

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.

Administration

* 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.

Communications
Committee

* 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.

Planning
Committee

* 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.

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.

Administration

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

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.


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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**