues paid by RTZ's Rössing Uranium, with whom they held a major contract, went directly to the South African government. Such close involvement with the Rössing project in fact ensured, and continues to ensure, exactly the opposite result.

In his statement to the House of Commons the Foreign Secretary did not refer directly to the Rössing contracts, but a circular released through Britain's charge d'affaires to the United Nations Secretary General on the same day made the government's position perfectly clear; although it regarded the apartheid regime's occupation of Namibia to be "unlawful", it had decided to recognise South Africa as the "de facto administering authority",^{s3} The about turn brought the government to conclude that "... We do not accept an obligation to take active measures of pressure to limit or stop commercial or industrial relations of our

nationals with the South African administration of Namibia"⁵⁴ This meant not only that Labour would not now carry out its pledge to terminate the contract; it also showed unmistakably how the government's hypocrisy over the Rossing deals had spread to its policy for Southern Africa as a whole. Several interesting points arise from Britain's statement to the UN the most obvious of which is that it directly contradicted the assurances given by Foreign Secretary Jim Callaghan in the Commons that "no further promotional support" would be given to trade with Namibia.⁵ The timing of the

pronouncement was also significant: just nine days later the United Nations formally established its Decree No.1, banning the removal of any Namibian mineral resources and authorising their seizure by the United Nations Council. It is tempting to believe that if the Decree had arrived nine days earlier Britain's course of action might have been different, but the facts prove otherwise: the Decree was enacted by the United Nations Council for Namibia on the 27th September 1974 - over two months before Callaghan's statement - and in the two months leading up to its formal establishment it received wide publicity in the British press: the Observer in particular gave headline treatment to the 'Threat to British Firms' posed by the Decree.⁶ The British government can therefore hardly have been unaware of the terms of the Decree when they made their muddled policy statements in December of that year. Once again, their hands were tied by the Rossing contracts. In Britain the warning bell sounded by the UN Decree fell on deaf ears: no form of pressure to limit the dealings of British-based firms in Namibia was even attempted.

A comparison between Jim Callaghan's statement of 1974 and the one made by Lord Caradon, the government's Permanent Representative to the UN, in 1966 shows the extraordinary about-turn which had occurred in Britain's Namibian policy since the signing of the Rossing contracts. Speaking before the UN General Assembly, Lord Caradon had declared that Britain's policy was to "reject the application of South Africa's racial policies to a country that is an international responsibility... ." Through its actions the apartheid government "has forfeited the right to administer the Mandate... Methods and means must be found to enable all the people of South-West Africa to proceed to free and true self-determination... In pursuing that aim we should act together not by words alone but by considered and deliberate action within our clear capacity." Britain, concluded Lord Caradon, was "prepared to play a full and active part."⁵⁷ What, then, led the British government to sign the contracts and in so doing, to abandon all the good intentions of Lord Caradon's pronouncement? Part of the answer lies amongst the mysterious "high level inquiries", through which the government felt it was unable to do without the Rossing uranium.⁵ Exactly who undertook those inquiries, and what their terms of reference were, has never been clear. What does seem clear, however, is that given the political risks attached to exploiting the mineral riches of a country illegally occupied by South Africa, the government should have looked carefully at alternative sources of supply; but, according to Joan Lester, Under-Secretary at the Foreign Office, the civil servants involved were reluctant to do so.

These questions came very much to the fore when the government's motives for continuing with the contracts came under attack during October 1975 in the House of Lords. Lord Fenner Brockway, calling for the termina-

tion of the contract, claimed that "the fact of South Africa's power in Namibia does not justify our recognition of its possession of the minerals of that territory, or a contract under which we benefit from the exploitation of those minerals. What right has South Africa to plunder the natural resources of Namibia? What right has Britain to accept that plunder?" Morally, Lord Brockway maintained, the British government were acting "as the receivers of stolen goods." In addition the Attorney General, Sir Elwyn Jones, had ruled in 1970 that a force majeure clause in the contract safeguarded any policy decision which the government cared to make. As a result Lord Brockway concluded the contract "could therefore be cancelled."⁹

In reply for the government Lord Lovell-Davis drew on a number of arguments: there was, he claimed, a "world shortage" of uranium, and if the contract was cancelled there would be no prospect, under existing world supply conditions, of replacing the material from any of the other major sources.⁶⁰ "Apart from small spot quantities", he concluded, "no uranium is available... during the period of the Rossing contract."⁶¹

Lord Lovell-Davis's statement leaned heavily on "official information" given out by civil servants; and in this case, as in so many others, the official view was hopelessly wrong.⁶² At approximately the same time as the signing of the Rossing contracts, a large part of Rio Algom's Elliot Lake mine was actually being run down because the demand for nuclear power was so low. This fall-off in demand was no temporary setback

- by the end of 1974, 46 per cent of all nuclear projects in America had either been postponed or cancelled - and America has more nuclear reactors than any other country in the world. 6

Rio Algom, it will be remembered, was still contracted to supply 10,260 tons of uranium to Britain between 1966 and 1982; it is difficult to see how this squared with Lord Lovell-Davis's claim that there was a shortage of uranium on the world market. And since both Rossing and Rio Algom are under the control of RTZ, it would have been quite feasible for the government to renegotiate the contracts, this time with Rio Algom as the source of supply. The fact that this was never so much as considered entirely supports Joan Lester's claims that civil servants were reluctant to investigate alternatives to Rossing.

At Rio Algom, spokesmen for the mine seemed to be going out of their way to convince the world of their ability to deliver: according to one such statement in 1974, the mine's reserves were at least equal to any other company in North America, and was producing 4,600 tons of uranium oxide a year, a rate which they confidently expected to maintain "well past the turn of the century".⁶⁴

It was for this reason that a short time later the British government agreed

to a further contract for 8,900 tons from Rio Algom, to be delivered at approximately 890 tons a year between 1982 and 1992.⁶⁵ The potential of the Elliot Lake mine was further indicated when Ontario Hydro, Duke Power Company and Tennessee Valley Authority all took up contracts for supplies. Thanks to this up-turn in demand, a large portion of mining operations at Elliot Lake was able to be reactivated. As for Lord Lovell-Davis's claim that there was a world uranium shortage, the very opposite was true. In 1973 a report was published which revealed that owing to the lack of demand, all the major producing countries were holding large reserves of uranium in stockpiles; as a result prices were at an all-time low.⁶⁶ In May 1974 the journal *Nucleonics Week* quoted a uranium dealer as saying: "I don't see any physical shortage in terms of consumption between now or 1978 or 1979."⁶⁷

The government's case for continuing with the contracts was, then, badly misinformed and ill-thought out - and nowhere was this more painfully apparent than in Lord Lovell-Davis's concluding remarks to the House of Lords: "The fact is", he said, "that any successor state in Namibia would, we think, start with a distinct advantage on the basis of arrangements such as those obtaining between Namibia and United Kingdom companies, already in position and capable of mutual agreement." "Exactly how long was likely to pass before this "distinct advantage" was felt by the people of Namibia, and whether they would want to extend any arrangement between British companies and the illegal South African administration, were questions which Lord Lovell-Davis did not pause to consider.

In February 1976 Labour's National Executive Committee opposed the Labour government's position, urging that the Rossing contracts should be cancelled or amended and that "immediate high level talks" should be arranged "to ensure alternative supplies". In the meantime the NEC argued, "support for the people of Namibia would best be demonstrated by Britain joining the UN Council for Namibia."⁶⁹ Such considerations received no further discussion, however, as four months later on 21st June 1976 the Minister of Technology, Tony Benn, made clear the government's intention to import Namibian uranium. Dates for supply had already been agreed between the customer, British Nuclear Fuels Ltd, and the supplier, RTZ. Questioned in the House of Commons by Frank Hooley MP on the schedule over which full delivery of the 7,500 tons under contract would be made, Mr Benn replied that first supplies would be completed in 1977 and would continue until 1982 as follows:

1977 1,125	1980 1,525
1978 1,125	1981 1,125
1979 1,475	1982 1,125

A final comment on the issue came significantly from Prime Minister Jim Callaghan, in July 1978. Asked in an interview with Associated Press whether the troubles in Southern Africa threatened supplies of raw materials, he replied: "Any prudent country ought to be looking for alternative sources of supply."⁷⁰ In some quarters at least, the Prime Minister's words of wisdom were eventually acted upon: the Central Electricity Generating Board, (CEGB), Britain's main electricity utility and the ultimate benefactor of the Rossing uranium, had long been perturbed by RTZ's monopoly position and by its own heavy dependence on such a doubtful and political source of supply as the Rossing mine. While the Department of Energy and its Minister, Tony Benn, continued to defend the contracts, the CEGB, through its newly established body, the Civil Uranium Procurement Directorate, therefore set about finding new sources of uranium thus breaking the RTZ-Whitehall stranglehold. The CEGB's efforts to diversify have recently borne fruit, in the form of contracts, either agreed or near to being signed, with Australia and a number of Third World

countries, in particular Niger.⁷¹ Whatever one's opinions are on nuclear power their success illustrates only too clearly the emptiness of the arguments used over the years by apologists for the Rossing contracts. While delivery dates slipped, prices renegotiated, and successive governments risked all the political embarrassment attached to RTZ's dealings in Namibia, reliable alternatives were available. Now that they have been found, it remains only for the government to sever its surviving links with the Rossing mine, and terminate the contracts. Unfortunately, since the election of a Conservative government in May 1979, such a prospect now seems as remote as ever.

Non-interference 1979

Shortly after the election, the question of the government's policy towards the Rossing contracts was raised with the new Foreign Secretary, Lord Carrington. Speaking on his behalf, Foreign Office Private Secretary Stephen Wall replied: "The general policy of the British government on trade with South Africa and Namibia... is one of non-interference with normal commercial links... In the case of the contracts to which you refer..., the government does not consider that there is any international obligation for it to interfere..."⁷² It is perhaps relevant to note that for the last four years of the Conservative Party's period in opposition Lord Carrington served as a non-executive director of RTZ. He continued to hold this position until his appointment as Foreign Secretary.

Looking back over the policies of successive British governments' to the Rossing contracts, the following points should be made:

The Labour government of 1966-70 was badly misinformed about the source of uranium supplies under its 1968 contract. If, as RTZ and the UKAEA claim, the Cabinet and MinTech were aware that Rossing was to be the source of supply, then serious investigation needs to be carried out even at this point in time, into the role played by civil servants and Ministers between 1966 and 1970. As in the case of Rhodesian oil sanctions, it seems clear that totally misleading information was allowed to pass uncorrected to the Cabinet.

The Conservative government of 1970-74, and the Labour government of 1974-79 even more so, were uninformed about the availability of alternative sources of supply. Neither government looked into the one obvious alternative, Rio Algom,

Since the statement made by Jim Callaghan to the Commons in 1974,

British policy on Namibia has been completely reversed from that stated in 1966. This reversal has been entirely dictated by the government's contract with RTZ for Namibian uranium, which compromises all British discussions concerning the independence of Namibia.

Britain's position is in direct breach of the terms of the UN Decree No.1.

Whether or not the government choose to recognise the UN Resolutions and the 1971 opinion of the International Court, the Decree No.1 clearly allows for Namibia uranium to be seized and impounded during transit on behalf of the UN Council for Namibia.

Foremost among the arguments against the Rossing contracts are their dire consequences for Britain's foreign policy, and indeed Britain's standing, in Southern Africa as a whole. Not only do the contracts render meaningless any pressure by Britain on South Africa to end its illegal occupation; but as Mr Sonny Ramphul, the Ambassador for Mauritius, pointed out in the UN Security Council debate on Namibia in 1976, they also give Britain a 'vested interest' not only in the Rossing mine itself but in the continuation of South Africa's illegal administration.⁷³ It is difficult to see how the country can progress towards free and fair elections and eventual independence as long as supplies of uranium continue under South Africa's occupation.

This was the point made recently by the High Commissioner for Tanzania, Mr Amon Nsekala, when he denounced the men behind the Rossing contracts as delaying the liberation of Namibia and thus ensuring that when it came it would take longer and cost many more lives; the contracts, he claimed, only gave South Africa and several companies and their governments further reasons to resist or delay change:

"The whole saga is morally outrageous. There are many in Africa and elsewhere who would say that the men who made the Rossing 'contracts' have blood on their hands."⁷⁴

Namibia's Response : SWAPO

In the South-African-sponsored elections in Namibia in 1978, the Democratic Turnhalle Alliance (DTA) emerged as almost unchallenged victors. The elections however went unrecognised by the international community, who regarded the DTA simply as a front through which South Africa could extend its illegal control of Namibia.

It was hardly surprising that SWAPO, the South-West Africa Peoples Organisation which leads the struggle for independence in Namibia, refused to take part in the elections. Formed on the 19th April 1960, SWAPO's aim was to oppose South Africa's apartheid administration: and despite repeated attempts by South Africa to destroy the movement, it continued to grow. By the mid 60's the People's Liberation Army of Namibia (PLAN) had been formed in order to defend the Namibian people against South Africa's armed forces and to secure the total independence of Namibia. As a result of the Organisation's mass support throughout the country, on the 13th December 1973 the UN General Assembly granted recognition to SWAPO as "the sole authentic representatives of the Namibian people", giving it full observer status at the General Assembly and rights of participation in all UN agencies.⁷⁵

SWAPO's views on the Rossing contracts deserve special attention, particularly as it is SWAPO that are likely to form the government of a future independent Namibia. An early statement concerning RTZ's operations was made by Mr Peter Katjavivi, then Official Representative for the United Kingdom and Western Europe. Speaking on the eve of RTZ's Annual General Meeting in 1975, he stated: "The presence of foreign companies like Rio Tinto-Zinc in our country, their collaboration with the occupying South African regime. . . place them in the front line of the battle, on the side of our enemy. . . RTZ will have to pay the price for its years of piracy. . . SWAPO will judge such companies harshly when Namibia achieves independence." In SWAPO's opinion foreign investment is "one of the major factors contributing to the continuing presence of South Africa's illegal occupying forces."⁷⁶ It comes as no great surprise therefore to find that RTZ's Rossing mine is the largest single investment in Namibia.

"In this situation", claims SWAPO, "there can be no question of sitting on

the fence. Those who have relations with the South African regime in Namibia and actively contribute by trade revenues to the regime are helping to perpetuate the illegal exploitation of our people"⁷⁷

In conclusion, the organisation once again called upon the British government to cancel the contract and disassociate itself from RTZ's operations in illegally occupied Namibia. "Britain must recognise that under the future legitimate government of Namibia, RTZ stands to forfeit all claim to its operations in our country."⁷⁸

Misrepresented

Sadly, instead of listening to these statements from the "sole authentic representatives" of the Namibian people, the British government have insisted that they know best.⁷⁷ This high-handed attitude was bizarrely illustrated in 1975. It was in January of that year that Foreign Secretary Jim Callaghan visited Southern Africa where he met with representatives of SWAPO, members of the Zambian government, and others. On his return Callaghan stated to colleagues in the Labour Cabinet that it was his firm impression from a meeting with SWAPO that the movements representatives there had indicated that what ever they said publicly they wanted to contracts to go ahead, their public statements Callaghan maintained should be ignored. The Foreign Secretary's claim was later traced back to a meeting between himself and two SWAPO representatives which took place in Lusaka. But sources who have seen the official Foreign Office record of the meeting say that Callaghan's later account of the SWAPO position was completely unfounded: nowhere in the record was there any suggestion from SWAPO that the contracts should be continued.

For some reason, however, Callaghan's mysterious claim seems to have stuck: in September 1974 it was repeated by Mr Alex Eadie, a senior civil servant at the Department of Energy (which had replaced MinTech as the department dealing with the contracts) In a letter to Mr Frank Hooley MP it was once again asserted that SWAPO approved of Labour's decision to keep the contracts.⁷⁹

A short time later the Minister of State at the Foreign Office, David Ennals, explained in a letter to Mr Alex Kitson, the Executive Officer of the Transport and General Workers' union, that: "We are giving substantially increased political and practical help to SWAPO... this places the Labour government firmly on the side of those seeking liberation in Namibia.. . If Namibia achieves independence in the near future (which of course is what we must all continue to work for) then the economic value of the AEA-RTZ contract will be of enormous importance to the new nation. Given the possibility of

rapid constitutional change in Namibia, it is our view that on balance the AEA-RTZ contract is in the interest of both Namibia and Britain.⁸⁰

Although the contents of the two letters did not reach SWAPO until March 1977, they immediately issued an aide m~moire denying the British government's claim: "It has been brought to the attention of SWAPO that the British government has been claiming that the contract ... for deliveries of Namibian uranium for the British nuclear power programme has been condoned by SWAPO and that the opening up of the Rossing mine is in the interests of the people of Namibia... SWAPO categorically refuse to accept the right of the British government, or any other government, to decide what is or is not in the interests of the people of Namibia. We totally reject the assumption which lies behind this falsified claim to decide the future of a territory still struggling for self-determination and independence. The British government has continually tried to misrepresent our position, and we understand that this is still continuing." SWAPO also took the opportunity of once more calling upon the government to terminate the contracts, reminding them that under international law they were "obliged to cease all dealings with the illegal regime in our country."⁸¹ (See box)

SWAPO had good reason to resent Callaghan's mirepresentation of their views; for it was such a claim of SWAPO approval at the 1974 OPB meeting that had persuaded Cabinet to go back on the Party's 1973 Conference pledge and allow the contracts to go ahead.

In August 1978, while South Africa stepped up hostilities by her armed forces against the people of Namibia, Mr Shapua Kaukunga, SWAPO's representative for Western Europe, spoke out, claiming that "while there is no international agreement on the question of Namibia, the United Nations Decree on Natural Resources must apply . . . All mining titles and prospecting rights issued after 1966 are illegal."⁸² Successive Labour and Conservative governments vacillated over the Rossing deals, one moment claiming that they would be of "enormous importance" to an independent Namibia, the next moment denying that any "international obligation" exists to interfere with them in any way.⁸³ By contrast, SWAPO's position has always been clear and consistent: an unmistakable call upon the British government to cancel the contracts.

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8TH MARCM 1977

AIDE MEMOIRE

THE BRITISH GOVERNMENT'S CONTRACT WITH RTZ FOR NAMIBIAN URANIUM

It has been brought to the attention of SWAPO that the British Government has been claiming that the contract between British Nuclear Fuels (BNFL) and Rossing Uranium Limited, for deliveries of Nambian uranium for the British nuclear power programme, has been condoned by SWAPO, and that the opening up of the Rossing uranium mine is in the interest of the people of Namibia.

We are particularly alarmed by the statement by Mr David Ennals, when Minister of State at the Foreign and Commenwealth Office, in a letter to Mr Alex Kitson of 5th November 1975:

"Thus we are giving substantially increased political and practical help to SWAPO. . . (This) places the Labour Government firmly on the side of those seeking liberation in Namibia."

"If Nambia achieves independence in the near future (which of course is what we must all continue to work for) then the economic value of the Rossing mine and of the AEA-RTZ contract, will be of enormous importance to the new nation. Given the possibility of rapid constitutional change in Namibia, it is our view that on balance the AEA-RTZ contract is in the interest of both Namibia and Britain."

Mr Alex Eadie, in a letter to Mr Frank Hooley MP of 9th September 1975, gave the impression that SWAPO was in agreement with the Labour Government's policy on Namibia.

SWAPO categorically refuses to accept the right of any representative of the British Government, or any other foreign Government, to decide what is or is not in the interest of Namibia. We totally reject the assumption which lies behind this falsified claim to decide the future of a territory still struggling for self-determination and independence.

SWAPO has repeatedly made its opposition to this illegal contract quite clear, yet the British Government has continually tried to misrepresent our position, and we understand that this is still continuing. We wish

to repeat our categorical statement, made in a letter to the Labour Party Study Groups which in February 1976 decided to urge the cancellation of the contract:

"It is our view that foreign investment in Namibia is one of the major factors contributing to the continuing presence of South Africa's illegally occupying forces. . . . The development of the uranium mine at Rossing, jointly by Rio Tinto Zinc Corporation and the Industrial Development Corporation of South Africa, represents the largest single investment in Namibia. . . Foreign companies such as RTZ are taking advantage of the immediate political situation in Namibia, and it is therefore necessary to emphasise, to them and to all foreign companies investing in Namibia, that all mining titles and temporary prospecting rights granted after 1966 are illegal, and that they constitute, moreover, a criminal exploitation of irreplaceable natural resources which rightfully belong to the people of Namibia.

"We hope that the British Government will take steps to terminate the RTZ contract. . . In this situation there can be no question of trying to maintain a position on the fence. Those who have relations with the illegal South African regime in Namibia and actively contribute, by trade and revenues, to the regime, are helping to perpetuate the illegal occupation of Namibia and South Africa's cruel exploitation of our people."

We also condemn the pretence by the British Government that this blatant violation of international law, as defined by the International Court of Justice in its 1971 Advisory Opinion, should be justified by a totally fictitious claim to the right which belongs only to a future lawful government in Namibia, namely whether or not to extract uranium from Namibian soil. Meanwhile, the precious natural resources of our country are being stolen by the Rio Tinto Zinc

Company in collaboration with the illegal South African occupation regime, and these stolen goods are being shipped to a country which has always claimed to support the rule of law in international relations. We wish to remind the British Government that in terms of the 1971 Advisory Opinion of the International Court of Justice, it is obliged to cease all dealings with the illegal occupation regime in our country.

We call upon the British Government to recognise the 1971

Opinion and to terminate the contract between BNFL and Rossing Uranium immediately.

39

RTZ Exposed

As the company directly responsible for ensuring delivery of the British government's uranium supplies, RTZ have made a number of statements about the contracts. These have focused on the origins of the contracts, the role of the UN, the company's relations with SWAPO, and British government policy.

In May 1977 Sir Mark Turner, RTZ's chairman, confirmed that as far as the company were concerned, Rossing had never been the only available source of Britain's uranium. When asked by a shareholder at RTZ's Annual General Meeting if, in that case, the information given to the British Cabinet had been false, Sir Mark replied, diplomatically, "It was not correct. That is all I can answer."

Over the possibility of whether SWAPO might emerge as the future independent government of Namibia, and whether the company had therefore discussed its plans with them, Sir Val Duncan was unforthcoming: it was "rather difficult" for him "to indulge in conversation or negotiations and so forth with an organisation which is not actually representative of Namibia's people."⁸⁵ But wasn't it therefore somewhat arrogant of RTZ to assume that they were necessarily "the organisation" to decide what was in the best interests of Namibia? The point was never answered Sir Mark Turner's feelings about SWAPO were made equally clear in 1977, when he asked: "Why must we talk, if I may say so, in a slightly trendy way about SWAPO eternally, when as far as I can see we've yet to see what the people of Namibia want?"⁸⁶ Both the late Sir Val Duncan and Sir Mark Turner have therefore dismissed discussions with SWAPO out of hand; just how a future SWAPO-dominated independent government of Namibia will look on RTZ remains to be seen.

On the question of the United Nations authority to administer Namibia, the company have no doubts at all. Sir Val stating in 1975: "I question the authority of the United Nations to decide the future of all (Namibia's) people above their heads."⁸⁷ Asked whether the company had taken any legal advice on the question of the UN Decree No.1, Sir Val replied: "I am not prepared to fail to deliver to the United Kingdom and others under a contract solemnly entered into for the provision of uranium from South-West Africa. I am there-

fore not prepared to take any notice of what the United Nations says about that. . . If that involves disagreement with some of the Resolutions in the United Nations, I regret that, but that is their problem,

and I say that to you quite clearly."88 Were RTZ, then, not worried at the thought of their uranium being seized by the UN in transit? "Yes, I see," replied Sir Val, "Well, you may feel that perhaps the United Nations Navy is not all that efficient."9

Shortly after South Africa tried to establish an unrepresentative assembly in Namibia in 1977, Sir Mark Turner was asked whether it would not be wise for RTZ to seek UN authorisation for their mining work; he replied: "I will not give any undertaking about approaching the United Nations. . . and we have no plans to do so."90

Despite the blunt disregard for the UN's authority by Sir Val Duncan and Sir Mark Turner, the overthrow of Portuguese colonial rule in Mozambique and Angola, caused RTZ to re-assess the changing situation in Southern Africa. Responding to the possible removal of South Africa's illegal occupation, and the emergence of a SWAPO led independent government in Namibia, Sir Mark attempted to dismiss the value of the world's largest uranium mine to RTZ's long term future. The fact that SWAPO's control of the mine would jeopardise supplies of uranium to the British government and other western customers, was not the main concern of RTZ. Commenting to the Sunday Times on the 23rd July 1978, Sir Mark stated that, "Rossing is not so large as to have a major effect on our survival. You don't like shrugging off things, but this is shruggable, I assure you." Whatever happened in Namibia RTZ planned to survive. "Every company makes mistakes" concluded Sir Mark, "if we didn't we wouldn't be alive".

While the policy of the British Government, directly influenced by the Rossing contracts, has been repeatedly used by RTZ as a means of defending their Rossing operations, the same policy has also been used as a means of dismissing both SWAPO and the United Nations administration of Namibia.

Energy Connection-South Africa

South Africa has always depended heavily on oil imports to fuel its domestic and industrial needs. Until the overthrow of the Shah in 1978, 90 per cent of its oil requirements had been met by Iran; but when the people's revolution brought a new Iranian government to power, it followed the policy of other Arab members of OPEC in imposing an oil embargo on South Africa. As a result the Pretoria Government found their entire economy severely threatened and efforts to replace Iranian oil with supplies from elsewhere have proved difficult and costly. Brunei remains the only country now openly selling oil to South Africa, but this small country is able to supply no more than 5 per cent of the apartheid regime's present needs. For South Africa the search for alternative forms of energy is now more pressing and crucial than ever before.91

Nuclear power is one obvious answer - and with the Rossing mine being the largest uranium mine in the world, with an estimated lifespan of 25 years and sufficient reserves to provide for the production of 100,000 tons of uranium oxide, it cannot be ruled out that Rossing's vast deposits will not one day be used to fuel South Africa's nuclear power programme.

A report in the Guardian in September 1976 converted the hypothesis into fact, stating that although uranium from Rossing would be supplied to Britain and Europe after 1977, "South Africa would not receive uranium from that source until 1980." Sir Mark Turner was questioned about the report, but denied that uranium from Rossing would be supplied to South Africa: "Where the Guardian gets that information from is their affair. It is not correct."93 It would actually be most odd if the information was not correct, since it came from none other than Rio Tinto South Africa, a 100 per cent, directly-owned subsidiary of RTZ!

Sir Mark's categorical denial overlooks a further factor: under South Africa's Atomic Energy Enrichment Act No.37 of 1974, the country's Uranium Enrichment Corporation can step in at any time and avail itself of all uranium resources in its area of control; for as long as South Africa continues to occupy Namibia, this area includes RTZ's mine at Rossing. It is therefore quite impossible for Sir Mark Turner to guarantee no uranium

from Rossing will be supplied to South Africa. As the Act makes clear:

"The objects of the Uranium Enrichment Corporation are:

d) to hold, manage, develop, let or hire, or buy... or sell or otherwise deal with, . . . immovable property of whatever kind, including source material and special nuclear material (as defined in Section I of the Atomic Energy Act) stocks, shares, bonds, debentures... and any interest in anybody of persons corporate and incorporate.

In addition the Corporation can also take steps:

f) to act as the manager or secretary of any company, and to appoint any person to act on behalf of the Corporation as a director. or to act in any other capacity in relation to any company."⁹⁴

The Uranium Enrichment Corporation can therefore direct Rossing Uranium Ltd to supply whatever amount of uranium South Africa may require for its enrichment plant at Palindaba, near Johannesburg. Rossing's uranium resources are also covered by the South African Atomic Energy Act of 1948, which allows for existing export contracts to be cancelled at any time.

South Africa acquired nuclear technology in the face of considerable international opposition, and it is a serious possibility that the Pretoria government would use its uranium supplies not solely for peaceful purposes, but for the building of nuclear weapons. In this case, the uranium produced at Rossing under RTZ's contracts with the British government could quite possibly be used directly to fuel South Africa's war machine. It is surely significant, therefore, that South Africa has refused to sign the Nuclear Non-Proliferation Treaty.

According to a report by South Africa's Foreign Affairs Association in 1977, "South Africa's production of U308 should reach 15,000 tons (including that from Rossing) by 1985."⁹⁵ Should the South African government decide that they need further supplies of uranium at any time between now and 1982, the year in which the deliveries to Britain are scheduled to end, there would be nothing that either Britain or RTZ could do to prevent them taking control of supplies from Rossing. Certainly, the bland assurances of RTZ's chairman, Sir Mark Turner, would count for very little.

The Rossing Mine

In April 1979 the largest uranium mine in the world finally reached its target figure of 5,000 tons of uranium oxide a year. This figure, which represents about one-sixth of the Western World's present supplies, is of supreme strategic importance. ⁹⁶ What actually takes place at Rossing, however, particularly any details as to who the mines' financial backers are, has been refused by RTZ on the basis that such information is not available under South Africa's Official Secrets Act.

Journalists and photographers attempting to visit the mine without RTZ's "supervision" have repeatedly been refused entry. A television reporter who tried to film the entrance in May 1977 was immediately surrounded by police who promptly confiscated his film.⁹⁷ There were further signs of the stringent security measures in force at the mine when the Guardian reported in November 1976 that South African police reinforcements had been called in to deal with 700 African workers who were striking over Rossing's appalling working conditions.⁹⁸ Mr Rich Hughes, Rossing's general manager, denied that the company's own security forces had used tear-gas and guard dogs to break up an earlier strike, but did admit that guard dogs were part of the company's security policy - if only for what he called "psychological reasons."⁹⁹ He also confirmed that while the second of the two strikes continued, the permanent police force at the workers' township of Arandis would remain on standby. At the time there were also rumours of a back-up force consisting of eight trucks of riot police stationed nearby.

The Guardian article had been dispatched from Windhoek by South African journalist Eric Abraham. Two weeks later he was banned for five years under the South African Internal Security Act and placed under house arrest. The Sunday Times, reporting the arrest, noted that it came after Abraham's report on "a strike of black workers at the British-controlled Rio Tinto-Zinc uranium mine at Rossing."¹⁰⁰ Shortly after, Abraham managed to slip across the border into Botswana and escaped to Britain.

Finance, Development and Setbacks

Rossing is financed by a combination of one-third equity and two-thirds

loans. The two major equity holders are RTZ, with 46.5 per cent, and South Africa's Industrial Development Corporation (ICD), with 13.2 per cent. The IDC, which is wholly owned by the South African government, is described by RTZ as having a "significant shareholding" in the mine, and provided the main finance for its all-important processing plant.¹⁰¹ The complete list of equity participants is as follows:

Rio Tinto-Zinc Corporation (UK)	46.5
Industrial Development Corporation (SA) (100 per cent owned by South African Govt.)	13.2
Rio Algom Mines Ltd. (Canada) (51.3 per cent owned by RTZ)	10.0
Total (France)	10.0

(100 per cent owned by Compagnie Francaise des Petroles	
General Mining and Finance Corporation (SA)	6.8
(62.5 per cent owned by Federale Mynbou)	
Others (combined)	13.5

Since 1972 RTZ's total voting rights in the mine have been reduced from 36.8 per cent to 26.5 per cent in 1978. Coupled with the fact that there are two categories of shares, A and B, each with different voting power, this means that all policy decisions at Rossing are likely to be heavily influenced by the IDC and the South African government.

By 1976 the total cost of developing the mine had reached £120 million, making it one of the largest mining projects RTZ had ever undertaken.¹² In an effort to remove uranium deposits from beneath the surface the method of mining at Rossing was changed in 1975 from open cast to underground. As underground mining is twice as expensive, RTZ must have had good reason for the change; analysts have offered two possible explanations for their decision. Either the underground deposits were considerably richer than the 0.8 lbs of uranium per tonne extracted through open-cast methods; or alternatively, because of the political uncertainties, RTZ were making a quick bid to win the richer deposits. In 1974, it will be remembered, the UN had established the Decree No.1, which had been followed in 1975 by the withdrawal of five American companies from Namibia, RTZ were therefore increasingly out on a limb.

In 1976 The Times reported that the mine had run into "serious technical problems" as a result of which Rossing had been forced to renegotiate their supply contracts.¹³ The difficulties caused an 18-month delay in the mine's development schedule. Full production, originally planned for 1976, was now put back to 1978 and a further £20 million had to be advanced to cover increased capital costs involved in strengthening the plant.¹⁴ By the end of the year, total capital costs had reached over £165 million, and ironically one of the underground shafts which been abandoned was nicknamed the Wedge-

wood Benn shaft in memory of the man who had been responsible for the British Government's contract.¹⁵

The setbacks caused serious concern in Britain. In 1974, when prices were "much lower", it was reported that the government had decided "not to expand reserves beyond two years of supply for the nuclear programme."¹⁶ But as a result of the delays British Nuclear Fuels, to whom the contracts had been assigned in place of the UKAEA during that year, were forced to dig "deep into its strategic uranium stockpile" in 1977, because of Rossing's inability to meet its contractual obligations.¹⁷ Fortunately for BNFL, the difficulty was averted when, after a few weeks' negotiations with Niger, 1,000 tons of uranium were flown into Britain - thus roundly disproving the Labour Government's claim that no alternative sources of supply existed.¹⁸

The problems at Rossing were serious - but RTZ had no intention of pulling out. Commenting on the increased funds now needed to support the mine, Rossing's chairman, Ronnie Walker, insisted that it was still "a viable entity" and that the mine would be earning its living "in a meaningful way by 1980."¹⁹ Four days later, however, on the 24th May 1978, there was another, and more serious setback. Kerosene from a fractured pipe spilled onto an electric motor, and a major fire completely destroyed one of the two solvent extraction plants and slightly damaged the other. The resulting damage caused "production planned for 1978" to be "reduced by as much as 20 per cent", and ended all hope of reaching the output target of 4,000 tons of oxide for that year.²⁰ Once again RTZ were forced to renegotiate delivery with British Nuclear Fuels.

By the end of 1976, the year in which Rossing was aimed to reach full production, the amount of uranium oxide actually produced was a mere 771 short tons; this was put up to 3,042 tons in 1977, and 3,500 tons in 1978.²¹ But not until June of 1978 were RTZ able to guarantee regular supplies of uranium to Britain. This meant that the first full year of supplies was not completed until mid-1979, two years later than the date given by Tony Benn when he first outlined to the House of Commons the timetable of deliveries for the Rossing contracts in 1976. After all the delays and mishaps at Rossing, full delivery of the total 7,500 tons is therefore unlikely to be completed before 1984.

The British government have now endured continuous delays, have renegotiated the contracts on two occasions, and are still faced with uncertainty over future supplies. Yet in 1975 Lord Lovell-Davis argued that "from the point of view of timing", the Rossing contracts were of crucial importance, and the British government have consistently argued that Namibian uranium

is "vital" to Britain's national interest. With so many setbacks such an argument is hard to believe."¹²

Profits and rewards

In May 1979, Mr Alistair Frame, RTZ's chief executive, finally confirmed that Rossing had reached its full output target of 5,000 tons of uranium oxide. It was also reported that "with Rossing's output much higher than in previous years, the mine is now accounting for a reasonable proportion of RTZ's revenue and profits."¹³

All the signs are that in spite of the repeated delays, Rossing will shortly become a highly profitable operation. In 1976 a leading firm of London stockbrokers estimated that if full production had been achieved during 1977 Rossing would have earned £22 million, or just over one-fifth of RTZ's worldwide earnings.¹⁴

At \$9.50 a pound (£6.0),* the original terms of Rossing's supplies to the British government were very favourable. But in 1976 the September issue of Nucleonics Week reported that BNFL had had to renegotiate the price: as from January 1977, Namibia's uranium would cost "just below \$13 a pound (£8.50)."¹⁵ Although this figure was still highly favourable in comparison to the world market price of around \$40 a pound (£27), it still means that full delivery of Britain's 7,500 tons alone will bring RTZ a return of approximately \$224 million (£150m).

Whatever the exact figure, the first two years of full production at Rossing will make a substantial contribution to RTZ's overall earnings. But set against this is the serious risk that by operating illegally in a country occupied by South Africa, in defiance of the UN, RTZ will eventually have to pay a heavy claim for arrears of taxes and revenues to Namibia's future independent government - the size of the claim being governed by the number of years that RTZ continues to operate without UN consent.

Wages and Conditions

Namibian workers at Rossing are employed under a grossly discriminatory system of wages, working conditions and living standards. Despite the claim of Sir Val Duncan that the company have tried - to disregard "as far as possible" the question of colour, there are vast differences between the rates paid to black and white employees.¹⁶

In the wage table published in Rossing's 1977 'fact sheet' the last document to make an open distinction between the black and coloured 'day rate'

* Figs taken as for \$1.5 = £1.00

employees and the white 'salaried staff' - it was revealed that eight wage scales existed for black and coloured employees; their minimum monthly wage being R136 (£98)*, up to a maximum of R557 (373).¹¹⁷ For white salaried employees there were no less than twelve scales, the lowest beginning at R300 (L230) and continuing up to R1,400 (f932) at grade 11; the salary paid to the 33 white staff on "grades 12 and above" was not disclosed.¹¹⁸ 263 blacks on the day rate scale earned the minimum wage of R136 (98). No blacks and only 10 coloureds earned the maximum day rate of R557 (373).

A closer study of the 1977 fact sheet revealed that although the company had completed "a major job evaluation and wage and salary restructuring programme", some 997 blacks and 388 coloureds workers earned no more than a minimum R136 up to a maximum of R206 (L98 - £138).¹¹⁹ Of the 1,702 workers paid according to the day rate scales, 1,385 - 85 per cent - were on the four lowest grades.

Among the white salaried staff, the picture was very different: of a total of 674 workers, 438 - 65 per cent - were in the top six grades, which meant that they were earning anything from R610 (f409) a month to R1400 (L932); those in the undisclosed twelfth grade were probably earning considerably more. The difference, therefore, between the majority of black and coloured workers and the majority of white employees was over R400 (L263) per month.

By 1979, however, the pay scales had been reviewed, and in their new 'fact sheet' the company claimed to have "firmly established a non-racial policy."¹²⁰ The day rate and salaried staff wage table had been abolished and instead the total 2,747 employees were divided into 17 monthly wage grades. In practice, however, little had changed: 1,881 employees, or 68 per cent of the total workforce remained in the six lowest pay grades.¹²¹

In 1977, 81 per cent of the total number of employees were black or coloured. If the same percentage applied in 1979 - and it is a reasonable assumption - then, allowing for the 395 new workers who joined the company in the intervening two years, there would be 1,998 blacks and coloureds working at Rossing, and 749 whites. As we saw above, 1,881 workers were shown to be in the six lowest pay grades, -earning from R175 (L100)** a month to R374 (£213) a month maximum; these would almost certainly be taken from the

estimated 1,998 black and coloured workers at Rossing. The 574 workers in the top seven pay grades, which range from R587 (329) to R1,038 (593) are also almost certain to be white. The situation in 1972 is therefore remarkably similar to that of 1977: the majority of white workers

* 1977 Wage Figs given at Ex Rate of R1.49 = £ approx. as at May 1977

** 1979 Wage Figs given at Ex Rate of R1.75 = £ approx. as at May 1979

are in the top grades, while the majority of black workers - in fact, all but 117 - are in the bottom six.
TABLE OF PAY SCALES AT ROSSING - MAY 1977 (approx corresponding figs for £ in brackets)

Grade	Monthly Pay Range		Number of Employees				
	Min.	Max.	Whites	Coloureds	Blacks	Total	
	R (L)	R (L)					
	136 (98)	136 (98)	0	0	263	263	
Day Rate	136 (98)	157 (105)	0	158	225	383	
	178 (118)	206 (138)	0	162	194	356	
Workers	206 (138)	237 (158)	0	65	33	98	
	248 (165)	289 (192)	0	116	62	178	
	330 (220)	392 (260)	0	26	5	31	
	557 (373)	557 (373)	0	10	0	10	
1	300 (230)	380 (253)	17	1	0	18	
2	320 (213)	410 (273)	13	0	0	13	
Salaried Staff	3	355 (236)	470 (313)	28	0	0	28
	4	405 (270)	540 (360)	46	0	0	46
	5	465 (310)	620 (413)	98	1	0	99
	6	535 (356)	710 (473)	34	0	0	34
	7	610 (409)	810 (540)	194	4	0	198
	8	700 (466)	930 (620)	100	0	0	100
	9	800 (566)	1070 (713)	83	0	0	83
	10	920 (613)	1225 (816)	19	0	0	19
	11	1050 (700)	1400 (932)	9	0	0	9
12	- (-)	-	33	0	0	33	
Total Employees			674	611	1,079	2,382	

TABLE OF PAY SCALES AT ROSSING - MAY 1979

Grade	Average Monthly Pay		Min.	Max.
	R	L	R	£
1	(111)	(126)	(144)	
2	(164)	(185)	(213)	(256)
3	(334)	(362)	(387)	
4	(445)	(497)	(546)	(650)
5	(100)	(113)		
6	(128)	(147)		
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				

(166) (187) (215)
 (258) (309) (336)
 (364) (388)
 (446) (498) (547)
 Total Employees 2,747
 Total Employees
 2,747

Of the present workforce approximately 85 per cent are Namibians, most of them employed full time. This has not always been the case. Until very recently the company hired its workers on the contract labour system, using migrant Africans from Malawi and South Africa as well as the Ovambos and Damaras from Namibia itself. This flatly contradicted the pledges given by Sir Val Duncan on employment policies at Rossing: "I am totally opposed". he declared, "to the contract labour system and will have nothing whatever to do with it... We have always laid tremendous stress on settled communities with families and we intend to do just that (at Rossing). We unfortunately cannot employ any large quantity of Ovambos because they refuse to allow their womenfolk to come down into our areas, but we are not prepared to employ large quantities of bachelor labour.¹²² Challenged on this particular point, Sir Val insisted that it was "the Ovambo tribesmen themselves" who were responsible for keeping the women out - conveniently ignoring the fact that under South Africa's occupation there are rigid controls on movement which confine Ovambo women to the extreme North of the country.¹²³

Housing

RTZ's treatment of the African workers they have brought to Rossing is callous and racist. Nowhere is their indifference to the welfare of their workers more obvious than in the housing conditions at Arandis, a special Township built to accommodate the majority of Rossing's black and coloured workers. A few years ago, while Arandis was still under construction, Sir Val Duncan claimed that he would be "very surprised if it isn't by far the best African township in Southern Africa by the time its's finished."¹²⁴

A Guardian report of 1977 painted a rather less rosy picture of conditions at the township, for according to eye witness sources the single living quarters were "the worst they had seen in Namibia."¹²⁵ This judgement was supported by a German journalist, Ingolf Diener, who in 1978 managed to secure an interview with several employees at the mine; according to his findings, which are reprinted on p.58, housing for single workers was notoriously bad, with overcrowded conditions, poor heating and ventilation, and only the most basic of medical and social amenities.

Visiting the township three years ago, Sir Mark Turner admitted to being "horrified" by the poor housing conditions there; but after a return visit in March 1979 he claimed that there was no longer any overcrowding and that the allegations made by journalist Diener were therefore "unjustified."¹²⁶ A statement from the Namibian workers themselves, carefully released during a dispute with the Rossing management at the end of 1978, fails in any way to support Sir Mark's view: "Black workers", it claimed, "have to stay in single quarters in unsanitary conditions while the whites receive good housing in Snakopmund at only nominal rent."¹²⁷

Health hazards

Working conditions at the Rossing mine pose a serious threat to health. Particularly at risk are workers in the huge open pit, who are exposed for long periods to dust particles containing radium, a highly toxic metal. Medical opinion has now confirmed that once inhaled into the lungs, radium gradually contaminates the surrounding tissues, eventually entering the bone structure. Although the company provide some special clothing for their employees, it is unlikely to give much protection to Namibian workers operating bulldozers, drills and blasting 1 million tons of ore and waste each week, particularly amidst the desert conditions of intense heat and swirling dust.

During a visit in 1977, Sir Mark Turner made a personal inspection of the open pit, and confessed to being "particularly concerned" about the high level of dust in the mine.¹²⁸ His comment was taken up at RTZ's 1977 Annual General Meeting by Dr Sue Barlowe, a medical scientist, who questioned the board about the health risks at Rossing. Dr Barlowe pointed out that the company ought to be "very perturbed" by the threat to its workers and maintained that there was "not a single uranium oxide mine in the world" which has not recorded an abnormally high incidence of cancer of the respiratory tract among its employees.²⁹ She therefore found it "rather disturbing" that nowhere in RTZ's 1977 fact sheet on environmental safety was

there any mention of a compensation scheme for workers. Sir Mark was "somewhat surprised" by her remarks.^{13°}

It is now recognised that uranium miners face an increased risk of cancer, which often does not develop until several years after their initial exposure to radiation. It is therefore standard practice in industrialised countries such as the United States to keep a register recording workers' exposure to radium dust. There is no mention of any such register in RTZ's 1979 fact sheets.

In most industrial sites on the scale of Rossing, medical aid is regarded as a top priority. At Rossing the only facility available to the majority of the mine's 2,747 employees is a sparsely equipped First Aid centre. And although, according to RTZ, there are doctors on 24-hour call who pay "daily visits"

to the centre, the Namibian workers themselves complain that the medical facilities are discriminatory. 13 One worker claimed that for white employees membership of Rossing's "medical Aid" scheme is automatic; Africans, however, are only allowed to join after one year of employment and are unlikely to be accepted unless they are draughtsmen or in middle management.

The most serious complaint of the African workforce is that while white workers receive regular health checks, no scheme exists to cater for Africans or to monitor their exposure to radiation. Although an ambulance was provided at the mine, there is no hospital at Arandis and the only form of

health care at the township is a Clinic, which is staffed by only one sister and two nurses. The nearest adequate medical facilities are therefore at the hospital at Swakopmund, which is an hour away by road. It is hardly surprising that one of the major grievances of the African workforce is "the low priority given to health and welfare of blacks at the mine."¹³²

The huge piles of ground-up ore 'tailings' which are left after the uranium oxide has been extracted add to the risks of radiation at the mine. The tailings contain almost the same amount of radium as the original ore, and unless special and very expensive precautions are taken (and even these are not 100 per cent effective), the tailings heaps are liable to be eroded by wind and scattered over a wide area, thus further increasing the risk of contamination and possibly polluting the water supply in the region: the Omaruru river flows quite close to Rossing and could distribute the radium particles still further.

Once again, the risks from the tailings are borne far more heavily by the black workers at Rossing than the whites; Arandis, the black township, is only a few miles from the mine, while the white employees live over 40 miles away in the coastal town of Swakopmund.

The long-term health hazards at Rossing reach far beyond the twenty year induction period which follows a miner's first exposure to radiation; they will remain a serious threat for literally thousands of generations. Any mining operation, particularly one on the vast scale of Rossing, disrupts the ecology of the area beyond recall; unless the mine has been designed, built and run from the very outset according to a 'restoration plan', little can be done at a later date to restore the environment to its original state. Given RTZ's haste to extract the maximum amount of uranium as quickly as possible, it is unlikely that such necessary planning will have been undertaken.

Rossing Namibia.

White house Windhoek...

... Arandis, near Rossing.

Workers' Voice

The following is a statement from the Rossing workers detailing their conditions of labour and the grievances which follow from them.

There are reports from Rossing of a strike starting on Wednesday 27th December 1978. The reason for the strike, the workers say, is because the Rossing mine is exploiting black workers as cheap labour. A common occurrence in Namibia under South African racist occupation. Rossing divides the workers into those on:

a. The day rate system b. The staff rate system

These rates are determined by skin colour irrespective of qualifications and experience. In mid 1978 the workers were told that their wages would increase to the level of the white staff and that apartheid in the mine would be abandoned.

However the new system starting this week means that black workers' wages are raised by 2-4 cents per hour. Blacks will earn 8 rand more per month, while the lowest paid white will get an extra 100-200 rand per month. This caused widespread dissatisfaction. Other grievances of the black workers are:

1. There is no protection from poisonous effects of the radiation from the uranium,
2. Bad treatment from the South African Security Police at the mine,
3. The low priority given to health and welfare of blacks at the mine, including lack of recreation facilities.
4. Black workers have to stay in single quarters in unsanitary conditions while whites receive good housing in Swakopmund at only nominal rent.

Workers' Voice

Rossing invited carefully selected overseas reporters to come and see the conditions - what appeared in the press were blatant lies. This mine is under South African security laws on uranium. Black workers were told about the equalisation of wages and conditions and the workers who spoke to the press were handpicked by the supervisors to reveal only this positive intention. This was done to clear the company's image in the eyes of overseas investors and to stop a general political outcry. Black workers were warned that if they spoke up the company would lose investors, the mine would close down, and they would lose their jobs. Therefore what was said in the press was misleading - that Rossing was going to get rid of the system of day rates for blacks and that it would use the "Patterson System" whereby all workers would compete despite the colour of their skin. The black workers' complaints have remained unheard because of this.

SWAPO, who the workers support, reject all companies who are operating illegally in our country. They must register with the United Nations Council for Namibia and must pay tax to this council instead of paying it to the illegal South African occupying regime. The racist regime give favourable tax rates and allow very high profits, denying the international resolution regarding the trust territory.

SWAPO warns those companies once more to comply with the United Nations Council for Namibia's decree number one regarding the unlawful exploitation of Namibia's natural resources. We will soon witness the oppressed and down-trodden Namibian masses rising to power and those companies operating in Namibia with South African tickets will never get protection from the People's Government if they don't change their actions. The Namibian workers will never be defeated by imperialist and racist collaboration. A Luta Continua!

Signed: Festus Naholo

SWAPO National Secretary for Foreign Relations Windhoek

Interview at Arandis

'An eyewitness report from a western journalist who managed to visit the Arandis township in 1978.'

Having done some research work on Namibia, I decided to spend some time there in order to get a first-hand impression of the people and the country. I went there in September 78, at a time when hopes were running high that the UN would take over and lead the country into independence through free and internationally-supervised elections.

Travelling around in Namibia, I had occasion to talk to African churchmen, schoolteachers, working men, and farmers. My way led me also to Arandis where I made arrangements for an interview with inhabitants about their living and working conditions. When the interview took place, I found that my interlocutors, young, competent Africans working on the spot, had in the meantime prepared themselves very seriously, holding in the hands pages of hand-written notes on all the subjects. What follows here is an account of our discussion.

There were about 1,300 African workers there, between 20 and 55 years of age, most of them Namibians. The rest came from South Africa and Malawi and were probably "contract" workers. As to wages, the lowest-paid white workers, those doing supervisory work (foreman), were getting some R370 a month. That was about as much as the highest-paid black employees. The lowest-paid black workers got RI 20 a month without overtime. The blacks had to contribute a monthly R20 for their food, which was said to be poor in comparison to the food served to whites, and another RIO a month for housing in Arandis. Most of

the white personnel lived at Swakopmund some 45 miles away, but there was some accommodation near the mine for white people hired on short-term contracts.

The African township of Arandis was not ethnically zoned. It consisted of some 600 identical houses, 200 of them were intended for single persons and 400 for married people. In the "single" quarters, the workers were housed 2 to a room - 2 in the kitchen, 2 in the sitting room, and so on - with shared toilets and common dining room. In contrast white workers housed in Swakopmund each had a room with a private toilet. Many black workers considered to be single were in fact married, and their wives and children lived illegally in the single quarters. Since this situation had led to much discontent among the blacks, new houses had been built, but without any consultation " or discussion with the inhabitants of Arandis.

The workers were taken to the mine by bus. The buses carrying blacks were always checked at the mine entrance, and those who had forgotten their ID-cards were jailed for up to a day. The buses for white personnel were never checked.

The white employees consisted of Europeans from the UK, Switzerland, and Sweden, some Americans, but the majority came from South Africa and Rhodesia. Most of the general management were Rhodesian, as was Mr Freeman, the company director. My interlocutors said that whites were often in jobs blacks could have done just as well.

As far as the medical situation is concerned, there was clear discrimination too. On being employed, whites automatically became members of "Medical Aid" and given constant check ups. Blacks were not admitted to "Medical Aid" unless they held a superior position and had worked on the mine for at least a year, a condition which excluded virtually all of them. There were no routine health check-ups for blacks, except for some examination when they began employment another when they left the company. In particular, there were no irradiation tests for them. Arandis had no hospital - just one understaffed clinic (1 sister 2 nurses) without an ambulance. There was a first aid centre with an ambulance on the mine premises, but blacks felt that they did not get proper first-aid.

Industrial relations were of the apartheid type: there were ethnically based liaison committees, but they had no power of decision and their role was purely advisory. Committee members were nominated by management and were not elected by the base. The workers had wanted to organise a trade union, but the company had warned them that it would not be recognized.

Training schemes for black personnel were limited to the future elite. There were courses to train blacks to become supervisors and foremen, and the management provided academic education for matric students taken from all ethnic groups. At the time, however, this benefited only 3 blacks and some coloureds. They were free to choose their subject and 1 black did medicine. But several demands to organize English courses for blacks had so far met with no response.

The general employment policy of the company was to attract qualified Africans, but of the several qualified Namibians interviewed all shared the opinion that they were never employed at the level of their real qualification; the result was that, over time, they became dequalified, and because of systematic fault-finding, they had no chances of being promoted. In one way or another, the company always managed to find posts for them as "assistant" this or "assistant" that. My interlocutors concluded somewhat sarcastically that of course, there was never any shortage of unqualified white people, and they quoted two cases where black "assistants" had higher qualifications than their white superior.

Finally, my attention was drawn to a situation particular to that period. As mentioned above, people were hoping for a UN-organized and supervised election, but even before Mr Vorster's "we-go-it-alone" speech of September

19th 1978, South Africa had unilaterally started registering voters for what turned out to be the internal elections of December 78 paving the way for a possible UDI.

The company professed to be politically neutral. Nevertheless, the White supervisors took great pains to get their Black voters registered, entertaining in particular a confusion about the proclamation AG 52. This proclamation provided for the imprisonment of up to 3 years of any person influencing another not to register. The supervisors made their workers believe that it applied to all persons refusing to register as voters.

Ingolf Diener

Paris December 1979

Summary

It will take the future independent government of Namibia huge sums of money to undo the damage already done by RTZ's mine at Rossing - not only to the highly exploited Namibian workforce, but also to the region itself

- its soil, its rivers its polluted air and its low depleted mineral reserves. Rossing's wind-swept piles of radioactive waste stands as a bleak reminder of RTZ's illegal presence in Namibia: of the inhuman conditions they have forced on their African workforce, of their arrogant exploitation of Namibia's mineral riches, and perhaps most tragic of all, the double-talk and hypocrisy of businessmen and politicians thousands of miles away who allow the illegal plunder to continue.

While the mysterious circumstances through which the British Government's uranium contract came to exist have been fully documented it is obvious that supplies of Namibian uranium can only be guaranteed while South Africa's illegal occupation continues. As a result the continuation of the Rossing contract completely compromises the British Governments policy on Southern Africa as a whole.

It is also clear that no matter how influential a relationship RTZ has with the government, its mining operations in Namibia have no legally valid authorisation whatsoever. While the Namibian people led by SWAPO in their struggle for freedom and independence, face increasing repression from the armed forces of South Africa's illegal occupation, the British Government continues to argue that its contract will eventually benefit a future independent government of Namibia. It is hoped that if nothing else The Rossing File fully exposes such an argument for what it is - a vested interest in Namibia's vast uranium resources currently under the control of RTZ.

In presenting the facts behind the issue the CANUC group hope that sufficient pressure will at last be applied on the Government to terminate its vested interest in the Rossing mine. It is perfectly clear that the British Government's contract for Namibian uranium must be cancelled.

In conclusion one cannot end a pamphlet such as this with its revelations of successive British governments over the contracts for Namibian uranium

without focusing on three key questions. Over the events that lead to the contracts signing both the UKAEA and RTZ have indicated that the Labour Cabinet and the Ministry of Technology of the day were clearly aware that Rossing was always to be the point of supply. If Mr. Benn Claims that the AEA and RTZ deliberately misled the 1966-70 Labour Cabinet it lies with the former Minister of Technology and Secretary of State for Energy responsible for the contracts, to reveal the grounds upon which that accusation was made?

Secondly, why was it that Mr Callaghan as Foreign Secretary following talks with representatives of SWAPO, in Lusaka during January 1975, gave a false impression to members of the Labour Cabinet that Namibia's "sole authentic representative" had no objection to the Rossing contracts being continued?

Records of that discussion confirm that the SWAPO representatives present gave no such indication.

Thirdly, the present British government, through negotiations led by Foreign Secretary Lord Carrington, a Director of RTZ for the past five years of Conservative opposition, states that it has "no international obligation to terminate the contracts". While continuation of the contracts defies the 1971 opinion of the International Court of Justice, for the first time ever. It also dismisses out of hand several specific General Assembly and Security Council Resolutions on the issue. One has to ask the British Government through Lord Carrington, how it is able to make such a statement when Britain is currently at the very centre of international negotiations to determine the future legitimate independence of Namibia and the freedom of its people?

The Rossing File awaits the answers to these questions from those responsible.

Alun Roberts

January 1980

Chronology of Main Developments

1966 July

19 October

27 October 1968 March 1969 12 August 1970

1971 21 June 1973 13 September

October

13 December

RTZ obtain rights to Rossing uranium deposit
Britain's Permanent Representative to the UN, Lord Caradon, makes policy statement on Namibia to the UN General Assembly. South Africa had forfeited the right to administer Namibia's mandate. British Government would play a full part by deliberate action to bring independence to Namibia.
UN General Assembly terminates South Africa's mandate to administer Namibia.
British Government signs contract with RTZ for Namibia uranium
UN Security Council endorses termination of the mandate and calls on South Africa to withdraw from Namibia immediately
Memorandum prepared by Attorney General, Sir Elwyn Jones QC, reveals a force majeure clause in the Rossing contract allowing for termination without cancellation charges. No action is taken.
International Court of Justice opinion rules that South Africa's continued occupation in Namibia is illegal. All UN member states were under an obligation to refrain from any further dealings with South Africa over Namibia
Former Minister of Technology, Mr Tony Benn, issues statement claiming he was deliberately misled by RTZ and the UKAEA over the signing of the Rossing contract
Labour Party Conference adopts as policy that the Rossing Contract will be terminated by the next Labour Government
SWAPO recognised by UN General Assembly as the legitimate representatives of Namibia

1974 27 September

4 December 13 December 31 December 1975 21 May

20 October

31 December

1976 10 June

21 June

September

12 October November 1977 March

UN Council for Namibia enacts UN Decree No.1

Foreign Secretary, James Callaghan, makes British Government policy statement on Southern Africa. Rossing contract is not to be terminated. South Africa is given de facto administering status. No action would be taken to prevent British companies operating in Namibia

UN General Assembly establishes UN Decree No.1. The Decree bans all further mining operations in Namibia and allows for any mineral resources removed from the territory to be seized and held in trust on behalf of the UN Council

Run down in nuclear demand marked by 45 per cent postponement and cancellation of United States reactor programme. Nuclear spokesman announces 'no shortages' of uranium between 1974 and 1979. RTZ dismisses UN authority over Namibia

House of Lords debate on Rossing contract. Lord Lovell-Davis states that Britain cannot do without Namibian uranium, alternative supplies are not available.

Five major United States companies end their operations in Namibia during the year following the introduction of Decree No. 1

RTZ state that British Government's uranium supplies were always known to be from Rossing

Dates of uranium deliveries from Rossing given by Secretary of State for Energy, Tony Benn.

UN Ambassador for Mauritius, Sonny Ramphul, accuses British Government of a 'vested interest' in the Rossing mine, which influences the whole of its policy over Namibia

Rossing hit by serious technical problems. First supplies of uranium to Britain are put back from 1976 to 1978

Namibian workers commence 4 week strike at Rossing over working conditions

SWAPO Aide Memoire accuses British Government of manipulating its position and re-states its position of 1975 and 1976, urging the British Government to terminate its Rossing uranium contract immediately

May

19 78 May

September

22 December 1979 14 March

June

South African Foreign Affairs Association report on Strategic mineral supplies includes Rossing output as part of its own uranium production
 RTZ announces that it will re-negotiate delivery of Rossing supplies for the second time. British Government takes no action to terminate contract as a result of continuous delays
 Tanzanian High Commissioner, Amon Nsekela, states in London that those involved in contracts with Rossing 'have blood on their hands'
 Namibian workers begin a major strike at Rossing over discriminatory wage structure, living conditions, health hazards, and the management's refusal to allow the establishment of a representative trade union
 UKAEA statement points out that the British Government and the Ministry of Technology were informed that Rossing was to be the source of Britain's uranium requirements in 1968
 Regular supplies of uranium from Rossing confirmed as being delivered Britain, France, West Germany, and Holland.

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LOCATION OF ROSSING MINE IN NAMIBIA

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