

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

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD AT 14H30 ON TUESDAY 3 AUGUST 1993 AT THE WORLD TRADE CENTRE**

PRESENT : B Alexander  
R Cronje  
C Eglin (Chairperson by rotation)  
PJ Gordhan  
RP Meyer  
MC Ramaphosa  
J Slovo  
Z Titus  
M Webb

M Maharaj (Sub-Committee)  
SS van der Merwe (Sub-Committee)

T Eloff (Administration)  
G Hutchings (Minutes)

**1. Moment of Prayer/Meditation**

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

**2. Welcome and Attendance**

2.1 All members were welcomed.

2.2 Apologies were noted for non-attendance by FT Mdlalose and B Ngubane (sub-committee).

**3. Ratification of Agenda**

The agenda was ratified with no amendments.

**4. Minutes**

4.1 The minutes of the meeting of 19 July through to 21 July 1993 and the minutes of the meeting of 26 July through to 30 July 1993 were adopted with no amendments.

4.2 Matters arising out of the minutes of 19 July to 21 July 1993:

- \* Item 4.6.5 refers: Administration gave a reportback. It was noted that the Women's Coalition was meeting on the issue during the course of today. It was further noted that a letter responding to its request would be sent out in the course of the day.

4.3 Matters arising out of the minutes of 26 July to 30 July 1993:

- \* Item 5.2.4 refers: It was noted that the IFP, the KP and the Kwazulu Government were being couriered all documents received by the Negotiating Council.
- \* Item 9.2 refers: It was noted that the resolution as adopted by the Negotiating Council on 26 July 1993 had been forwarded to the minister at the St James Church in Kenilworth.
- \* Item 10.1 refers: It was noted that the letter had been faxed and mailed to the Ilanga. The Administration is to ascertain as to whether the letter was published.

5. **Substantive Issues**

5.1 **Reports in the Negotiating Council until 12 August 1993:**

5.1.1 **Violence:**

It was agreed that the Report of the Violence Technical Committee be distributed without the addendum by H Vilakazi. H Vilakazi should be advised accordingly by the Sub-Committee.

5.1.2 **Constitutional Issues:**

It is agreed that Constitutional Issues would be further discussed on Thursday 5 August 1993. Later in the meeting it was agreed that the next Report of the Technical Committee will be couriered on Friday 6 August 1993 and discussed on Tuesday 10 August 1993.

5.1.3 **TEC and its Sub-Councils:**

It was agreed that the Report of the TEC and its Sub-Councils Technical Committee would be couriered to participants on Friday 6 August 1993.

5.1.4 **Independent Electoral Commission:**

5.1.4.1 A reportback was given on the work of this Technical Committee by the Sub-Committee. It was noted that the Technical Committee was awaiting decisions from the ad-hoc committee.

5.1.4.2 It was noted that the ad-hoc committees are taking too long to make recommendations on issues referred to them.

**5.1.5 Repeal or Amendment of Discriminatory Legislation:**

5.1.5.1 A reportback was given on the work of this Technical Committee by the Sub-Committee.

5.1.5.2 It was noted that the Technical Committee is to draw up a report for the Sub-Committee on the options with regard to enforcement mechanisms on the Bill of Rights. This report will be put to the combined meeting of Technical Committees on Monday 9 August 1993. The Sub-Committee will report back to the Planning Committee after this meeting.

5.1.5.3 It was noted that, even if the route of a "Higher Code" is taken, it will still be necessary to identify discriminatory laws and have them repealed.

**5.1.6 Independent Media Commission and IBA:**

It was noted that these Draft Bills will be discussed on Wednesday 4 August and Thursday 5 August 1993.

**5.1.7 Fundamental Human Rights during the Transition:**

It was noted that this Technical Committee's next report on enforcement mechanisms will be distributed on 6 August 1993 and discussed on Wednesday 11 August 1993. The next full report will be available on Wednesday 11 August 1993.

**5.1.8 Commission on Regions:**

It was agreed to recommend to the Negotiating Council that a full discussion of the Report will take place on Monday 9 August 1993, with members of the Technical Support Team sitting on the discussion. After this discussion, the Planning Committee will be in a better position to make a recommendation to the Negotiating Council on the way forward. It was agreed to ask the Technical Secretary to request

the most appropriate members of the Technical Support Team to attend the discussion on Monday 9 August 1993.

- 5.1.9 With regard to the discussion of Draft Bills and Reports in the Negotiating Council, it was agreed to request the Technical Committees, through the Sub-Committee to clearly indicate changes and amendments to previous reports. It was also agreed that Chairpersons should be uniformly clear on the fact that clauses cannot be revisited over and over again. It was agreed that the Panel of Chairpersons should meet to discuss these and related matters.

**5.2 Violent Deaths of People on the East Rand:**

**5.2.1 Visit to the East Rand Townships:**

After discussion and the possibility of the visit taking place over two hours on Thursday 5 August 1993, it was agreed that the Sub-Committee should investigate the security implications of such a visit and make a recommendation to the Planning Committee at a lunch time meeting on Wednesday 4 August 1993.

**5.2.2 Possibility of a Joint Peace-Keeping Force:**

5.2.2.1 After discussion it was agreed that the Sub-Committee be mandated to investigate the issue as a matter of urgency, including the setting up of an ad-hoc committee of the Negotiating Council to investigate the establishment of a peace-keeping force, the terms of reference of such an ad-hoc committee and its composition. Other issues to be taken into account in this regard are the legitimacy of such a force, how it will be linked to the community and how it will relate to the existing security forces.

5.2.2.2 After a suggestion in this regard, the Sub-Committee was requested to report back on the greater involvement of political leadership in preventing violence.

5.2.2.3 After taking note of a media release by the Goldstone Commission on violence and the elections (see Addendum A), the Sub-Committee was mandated to interact with the Goldstone Commission on this issue.

**5.3 PAC/SA Government Issue:**

After inputs by B Alexander (see Addendum B) and R Meyer, it was agreed that the PAC would meet again with Z Titus (convenor), R Cronje, PJ Gordhan and C Eglin. The item will stay on the agenda until this ad-hoc committee has given a reportback.

**5.4 The Ad-Hoc Committee on the TBVC States:**

Following the in principle decision of the Negotiating Council to establish such a committee, it was agreed to recommend the following composition to the Negotiating Council:

- \* C Eglin (convenor)
- \* BE Keikelame
- \* T Mbeki
- \* SE Moeti
- \* Z Titus
- \* M Webb
- \* L Wessels

It was agreed that this ad-hoc committee should submit its first report by Thursday 12 August 1993 and that the Administration should provide the committee with a Secretary.

**5.5 National Symbols and languages:**

**5.5.1 National Symbols:**

After extensive discussion had ensued and various ideas had been raised, it was agreed in principle to recommend to the Negotiating Council to establish a Commission to deal with this matters. The Sub-Committee was instructed to formulate terms of reference for this Commission and report back to the Planning Committee on Wednesday 4 August 1993.

**5.5.2 Languages:**

After discussion, it was agreed to keep this issue on the agenda for discussion at a later stage.

**5.6 The other substantive issues referred to the Planning Committee by the Negotiating Council would stand over until the next meeting.**

## 6. Procedural Issues

### 6.1 Media Embargoes:

After discussion, it was agreed to mandate T Eloff to inform P Laurence that, because of the Economist having broken the embargo on the combined Constitutional Reports of 26 July, he will not be allowed to provide the said publication with any information for a period of 3 weeks with effect from Monday 26 July 1993.

### 6.2 AVF Prosecutions with regard to the Attack on the Negotiating Process on 25 June 1993:

6.2.1 After a reportback from the Sub-Committee and the Administration, it was agreed that T Eloff would report back to the Planning Committee after his meeting with representatives of the SAP and the Attorney General's office.

## 7. Future Meetings

It was agreed that the Planning Committee would meet on Wednesday 5 August 1993 from 12h30 until 14h00.

## 8. Closure

The meeting was closed at 17h30.

These minutes were ratified at the meeting of the Planning Committee of 16 August 1993 and the amended version signed by the Chairperson of this meeting on ..24/08/..... 1993.

  
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CHAIRPERSON