



PAN AFRICANIST CONGRESS (P.A.C.) OF AZANIA

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OUR REF:

12 MAY, 1993

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TO: DR T. ELOFF
AND THE SUB-COMMITTEE

FROM: MR B. ALEXANDER
SECRETARY-GENERAL
PAC HEADQUARTERS

Sirs

re: PAC INPUT TO THE TECHNICAL COMMITTEES

Attached please find inputs to Technical Committees dealing with the following matters.

1. Independent Media Commission (3 pages)
2. Constitutional Principles Paper 1 (3 pages)
3. Constitutional Principles Paper 2 (4 pages)
4. T.E.C. (1 page)
5. Independent Elections Commission (2 pages)

You will notice that the papers on Constitutional Principles also deals with fundamental human rights. It will be appreciated if those two pages be given to both Technical Committees.


BENNY ALEXANDER
SECRETARY-GENERAL
BA/oj

Encls.

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**PAN AFRICANIST CONGRESS OF AZANIA INPUT REGARDING:
THE TECHNICAL COMMITTEE DEALING WITH THE INDEPENDENT MEDIA
COMMISSION**

**1. RELATIONSHIP BETWEEN THE INDEPENDENT MEDIA COMMISSION
(I.M.C.) AND THE TRANSITIONAL AUTHORITY (T.A.):**

The proposals of the PAC with regard to a truly independent T.A. (with fully-fledged executive and legislative powers in its areas of jurisdiction - including the media) was dealt with fully in the paper on the PAC input with regard to the Technical Committee dealing with the T.E.C. According to the said PAC proposals, the T.A. is truly independent and there is therefore no need for the I.M.C. to be independent of the T.A. in terms of accountability. The I.M.C. must act as an independent commission but it is accountable to the T.A. to which it must report regularly. The I.M.C. is not a permanent watchdog over all affairs of the media but a temporary commission with a specific task relating to elections meaning that its functions are political and since it is not an authority but a commission it has to report to the T.A. Unlike the CODESA T.E.C., which has a sub-council on the media and which sub-council may not interfere with the work of the I.M.C., the T.A. has no such sub-council and the I.M.C. reports directly to the T.A.

2. TERMS OF REFERENCE:

The PAC supports the terms of reference and wish to add that in addition to attending the electronic media and communications, the Technical Committee must also attend to the print media as it may cause problems as serious in nature as the electronic media. The body supervising the print media, namely the Media Council, is a voluntary association to which some newspapers are not affiliated and from which others may resign. This leaves a vacuum of an agency to which complaints on biased reporting by the print media can be made. The Technical Committee should investigate:

- how the Media Council can have jurisdiction over all print media, or
- how a body can be created to which complaints about the reporting of the print media can be made, or
- how the I.M.C. can attend to complaints about the reporting of the print media.

3. COMPOSITION OF THE I.M.C.:

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It shall consist of 7 members appointed by the Multi-Party negotiating process. The State President shall not have anything to do with these appointments.

We support the following criteria for appointment:

Organs of civil society shall be invited, inter alia, by advertisement in the press to nominate names to either the Multi-Party negotiating process or the T.A., whichever is appropriate at that time, bearing in mind the urgency of the matter, for purposes of preparing a short list of names from which the board of the I.M.C. can be appointed.

4. POWERS, FUNCTIONS AND DUTIES:

We support the following powers, duties and functions, subject to additions on the print media):

Functions:

The regulation of the utilisation of the electromagnetic spectrum, including the allocation of licences and the determination of licence conditions according to an agreed set of standards.

The appointment of a suitable structure to monitor the proper exercise of licence conditions.

Powers:

The powers of the Postmaster General must be transferred to the I.M.C.

Further:

To ensure that a wide range of telecommunication services, including regional and community broadcasting program services, is available throughout SA.

To ensure fair and effective competition in the provision of such and related services.

To ensure fair and equitable opportunity to opinion formers to express their views freely.

To ensure optimum affordable research and development with a view to improving the utilisation of the available electromagnetic spectrum and to introduce technologies to improve signal quality.

To ensure impartial control of all broadcasting by laying down norms and standards.

TOTAL P.13

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