

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE NEGOTIATING COUNCIL.

MINUTES OF THE MEETING OF THE NEGOTIATING COUNCIL HELD AT 10H30 ON THURSDAY 24 JUNE 1993 AT THE WORLD TRADE CENTRE

PRESENT: See Addendum A

1. Moment of Prayer/Meditation

A moment of prayer/meditation was observed by all members.

2. Welcome and Attendance

The participants were welcomed.

3. Ratification of the Agenda

The agenda was ratified with the following amendment:

- * The addition of an Item 3a to read "A briefing from the Planning Committee in relation to certain events scheduled to take place on 25 June 1993".

4. Briefing from the Planning Committee

- 4.1 It was noted that there would be a substantial demonstration on 25 June 1993 organised by the Afrikaner VolksFront.
- 4.2 A report on this issue was given by the Chairperson.
- 4.3 It was agreed to mandate the Planning Committee to continue discussions with the relevant parties concerned with a view to provide the Negotiating Council with a full report on the demonstration scheduled and discussions that have been held.

Substantive Issues

5.1 Special Report on Confederation:

- 5.1.1 Members of the Technical Committee on Constitutional Issues were welcomed. Present were A Chaskalson, M Olivier, W Oliver, F Venter and M Wiechers. Apologies were noted from GE Devenish, E Mosenek and B Ngoepe.
- 5.1.2 The special report dealt with submissions by the KP (on self-determination) and the Bophuthatswana Government (calling for a non-classical approach referred to by the Technical Committee as "hegemonic state systems"). The Technical Committee required guidance/decisions from the Negotiating Council to take the aspects further.
- 5.1.3 The KP then proceeded to give feedback on the report to the Negotiating Council. No time limit was imposed upon the input as this issue was of material importance to the KP.
- 5.1.4 Various questions were put to the KP. It was noted that KP would make a written submission to the Technical Committee on all outstanding matters and on all questions addressed to the KP.
- 5.1.5 The Bophuthatswana Government then proceeded to give feedback on the report to the Negotiating Council. No time limit was imposed upon the input as this issue was of material importance to the Bophuthatswana Government.
- 5.1.6 The AVU requested an opportunity to present their point of view on Self-Determination. This was agreed to, following which the meeting would deal with all three issues as presented.
- 5.1.7 It was agreed that during the tea break a combined proposal on how to deal with the issues would be sought.

The meeting adjourned for tea at 11h45.

The meeting reconvened at 12h35.

- 5.1.8 The following combined proposal was put before the meeting:
- * That the KP makes further submissions to the Technical

Committee with regard to the issues and questions raised by the Technical Committee and participants;

- * That the question raised by the Technical Committee in paragraph 4 of their second supplementary report as to the advisability/acceptability or otherwise of partition, cessation or the continued independence of the TBVC States, should be generally addressed at this stage by the Negotiating Council;
- * In the process of addressing this issue, boundaries could also be addressed. The KP was requested to give information to the Negotiating Council with regard to their submissions to the Commission on the Demarcation/Delimitation on Regions;
- * Assumptions of the Technical Committee could be dealt with in the course of the discussion.

- 5.1.9 It was agreed to follow this direction in the debate. It was noted that this was not the last opportunity to address this issue and that the discussion would allow the Technical Committee to take into account views and concerns expressed for further reports to the Negotiating Council.
- 5.1.10 It was noted that the KP was in the process of preparing extensive submissions on the issue of boundaries for submission to the Commission.
- 5.1.11 It was agreed that this issue would be further dealt with and finalised on Tuesday 29 June 1993.
- 5.1.12 Discussion and debate then followed with various questions being put forward to the KP.

The meeting adjourned for lunch at 13h20.

The meeting reconvened at 14h40. An apology for the late start of the meeting on behalf of the Planning Committee was noted.

- 5.1.13 Discussion and debate continued with various questions being put forward to the KP.
- 5.1.14 At this point it was agreed to revisit this issue at the meeting of the Negotiating Council on Tuesday 29 June 1993. It was

noted that a response to both paragraph 2.9 of the Constitutional Principles and to the special report would occur at the end of the debate envisaged for Tuesday 29 June 1993.

5.2 **Outstanding Constitutional Principles:**

It was agreed to refer the outstanding Constitutional Principles (Item 2.1, 2.8, 2.11 and 2.12 of the Third Report) to the Technical Committee on Constitutional Issues for reformulation, if necessary, taking into account the various discussions in the Negotiating Council and any further submissions from participants before Tuesday 29 June.

5.3 **The Sixth Report of the Technical Committee on Constitutional Issues:**

5.3.1 The Technical Committee presented the report. Discussion and debate followed with questions of clarity being put to the Technical Committee. Various participants criticized the report of the Technical Committee.

The meeting adjourned for tea at 16h20.

The meeting reconvened at 17h00.

5.3.2 The Chairperson apologised to the Technical Committee for the approach taken by various participants in the meeting.

5.3.3 The Technical Committee requested an opportunity to clarify their approach with regard to different models.

5.3.4 Further discussion and debate followed with further questions of clarity being put to the Technical Committee.

5.3.5 Following the debate the following instructions were given to the Technical Committee:

- * Synthesize proposals on the table into a systematic form and present a model/scenario in respect of the "bottom-up" approach.
- * Explore further the "equilibrium" offered in paragraph 4 of the Sixth Report of the Technical Committee, creating common ground and bridging the differences among participants.
- * Look into the establishing of SPR Governments and

Legislatures at the time of a national election, and how these will be linked with the national structures; Against this background, the Negotiating Council discuss the Fourth Report with a view to debating how SPR's will work in concrete terms.

5.3.6 The Technical Committee was requested to take into account the views of the meeting in preparing further reports for the Negotiating Council.

5.3.7 It was agreed that a proposal by the IFP to redraft the sixth report from an IFP point of view should not be accepted. It was suggested that should the IFP wish to redraft the sixth report, it could forward a submission to the Technical Committee.

5.3.8 It was noted that the Fourth Report from the Technical Committee on Constitutional Issues would be discussed at the next meeting of the Negotiating Council on Friday 25 June 1993.

5.4 Technical Committee on Fundamental Human Rights during the Transition:

It was noted that this Technical Committee was unable to attend the meeting of the Negotiating Council at this point and this Technical Committee would be rescheduled at a more convenient time.

6. Procedural Issues

6.1 Ad-hoc committee - Sufficient Consensus:

It was noted that the above ad-hoc committee had had its first meeting in the course of the day and although progress had been made, no report was yet available for the Negotiating Council.

6.2 SA Government/PAC Reportback:

Statements by both participants were noted (see Addendum B and C).

7. Administrative Matters

7.1 Revised Proposed Guidelines for Demonstrations:

7.1.1 The document was distributed to participants and presented by

Z Titus on behalf of the Planning Committee.

7.1.2 The revised proposed guidelines for demonstrations as amended were adopted by consensus (see Addendum D).

7.1.3 It was agreed that five members of the AVF Demonstration, planned for Friday 25 June 1993, be allowed into the premises of the World Trade Centre to hand over its memorandum to appropriate persons but not to address the Negotiating Council.

7.1.4 Concerns were expressed about arms and weapons with regard to the AVF Demonstration. It was noted that outside the World Trade Centre premises this issue was the responsibility of the SAP.

7.2 Report from the Planning Committee on security arrangements for 25 June 1993:

7.2.1 The report as distributed was presented to the meeting by Z Titus on behalf of the Planning Committee (see Addendum E).

7.2.2 The Planning Committee was mandated to remain in contact with the organisers of the Demonstration, the SAP and the Multi-Party Security during the course of the evening and the following day (25 June 1993).

7.2.3 It was noted that a request from the AVF that its members be allowed on the premises of the World Trade Centre had been refused due to the fact that the fence around the premises had been moved inwards to allow ample room for demonstrations. This decision was supported by the meeting as this was in accordance with the Guidelines for Demonstrations. It was noted that the leaders of the AVF Demonstration had their attention drawn to the relevant point in the Guidelines for Demonstrations and had accepted this.

7.2.4 With regard to the weapons issue it was noted that the SAP were going to establish two checkpoints and members of the AVF Demonstrations who are armed would be requested to hand in their weapons or to leave the weapons locked in their cars which would be parked at a nearby rugby field. It was, however, noted that the police would be unable to force any member of the demonstration to hand in their weapons at the checkpoints and that only a "gentleman's agreement" existed with the SAP in this regard. Concerns were expressed in this regard as this could be setting a precedent for further demonstrations.

7.2.5 It was noted that Z Titus and R Cronje, on behalf of the Planning Committee, had had discussions with T Langley of the KP (as the KP is part of the AVF) on the issues surrounding the AVF Demonstration and had received assurances from T Langley that law and order would be maintained.

7.2.6 A request from the AVF to address the Negotiating Council was refused. This was in compliance with the Guidelines for Demonstrations. T Langley could give no indication of what the reaction of the AVF would be as a result of this decision.

7.2.7 Various questions were addressed to T Langley.

7.2.8 It was noted that:

- * It is the view of the Negotiating Council, as spelt out in the Guidelines for Demonstrations, that it does not oppose peaceful demonstrations in any way and defend the right of any group of people to demonstrate in a peaceful way in support of their cause;
- * An appeal was made to all participants in the Negotiating Council and people outside to leave their arms at home and to allow this process to happen in a peaceful way so that the interaction between representatives of the demonstrators and of the Negotiating Council takes place in the appropriate atmosphere;
- * The Negotiating Council would ensure that the Administration deals with all the matters in the appropriate and dignified way.
- * Members of the Negotiating Council were urged to use the highway routes to enter the World Trade Centre premises, as the airport road would be used for the AVF Demonstration.

7.2.9 It was noted that a second demonstration from the Transvaal Rural Action Committee was scheduled for 14h00 on Friday 25 June 1993.

7.3 General Issues:

7.3.1 All participating organisations were requested to apply in writing for the R2500 monthly ex gratia amount. As soon as

this written application was received, the money would be paid out.

- 7.3.2 The Technical Committee on Violence had extended the deadline for submissions on the issue of the Youth Corps until Wednesday 30 June at 12h00. This deadline also applies to submissions against on the issue of violence against women.

8. Meetings Schedule

- 8.1 The schedule was noted and all meetings up to the Negotiating Forum meeting of 2 July 1993 were confirmed (see Addendum F). Subsequent meetings would be decided upon at the Negotiating Council meeting of 29 June 1993.
- 8.2 It was agreed that the meeting of the Negotiating Council meeting of 25 June 1993 close at 17h00.

9. Closure

The meeting was closed at 19h30.

These minutes were ratified at the meeting of the Negotiating Council of 19 July 1993 and the amended version signed by the Chairperson of the original meeting on *3 AUGUST 1993*


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CHAIRPERSON

Addendum A

The following delegates and advisers were present at the meeting of the Negotiating Council on Thursday 24 June 1993:

PJ Gordhan : Chairperson

Organisation	Delegates	Advisers
ANC	C Ramaphosa B Kgosisile	M Moosa M Manzini
AVU	CD de Jager J Gouws	JJC Botha MJ Mentz
Bophuthatswana	R Cronje R Mangope	SG Mothibe BE Keikelame
Cape Trad. Leaders	M Nonkonyana SN Sigcau	DM Jongilanga GD Gwadiso
Ciskei	M Webb VT Gqiba	TM Bulube SM Faku
DP	C Eglin D Smuts	K Andrew P Soal
Dikwankwetla	TJ Mohapi K Ngwenya	SOM Moji JSS Phatang
IFP	FT Mdlalose FX Gasa	WS Felgate VJ Matthews
IYP	NJ Mahlangu N Mtsweni	AP Laka Q Vilankulu
KP	T Langley A Budd	CP Mulder F le Roux
INM	MS Gininda FS Baloi	SS Ripinga GG Zama
Kwazulu	BS Ngubane H Ngubane	SH Gumede
Labour Party	L Landers CC August	J Douw D Lockey
NIC/TIC	C Saloojee M Govender	K Mayet
NP	DJ de Villiers TJ King	SJ Schoeman L Wessels

PP

	A Rajbansi	S Naidoo AL Singh
OFS Trad. Leaders	RH Mopeli MB Mota	M Moroke
PAC	P de Lille J Seroke	E Sibeko M Molete
Solidarity	JN Reddy	AS Razak
SACP	J Slovo L Jacobus	S Shilowa
SA Government	RP Meyer S Camerer	M Olckers
Transkei	Z Titus N Jajula	LL Mtshizana
TVL Trad. Leaders	MA Netshimbupfe FF Kekana	LM Mokoena NE Ngomane
UPF	MJ Mahlangu A Chabalala	RJ Dombo J Maake
Venda	SE Moeti AK Masehela	GM Ligege
XPP	EE Ngobeni NB Hlaisi	MH Matjokana TB Shibambu

T Eloff	:	Administration
G Hutchings	:	Minutes
P Lelaka	:	Administration
M Radebe	:	Administration
K Morgan	:	Administration
G Briggs	:	Administration

**REPORT-BACK BY THE SOUTH AFRICAN GOVERNMENT TO THE
NEGOTIATING COUNCIL ON ITS CONTINUED DISCUSSION WITH THE
PAN AFRICANIST CONGRESS OF AZANIA ON 24 JUNE 1993**

The Government unfortunately has to report to the Negotiating Council that the discussion between it and the PAC to clarify the PAC's position regarding the Declaration on the Cessation/Suspension of Hostilities, Armed Struggle and Violence of 22 June could not be concluded today. The discussion will now be continued on Monday.

Today's discussion took place against the background of the PAC's endorsement of the Declaration on 22 June and their elucidation thereof by a statement of their own.

The Government is convinced that all the other Council members understood, as it did, that the PAC had subscribed to paragraph 5 of the Declaration. This standpoint of the Government's is strengthened further by the undertakings given in the Planning Committee by the PAC's representative and by the understanding reached on that occasion between the Committee and the PAC representative.

The only conclusion that can be drawn from this is that the PAC, with effect from 22 June, was *inter alia* to terminate murders of civilians and members of the SA Police.

Statements by PAC leaders at a news conference after the adoption of the Declaration led to confusion about the position of the PAC. According to these statements it appeared that the PAC was repudiating its endorsement. The Government could not gain clarification in the Council yesterday. At the request of the PAC, a discussion between it and the Government took place at 10:00 this morning.

In order to conduct a meaningful discussion the Government sought clarification from the organisation about the implementation of the Declaration (especially in regard to attacks on civilians and members of the SAP). The PAC delegation was unable to give an answer to this, and requested time to obtain further instructions from their leadership. The meeting was therefore postponed until Monday 28 June, so that the issue could finally be clarified.

**WORLD TRADE CENTRE
KEMPTON PARK
24 JUNE 1993**

**PAC REPORT BACK TO THE NEGOTIATING COUNCIL
ON 24 JUNE 1993**

The PAC Delegation was not unable to give clarification on the Declaration of Intent on the principle of Mutual Cessation of Hostilities as stated in the regime's report.

The PAC Delegation however promised to seek further consultation as to at what stage we cease hostilities, with our leadership. We request the regime to correct this impression in their report.

The regime insisted in our bi-lateral meeting that the PAC first satisfy them on the clarification of the declaration before they will respond to the non-compliance of the Negotiating Council Resolution of 27 May 1993.

This one sided report to the Negotiating Council is already broadcasted on radio.

GUIDELINES FOR DEMONSTRATIONS

ADOPTED BY THE NEGOTIATING COUNCIL ON 24 JUNE 1993

1. **Background:**

The Multi-Party Security Force at the World Trade Centre is an impartial force, aimed at the protection and safety of all parties represented in the Negotiating Process. It exists to assist in maintaining the security of the World Trade Centre and to ensure the safety of all persons within the premises. The South African Police are responsible for safety outside the premises of the World Trade Centre.

2. **The Right to Demonstrate:**

The Negotiating Council acknowledges the fundamental right of free speech and expression and therefore the right to demonstrate peacefully. The Negotiating Council therefore acknowledges the right of all individuals and groups to express their views with regard to the negotiating process. This is especially true because of the fact that the process should be open and transparent. For these reasons, the Negotiating Council does not support the prohibition or banning of demonstrations but is of the view that they should be managed in accordance with the guidelines set out below, and in consultation with all concerned.

3. **Guidelines for Demonstrations:**

In the light of the above, the Negotiating Council establishes the following guidelines:

- 3.1 All demonstrations should take place at the gates of the World Trade Centre. This arrangement is necessary because some demonstrations consist of large numbers and many vehicles/buses may be used and these can not safely be accommodated within the boundaries of the World Trade Centre. Furthermore, parking within the premises is reserved for all persons involved in the Negotiating Process.
- 3.2 Demonstrators should not block the free flow of traffic into the World Trade Centre grounds.
- 3.3 Demonstrators should not stone or damage buildings, vehicles or any other property in the vicinity of the World Trade Centre.

- 3.4 No weapons will be allowed either outside the gates or on the premises of the World Trade Centre.
- 3.5 The Multi-Party security would welcome dialogue between itself and heads of demonstrations. Any reasonable request regarding facilities at the gate, will be considered with the view of making conditions at the gate as comfortable/hospitable as possible.
- 3.6 Multi-Party security should assist leaders of demonstrations in forwarding memoranda through Administration to the relevant people concerned. In this regard, parties whom the demonstrators want to meet, should be notified. If such a party does not want to meet the demonstrators, the memorandum should be received by the Head of Administration, who should ensure that the memorandum is subsequently handed to the relevant party.
- 3.7 By agreement of all the parties, delegations of demonstrators wishing to hand over a memorandum is restricted to three (3) persons who may enter the premises to hand over such a memorandum.
- 3.8 The relevant participants in the Negotiating Council will, when a demonstrating party is connected to such participant or when a substructure of such participant is demonstrating, assist the Administration in ensuring that these guidelines are adhered to and that peace and order is maintained.

**REPORT FROM THE PLANNING COMMITTEE ON SECURITY PROCEDURES
FOR FRIDAY 25 JUNE 1993**

1. Background

A demonstration by the Afrikaner - Volksfront is being planned between 06h00 and 12h00 for Friday 25 June 1993. Permission has been granted by the Town Council of Kempton Park for 1000-3000 demonstrators. This permission has been granted subject to certain conditions, including the following:

- * That the demonstration should take place on the side of Jones Road at the gate of the WTC.
- * That the organisers of the demonstration will be held accountable to any member of the public or private property.
- * That the demonstration takes place from 06h00 to 12h00.
- * The free flow of traffic on Jones Road is not hampered and that entry to the WTC should be open at all times to pedestrians and vehicles.
- * That no firearms will be allowed during the demonstration.

A strong SAP and SADF contingent will be present from approximately 0530, and will be deployed at the main gate, along Jones Road to the east of the WTC and along the R21 highway in front of the WTC.

A copy of the report from the Planning Committee on Guidelines for Demonstrations (see Addendum A) has been handed to the organisers of the demonstration (Col Botha). Col Botha accepted the above-mentioned guidelines in full, with the exception that they will be permitted to bring in a delegation of 5 to hand over their memorandum. The Planning Committee took this decision in the light of the fact that the Afrikaner Volksfront is composed of 5 distinct organisations.

It has also been confirmed that another demonstration by the Transvaal Rural Action Committee is being planned. At this stage no further information is available.

2. Procedures

The following procedures are being recommended to deal with this situation;

- 2.1 All delegates, advisors, support staff and bodyguards will retain their identification tags and on producing them at the gate tomorrow morning, will be allowed to enter the premises. The usual security measures will be taken at the front door of the WTC. Media representatives are requested to bring

their press cards or letters of authority with them tomorrow.

- 2.2 The normal standby or emergency services will be present in the building for the entire day.
- 2.3 The Planning Committee, together with the Administration, have been and will remain in contact with the organisers of the demonstration, the Multi-Party security and the South African Police.
- 2.4 In case of any other further developments the Negotiating Council will be informed accordingly .
- 2.5 The Planning Committee has also been provided with the details of the security plan which will be in force tomorrow and is satisfied that this plan provides adequately for the safety of delegates. In the event of any emergency appropriate instructions will be issued at the relevant stage.

REVISED PROPOSED SCHEDULE OF MEETINGS

24 JUNE 1993

Negotiating Council	Thursday 24 June 1993	10h00 - 19h00
Negotiating Council	Friday 25 June 1993	08h30 - 18h00

Planning Committee	Monday 28 June 1993	15h00 - 19h00
Negotiating Council	Tuesday 29 June 1993	08h30 - 18h30
Negotiating Council	Wednesday 30 June 1993	08h30 - 18h30
Negotiating Council	Thursday 1 July 1993	08h30 - 18h30
NEGOTIATING FORUM	Friday 2 July 1993	10h00 - 17h30

Technical Committees to do detailed work	Monday 5 July 1993 to Tuesday 13 July 1993	
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Planning Committee	Wednesday 14 July 1993	15h00 - 19h00
Negotiating Council	Thursday 15 July 1993	09h00 - 18h30
Negotiating Council	Friday 16 July 1993	09h00 - 18h30

Planning Committee	Monday 19 July 1993	15h00 - 19h00
Negotiating Council	Tuesday 20 July 1993	09h00 - 18h30
Negotiating Council	Wednesday 21 July 1993	09h00 - 18h30

Please note :

The adjournment times of the Negotiating Council meetings as stated are target times, which will only apply if the agenda has been completed, subject to the final decision of the meeting.