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OFFICE OF THE MILITARY COUNCIL
REPUBLIC OF TRANSKEI



FAX TRANSMISSION

TO : PLANNING COMMITTEE
COMPANY : NEGOTIATING FORUM
FAX NO : 011 397 2211
DATE : 28 APRIL 1993
TIME : 13H30
FROM : MAJ GEN B. HOLMISA
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**The Planning Committee
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**RECOMMENDATIONS WITH REGARD TO THE FORMULATION OF A
NEGOTIATIONS AGENDA**

1. I have received a report from the two delegates who represented the Transkei Government at the meeting of the Negotiating Council held on the 26th of April 1993. After analysing the report of the two delegates it became clear to me that two fundamental issues need to be considered first before any further deliberation takes place within the Negotiating Council. These are:

- i. the formulation of an appropriate modus operandi regarding the implementation of the resolutions adopted on the 1st of April 1993 by the Negotiating Forum;
- ii. the identification of the basic issues on which the participants in the Negotiating Council differ with a view to devising a plan of ensuring that these issues are dealt with

effectively right at the outset.

2. It is clear from the information available to me that the question which needs to be answered here is, "where do we start?" Since all of us are concerned about the constitutional situation in the country, it is obvious that our ultimate objective should be the ushering in of a new democratic order for South Africa. This can only come about through the adoption of a new constitution for South Africa including the TBVC States. Who will consider and adopt this constitution? In our view, as the Transkei Government, this question should be the focal point of attention before anything else is resolved. Issues like "Form of State" cannot be resolved fully without first having addressed the question relating to the identification and nature of the body which is to adopt the constitution.

3. It is the view of the Transkei Government, therefore, that, if we are to make progress at the negotiations, we need first to agree on the need for a new constitution for the whole of South Africa and immediately thereafter go on to consider the nature and character of the body which is to draft and adopt that constitution. After agreement has been reached on this basic issue matters pertaining to the transition process, the resolutions of the Negotiating Forum adopted on 1 April 1993, transitional arrangements, joint control of security forces and other armed formations, levelling of the playing field, preparations for elections and the interim constitution can then be dealt with. It is the view of the Transkei Government that, unless an appropriate mechanism for

implementing the resolutions of the 1st of April is agreed upon, the negotiations process will get bogged down. There is a very important lesson to be learnt from the debate which took place on the 26th of April - the lesson is that an appropriate way of implementing the resolution of the 1st of April should be agreed upon first.

4. Once agreement has been reached on the issue of elections and also on the date of such elections, then a clear programme with agreed time-frames should be drafted. This programme will, inter alia, deal with the dissolution of the Tricameral Parliament and self-governing territories and the re-incorporation of the TBVC States. These two issues cannot be separated. All these are apartheid structures and they must therefore be dismantled simultaneously. Amongst a number of reasons behind this resolution is the lack of trust in the South African Government's total commitment to change and the fact that the process cannot be said to be irreversible. The recent call by the South African Government for the "urgent re-incorporation" of the TBVC States coupled with -

- a. the rejection of the notion of joint control of security forces;
- b. the return of exiles;
- c. covert operations; and
- d. the lack of protection of the returnees,

leaves one with the impression that we are about to witness the results of a strategy aimed at the luring of exiles from abroad and the imposition of total


control over the whole of South Africa including the TBVC States. The aims and objectives of the assumption of total control over the whole of South Africa prior to the adoption of substantive agreements at the negotiating table leaves one with the impression that we are headed for a big deadlock at the negotiations, but that this will only be engineered after the TBVC States have been placed under the control of the South African Government.

5. The Transkei Government has also analysed the concept of special technical subcommittees which are to draft legislation based on the reports/agreements reached at Codesa. Whilst the Government of Transkei is not opposed to some of these agreements it wishes to indicate that, taking into account the events of the 26th, the consolidated report should not be regarded as the breaking point for negotiations. The four issues which are to be considered by the technical subcommittees can be referred to draftsmen later. Draftsmen need to be guided by politicians on matters of principle. The consolidated report as it stands now does contain enough information to enable the Negotiating Council to take decisions on matters of principle following an agreed order of priority. The Transkei Government, therefore, is of the view that the time for the appointment of draftsmen has not arrived yet. Draftsmen will be given full instructions later after matters of principle have been agreed upon. This approach, we believe, will save time and money.

6. The Transkei Government has noted the remarks of various participants with regard to the urgency of the negotiations process. It must be emphasised

that a speedy and urgent solution needs to be found to the constitutional problems facing South Africa. We therefore urge the Planning Committee to consider the above proposals with this idea in mind. We are submitting this proposal at this stage so as to enable the Planning Committee to ensure that the views expressed herein are accommodated when the agenda of the next meeting of the Negotiating Council is compiled. We are doing this also for purposes of ensuring that our delegates will not delay the next Council meeting through the raising of matters which are procedural in nature. In a word, the Transkei Government is recommending that a pointed agenda which is designed to bring about results and ensure good progress, be formulated.

7. Finally, we urge the Planning Committee to ensure that the issue relating to the role of the international community in the negotiations process and also in the shaping of a new South Africa, is disposed of urgently. It is the view of our Government that South Africans on their own cannot manage the process of transition effectively and peacefully. The lack of trust prevailing amongst some of the participants is one of the reasons for this assertion.


(H.B. HOLOMISA)

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IMPLEMENTATION OF RESOLUTION ON VIOLENCE

1. I refer to the Negotiating Forum's resolution of the 1st of April 1993 relating to the violence issue. The Transkei Government is not opposed to the idea of setting up special committees to deal specifically with the various aspects of that resolution.

2. There are, however, two important issues which we wish to raise. Firstly, we wish to reiterate that the mandate of the special committees should address "causes of violence" for the purpose of identifying appropriate solutions. In its inputs to the committees the Transkei Government will identify each of the aspects which it feels are contributory causes to violence and then recommend a solution thereto. Secondly, although we are happy with the idea that the violence issue be handled by politicians at the multilateral level it is also the Government's view that the heads of the security forces in the SATBVC States,

self-governing States and military wings of the liberation movements should also be involved in the consideration of this issue. We therefore recommend that the said heads be brought in as an additional component of the proposed special committees on violence. There are enough precedents in this regard. General Geldenhuys of the SADF, for example, formed part of the team which sought to find a solution to the Angolan conflict.


(H.B. HOLOMISA)

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