

**AGENDA FOR THE MEETING OF THE PLANNING COMMITTEE  
TO BE HELD ON TUESDAY 30 MARCH 1993 AT 0830**

1. **Chairpersonhip: C Eglin**
2. **Welcome and attendance**
3. **Ratification of agenda**
4. **Minutes of the meeting of 26 March 1993**
5. **Report by the Sub-committee on Administration**
6. **Report by the Sub-committee on the name of the process**
7. **Draft agenda for the Negotiating Forum meeting (1 & 2 April)**
8. **Closure**

● **DRAFT AGENDA FOR THE MEETING OF THE PLANNING COMMITTEE  
TO BE HELD ON THURSDAY 22 APRIL AND FRIDAY 23 APRIL 1993**

1. **Chairpersonship** : MC Ramaphosa
2. **Welcome and Attendance**
3. **Ratification of Agenda**
4. **Minutes**
  - 4.1 **Planning Committee:**
    - 4.1.1 31 March 1993 (Addendum A1, p3 - 12)
    - 4.1.2 1 April 1993 (Addendum A2, p13 - 18)
  - 4.2 **Negotiating Forum:**
    - 4.2.1 1 April 1993 (Addendum A3, p19 - 50)
5. **Matters Arising**
  - 5.1 **Planning Committee:**
    - 5.1.1 31 March 1993
    - 5.1.2 1 April 1993
  - 5.2 **Negotiating Forum:**
    - 5.2.1 1 April 1993
6. **Procedural Issues**
  - 6.1 Admission of the media to meetings of the Negotiating Council (Report from the Communications Committee, Addendum B, p51 - 54)
  - 6.2 Contract for the Administration (Report from sub-committee, Addendum C; p55 - 57)
  - 6.3 **Criteria for New Participants:**
    - 6.3.1 Report from sub-committee (Addendum D, available at the meeting)
    - 6.3.2 Submissions by participants (Addendum E, p58)
  - 6.4 Name of the process (Addendum F, p59 -60 )

● **Substantive Issues**

7.1 The Report from the sub-committee on Constitutional Issues (Addendum G, available separately)

7.2 Matters arising from the Report

7.2.1 Submissions by participants on violence (Addendum H, p61 - 63)

8. **Administrative and Financial Matters**

8.1 Administrative Matters

8.2 Security

8.2.1 General Update

8.2.2 Possible Demonstrations

8.3 Financial Matters

9. **The Role of the International Community**

10. **Meetings Schedule** (Addendum J, p64)

11. **Closure**

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE PLANNING COMMITTEE AND THE NEGOTIATING COUNCIL. THEY ARE STILL TO BE RATIFIED AT THE NEXT MEETING OF THE PLANNING COMMITTEE.

**DRAFT MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD AT 13:00 AND AT 18:30 ON THURSDAY 1 APRIL 1993 AT THE WORLD TRADE CENTRE**

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

T Eloff (Administration)  
G Hutchings (Minutes)

**Action**

1. **Chairpersonship and Welcome**
  - 1.1 RP Meyer assumed the role of the Chairperson for this meeting and welcomed the members.
  - 1.2 It was noted that the members met over a working lunch (from 13h00 to 14h00) to assess the progress of and to consider the Way Forward to submit recommendations to the Negotiating Forum.
  - 1.3 A further meeting of the Planning Committee was held after the meeting of the Negotiating Forum (at 18h30) to consider the way forward in terms of Resolutions agreed upon by the Negotiating Forum.

2. **Evaluation of the Progress of the Negotiating Forum**

It was noted that members were satisfied with the way the Negotiating Forum was chaired and the way in which it was progressing. Due to this progress it was agreed that it would be possible to finish the meeting of the Negotiating Forum by the end of the day.

3. **Resolution on Violence**

3.1 It was agreed to recommend the following to the Negotiating Forum:

3.1.1 That, after the resolution on violence was tabled with the Negotiating Forum, any possible amendments should be forwarded to the Resolution Committee to finalise a comprehensive resolution.

Resolution  
Committee

3.1.2 That an addendum be attached to the resolution listing the issues to be dealt with in terms of the resolution. These issues should not be discussed within the Negotiating Forum, but within the Negotiating Council.

3.1.3 Delegations should be requested to submit their amendments or issues relating to the Resolution, in writing to the drafting sub-committee. A distinction should be made between amendments to the Resolution and the issues relating to the Resolution.

Leaders of  
Delegations

3.1.4 The Negotiating Forum should then mandate the Negotiating Council to decide on mechanisms to deal with the issues.

3.1.5 Possible issues to be dealt with could be:

- \* The Strengthening of the National Peace Accord;
- \* Armed Formations;
- \* Crime.

- 3.2 It was noted that the IFP would be tabling a broader proposal in this regard.

4. **The Way Forward**

- 4.1 It was agreed to recommend the following to the Negotiating Forum:

- 4.1.1 That the agenda of the Negotiating Forum be amended as follows:

- \* Item 7 should become Item 6.3, and
- \* The present Item 6.3 should become Item 7.

- 4.1.2 That M Maharaj and SS van der Merwe present the report on the CODESA Agreements and the Phases of the Transition (Item 6.1 and 6.2 of the Agenda for the Negotiating Forum). Discussion could follow after the presentation.

M Maharaj  
SS vd Merwe

- 4.1.3 To propose a Draft Resolution on the Way Forward, to the Negotiating Forum. This will enable the debate/discussion to proceed in a structured way.

- 4.1.4 To request that any amendments to the resolution should be tabled in writing, in line with the manner in which the amendments to the Resolution on Violence was handled.

- 4.1.5 The resolution would encompass issues to be taken up by the Negotiating Council.

- 4.2 The Negotiating Forum should mandate the Negotiating Council to set up mechanisms to deal with the issues listed. Therefore, the issues would be taken further by the Negotiating Council and not by the Negotiating Forum.

## Action

### 5. Name of the Process

It was noted that the Chairperson should remind delegations to forward their name preferences to the Administration before the end of the session.

Chairpersons of  
Negotiating Forum

The meeting adjourned at 13:55.

The meeting reconvened at 18:30.

### 6. The Way Forward

#### 6.1 Violence:

6.1.1 As mandated by the Negotiating Forum, it was agreed to request every party/organisation/delegation to submit proposals on issues that, in their view, cause violence, threaten the negotiating process and undermine the effective implementation of the National Peace Accord.

Leaders of  
Delegations

6.1.2 A deadline of 12 April at 16:00 for the submission of proposals should be given to the parties/organisations/delegations.

6.1.3 The proposals should be circulated to the Planning Committee before the next meeting of the Planning Committee.

Administration

6.1.4 The Planning Committee is to suggest mechanisms to the Negotiating Council to deal with the proposals.

#### 6.2 The Transition Process:

6.2.1 As mandated by the Negotiating Council, it was agreed that the Sub-Committee on Constitutional Issues proceed with the drafting of the Consolidated Document.

M Maharaj  
B Ngubane  
SS vd Merwe

- 6.2.2 It was noted that "agreements" within the Consolidated Document should be referred to as "reports". Therefore, included within the Consolidated Document would be CODESA reports on process, progress and outstanding issues.
- 6.2.3 Once the Consolidated Document is completed, the Planning Committee would have to agree on how it is to be processed.
- 6.2.4 If necessary Technical Committees should be established to produce reports that could be presented at the next meeting of the Planning Committee.
- 6.2.5 The sub-committee should consider what possible Technical Committees would be needed in the future (e.g. for the drafting of legislation).

## 7. Schedule of Meetings

- 7.1 As mandated by the Negotiating Forum, the Planning Committee established the following meetings:
  - \* Planning Committee: Thursday 15 April 1993, from 10:00 to 15:00;
  - \* Negotiating Council: Monday 19 April 1993, from 10:00 to 17:00;
  - \* Planning Committee: Provisionally keep Tuesday 20 April 1993 available;
  - \* Planning Committee: Thursday 22 April 1993, from 14:00 to 18:00; and
  - \* Negotiating Council: Friday 23 April 1993, from 09:15 to 17:00.

**Action**

7.2 It was agreed that the Administration notify the Negotiating Council on Friday 2 April 1993 of these meetings.

Administration

7.3 It was suggested that the next meeting of the Negotiating Forum would take place on 29 April 1993.

**8. Closure**

The meeting closed at 19:00

These minutes were ratified at the meeting of the Planning Committee of ..... 1993 and the amended version signed by the Chairperson of the original meeting on .....

.....  
CHAIRPERSON

THESE MINUTES ARE A FIRST DRAFT. THE PLANNING COMMITTEE WILL ALSO REVIEW THEM BEFORE THEY ARE DISTRIBUTED TO PARTICIPANTS IN THE NEGOTIATING FORUM.

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE NEGOTIATING FORUM. THEY ARE STILL TO BE RATIFIED AT THE NEXT MEETING OF THE NEGOTIATING FORUM.

**DRAFT MINUTES OF THE MEETING OF THE NEGOTIATING FORUM HELD ON 1 APRIL 1993 AT 10H00 AT THE WORLD TRADE CENTRE**

PRESENT: A list will be available later (Addendum A)

1. **Moment of Silence**

A moment of silence was observed by all delegates, advisers and observers.

2. **Opening Statement by Chairperson**

The members were welcomed and an opening statement (Addendum B) was delivered by R Cronje, Chairperson of the first session. R Cronje was assisted by C de Jager and M Nonkonyana.

3. **Confirmation of Agenda**

3.1 After a proposal by B Ngubane (Kwazulu Government) to discuss the "Form of State" higher up on the Agenda, it was decided that any such item could be raised under Items 6.1, 6.2 or 7 of the Agenda.

3.2 Consequently, the Agenda was confirmed with no amendments.

4. **Mechanisms and Procedures - Report from the Negotiating Council**

4.1 **Standing Rules:**

4.1.1 A report was presented to the Forum by C Eglin and MC Ramaphosa.

4.1.2 The Standing Rules were adopted with the following amendments:

\* Item 3.1.2 should now read "Four delegates (at least one of

whom would be a woman) and two advisers at meetings of the Negotiating Forum.";

- \* Item 3.1.3 should now read "Two delegates (at least one of whom would be a woman) and two advisers at meetings of the Negotiating Council; the leader of the delegation can appoint an adviser to take his/her place as an alternate if necessary.";
- \* Item 7.2 should now read "The Negotiating Forum and the Negotiating Council shall be chaired by a core panel of Chairpersons (assisted by two persons from within the Negotiating Council), appointed on merit and capability by the Negotiating Council from its own ranks and serving on a rotating basis. This principle of rotation should be applied from time to time as decided by the Negotiating Council, bearing in mind the principle of continuity.";
- \* The addition of an Item 8.3 to read "Where a member or members specifically request that their objection is noted, their objection will be so minuted.";
- \* The existing 9.1 and 9.2 be deleted and Item 9 should now read "All meetings of the Plenary, The Negotiating Forum and the Negotiating Council shall be open to the media, with the proviso that the Negotiating Council may, in terms of its own procedures, decide on which part of its meetings should be closed to the media.";
- \* Item 10 should now read "These Rules of Procedure can be amended by the Negotiating Forum."

(See Addendum C for the amended Standing Rules)

#### 4.2 Name of the Multi-Party Negotiating Process

4.2.1 A report was presented to the Forum by B Alexander and J Slovo (Addendum D).

4.2.2 The following proposal was agreed upon:

- \* The circular indicating various options for the name be handed out to the leaders of the delegations to fill in first and second preferences;
- \* The Planning Committee is mandated to use the information

obtained from the circular to assist in the submitting of a recommendation to the Negotiating Council; and

- \* The Negotiating Council is to report back to the next meeting of the Negotiating Forum.

4.2.3 All delegations were requested to hand their circular in before the end of the day's proceedings.

#### 4.3 **Composition and Structure of the Multi-Party Negotiating Process**

4.3.1 A report was presented to the Forum by R Meyer and Z Titus (See Addendum E).

4.3.2 The Composition and Structure of the Multi-Party Negotiating Process was adopted with the following amendments:

- \* The Composition of the **Negotiating Forum** should now read "Four delegates and two advisers. At least one delegate must be a woman.";
- \* The second paragraph under Chairpersonship of the **Negotiating Council** should now read "If a delegate becomes the Chairperson or an assistant to the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration." The same applies to the Chairpersonship of the **Negotiating Forum**.;
- \* The sentence under **Administration** should now read "Accountable to the Planning Committee as mandated by the Negotiating Council."

(See Addendum F for the amended Composition and Structure.)

4.3.3 It was agreed to accept in principle that negotiations for a new constitution for South Africa is primarily a matter for South Africans. To what extent non-South Africans should be involved as advisers, and the application thereof, was referred back to the Negotiating Council.

4.3.4 It was noted that all structures should reflect a balanced representation.

#### 4.4 **Participation**

4.4.1 A report was presented to the Forum by M Webb (See Addendum G).

4.4.2 The report, stating that the issue was still under consideration by the Negotiating Council, was accepted.

4.4.3 It was noted that the Negotiating Council and the Planning Committee are grappling with the difficult issue of what objective criteria can be used to measure participation in the Multi-Party Negotiating Process.

4.4.4 Present participants were again invited to submit proposals in this regard to the Planning Committee, through the Administration.

## 5. **Violence and its impact on the Negotiating Process**

5.1 A Draft Resolution was presented to the Forum by PJ Gordhan on behalf of the Planning Committee (See Addendum H).

5.2 Each participating delegation made an input on this issue. This took the proceedings up to lunch.

5.3 It was noted that the Planning Committee was to meet over lunch to assess the progress of the Forum and make any recommendations that might promote progress.

The meeting adjourned for lunch at 13h00.

The meeting reconvened at 14h00. At this time, DJ de Villiers assumed the role of Chairperson, assisted by KM Andrew and TJ Mohapi.

5.4 A proposal by the Planning Committee that all suggested amendments be forwarded in writing to the Resolution Committee to draft a resolution was accepted. The Resolution Committee, as proposed by the Planning Committee, consisted of C Eglin, PJ Gordhan, R Meyer and Z Titus.

5.5 After this process and discussion, a Resolution on Violence was adopted by general consensus by the Forum (Addendum I).

5.6 In terms of this Resolution, participants are invited to submit proposals to identify those issues that cause violence, threaten the negotiating process and undermine the effective implementation of the National Peace Accord. These issues will be dealt with by the Negotiating Council.

This discussion took the meeting up to tea time.

When the meeting reconvened, PJ Gordhan assumed the role of Chairperson, assisted by NJ Mahlangu and T Langley.

## **The Transition Process - Report from the Negotiating Council**

6.1 It was proposed by the Planning Committee that the Agenda be amended as follows:

- \* Item 6.3 should now read "The way forward and instructions to the Negotiating Council concerning constitutional issues"; and
- \* Item 7 should now read "The Role of the International Community".

This was agreed to by the Forum.

6.2 A report on the Transition Process was verbally presented by M Maharaj and SS van der Merwe to the Forum. After discussion, the following was agreed:

6.2.1 That a without prejudice Consolidated Document be drafted that will, together with the Document of CODESA Agreements (distributed to members of the Negotiating Council) and the summary of CODESA Agreements (contained within the pack of documents for the Forum), form a trilogy of documents to facilitate the work of the Negotiating Council in their deliberations, and would further enable all participants to address the issues in full. It was noted that the Consolidated Document does not in any way pre-empt agreements by the Negotiating Council and that it is not a binding document.

6.2.2 The Consolidated Document is to be drafted by a Sub-Committee on Constitutional Issues, consisting of M Maharaj, B Ngubane and SS van der Merwe.

6.2.3 The Consolidated Document would give an overview of CODESA reports and agreements. The report from the Gender Advisory Committee from CODESA would be incorporated within the Consolidated Document.

6.2.4 The Consolidated Document and issues flowing therefrom are to be tabled with the Negotiating Council. In this way all organisations can input into and agree to the process.

6.3 **The Way Forward:**

6.3.1 A Draft Resolution on the Transition Process proposed by the Resolution Committee was tabled (See Addendum J).

6.3.2 It was proposed that all suggested amendments be forwarded in writing to the Resolution Committee to draft a resolution.

6.3.3 After this process and discussion, a Resolution on the Transition

Process was adopted by general consensus by the Forum (Addendum K).

**7. The Role of the International Community**

- 7.1 It was agreed, by consensus, to refer this matter back to the Negotiating Council.
- 7.2 A report is to be presented on this issue at the next meeting of the Negotiating Forum.

**8. The processing of the decisions of the Forum**

It was agreed that the Negotiating Council should instruct the Planning Committee to take forward decisions that have been taken, by the Negotiating Forum, with a view to submit proposals to the next meeting of the Negotiating Council.

**9. Closure**

- 9.1 A motion, containing condolences and paying tribute to Professor Hudson Ntsanwisi of Gazankulu who recently died, was adopted by consensus.
- 9.2 The meeting was closed at 18h25 and the Chairpersons were complimented on their Chairing.

Good Morning

On behalf of the proposed Negotiating Council, I extend a warm welcome to all delegates, advisers, distinguished International observers and representatives of the media.

This meeting of the proposed Negotiating Forum follows on the Planning Conference of the 5 & 6 March 1993. The Planning Conference launched the political actors of our country onto a hopeful and optimistic path to resolving our problems.

The Planning Conference mandated the Facilitating Committee to undertake the following tasks:

1. Deciding upon and implementing the steps that are necessary to give effect to this meeting to determine, inter alia:
  - 1.1 Mechanisms and procedures for the Negotiating Process (including name and structures);
  - 1.2 How the CODESA agreements can serve as a constructive foundation for the resumed/commenced Negotiations Process to build on and how to accommodate the views of those participants who were not in CODESA;
  - 1.3 The role of the international community.

This meeting of the proposed Negotiating Forum will:

- \* Receive, consider and decide upon reports from the proposed Negotiating Council on the various tasks assigned to it;
- \* Discuss issues of major national concern such as the violence which is engulfing our country;
- \* Give a mandate to the proposed Negotiating Council to negotiate various constitutional issues.

We are happy to report that, despite many differences among us, the discussions in the proposed Negotiating Council have been extremely constructive and in a co-operative spirit.

It is our shared hope that this spirit will extend to our deliberations over the next two days.

May we remind you that the proposed Negotiating Forum, in addition to receiving and deciding upon reports from the proposed Negotiating Council, this Forum is charged with the responsibility of instructing and supervising the work of the proposed Negotiating Council.

## STANDING RULES OF PROCEDURE

### 1. Application

These Rules of Procedure apply at Plenary meetings and at meetings of the Negotiating Forum and the Negotiating Council.

### 2. Participants

The participating parties entitled to be represented at meetings are those listed in the List of Participating Parties annexed hereto. The Negotiating Forum can add parties to or delete parties from the list, on the recommendation of the Negotiating Council. Observers can be admitted as decided.

### 3. Delegates

3.1 Each participating party shall be entitled to be represented by:

3.1.1 Ten delegates (women must be included in the delegation) at Plenary meetings;

3.1.2 Four delegates (at least one of whom would be a woman) and two advisers at meetings of the Negotiating Forum;

3.1.3 Two delegates (at least one of whom would be a woman) and two advisers at meetings of the Negotiating Council; the leader of the delegation can appoint an adviser to take his/her place as an alternate if necessary.

3.2 Each participating party shall submit and register the names of its delegates and advisers with the [name of the forum] Administration.

3.3 Advisers can be substituted at any time provided that the substituting advisers are registered with the Administration in advance and that the leaders of the delegations notify the Chairpersons whenever an adviser is substituted during the course of a meeting.

3.4 In the event of a dispute concerning the credentials of a delegate or an adviser, the issue will be decided by the meeting itself upon the receipt of a factual report and recommendation of the Planning Committee.

## 4. Agreements and Decisions

- 4.1 All agreements are to be arrived at and decisions taken by general consensus.
- 4.2 If general consensus cannot be achieved, the method of sufficient consensus will be used.
- 4.3 Sufficient consensus means that:
  - 4.3.1 There is a lack of general consensus;
  - 4.3.2 There is enough agreement from enough participating parties to enable the process to move forward;
  - 4.3.3 Parties who disagree can record their objections or rejections formally, but will, in the spirit of cooperation, not hinder the process from going forward.
- 4.4 The ruling that there is consensus/sufficient consensus or not, shall be taken by the Chair in his/her discretion. However, before ruling that there is sufficient consensus or not, the Chair shall ensure that the disagreeing parties, especially those who consider themselves materially affected, as well as the meeting, shall have had sufficient opportunity to utilise a variety of mechanisms in order to reach the widest possible consensus.

In particular, such mechanisms shall include adjournments to enable informal discussions between participants, setting up technical committees composed as the meeting deems appropriate for the particular matter under consideration, as well as allowing participants to consult their principals.

The Chair and the meeting shall decide upon the specific mechanism/s on the basis of the nature of the issues around which the disagreement exists, with the view to arriving at consensus/sufficient consensus. These mechanisms are intended for resolving substantive issues and not for formal and administrative decisions.

- 4.5 The ruling that there is consensus/sufficient consensus or not can however be challenged by any party who disagrees. The meeting will then deal with it as is appropriate.

## 5. Quorum

The Chair may declare a meeting open and permit the debate to proceed when delegates of at least two-thirds of the participating parties are present.

6. **Speeches and interventions**

- 6.1 Every delegate shall be entitled to speak.
- 6.2 If a speaking order has been agreed upon, the Chair shall call the speakers in that order.
- 6.3 In general, the Chair shall call on speakers in that order in which they signify their desire to speak. The Chair however, shall ensure that each delegation is afforded a reasonable opportunity to speak.
- 6.4 The Chair shall apply the standard rules applicable to meetings, except as otherwise stipulated herein.

7. **Chairing of meetings**

- 7.1 Plenary meetings shall be chaired by an independent Chairperson/s to be decided upon by the Negotiating Council.
- 7.2 The Negotiating Forum and the Negotiating Council shall be chaired by a core panel of Chairpersons (assisted by two persons from within the Negotiating Council), appointed on merit and capability by the Negotiating Council from its own ranks and serving on a rotating basis. This principle of rotation should be applied from time to time as decided by the Negotiating Council, bearing in mind the principle of continuity.

8. **Minutes and Documentation**

- 8.1 The proceedings of Plenary meetings shall be recorded and transcribed and copies of the transcript made available to all delegates.
- 8.2 The proceedings of meetings of the Negotiating Forum and Negotiating Council shall be recorded in full, but only agreements and decisions shall be minuted.
- 8.3 Where a member or members specifically request that their objection is noted, their objection will be so minuted.

9. **Media**

All meetings of the Plenary, The Negotiating Forum and The Negotiating Council shall be open to the media, with the proviso that the Negotiating Council may, in terms of its own procedures, decide on which part of its meetings should be closed to the media

10. **Amendment of the Rules of Procedure**

10.1 These Rules of Procedure can be amended by the Negotiating Forum.

## REPORT ON THE NAME OF THE NEGOTIATING PROCESS

The Planning Conference mandated the Facilitating Committee to recommend a name for this negotiating process.

The Facilitating Committee/Negotiating Council has discussed this matter and also directed the Planning Committee to make recommendations in this regard.

To date it has not been possible to find consensus on a new name.

It has not been possible for the Planning Committee to reconcile two equally strongly held views on the retention/exclusion of the term CODESA in/from the new name. It must be pointed out that participants do not merely differ on a name, but rather what is perceived by constituencies to be associated with the name of the process.

Although many options have been generated in regard to the new name, none has met with general or sufficient consensus.

Accordingly the Negotiating Council is unable to recommend a name at this stage.

However, the Planning Committee recommends, that in order to assist the Negotiating Council to find consensus on this issue, participants are requested to indicate two preferences on a circular that will be distributed to the leader of each delegation. This will guide the Planning Committee in the formulation of a recommendation. Leaders of delegations are requested to return these forms as soon as possible to the Administration.

**TO ALL LEADERS OF DELEGATIONS**

**PROPOSED NAME OF THE PROCESS**

The following alternatives have been offered as proposals from the Negotiating Council:

- \* CODESA
- \* NEFSA (Negotiating Forum for South Africa)
- \* CODESA/NEFSA
- \* SACOF (South African Constitutional Forum)
- \* COFSA (Constituional Forum for South Africa)
- \* CONEDSA (Convention for Negotiating a Democratic South Africa)
- \* CONESAD (Convention for Negotiating a South African Democracy)
- \* DECOSA (Democratic Convention of South Africa)
- \* MPCC (Multi Party Constitutional Convention)
- \* MPDC (Multi Party Democratic Convention)
- \* NEGOSA (Negotiating South Africa)

Other:

- \*
- \*
- \*

Please indicate your preference giving a first and second option. If none of the above apply, please indicate your own proposal.

DELEGATION	FIRST PREFERENCE	SECOND PREFERENCE

***DRAFT SUMMARY OF COMPOSITION AND STRUCTURE***

**PLENARY**

- Composition : Leaders of Parties. Women must be included in the delegation.
- Function : The formal adoption of agreements.
- Frequency of Meeting : When necessary as proposed by the Multi-Party Negotiating Forum.
- Chairpersonship : Independent chairperson(s), still to be decided

## MULTI-PARTY NEGOTIATING FORUM

- Composition : Four delegates and two advisers.  
One delegate must be a woman.
- Function : Receives, confirms (with or without amendments) reports and proposals from the Negotiating Council for submission to Plenary. Also instructs and supervises the work of the Negotiating Council.
- Frequency of Meeting : Fortnightly or as may be decided from time to time.
- Chairpersonship : A core panel of chairpersons (approximately 6), decided on by the Negotiating Council from its own ranks on merit and capability. Each will chair a session on a rotating basis, aided by members of the Negotiating Council.

## NEGOTIATING COUNCIL

Composition : Two delegates and two advisers. One delegate is to be the leader of the delegation, the other must be a woman and the advisers do not play a functionary role in the meeting. Substitutes are allowed.

Function : To get on with the function of negotiations and to report to the Multi-Party Negotiating Forum.

Frequency of Meeting : Provisionally three or four days a week or as may be decided from time to time.

Chairpersonship : A core panel (approximately 6) elected from the ranks of the Negotiating Council on merit and capability, serving on a rotating basis, assisting one another continuously.

If a delegate becomes the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration.

## PLANNING COMMITTEE

- Composition** : Ten members of the Negotiating Council (no substitutes allowed as each member is appointed in a personal capacity and not as a r e p r e s e n t a t i v e o f parties/organisations/administrations. Flexibility should, however, be allowed.) The principles of rotation and continuity in the membership were accepted.
- Function** : To work under the directives and supervision of the Negotiating Council. To plan and submit recommendations on procedural and substantive issues.
- Frequency of Meeting** : Available on a full time basis, meeting on an ongoing basis or as may be decided from time to time.
- Chairpersonship** : As decided by the Planning Committee itself (possibly on a rotating basis, using personal name in an alphabetical order).

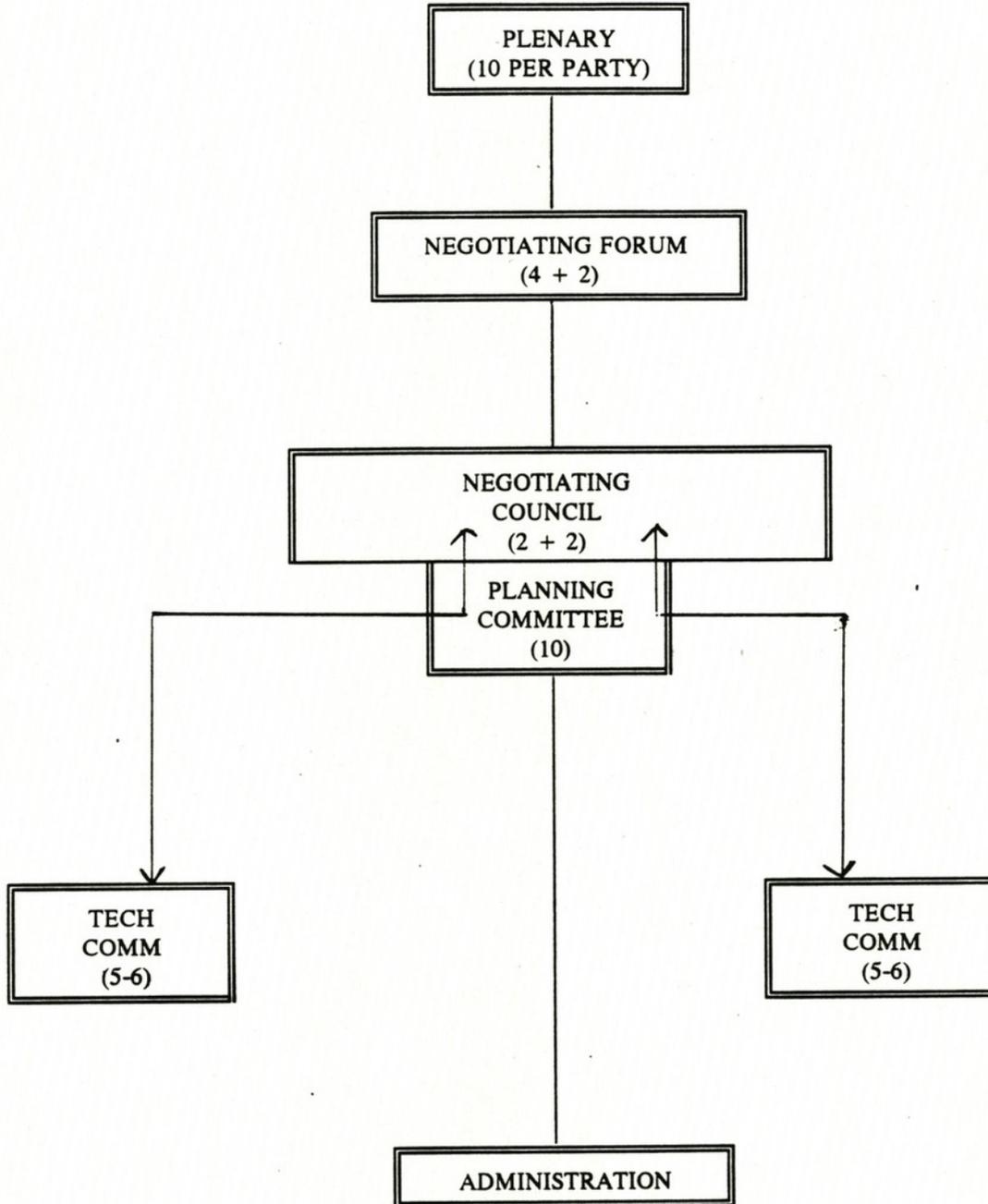
## TECHNICAL COMMITTEE(S)

- Composition : Any person appointed by the Multi-Party Negotiating Council (non-South Africans excluded).
- Function : These committees function as ad hoc committees with specified tasks.
- Frequency of Meeting : As decided according to need.
- Chairpersonship : As decided by the Committee itself.

## ADMINISTRATION

Accountable to the Planning Committee.

## SUMMARY OF PROPOSED STRUCTURES



***SUMMARY OF COMPOSITION AND STRUCTURE***

**PLENARY**

- Composition : Leaders of Parties. Women must be included in the delegation.
- Function : The formal adoption of agreements.
- Frequency of Meeting : When necessary as proposed by the Multi-Party Negotiating Forum.
- Chairpersonship : Independent chairperson(s), still to be decided

## MULTI-PARTY NEGOTIATING FORUM

Composition : Four delegates and two advisers.  
At least one delegate must be a woman.

Function : Receives, confirms (with or without amendments) reports and proposals from the Negotiating Council for submission to Plenary. Also instructs and supervises the work of the Negotiating Council.

Frequency of Meeting : Fortnightly or as may be decided from time to time.

Chairpersonship : A core panel of chairpersons (approximately 6), decided on by the Negotiating Council from its own ranks on merit and capability. Each will chair a session on a rotating basis, aided by members of the Negotiating Council.

If a delegate becomes the Chairperson or an assistant to the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration.

## NEGOTIATING COUNCIL

- Composition : Two delegates and two advisers. One delegate is to be the leader of the delegation, the other must be a woman and the advisers do not play a functionary role in the meeting. Substitutes are allowed.
- Function : To get on with the function of negotiations and to report to the Multi-Party Negotiating Forum.
- Frequency of Meeting : Provisionally three or four days a week or as may be decided from time to time.
- Chairpersonship : A core panel (approximately 6) elected from the ranks of the Negotiating Council on merit and capability, serving on a rotating basis, assisting one another continuously.
- If a delegate becomes the Chairperson or an assistant to the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration.

## PLANNING COMMITTEE

- Composition : Ten members of the Negotiating Council (no substitutes allowed as each member is appointed in a personal capacity and not as a r e p r e s e n t a t i v e o f parties/organisations/administrations. Flexibility should, however, be allowed.) The principles of rotation and continuity in the membership were accepted.
- Function : To work under the directives and supervision of the Negotiating Council. To plan and submit recommendations on procedural and substantive issues.
- Frequency of Meeting : Available on a full time basis, meeting on an ongoing basis or as may be decided from time to time.
- Chairpersonship : As decided by the Planning Committee itself (possibly on a rotating basis, using personal name in an alphabetical order).

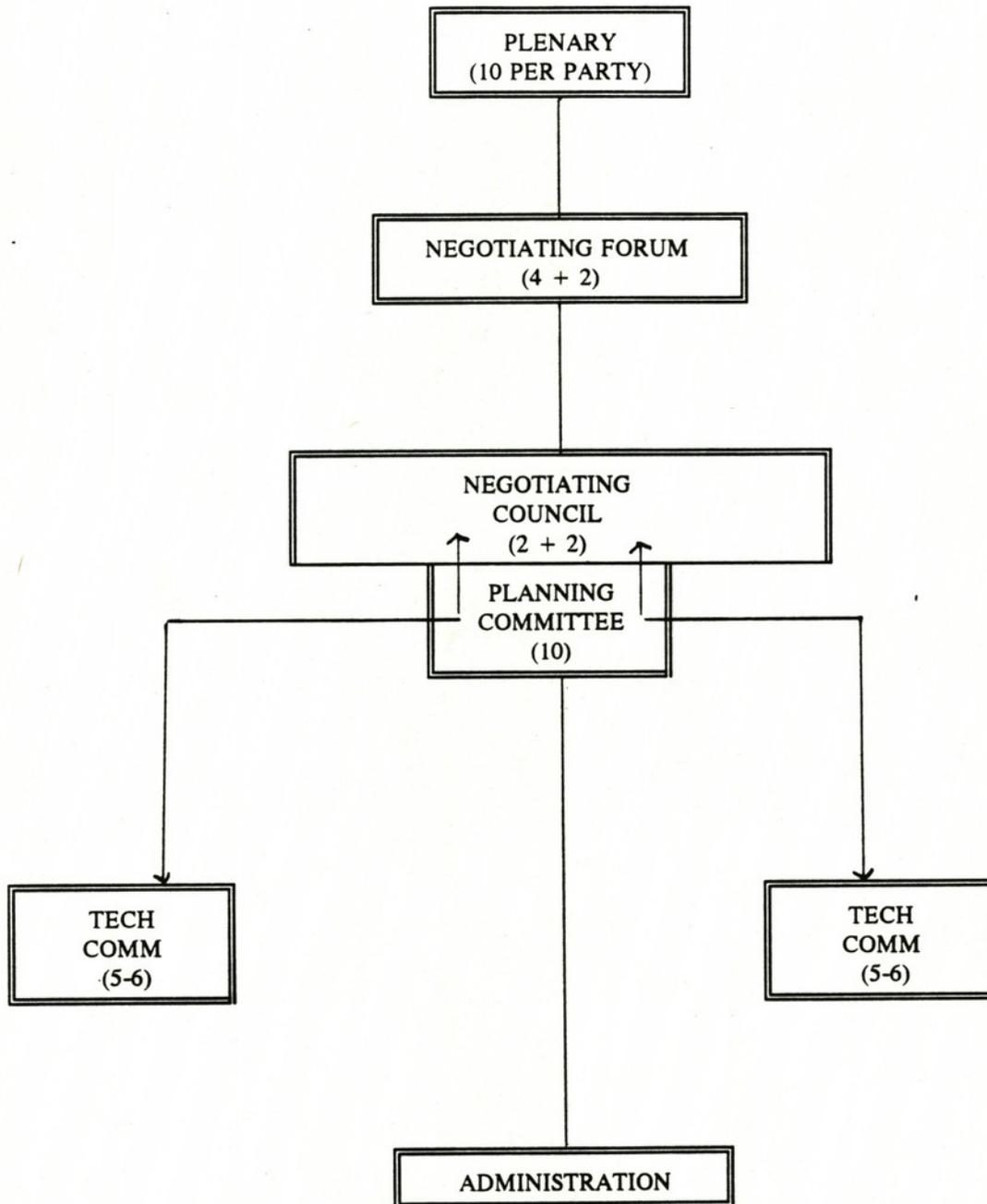
## TECHNICAL COMMITTEE(S)

- Composition : Any person appointed by the Multi-Party Negotiating Council (non-South Africans excluded).
- Function : These committees function as ad hoc committees with specified tasks.
- Frequency of Meeting : As decided according to need.
- Chairpersonship : As decided by the Committee itself.

## **ADMINISTRATION**

Accountable to the Planning Committee as mandated by  
The Negotiating Council

## SUMMARY OF PROPOSED STRUCTURES



## REPORT ON PARTICIPATION

The Negotiating Council has to report that the issue of **participation** is still under consideration. A report has been submitted by the Planning Committee to the Negotiating Council, but it was found that this was not satisfactory. A further recommendation will be made to the Negotiating Council by Planning Committee at its first meeting after this Forum. A proposal will be then be tabled at the next meeting of the Negotiating Forum.

The Negotiating Council and Planning Committee are grappling with the difficult issue of what objective criteria can be used to measure participation in the Multi-Party Negotiating Process. These include the participation of Traditional Leaders. Both the Planning Committee and the Negotiating Council are conscious of the extreme urgency and sensitivity of the matter. Present participants are hereby again invited to submit proposals in this regard to the Planning Committee, through the Administration.

Letters informing all new applicants of this state of affairs had been faxed to those concerned.

Although no recommendation can therefore be made to this Negotiating Forum, delegates are welcome to comment on this issue.

DRAFT

THE NEGOTIATING FORUM, MEETING ON 1 AND 2 APRIL 1993

**NOTING** \* The unfortunate/regrettable escalation in violence, and tension in South Africa;

**CONCERNED** \* About the recent loss of life particularly of women and children;  
The damage to relations among people and organisations and the consequent deepening divisions;

**Do Hereby Unequivocally**

**COMMIT OURSELVES** \* To attaining peace in our country as soon as possible;  
\* To peaceful negotiations and resolution of difference;  
\* To effective joint action by all of us to usher in peace and democracy to our country;

**And Therefore Resolve To**

1. Identify those issues which affect/impact negatively on the negotiations process and the implementation of the Peace Accord.
2. Mandate the Negotiations Council to establish a mechanism to resolve the above issues urgently.

**THE NEGOTIATING FORUM, MEETING ON 1 AND 2 APRIL 1993**

**RESOLUTION ON VIOLENCE**

We, the participants at the Negotiating Forum meeting at the World Trade Centre on 1 And 2 April 1993:

- NOTING** \* With revulsion the unacceptable escalation of violence that is engulfing our country;
- OUTRAGED** \* At the killings particularly of women and children;
- CONCERNED** \* About the damage violence is inflicting on all aspects of the economy, on relations among people and organisations and the consequent deepening of divisions;
- AWARE** \* That violence poses a threat to the negotiating process which if it continues could wreck the process and plunge our country into an era of unprecedented conflict.

**DO HEREBY UNEQUIVOCALLY**

- CONDEMN** \* Without reservation the wanton killing and maiming of the citizens of our country;
- EXPRESS** \* Our sympathy and condolences to all those who are suffering in consequence;
- COMMIT OURSELVES** \* To effective joint action by all of us leading to the eradication of violence and to the attainment of peace in our country as soon as possible;
- \* To peaceful negotiations as the only way to resolve differences.

**AND THEREFORE RESOLVE TO**

1. Identify those issues that cause violence and which threaten the negotiating process and the undermining of the effective implementation of the National Peace Accord.
2. Mandate the Negotiating Council to establish what urgent steps and mechanisms are required to resolve the above issues as a matter of national priority. The Negotiating Council shall report to the next meeting of the Negotiating Forum.

**DRAFT RESOLUTION ON THE TRANSITION PROCESS**

1. We, the participants at the Negotiating Forum meeting at the World Trade Centre, Johannesburg on 1st and 2nd April 1993, having,
  - 1.1 Received a report from the Negotiating Council on the CODESA reports and the transition process;
  - 1.2 Identified some of the issues concerning constitutional matters which the Negotiating Council must consider.
  
2. Resolve to instruct the Negotiating Council to consider and report on all matters arising from the Consolidated Report including inter alia the following Constitutional issues:
  - \* Constitutional Principles
  - \* Constitution-Making Body
  - \* Transitional Constitution
  - \* Form of State
  - \* Transitional Regional Government
  - \* Fundamental Human Rights during the Transition
  - \* TEC and Sub-Councils
  - \* Reincorporation
  
3. The Negotiating Council shall present reports on progress made on the above issues to the Negotiating Forum.

**RESOLUTION ON THE TRANSITION PROCESS**

1. We, the participants at the Negotiating Forum meeting at the World Trade Centre, Johannesburg on 1st and 2nd April 1993, having,
  - 1.1 Received a report from the Negotiating Council on the CODESA reports and the transition process;
  - 1.2 Identified some of the issues concerning constitutional matters which the Negotiating Council must consider.
  
2. Resolve to instruct the Negotiating Council to consider and report on all matters arising from the Consolidated Report, including the following and other Constitutional issues:
  - \* Form of State and Constitutional Principles
  - \* Constitution-Making Body/Constituent Assembly
  - \* Transitional/Interim Constitution
  - \* Transitional Regional/Local Government
  - \* Fundamental Human Rights during the Transition
  - \* Transitional Executive Council, its Sub-Councils, the Independent Elections Committee and the Independent Media Committee
  - \* Future of the TBVC States
  - \* Self-determination
  
3. The Negotiating Council shall present reports on progress made on the above issues to the Negotiating Forum.

**REPORT OF THE COMMUNICATIONS COMMITTEE FOR PRESENTATION TO  
THE PLANNING COMMITTEE ON THURSDAY 22 APRIL, 1993**

**1. Negotiation Council**

- 1.1 As the deliberations of the Negotiating Council is to be reported on by the news media (representatives of local and foreign television, radio and the print media), the Committee recommends that:
- 1.1.1 an area is permanently reserved inside the council room for the media;
  - 1.1.2 this area is separated from the rest of the room by some form of barrier to prevent members of the media from reaching the conference floor from it;
  - 1.1.3 the media area should be as big as possible and furnished with as many tables and chairs as possible (an area running the length of the room instead of across and behind the chairperson is preferred);
  - 1.1.4 the media area should be elevated;
  - 1.1.5 there should be easy access to and from this area for members of the media;
  - 1.1.6 media access should be separate from that to the rest of the room;
  - 1.1.7 steps are to be taken to ensure that debate in the committee is audible in the media area;
  - 1.1.8 adequate lighting for working at tables is necessary in the media area;
  - 1.1.9 the video and audio feed from council room is to be of broadcast quality and therefore:
    - 1.1.9.1 3 or 4 elevated TV cameras should be installed;
    - 1.1.9.2 cameras should be manned by 3 or 4 cameramen;

- 1.1.9.3 a manned switching centre, where decisions are taken on which camera should be used at any given time, should be installed;
  - 1.1.9.4 TV lighting should be installed;
  - 1.1.9.5 proper air-conditioning (to counter heat of TV lights) should be installed;
  - 1.1.9.6 microphones of high technical quality for each delegate as well as the chairperson and officials should be installed;
  - 1.1.10 video and audio feed should be relayed to media working area (offices and common room) on ground floor;
  - 1.1.11 feed should be made available at journalists' desks in this media area through video monitors and loudspeakers; and
  - 1.1.12 feed should also be made available to Tv and radio journalists in this area through malt boxes with an adequate number of plug points.
- 1.2 The Committee wishes to stress that the quality of especially the video feed (if it is to be of broadcast quality) is directly coupled to cost. If cost is inhibitive then:
- 1.2.1 less manned TV cameras could be installed;
  - 1.2.2 loose cameras could be remote controlled;
  - 1.2.3 fixed cameras with only a remote switching facility could be used;
  - 1.2.4 only one fixed camera, without any switching facility and permanently on wide shot, could also be a possibility; and
  - 1.2.5 a fixed camera would work better if speakers were to make use of a podium instead of using own desk microphones (also cheaper for lighting, sound and air-conditioning equipment);
  - 1.2.6 If the Council were to meet in an area where all media can do their own reporting and recording then these costs could be reassessed.

## 2. **Negotiating Forum / Plenary**

- 2.1 The Committee recommends that when the installation of facilities for the

council room are considered, media coverage of the Forum and Plenary are also taken into consideration.

2.2 It also recommends that at Fora and Plenaries:

2.2.1 the whole gallery area be reserved for the media;

2.2.2 the gallery be furnished with as many tables and chairs as possible;

2.2.3 media access to this area should be separate from that to the conference floor;

2.2.4 there should be adequate lighting in the gallery and that the debate on the conference floor should be audible to the media representatives;

2.2.5 there should be a video and audio feed (of broadcast quality) from the floor and therefore:

2.2.5.1 3 or 4 TV cameras should be installed in the gallery;

2.2.5.2 these cameras be manned;

2.2.5.3 a manned switching centre be installed;

2.2.5.4 TV lighting be installed;

2.2.5.5 proper air-conditioning be installed;

2.2.5.6 microphones of high technical quality for each delegation as well as chairpersons and officials be installed;

2.2.5.7 the video and audio feed of broadcasting quality be made available for monitoring and tapping through malt boxes in media working area.

2.3 The same steps as suggested in 1.2 to cut costs could also be applied in this situation.

### 3. General

3.1 The Committee recommends that a media conference room is made available permanently.

3.2 This room should have:

- 3.2.1 an elevated area for speakers' tables and chairs;
  - 3.2.2 a special table covering the backdrop for TV coverage;
  - 3.2.3 an elevated area (very stable) across the back of the room for TV cameras;
  - 3.2.4 as many chairs as possible between elevated areas for seating of journalists;
  - 3.2.5 permanent lighting for TV coverage;
  - 3.2.6 proper air-conditioning;
  - 3.2.7 microphones on table and floor with manned switching facility and malt box for radio and TV coverage;
  - 3.2.8 if a TV and audio feed of broadcast quality for monitoring and tapping is to be supplied, at least one manned or fixed camera; as well as
  - 3.2.9 a video and audio feed to monitors (with switching facility) in media working area.
- 3.3 If costs are prohibitive, the following could be left to the media to supply themselves:
- 3.3.1 lighting equipment
  - 3.3.2 microphones (voice activated microphones could be installed to cut out switching facility); and
  - 3.3.3 no officially supplied feed for monitoring or broadcasting from this area.
- 3.4 The Committee recommends that a special interview room with necessary furniture and backdrop be provided for TV and radio interviews.
- 3.5 The Committee also recommends that the present media working area be maintained (offices and common room) and that pay faxes, pay phones and a pay photostat facility be installed. Telkom should also be encouraged to continue installing special private lines with locking facilities for individual users in this area.
4. The Committee recommends that conference management is asked to draw up a full list of requirements and ask possible contractors, including the South African Broadcasting Corporation, to tender for the hiring of equipment as well as installation and the manning of certain facilities.

**ADMINISTRATION: CONTRACT**

**REPORT TO THE PLANNING COMMITTEE**

1. We were asked to prepare a draft contract with the CBM to include financial arrangements and operating guidelines.
2. The elements concerning operating guidelines to be included in the contract were approved by the Negotiating Council on 30 March 1993.
3. Payments in respect of services rendered are made direct from state funds to the CBM according to arrangements to be approved by the Negotiating Council.
4. The Negotiating Council has no legal personality and capacity to enter into financial contracts. It is accordingly suggested that the financial and administrative operating guidelines be agreed upon and recorded in a document with a copy for each party.
5. A draft record of agreement is attached.

M Maharaj  
SS van der Merwe

22 April 1993

## RECORD OF AGREEMENT CONCERNING THE ADMINISTRATION FOR THE MULTI-PARTY NEGOTIATING PROCESS

It was agreed as follows:

### 1. Administrative operating guidelines

- 1.1 The Consultative Business Movement (CBM) will set up a separate component at the World Trade Centre to act as the Administration for the Multi-Party Negotiating Process.
- 1.2 The Administration will be directly responsible to and perform its functions under the directions of the Planning Committee as mandated by the Negotiating Council.
- 1.3 The Administration at the World Trade Centre will function separately from other activities of CBM.
- 1.4 In the event of any problem arising in this regard, the Planning Committee, as mandated by the Negotiating Council, will have the power to intervene and deal with such an issue appropriately.
- 1.5 The Planning Committee will review the activities of the Administration from time to time.
- 1.6 It is a condition of this contract that Dr Theuns Eloff personally heads the Administration on a full time basis.
- 1.7 The Planning Committee will have full and direct access to Dr Eloff.
- 1.8 The Administration will at all times maintain strict impartiality and objectivity and will render services to all participants in the Multi-Party Negotiating Process on the same level.
- 1.9 No member of the Administration will hold an official position or have a public profile in any political organisation or movement.
- 1.10 Members of the Administration will limit outside and public activities to the minimum so as to ensure the proper profile for these administrative functions. In addition, no member of the Administration will speak authoritatively on the Multi-Party Negotiating Process in any public forum.
- 1.11 The Planning Committee also will be able to intervene if it is of the opinion that the actions of any staff member impacts negatively on the objectivity and impartiality of the Administration.

- 1.12 The Administration will perform all such services as may be decided by the Planning Committee. These will at least include administration, secretarial services, travel and accommodation arrangements, logistical arrangements and financial administration.

2. **Financial and logistical arrangements**

Whereas the CBM is a non-profit organisation, the financial arrangements will be as follows:

- 2.1 All expenses (direct and indirect) incurred by the CBM in connection with the Administration in respect of remuneration packages, travel and subsistence expenses, will be reimbursed to it.
- 2.2 The CBM will be furnished with all the necessary office supplies and equipment.

**CRITERIA FOR PARTICIPATION IN THE MULTI-PARTY NEGOTIATING PROCESS**

Whilst it is desirable that all political groupings who intend to participate in the negotiation process should be afforded an opportunity to do so, it is equally important to ensure that the parties seeking affiliation have a reasonable measure of support. Evidence of such support and an indication of the constituency in which they operate should be furnished in support of their applications.

A decision on such an application should be taken after it has been evaluated with due regard having been had for the criteria referred to above and provided the application is supported by at least two thirds (2/3) of the existing participants.

Where an applicant fails to qualify for admission as a fully fledged member of the negotiating forum, the party should nevertheless be afforded the opportunity of making inputs so that their views could be given due consideration by the participants at the Negotiating Forum.

**SOLIDARITY PARTY**

## PROPOSED NAME OF THE PROCESS

The following alternatives were offered as proposals from the Negotiating Council:

- \* CODESA
- \* NEFSA (Negotiating Forum for South Africa)
- \* CODESA/NEFSA
- \* SACOF (South African Constitutional Forum)
- \* COFSA (Constitutional Forum for South Africa)
- \* CONEDSA (Convention for Negotiating a Democratic South Africa)
- \* CONESAD (Convention for Negotiating a South African Democracy)
- \* DECOSA (Democratic Convention of South Africa)
- \* MPCC (Multi Party Constitutional Convention)
- \* MPDC (Multi Party Democratic Convention)
- \* NEGOSA (Negotiating South Africa)

Below is a summary of the proposals put forward by the parties in the Negotiating Forum:

First Preference	Second Preference
CODESA (13)	MPCC (8)
SACOF (9)	SACON/CODESA (6)
MPCC (2)	SACON (4)
DECOSA (1)	CODESA/NEFSA (3)
CODENSA (1)	COFSA (1)
	NEFSA (1)
	SACOF/SACON (1)
	SACCON (1)
	SACOM (1)

PREFERENCE DISTRIBUTION

First Preference	Second Preferences
CODESA (13)	SACON/CODESA (6)
	SACON (4)
	CODESA/NEFSA (2)
	SACOF/SACON (1)
SACOF (9)	MPCC (8)
	CODESA/NEFSA (1)
MPCC (2)	CODESA/NEFSA (1)
	NEFSA (1)
DECOSA (1)	SACCON (1)
CODENSA (1)	SACOM (1)

APPENDIX H

## INYANDZA NATIONAL MOVEMENT'S INPUT ON THE

## NEGOTIATING PROCESS

1. Violence continues to rage in our country despite political leaders' resolve to end this devastating malady. Violence may continue to be with us for a long time if we continue to address the symptoms of violence and not its causes.
2. The causes of violence are numerous and very obvious to us. Violence rages within the present undemocratic socio-political order. It is Inyandza National Movement's view that the causes of violence and resolution cannot be permanently addressed within the present socio-political order. As a point of departure in this regard, there is an urgent need to drastically transform the socio-political order in this country.
3. We therefore wish to recommend and urge all political leaders committed to peace to commit themselves to a speedy resolution of the political conflict in the country to enable democratic elections to take place and in this way usher us into a democratic socio-political order in the country.
4. We further wish to wholeheartedly associate ourselves with the resolution under discussion.

PAGE ONE

ISSUES CAUSING VIOLENCE/THREATENING THE NEGOTIATING PROCESS AND UNDERMINING THE IMPLEMENTATION OF THE NATIONAL PEACE ACCORD

The wanton killing of Mr Chris Hani and the finding of a hit list in the flat of the gunman arrested introduces a new dimension into the question of violence in South Africa. The appeal to all South Africans by top Political Leaders for calm and for a commitment to the negotiating process, we sincerely trust will contribute to the easing of tensions which have been exacerbated by the murder of Mr Chris Hani.

As it has been so often alluded to, it is abundantly clear that a concerted effort is being made in certain circles to derail the negotiation process and to allow the country to drift into chaos and anarchy so as to delay the transition to a democratic society.

It is also true that violence in some parts of the country is due to rivalry and disputes between factions which is of a localised nature. In addition business competition as evidenced by the ever present threat of violence between competing taxi operators is also a matter for great concern as conflicts emanating from these disputes have not only cost the lives of innocent people but has also served as a catalyst for further violence.

For so long as violence emanates from sources which are not directly linked to politics or political groupings as indicated above, the National Peace Accord will continue to be undermined by the parochial interests of certain persons/groups which unfortunately would appear to transcend the larger National interest.

Unemployment in our opinion is a further cause for violence as is evidenced by the increasing level of criminal activity presently being experienced throughout the country. The need to address this challenge on an urgent basis cannot be overemphasised. Progress in providing work opportunities will require the fullest possible co-operation and consensus between commerce/industry, the trade union movement and the Government. New Investments will only be made in a climate of peace and stability.

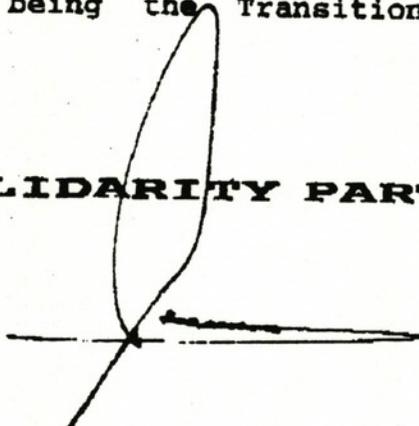
In the meantime/..(2)

PAGE TWO

In the meantime the negotiation process must proceed without any further delay so that the Transitional Executive Committee and its various Sub-Councils can be brought into being at the earliest opportunity. The functioning of the Transitional Authority we believe will amongst other things make a positive contribution towards defusing violence and giving an impetus to economic growth.

We would be deluding ourselves if we are to believe that violence can be completely eradicated in our country before there is demonstrable evidence of a breakthrough in the negotiation process. Therefore a serious responsibility rests on all participants to expedite the negotiation process so as to facilitate the enactment of legislation flowing therefrom and designed to bring into being the Transitional Executive Committee.

**SOLIDARITY PARTY**



PROPOSED MEETINGS SCHEDULE

<i>Planning Committee</i>	<i>22 April 1993</i>	<i>14h00-18h00</i>
	<i>23 April 1993</i>	<i>09h00-13h00</i>
Negotiating Council	26 April 1993	10h00-17h00
<i>Planning Committee</i>	<i>29 April 1993</i>	<i>14h00-18h00</i>
Negotiating Council	30 April 1993	09h15-17h00
<i>Planning Committee</i>	03 May 1993	14h00-18h00
Negotiating Council	04 May 1993	09h15-17h00
<i>Planning Committee</i>	<i>06 May 1993</i>	<i>14h00-18h00</i>
Negotiating Council	07 May 1993	09h15-17h00
<i>Planning Committee</i>	10 May 1993	14h00-18h00
Negotiating Council	11 May 1993	09h15-17h00
<i>Planning Committee</i>	13 May 1993	14h00-18h00
Negotiating Council	14 May 1993	09h15-17h00
<b>FORUM</b>	<b>18 May 1993</b>	<b>09h00-18h00</b>
<i>Planning Committee</i>	24 May 1993	14h00-18h00
Negotiating Council	25 May 1993	09h15-17h00
<i>Planning Committee</i>	<i>27 May 1993</i>	<i>14h00-18h00</i>
Negotiating Council	28 May 1993	09h15-17h00
Planning Committee	1 June 1993	14h00-18h00
Negotiating Council	3 June 1993	09h15-17h00
<b>FORUM</b>	<b>4 June 1993</b>	<b>09h00-18h00</b>

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 THURSDAY 22 APRIL 1993 AND AT 08H30 ON FRIDAY 23 APRIL 1993 AT THE WORLD TRADE CENTRE**

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

                      T Eloff (Administration)  
                      G Hutchings (Minutes)

**Action**

**1. Chairpersonship and Welcome**

- 1.1 In accordance with the agreed principle of rotation, MC Ramaphosa was due to assume the role of Chairperson for the meeting. MC Ramaphosa requested the meeting to allow him to stand down and the next member chair the meeting.
- 1.2 The next member due to chair was J Slovo who also requested that he be allowed to stand down from the chair.
- 1.3 It was agreed that Z Titus, therefore, assume the role of Chairperson.
- 1.4 The members were welcomed and the Chairperson enquired as to whether any member had any proposals or comments to put forward before the meeting began formally. In this regard the following was noted:
  - \* MC Ramaphosa formally conveyed the appreciation of the ANC and thanked members

of the Planning Committee for their understanding and co-operation with regard to the proposal put forward by the ANC that meetings of the Negotiating Process be postponed in order to arrange Mr Chris Hani's burial.

- \* That the meetings of the Negotiating Process would have commenced on 15 April 1993 if the assassination of Mr Chris Hani had not occurred.

1.5 Apologies were noted for the late arrival of R Meyer when the meeting recommenced on Friday 23 April 1993.

## 2. Ratification and Amendment of the Agenda

The Agenda was ratified with the following amendments:

- \* Item 3 to read "Ratification and Amendment of Agenda";
- \* The addition of an item 3a to read "Implications of the assassination of Mr Chris Hani and subsequent events for the negotiations process";
- \* Item 6 and 7 be interchanged;
- \* Item 6 to read as follows:
  - "6.1 The Report from the Sub-Committee on Constitutional Issues
  - 6.2 Implementation of the Resolution on Violence
    - 6.2.1 Submissions by participants on violence
  - 6.3 Implementation of the Resolution on the Transition Process";
- \* The addition of an Item 10 to read "Draft Agenda for and report to the Negotiating Council";
- \* The numbers following changed accordingly.

Administration

It was agreed to begin each meeting of the Planning Committee with a moment of silence. It was further agreed that a proposal recommending that meetings of the Negotiating Council commence in this way, be tabled at the meeting of the Negotiating Council on Monday 26 April 1993.

Chairpersons

3. **The Implications of the Assassination of Mr Chris Hani on and Subsequent Events for the Negotiations Process**

3.1 After discussion the following was noted:

- \* It was agreed to focus on Item 6 of the agenda before attending to the other Items on the agenda.
- \* It was agreed to propose to the Negotiating Council that a motion of condolences be extended to the Hani family on behalf of the Multi-Party Negotiating Process.
- \* That PJ Gordhan was requested to draft a proposal for submission to the Planning Committee when the meeting recommenced on Friday 23 April 1993. Once this draft had been amended and approved by the meeting, it would be tabled at the meeting of the Negotiating Council on Monday 26 April 1993.

PJ Gordhan

4. **Substantive Issues**

4.1 The Transition Process:

- 4.1.1 As mandated by the Negotiating Forum, the Sub-Committee (consisting of M Maharaj, B Ngubane and SS van der Merwe) tabled and verbally presented the Consolidated Document, encompassing CODESA Agreements (and Constitutional Issues) to the meeting.
- 4.1.2 Furthermore, four proposals intending to take the up the issues of the TEC, the IEC, the IMC and Discriminatory Legislation were presented to the meeting.

- 4.1.3 It was agreed that the Sub-Committee only present the Consolidated Document to the meeting and that discussion in this regard would take place when the meeting recommenced on Friday 23 April 1993, where the Planning Committee would then formulate a package of proposals for recommendation to the meeting of the Negotiating Council on Monday 26 April 1993. These proposals would be aimed at facilitating the way forward.
- 4.1.4 It was agreed to deal with the substance of what was reported first and then to deal with the issue of violence when the meeting recommenced on Friday 23 April 1993.

The meeting adjourned at 17h35.

The meeting recommenced on Friday 23 April 1993 at 08h30.

4.1.5 After discussion the following was noted:

- \* The proposals as suggested by the Sub-Committee will allow those participants who were not part of CODESA to make an input. Furthermore, they also allow participants in the CODESA process to make further inputs should they so wish;
- \* It was agreed to recommend to the Negotiating Council that the proposed Technical Sub-Committees be established. This constituted agreement on the handling of the process and procedures to be followed but not necessarily on the substantive issues;
- \* That drafting in legislative form should precede substantive discussion on these issues/topics as this would facilitate and structure the discussion process. It was

further noted that this drafting would in no way pre-empt political decisions on the issues;

- \* Any participant may submit inputs/proposals in respect of the Terms of Reference of the Technical Sub-Committees through the Sub-Committee. It was further noted that the possible receipt of further inputs should not delay the setting up and the work of the Technical Sub-Committees;
- \* All participants should be invited to submit written inputs with regard to the Terms of Reference. The suggested deadline for such submissions is Wednesday 28 April 1993 at 12h00. It was suggested to propose to the Negotiating Council that the Council mandate the relevant proposed Technical Sub-Committee to take into account as many of the submissions as possible. The amended Terms of Reference should be submitted to the next meeting of the Negotiating Council (Friday 30 April 1993) through the Planning Committee;
- \* That the Technical Sub-Committees would only have the power to draft in terms of their mandate (i.e. the Terms of Reference);
- \* It was noted that this was an initial report from the Sub-Committee and that the Planning Committee was awaiting a further report dealing with Constitutional Issues as listed within The Resolution on the Transition Process as adopted at the meeting of the Negotiating Forum on 1 April 1993;
- \* The Sub-Committee members were congratulated on their work.

4.1.6 It was agreed to present the report to the Negotiating Council in the following way:

- \* To initially draw the attention of the Negotiating Council to the Resolution on the Transition Process adopted at the meeting of the Negotiating Forum on 1 April 1993;
- \* That the proposals are part of the recommended way of implementing the Resolution;
- \* To clearly state that the report is not complete and that the Sub-Committee, to complete the report, is still to submit via the Planning Committee a report on the Constitutional Issues to be dealt with as listed in the adopted Resolution on the Transition Process;
- \* To further state that these issues would be dealt with at the next meeting of the Negotiating Council on Friday 30 April 1993.
- \* To make participants aware that it is the concept of the setting up of Technical Sub-Committee that is being recommended and that all participants are invited to submit inputs with regard to the Terms of Reference of the Technical Sub-Committees. Furthermore, once the Technical Sub-Committees have been established, all participants will have direct access to them.
- \* That if any participant finds any inconsistencies within the Consolidated Report, to advise the Sub-Committee in this regard. Furthermore, that the Summary of CODESA Agreements as distributed at the meeting of the Negotiating Forum on 1 April 1993 is

the authoritative document and that the Consolidated Document is a consolidation of the Summary of CODESA Agreements.

- \* To note that points of substance should be submitted to the Negotiating Council through the Planning Committee. It was suggested that it could be considered to allow Technical Sub-Committee members to attend relevant meetings of the Negotiating Council so as to benefit from the input. A cut-off date is needed so that the proposed Technical Sub-Committee can proceed with and complete its work.

4.1.7 It was agreed that the Administration should make copies of the report from the Sub-Committee available to all delegations before the meeting of the Negotiating Council on Monday 26 April 1993.

Administration

4.1.8 It was agreed that the report be embargoed until Monday 26 April 1993 at 12h00.

4.1.9 Composition of the proposed Technical Sub-Committees:

- \* It was agreed that members of the Technical Sub-Committees should be appointed as individuals and should have the necessary expertise.
- \* It was noted that the Sub-Committee is in the process of drawing up a list of possible candidates specifying their areas of expertise.
- \* It was agreed to recommend to the Negotiating Council that only members of Sub-Committees who would lose remuneration for the period that they are working for the proposed Technical Sub-Committees be re-imbursed for

their time, based on a professional rate.

- \* It should be proposed to the Negotiating Council that it mandates the Planning Committee to submit a recommendation to the next meeting of the Negotiating Council with regard to the list of possible candidates. It should further be proposed that participants may suggest to the Planning Committee any candidates to be included within the recommendation.

4.2 Violence:

4.2.1 The Sub-Committee (consisting of M Maharaj, B Ngubane and SS van der Merwe) presented a report on violence.

4.2.2 It was agreed to recommend to the Negotiating Council that 3 Technical Sub-Committees each consisting of 3 persons be established.

4.2.3 It was suggested that the Technical Sub-Committees should deal immediately with the following issues:

- \* Strengthening of the Peace Accord, taking into account the work of Working Group 1 at CODESA. It should be further recommended that 3 persons be nominated from the Peace Committee to serve in an advisory capacity on the Technical Sub-Committee.
- \* The possible setting up of a Peace Corps.
- \* Armed Formations. It is recommended that this Technical Sub-Committee be entrusted to the Technical Committee on the TEC.

4.2.4 It was agreed that the issue of violence should

be an ongoing debate and should remain on the agendas of the Planning Committee and the Negotiating Council. It was further agreed that submissions should be received on an on-going basis in this regard.

4.2.5 It was suggested that all participants, if they so wish, submit suggestions for further mechanisms to resolve the issue of violence to further identify the issues to be addressed by the mechanisms to the Sub-Committee. This would facilitate the work of the Sub-Committee in submitting recommendations to the Planning Committee, who in turn would submit recommendations to the Negotiating Council.

4.2.6 It was agreed that a peace statement be drafted by the Sub-Committee for tabling at the meeting of the Negotiating Council on Monday 26 April 1993 through which all participants in the Multi-Party Negotiating Process could publicly re-commit themselves to peace.

Sub-Committee

**5. Motions of Condolences**

It was agreed that a motion of condolences should be sent to the family of Dr AP Treurnicht. C Eglin was requested to draft a motion in this regard.

**6. Minutes of the Planning Committee meetings of 31 March 1993 and 1 April 1993**

- 6.1 The minutes were noted but not approved.
- 6.2 It was agreed to consider the minutes at the next meeting of the Planning Committee.
- 6.3 The minutes of the Negotiating Forum would also be considered at the next meeting of the Planning Committee. It was agreed that the minutes of the Negotiating Forum should be included within the documentation for the meeting of the Negotiating Council on Monday 26 April 1993.

7. Procedural Issues

7.1 Admission of the media to meetings of the Negotiating Council (Report from the Communications Committee):

7.1.1 A representative from the Communications Committee presented a report which included recommendations to the Planning Committee. (This issue was reported on at the beginning of the meeting on Thursday 22 April 1993.)

7.1.2 After discussion it was agreed that:

- \* In view of the clear decision taken by the Negotiating Council at its meeting of 30 March 1993 to admit the media to meeting of the Negotiating Council, the Administration in consultation with the Communications Committee should make the necessary arrangements to accommodate the media.
- \* It was agreed that another room be set up to accommodate a possible media overflow with a feed running from the meeting room into the overflow room.
- \* It was agreed that the Administration get a cost estimate from the SABC. The quotation of R27 927 excluding VAT was accepted for services rendered from the SABC for Monday 26 April 1993 and Friday 30 April 1993.
- \* It was agreed that the Communications Committee will submit a report to the Planning Committee based on the results of the media attending the meeting of the Negotiating Council on Monday 26 April 1993. Further recommendations would then be made to the Negotiating Council.

Administration

Communications Committee

## Action

- \* It should be reported to the Negotiating Council at the meeting on 26 April 1993 that the Planning Committee handled the arrangements for the media on Monday 26 April 1993 and a final report will follow.
- \* It was agreed that the Item of "Media Documentation" should be the first item on the agenda for the meeting of the Negotiating Council. A decision is necessary on whether the media should pay a fee for documentation relevant to the meeting. It would be suggested to the Negotiating Council that each media group be requested to deposit a sum of R200 in payment for copies of documents relevant to the meeting. Agendas of the meeting of the Negotiating Council on Monday 26 April 1993 would be distributed to the media before the meeting.

Planning  
Committee

### 7.2 Agreement for the Administration:

A draft agreement would be submitted to the meeting of the Negotiating Council on Monday 26 April 1993 for adoption.

### 7.3 Criteria for New Participants:

7.3.1 The Sub-Committee requested the Planning Committee to re-consider the report from the Sub-Committee at its next meeting as no amendments had been made to the document. The Sub-Committee was of the view that not enough inputs had been received in this regard from participants to justify amendments.

7.3.2 It was noted that the Sub-Committee should receive from the Administration any outstanding submissions in this regard.

7.3.3 It was noted that this issue should be treated as a matter of urgency.

Administration

7.4 **Name of the Process:**

7.4.1 It was agreed to refer this issue to B Alexander and J Slovo for further consideration and recommendation.

7.4.2 It was be reported to the meeting of the Negotiating Council on Monday 26 April 1993 that this issue is still under consideration.

8. **Administrative and Financial Matters**

8.1 It was noted that reports not received timeously should stand over until the next meeting of the Planning Committee.

8.2 The Administration gave a report on security with regard to possible demonstrations to be held on Friday 23 April 1993. The Administration requested assistance from members if necessary. It was agreed that the demonstrators should remain outside the premises of the World Trade Centre.

8.3 The Administration submitted a report on "Contact with other Negotiating Fora". The report was adopted with amendments (see Addendum A). It was noted that the Planning Committee is to be kept fully informed in all aspects in this regard and a list of such fora should be submitted by Administration.

Administration

8.4 The Administration announced that copies of newspapers would be available in the tea/coffee area of the Negotiating Council meeting room.

8.5 It was noted that if participating governments and administrations make travel and accommodation arrangements through the travel offices of the Multi-Party Negotiations Process at the World Trade Centre they are not liable for payment of the account as the Financial Administration would be re-imbursing the travel office and not the relevant government/administration.

9. **Role of the International Community**

Chairperson

9.1 All participants were requested to submit recommendations to the Sub-Committee (consisting of M Maharaj, B Ngubane and SS van der Merwe). The Sub-Committee is then to submit proposals/recommendations in this regard to the Planning Committee for recommendation to the Negotiating Council. It was noted that there is no deadline for submissions at this stage.

9.2 It was noted that the Role of the International Community will further emerge as the process unfolded.

10. **Draft Agenda for the meeting of and the report to the Negotiating Council**

10.1 It was agreed that the Chairperson for the meeting of the Negotiating Council on Monday 26 April 1993 (PJ Gordhan) be assisted by the incoming Chairperson (L Landers).

10.2 With regard to the question of the role that the Chairperson of the Planning Committee plays within the meetings of the Negotiating Council, it was agreed that this be discussed at the next meeting of the Planning Committee. It was noted that when reports are presented by the Planning Committee the last Chairperson of the Planning Committee should be onhand to assist the Chairperson of the day.

Planning  
Committee

10.3 The draft agenda was approved as amended (see Addendum B).

10.4 It was agreed that:

- \* The Consolidated Document be introduced by Z Titus and the Planning Committee recommendations be presented by Z Titus.
- \* The body of the Consolidated Document be presented by the Sub-Committee.

- \* The Agreement on the Administration, Criteria for New Participants and the Role of the International Community be presented by the Chairperson.
- \* The report on the Name of the Process be presented by J Slovo.

11. **Meetings Schedule**

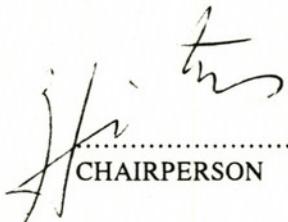
The meetings schedule would be recommended to the meeting of the Negotiating Council on Monday 26 April 1993.

12. **Closure**

12.1 It was agreed that the Chairperson of day issue a brief statement to the media bearing in mind the status of the Planning Committee.

12.2 The meeting closed at 13h15.

These minutes were ratified at the meeting of the Planning Committee of 3 May 1993 and the amended version signed by the Chairperson of the original meeting on 17 May 1993.

  
.....  
CHAIRPERSON

**Recommendation on Contact with Other Negotiating Bodies**

Given the fact that, apart from the Multi-Party Negotiating Process, there are numerous national and regional negotiating initiatives, and given the need for transparency, it is recommended that:

1. Contact be made with all relevant negotiating forums, requesting and offering regular exchange of decisions.
2. The Administration, keeping the Planning Committee fully informed, be mandated to comply with this on an ongoing basis.
3. The Administration is to submit a list of such fora to the Planning Committee.

**DRAFT AGENDA FOR THE MEETING OF THE NEGOTIATING COUNCIL  
TO BE HELD ON MONDAY 26 APRIL 1993 AT 10H00**

**Chairpersonship** - PJ Gordhan assisted by L Landers

1. **Moment of Silence and Motions of Condolences**
2. **Welcome and Attendance**
3. **Ratification of Agenda**
4. **Media Documentation**
5. **Minutes**
  - 5.1 Adoption of the minutes of the meeting of the Negotiating Council of 30 March 1993
  - 5.2 Matters arising out of the minutes of the meeting of the Negotiating Council of 30 March 1993
  - 5.3 Other minutes to be noted
6. **Substantive Issues**
  - 6.1 Tabling of the Consolidated Document
  - 6.2 Recommendations by the Planning Committee:
    - 6.2.1 On Violence
    - 6.2.2 On the Transitional Process
7. **Procedural Issues : Report of the Planning Committee**
  - 7.1 Agreement on Administration
  - 7.2 Criteria for New Participants
  - 7.3 Name of the Process
  - 7.4 Role of the International Community
8. **Administrative Announcement**
9. **Meetings Schedule**
10. **Closure**