

AGENDA AND DOCUMENTATION

for the meeting of the

PLANNING COMMITTEE

held at 10h00 on Monday

3 MAY 1993

**CONTENTS OF THE PLANNING COMMITTEE PACK
FOR 3 MAY 1993 AT 10H00**

Item	Page No.
1. Draft agenda for the Planning Committee meeting - 3 May 1993	1
2. Draft minutes of the Planning Committee meeting - 31 March 1993	2
3. Draft minutes of the Planning Committee meeting - 1 April 1993	12
4. Draft minutes of the Planning Committee meeting - 22/23 April 1993	18
5. Draft minutes of the Planning Committee meeting - 29 April 1993	34
6. Draft minutes of the Negotiating Forum meeting - 1 April 1993	39
7. Report from the Sub-Committee on New Participants	49
8. Media Arrangements	79
9. Declaration of Intent : Election Date	84
10. Meetings Schedule	85

**DRAFT AGENDA FOR THE MEETING OF THE PLANNING COMMITTEE
TO BE HELD AT 10H00 ON MONDAY 3 MAY 1993 AT
THE WORLD TRADE CENTRE
Chairperson : B Alexander**

1. ~~Moment of Silence~~ *MOMENT OF MEDITATION.*
2. **Welcome and Attendance**
3. **Ratification of Agenda**
4. **Minutes**
 - ✓4.1. Planning Committee
 - 4.1.1 31 March 1993 (Addendum A1, p2-11)
 - 4.1.2 1 April 1993 (Addendum A2, p12-17)
 - 4.1.3 22 - 23 April 1993 (Addendum A3, p18-33)
 - 4.1.4 29 April 1993 (Addendum A4, p34-38)
 - ✓4.2. Negotiating Forum of 1 April 1993 (Addendum A5, p39-48)
 - ✓4.3. Matters arising
5. **Procedural Issues**
 - 6.1 New Participants (Report from Sub-Committee, Addendum B, p49-78) (*FIRST*)
 - 6.2 Name of the Process
 - 6.3 Role of the International Community
 - 6.4 Media Arrangements (Addendum C, p79-83)
 - 6.5 Assistance to the Negotiating Council Chairpersons (cf Standing Rules Item 7.2)
 - 6.6 *RESOLUTION NWSA'S & SA'S. PROCEDURE ON RESOLUTIONS IRO THE FORUM MEETING*
5. **Substantive Issues** *SECOND*
 - 5.1 Appointment of Technical Sub-Committees:
 - 5.1.1 Constitutional Issues *6*
 - 5.1.2 Human Rights *3 FUNDAMENTAL RIGHTS DURING THE T.*
 - 5.1.3 Violence *6 + PEACE COM.*
 - 5.1.4 Independent Election Commission *4*
 - 5.1.5 Independent Media Committee *3*
 - 5.1.6 Amendment or repeal of legislation impeding free political activity and discriminatory legislation *2*
 - 5.1.7 TEC and its Sub-Councils *4*
 - 5.2 Election Date (Addendum D, p84)
 - 5.3 *MANAGEMENT OF TECHNICAL SUB-COMMITTEES.*
7. **Administrative and Financial Matters**
8. **Meetings Schedule** (Addendum E, p85)
9. **Agenda of and Report to the Negotiating Council**
10. **Closure**

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

DRAFT MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 31 MARCH 1993 AT 16H30 AT THE WORLD TRADE CENTRE

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

T Eloff (Administration)
G Hutchings (Minutes)

1. Chairpersonship and Welcome

- 1.1 FT Mdlalose assumed the role of Chairperson for this meeting.
- 1.2 All members were welcomed.
- 1.3 An apology was made for the late arrival of PJ Gordhan.

2. Ratification of Agenda

The agenda was ratified.

3. Report from Communications Committee

- 3.1 A representative from the Communications Committee presented a summary report which included recommendations to the Planning Committee.
- 3.2 An in-depth written report (Addendum A) with recommendations from the Communications Committee would be tabled at the next meeting of the Planning Committee for action.

- 3.3 With regard to arrangements for the Negotiating Forum, the following was noted:
- * A Fact Sheet would be distributed to the media;
 - * There would be a photographic session from 09:50 to 10:00;
 - * A permanent enquiries desk will be open for the media.
- 3.4 It was agreed that the media will cover the cost of their lunches and refreshments. Tea and coffee will be available free of charge.
- 3.5 It was agreed to recommend to the Negotiating Council that a standing ad hoc Communications Committee be established.
- 3.6 It was noted that the next meeting of the Communications Committee would take place at 08h00 on Friday 2 April 1993. Three media representatives would be present at this meeting to discuss the needs of the media with the Committee.

4. **Minutes of the meeting of 26 and 30 March 1993**

4.1 Minutes of the meeting of 26 March 1993:

4.1.1 The minutes were adopted with the following further amendment (other amendments were made at the meeting of the Planning Committee of 30 March 1993, see minutes of that meeting):

- * Item 5.5.8 refers: "withdrew" be replaced by "requested the suspension of".

4.1.2 No matters arising were noted.

4.2 Minutes of the meeting of 30 March 1993:

4.2.1 The minutes were adopted with no amendments.

4.2.2 No matters arising were noted.

4.3 It was agreed that an "action column" be included in minutes of the Planning Committee.

5. Procedural Issues

5.1 Proposal on the admission of the media to meetings of the Negotiating Council:

It was agreed that the Communications Committee is to submit recommendations and proposals to the Planning Committee with regard to the practical implementation of and the logistical implications of the proposal, in liaison with the Administration where necessary.

5.2 Contract for Administration:

It was agreed that the sub-committee be mandated to draw up a draft contract for the Administration.

5.3 New Participants - Criteria:

5.3.1 It was agreed to defer this matter until the next meeting of the Planning Committee. It was also agreed that a definite proposal should be submitted to the next meeting of the Negotiating Council.

5.3.2 The sub-committee was requested to prepare a further draft for the next meeting of the Planning Committee, taking into account views expressed within the Planning Committee when the initial report of the sub-committee was presented.

5.3.3 It was agreed that a notice with a deadline date be sent by the Administration to all parties/organisations/delegations to further request submissions to the sub-committee with regard to criteria for participation.

5.4 Name of the Process

It was noted that no agreement was reached on this issue and the matter be deferred to the next meeting of the Planning Committee.

The meeting adjourned at ¹³ 05h15.

The meeting reconvened at ¹⁹ 07h15.

5.5 Arrangements for the Meeting of the Negotiating Forum (1 & 2 April)

5.5.1 Allocation of Sessions:

The following allocation of sessions was agreed to:

Day One (1 April 1993):

- * Session One : 10h00 - 13h00
- * Lunch : 13h00 - 14h00
- * Session Two : 14h00 - 16h00
- * Tea : 16h00 - 16h30
- * Session Three : 16h30 - 18h00

End of Day One.

Day Two (2 April 1993):

- * Session One : 09h00 - 13h00
- * Lunch : 13h00

End of Day Two.

5.5.2 Report on the Standing Rules to the Negotiating Forum:

It was agreed that C Eglin and MC Ramaphosa present the document and answer any questions.

5.5.3 Report on the Name of the Process to the Negotiating Forum:

5.5.3.1 It was agreed that B Alexander and J Slovo report to the Forum that no proposal in this regard is yet available and briefly explain the different views.

5.5.3.2 It was agreed to propose to the Forum that this issue be referred back to the Planning Committee for a proposal to the Negotiating Council.

5.5.3.3 It was agreed to propose to the Forum that a circular should be distributed to the Leaders of Delegations, allowing delegations to indicate their first and second preferences for the name of the process to assist the Planning Committee in submitting a proposal to the Negotiating Council.

5.5.4 Report on the Composition and Structure of the Multi-Party Negotiating Forum:

It was agreed that R Meyer and Z Titus present the report to the Forum.

5.5.5 Participation:

5.5.5.1 It was agreed that M Webb present the report to the Forum.

5.5.5.2 The report should note that:

- * The issue of Participation is still under consideration;
- * A report has been submitted by the Planning Committee to the Negotiating Council, but a further recommendation will be submitted to the Negotiating Council by the Planning Committee and a proposal will be tabled at the next meeting of the Negotiating Forum.

5.5.5.3 It was noted that any party/organisation/delegation has the right to question the presenter or comment upon this issue within the meeting of the Negotiating Forum.

5.5.6 With regard to violence (Item ~~5~~ of the Agenda for the meeting of the Forum), it was agreed that a Resolution Committee consisting of C Eglin, PJ Gordhan, R Meyer and Z Titus drafts a resolution on violence as a proposal to the Forum. In this way the debate on violence could remain structured. It would be proposed that the Negotiating Council be mandated to set up mechanisms to deal with issues in respect of violence.

5.5.7 With regard to the CODESA Agreements and the Phases of the Transition (Item 6.1 and 6.2 of the Agenda for the meeting of the Forum), it was agreed that M Maharaj and SS van der Merwe present the report.

5.5.8 In respect of the way forward it was agreed that the Planning Committee meet over lunch on 1 April 1993 to assess the progress of the Forum. From this meeting a draft resolution on the way forward could be proposed to the Forum.

5.5.9 It was agreed that the following documentation should form part of the packs for the meeting of the Forum:

- * Agenda
- * Standing Rules
- * Composition and Structure of the Multi-Party Negotiating Process
- * Summary of CODESA Agreements
- * Speaker Request Cards
- * Logistical Information

6. Demonstrations on 1 & 2 April 1993

It was agreed that:

- * Petitions from demonstrating groups should be received at the gate.
- * Demonstrating groups should not be allowed through the gates, but should be handled in a sensitive manner by the security. There would be one control point at the gate and a second one in front of the entrance to the World Trade Centre.
- * On the possibility that groups may manage to obtain entry, a waiting room should be provided for them.

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

This was deferred to the next meeting of the Planning Committee.

8. **Requests for Observer Status**

- 8.1 It was agreed that the United Nations be allowed three representatives.
- 8.2 It was agreed that the delegations from Egypt and the PLO not be accorded official observer status.

9. **Administrative and Financial Matters**

It was noted that the Financial Administration is writing a letter to participating Administrations to notify them that they will no longer receive a subsidy for participating in the negotiating process. The Auditor General does not authorise the payment from one government to another already subsidised government within the negotiating process.

10. **Meetings Schedule**

- 10.1 It was agreed that the Planning Committee meet on 15 April 1993 from 10:00 to 16:00.
- 10.2 It was agreed to use a full day for the Negotiating Council meetings.
- 10.3 A request that meetings should begin timeously was noted.
- 10.4 It was requested that the Meetings Schedule be updated to include times.

11. **Closure**

The meeting closed at 22:00.

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

**RECOMMENDATIONS BY THE COMMUNICATIONS COMMITTEE
TO THE PLANNING COMMITTEE - 31 MARCH 1993**

1. **Issues for recommendation to the Planning Committee on the meeting of the Negotiating Forum of 1 and 2 April 1993**

1.1. Access of media (logistical and security):

To be maintained as for the Planning Forum, as there were no complaints by the media about the access control.

1.2. Photo sessions:

There should photo sessions 10 minutes prior to the start of the meeting on both Thursday and Friday. The arrangements of these sessions are to be handled by Administration and Security.

1.3. Meals and Refreshments:

There is no objection to the media being responsible for the payment of their own meals and refreshments. Tea and coffee would be provided free of charge. The media must, however, be informed this afternoon of these arrangements, and notification should be handled by Administration.

1.4. Media Conferences:

A booking facility is to be ready for the booking of the Press Conference Room. This should be available to both the Parties and the media. There should be a notice board outside the Media Conference Room where the booking sheet can be displayed. A copy of the booking sheet should also be kept by one responsible person who should be situated at the enquiries desk. The same list should also be available in the office of the Communications Committee.

1.5. Enquiries desk:

A permanent enquiries desk for the media will be situated at the registration desk, to handle all media queries and to make bookings. Copies of the Fact Sheets are to available here. A register into which parties can submit the name of a contact person and telephone number should also be available.

1.6. Numbers of media representatives that can be expected:

Provision should be made for 200 media persons', as for the planning conference.

1.7. Briefing of press:

1.7.1. A Fact Sheet submitted to all members of the media would be sufficient. It would not be necessary to have a full media briefing. The Fact Sheet should follow the same format as for the Planning Conference, but should include the additional details discussed.

1.7.2. The Fact Sheet should be distributed in the name of Administration.

1.7.3. Before being distributed, the Fact Sheet should be ratified by members of the Communications Committee. The members who volunteered to scrutinise the fact sheet at 16h00 were, Mr Razak, Mr Niehaus, Mr Bambo, and Mr Harrod.

2. **The future role of the Communications Committee**

2.1 The Committee should continue to exist with the same terms of reference.

2.2 Each party to submit the name of one representative.

2.3 The Committee should remain as unrelated to politics as possible, but still maintain the necessary political checks and balances.

2.4 It should be left to the discretion of the Planning Committee to inform the Communications Committee of when their input is required. But, if the Communications Committee feels it need to make a contribution and has been called upon, they should make representations to be invited to Planning Committee meetings.

2.5 In general the Planning Committee should call on the Communications Committee for any advice on media related issues.

2.6 There should be a 3 person chairpersonship functioning as a convening committee. The chairpersonship should operate on a rotating basis. Chairpersons should have a fair amount of delegated authority, and should function as the management committee for the Communications Committee. Mr Carl Niehaus, Mr Piet Coetzer and Mr Mark Shinnars were appointed as Chairpersons.

3. **Media presence at the meetings of the Communications Committee**

3.1. The meetings should be closed to the media, but there should be 3 liaison people from the media who would be available to sit in on the meetings to which the Communications Committee feel they are required.

- 3.2 At these meetings the role of the media would be participatory.
- 3.3 The 3 media representatives would be made up of one representative from the printed media, one from electronic media and one from foreign media.
- 3.4 Selection of these 3 representatives would be made by asking members of the media to vote at the first media conference being held tomorrow.
- 3.5 After the first meeting of the Communications Committee at which the media are present, the issue of whether or not the media should be allowed to attend further meetings will be discussed.

~~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.

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 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 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)
 H Bokaba (Assistant)
 K Morgan (Assistant)

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";

Administration

- * The numbers following changed accordingly.

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.

Sub-Committee

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

*the proposed
TECH-SUB-COMMS
7*

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

Administration

Communications
Committee

Monday 26 April 1993. Further recommendations would then be made to the Negotiating Council.

* 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

Administration

outstanding submissions in this regard.

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**

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.

Chairperson

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 1993 and the amended version signed by the Chairperson of the original meeting on

.....
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**

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

DRAFT MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 29 APRIL 1993 AT 12H30 AT THE WORLD TRADE CENTRE

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

1. **Moment of Silence**

A moment of silence was observed by all members.

2. **Welcome and Attendance**

2.1 All members were welcomed.

2.2 Apologies for late arrival were noted from:

PJ Gordhan
FT Mdlalose
RP Meyer

3. **Ratification of Agenda**

3.1 The Agenda was ratified with the following amendments:

* The addition of Item 4.5 to read "An Election Date".

3.2 A question was raised with regard to the status of recommendations submitted

by the Planning Committee. In this regard the following was noted:

- 3.2.1 In terms of the Terms of Reference for the Planning Committee, it has to "plan and submit recommendations on procedural and substantive issues".
- 3.2.2 It was agreed that as individual^{PROCEDURAL} members of the Planning Committee accept responsibility for recommendations, but that this does not bind them as delegates of their respective parties/organisations/administrations.
- 3.2.3 It was agreed that a member from the Planning Committee will present recommendations of the Planning Committee to the Negotiating Council. The choice of the member will depend upon the issue.
- 3.2.4 It was agreed that there be a general understanding between members of the Planning Committee that, if any member has a problem or reservation with an issue discussed in the Planning Committee, or any other issues, these should be raised and notice of ^{TO BE GIVEN} in the meetings of the Planning Committee and not only in the meetings of the Negotiating Council.

4. Substantive Issues

4.1 Outstanding Constitutional Issues

4.1.1 A report was presented by the Sub-Committee.

4.1.2 After discussion the following was noted:

- * It was agreed to draft a document entitled "Explanatory Memorandum". This was agreed to as a way to allay fears and to facilitate agreement to be reached.
- * Contained within the Explanatory Memorandum should be an item outlining the understanding on how the Technical Sub-committees are set up.
- * It was initially agreed to fax the memorandum to all participants, but due to time constraints the Planning Committee was unable to approve the final draft at this meeting. It was noted that the Planning Committee would meet briefly before the meeting of the Negotiating Council on Friday 30 April 1993. If any amendments were suggested at that meeting, they would be conveyed to the meeting of the Negotiating Council in the report on this issue.

- * The report was accepted as amended to be tabled at the meeting of the Negotiating Council on Friday 30 April 1993.
- * It was noted that the Report presents a way of moving forward procedurally.

4.2 **Guidelines for the proposed Technical Sub-Committees**

- 4.2.1 After discussion and taking into account that the deadline for submissions by participants was 17h00 on Thursday 29 April 1993, it was agreed that if the Sub-Committee can present a report at the meeting of the Negotiating Council on Friday 30 April 1993, encompassing the views of all submissions received, then it should be done. If the report is not ready an extension should be requested from the Negotiating Council for the receipt of the report.
- 4.2.2 It was noted that the receipt of the Guidelines should not delay the establishment of the proposed Technical Sub-Committees. The Technical Sub-Committees could begin work using the Guidelines that have already been established.
- 4.2.3 It was agreed to request the Negotiating Council to forward names of experts, to the Planning Committee, to possibly form part of the composition of the proposed Technical Sub-Committees. It was further agreed to request a mandate from the Negotiating Council that the Planning Committee compose the Technical Sub-Committees and report back to the Negotiating Council at the next meeting. The members of the proposed Technical Sub-Committees would be appointed on the basis of their expertise. It was agreed that R Meyer report on this issue to the meeting of the Negotiating Council.

4.3 **Recommendation on Violence**

It was agreed that the report as it stands is to be resubmitted to the meeting of the Negotiating Council.

4.4 **An Election Date**

- 4.4.1 It was agreed to submit a written proposal to the meeting of the Negotiating Council.
- 4.4.2 It was noted that R Cronje, FT Mdlalose and M Webb reserve their positions in this regard.
- 4.4.3 It was agreed that a brief meeting of the Planning Committee be held before the meeting of the Negotiating Council on Friday 30 April 1993 to finalise the proposal and to decide on whom presents the proposal

to the meeting of the Negotiating Council. This was done, and, it was decided that J Slovo would present the report to the Negotiating Council. (See Addendum A)

5. **Procedural Issues**

Due to time constraints no procedural issues were discussed. It would be reported to the meeting of the Negotiating Council that the Planning Committee concentrated on the substantive issues and would deal with procedural issues in their own right at the next meeting of the Planning Committee.

6. **Agenda of and Report to the Negotiating Council**

6.1 It was agreed that, in addition the next Chairperson of the Negotiating Council, MJ Mahlangu, the Chairperson of the Planning Committee meeting of 29 April 1993 (M Webb) assist the Chairperson (L Landers) of the Negotiating Council. It was noted that although assisting the Chairperson, full speaking rights as the leader of the leader of his delegation will still be permitted.

6.2 After the addition of Item "5.3 An Election Date", the draft agenda for the meeting of the Negotiating Council was accepted.

6.3 With regard to the presentation of reports from the Planning Committee to the Negotiating Council the following was agreed:

6.3.1 Report on Constitutional Issues : M Webb assisted by the Sub-Committee;

6.3.2 Report on Violence : M Webb;

6.3.3 Report on The Transition Process : M Webb;

6.3.4 Report on An Election Date : J Slovo;

6.3.5 Procedural Issues : The Chairperson of the day.

7. **Administrative and Financial Matters**

It was agreed that these issues be deferred to the next meeting of the Planning Committee.

8. **Schedule of Meetings**

It was agreed to mandate the Administration to finalise this taking into account the following decision of the Planning Committee:

8.1 The Negotiating Council meeting on Friday 14 May 1993 will move to Tuesday 18 May 1993;

8.2 The Negotiating Forum will meet on Wednesday 2 June 1993.

9. **Closure**

The meeting closed at 18h15.

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: See 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.

6. 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.

Addendum A

The following Delegates and Advisors attended the meeting of the Negotiating Forum on 1 April 1993:

Delegates

Advisors

African National Congress

MC Ramaphosa
T Mbeki
M Maharaj
M Manzini

B Masekela
J Zuma

Afrikaner Volksunie

CD de Jager
MJ Mentz
AS Beyers
A Lombard

C Viljoen
C Pienaar
R de Ville

Bophuthatswana Government

R Cronje
R Mangope
BE Keikelame
SG Mothibe

Cape Traditional Leaders

M Nonkonyana
GSK Nota
SM Burns-Nemashe
S Sigcau

GD Gwadiso
Jongilanga

Ciskei Government

MB Webb
RM Ngcofe
WM Zantsi
VT Gqiba

IJ Smuts
FM Faku

Democratic Party

CW Eglin
KM Andrew
D Smuts
M Rajab

ALK Jordaan
M Finnemore
M Moriarty

Dikwankwetla Party

TJ Mohapi
SOM Moji
JSS Phatang

SP Matla
Prof Wessels

Inkatha Freedom Party

FT Mdlalose
VJ Matthews
S Felgate
FX Gasa

MF Cassim
MGR Oriani-Ambrosini

Intando Yesizwe Party

NJ Mahlangu
AP Laka
N Mtsweni

C Nthuli
Q Vilankulu

Inyandza National Movement

SS Ripinga
MS Gininda
FS Baloi
EN Ginindza

KK Mahlaba
BJ Nobunga

Konserwatiewe Party

T Langley
F Hatzenberg
FJ Le Roux

DS Pienaar
CP Mulder

Kwazulu Government

BS Ngubane
SH Gumede
DRB Madide
H Ngubane

M Jiyane

Labour Party

IM Richards
L Landers
PAC Hendrickse

E Samuels
D Lockey/T Abrahams
Y Bassier/P Lategan

Natal/Transvaal Indian Congress

PJ Gordhan
C Saloojee
F Cachalia
H Warsi

K Mayet

National Party

DJ de Villiers
L Wessels
J Rabie
E Ngcobondwane

O van Zyl
P Coetzer

National People's Party

A Rajbansi
S Ismail
M Govender
A Rambarran

BP Jaglal
A Hurbans

Orange Free State Traditional Leaders

RH Mopeli
MB Mota
MA Molefe

R Ramasiea
ET Phoofolo

Pan Africanist Congress

B Alexander
W Seriti
D Desai
J Serdile

M Lithero
E Mothopeng

Solidarity Party

JN Reddy
Y Moolla
N Singh

C Pillay
S Razak

South African Communist Party

J Slovo
T Mtintso
S Shilowa

E Pahad
Z Kota

South African Government

RP Meyer
HJ Kriel
JT Delpont
A Routier

SJ Schoeman
LD Barnard

Transkei Government

HB Holomisa
Z Titus
N Jajula

M Titus
JT Madiba
M Mpahlwa

Transvaal Traditional Leaders

NM Malekane
MA Netshimbhupfe
MM Khumalo
J Kekana

W Mabunda
ME Mabena

United People's Front

MJ Mahlangu
RJ Dombo
SJ Maake
MI Moroamoche

ME Mapheto
A Tshabalala

Venda Government

SE Moeti
M Ligege
KB Magwaba
A Masehela

MP Nthabalala
NE Mulaudzi

Ximoko Progressive Party

EE Ngobeni
JC Ackron
PT Shilubane

KR Myakayaka
TB Shibambu

REPORT TO THE PLANNING COMMITTEE FROM THE SUB-COMMITTEE: 29 APRIL 1993

CRITERIA FOR NEW PARTICIPANTS

1. The following item appears in the Draft Minutes of the Negotiating Council meeting of 26 April 1993:

"6.2 Criteria for New Participants

6.2.1. It was noted that the Planning Committee was not in a position yet to submit a recommendation to the Negotiating Council in this regard.

6.2.2 It was noted that the Planning Committee should deal with this issue as a matter of urgency and treat it as a priority.

6.2.3 It was noted that the Planning Committee would submit a recommendation to the next meeting of the Negotiating Council on Friday 30 April 1993".

2. The Draft Minutes of the Planning Committee meeting of 23 April 1993 contains the following:

"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."

3. The following submissions were received from the Administration (Copies attached):

3.1 **Dikwankwetla Party of South Africa [Annexure A]**

3.1.1 As far as political parties or organisations are concerned the criteria in the Sub-Committee's last report are supported but in addition it is proposed that "Parties that have taken part in previous elections regional or national should be admitted, if proof thereof can be produced".

3.1.2 The Sub-Committee cannot support this proposals. Present participation in Parliament or a legislative assembly is already included in the considerations to be taken into account in the assessment of "proven substantial support".

3.1.3 Regarding traditional leaders Dikwankwetla proposes that the present delegations from Transvaal, the Orange Free State and the Cape Province "be substituted by one delegation each from the two main national organisations of traditional leaders".

3.1.4 This proposal was already mentioned in the Sub-Committees previous report.

3.2 **Lebowa Government [Annexure B]**

3.2.1 The Lebowa Government forwarded a request from five traditional leaders that more seats should be allocated to the Transvaal delegation. They say that Transvaal has more than five self-governing territories and they are dissatisfied with the number of seats given to them.

3.2.2 The Sub-Committee cannot support the request. All parties, big and small, are allowed the same number of delegates.

3.3 **Solidarity Party [Annexure C]**

3.3.1 Solidarity proposes that parties wishing to participate should have "a reasonable measure of support". In support of their applications the parties should furnish evidence of such support and indicate the constituency in which they operate. A decision on an application should be taken on these criteria and provided that at least two thirds of the existing participants support it.

3.3.2 The Sub-Committee do not recommend that the previously developed criterium of "proven substantial support" be replaced by the notion of "a reasonable measure of support". Nor can it recommend a change for this particular purpose in the decision-making process described in the Standing Rules of Procedure.

3.4 The Transkei Government *[Annexure D]*

3.4.1 Two letters, both dated 28 April 1993, addressed to the Planning Committee were received. The one is headed "Recommendations With Regard to the Formulation of a Negotiations Agenda" and the other "Implementation of Resolution on Violence".

3.4.2 Neither of the letters contain proposals on the criteria for new participants.

[Note: The letters should be submitted to the Planning Committee for a decision on how they should be dealt with.]

4. Pending Applications

4.1 A list of pending applications is attached. All are from parties or organisations.
[Annexure E]

4.2 Against the history set out in the Sub-Committee's previous report, it was recommended that new applications only be considered if the applicant parties fall within one of the categories of parties already participating. These categories are:

- Governments/Administrations
- Political parties and organisations
- Traditional leaders

4.3 There are no governments or administrations amongst the pending applications.

5. Parties or Organisations

5.1 It is proposed that the applications of parties or organisations who are not political parties or organisations be refused.

5.2 It is proposed that the following criteria be applied where the applicants are political parties or organisations:

To qualify for admission the applicant must show:

- 5.2.1 That it is indeed a political party or organisation intending to participate as such in the first election under a transitional/new constitution;
 - 5.2.2 That it has proven substantial support in a national context; and
 - 5.2.3 That its admission will enhance the peaceful negotiating process.
- 5.3 To assist in the application of the criteria, it is proposed that the applicant political parties and organisations be informed of the criteria and be asked to submit whatever facts and arguments they would wish to, but that they be required to at least respond to the questionnaire annexed to this report. *[Annexure F]*
- 5.4 To further assist in the application of the criteria, it is recommended that the Administration be required to cause a newspaper survey over the preceding year to be conducted to establish the type of coverage every applicant has received.
- 5.5 As soon as all the information is at hand in respect of a particular application, it is put before the Negotiating Council for decision.
- 5.6 It is proposed that the matter be submitted to the Negotiating Council on 30 April 1993 for its approval or otherwise of the proposed criteria and procedure.

6. Traditional Leaders

- 6.1 At the moment, as we understand the position to be, traditional leaders are represented by delegations from Transvaal, the Cape and the Orange Free State and by the KwaZulu Government as far as Natal is concerned.
- 6.2 As stated above, Dikwankwetla has proposed that the delegations from Transvaal, the Cape and the Orange Free State be substituted by one delegation each from "the two main national organisations of traditional leaders".
- 6.3 In the attached list of applications there are at least four from traditional leader organisations.
- 6.4 Attached hereto is a letter from the Transkei Government (dated 19 March 1993) proposing a delegation of traditional leaders from each of the four provinces, the

overseeing of the selection of these delegations by a Judge-President and that "other homelands" should also be allowed governmental representation on the same basis as KwaZulu. *[Annexure G] of the Council sanctions the rep of " by both the KLP and the KLP.*

- 6.5 The Sub-Committee is not in a position to make any recommendations on whether the present representation of traditional leaders should be changed. The Planning Committee is however obliged to report on this issue to the Negotiating Council on 30 March 1993.

----- o O o -----

ed0179
29/4/93

DIKWANKWETLA PARTY OF SOUTH AFRICA

SUBMISSION OF CRITERIA ^{FOR} ADMISSION TO PARTICIPATE IN THE
MULTI-PARTY NEGOTIATION PROCESS.

1. To qualify for admission the applicant must show:
 - 1.1 That it is indeed a political party or organisation intending to participate as such in the first election under a transitional/new constitution.
 - 1.2 That it has proven substantial support in a national and regional context.
 - 1.3 That its admission will enhance the peaceful negotiating process.
2. That to assist in the application of the criteria, the applicant political parties and organisations be free to submit whatever facts or arguments they would wish to, but that they be required to at least respond to the questionnaire annexed to this report. For this purpose it is proposed that in paragraph 6 of the questionnaire "Legislative Assembly" is added after "parliament" to the list of organisations.
3. Parties that have taken part in previous elections regional or national should be admitted, if proof therefore can be produced.
4. Delegations of traditional leaders from the Transvaal, the Orange Free State and the Cape Province are presently participating. We have been told that representation on this basis creates a number of problems. It was suggested that this form of representation be substituted by one delegation each from the two main national organisations of traditional leaders. It is recommended that consideration be given to this proposal.

MAR 25 1993 12:45

DEPT CHIEF MINISTER

237 P81

14/17



LEBOWA REGERING

LEBOWA GOVERNMENT

MMUŠO WA LEBOWA

No. ya Tšhapetšo
Verw. nr/ Ref. No.:

ML/mmm

OFISI YA/KANTOOR VAN DIE/OFFICE OF THE

Aterese ya Tšhelekrafo
Telegrafiese Adres
Telegraphic Address

Puiso

Kgoro ya Tonakgolo
Departement van die Hoofminister
Department of the Chief Minister

Dinyakūišo
Mawrae
Enquiries

LEICOTHORNE L.T

Mokodana wa mong wa Poso
Privaatsak X27
Private Bag

No. ya Tšhelefono
Tšh. nr/ Tel. No.
Telex No.: 1-22799

0156-35776/7
0156-35611-30

CHUNIESPOORT
0745

93. 3. 25

Fax No. 0156-35788

TO: DR ELLIFF
FIRM:

FAXNO. TOWN ~~ON~~ JHS DIALLING CODE 011
NO. 397 2211

ATTENTION: MR/MRS DR ELLIFF

SUBJECT: Request for additional seats
to Tol Traditional Leaders

MESSAGE Attached

FROM WHOM: MR/MRS.....

DEPARTMENT: Chief Minister

NUMBER OF PAGES (COVER PAGE INCLUDED) 9
APPROVED SIGNATURE: [Signature] DATE: 93. 3. 25

(DEPARTMENT OF THE CHIEF MINISTER ONLY)

55

REQUEST FOR ADDITIONAL SEATS TO TRANSVAAL TRADITIONAL LEADERS.

We are writing you this letter to express our dissatisfaction concerning the five seats allocated to us. In view of the fact that the Transvaal as a province has got more than five self-governing states with several traditional leaders, we humbly request the powers that be to increase the present number of seats in order to provide our traditional leadership with sufficient representation it deserves.

We should not be seen as intruders upon your challenging and difficult job of allocating seats to various political groupings, but believe us, although we are not encouraging the representation of traditional leaders along ethnic or tribal lines, when we expose our dissatisfaction concerning the number of seats given to us.

We shall be most grateful to you for the additional seats, and take the opportunity once again to thank you for the past kindnesses.

Yours faithfully

REPRESENTATIVES OF TRADITIONAL LEADERS:

1. Kgosi M. M. MASHANI
2. Kgosi K. P. Phasha
3. Kgosi J. Langa
4. Kgosi L. M. Molema
5. Kgosi M. E. MASHA

TELEFAX MESSAGE

To : MR THEUNS.ELOFF

From: DR. J.N. REDDY
SOLIDARITY PARTY

MULTI- PARTY NEGOTIATING FORUM

Date: 14/04/93

No. of Pages : 5 including cover page.

If message not legible call back as soon as possible.

Telephone No.: (031) 3043671
Fax No. : (031) 3013003

57

DR. J. N. REDDY
P.O. BOX 590
DURBAN
4000
TEL NO: (031) 3013003
FAX NO: (031) 3043671

14/04/93

MR THEUNS ELOFF
MULTI-PARTY NEGOTIATING FORUM
P.O. BOX 307
ISANDO
1600

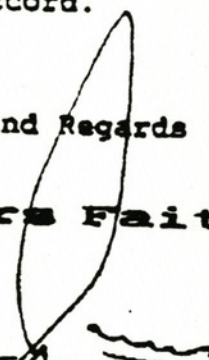
Dear Sir,

Please find enclosed Solidarity views in regard to the following:-

- (1) Criteria for Participation in the Multi-Party Negotiating Process.
- (2) Issues causing violence threatening the Negotiating Process and undermining the implementation The National Peace Accord.

With Kind Regards

Yours Faithfully



DR J. N. REDDY
LEADER OF SOLIDARITY PARTY

58

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

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)

60

PPR 14 53 13:02

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



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

NUMBER OF PAGES FOLLOWING THIS PAGE : _____

COMMENTS : _____

SHOULD YOU HAVE ANY DIFFICULTY IN RECEIVING CLEAR COPIES
PLEASE CONTACT : MAJOR XABA

AT (27) (0471) 22510 - INTERNATIONAL CALLS
OR (0471) 22510 - LOCAL CALLS

No. PM10/1/1/1



IRIPITABUKE YETRANSKEI

REPUBLIC OF TRANSKEI

Telegraphic Address } "BOTWE"

Private Bag X5038

ENQUIRIES }

Tel } 22510/310438

Fax. 23876

OFFICE OF THE MILITARY COUNCIL
UMTATA

28 April 1993

The Planning Committee
Negotiating Forum
World Trade Centre
JOHANNESBURG

**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 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)

CHAIRMAN OF THE MILITARY COUNCIL : MAJOR-GENERAL

No. PM10/1/1/1



IRIPHABELI YETRANSKEI

REPUBLIC OF TRANSKEI

Telegraphic Address } BOTWE

Private Bag X5039

ENQUIRIES }

Tel } 22510/310438

Fax. 23876

OFFICE OF THE MILITARY COUNCIL
UMTATA

28 April 1993

**The Planning Committee
Negotiating Forum
World Trade Centre
JOHANNESBURG**

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)

May'leen

CHAIRMAN OF THE MILITARY COUNCIL : MAJOR-GENERAL

INDEX OF NEW APPLICANTS

1. Membership status: Parties and organisations
 - 1.1 African Democratic Movement
 - 1.2 Afrikaner Freedom Foundation
 - 1.3 Christian Democratic Party
 - 1.4 Contralesa
 - 1.5 Federated Council of Indigeneous Rulers of Southern Africa
 - 1.6 Gender Advisory Committee of CODESA
 - 1.7 Gazankulu Council of Tihosi
 - 1.8 Green Party of SA
 - 1.9 Insika
 - 1.10 Natal Traditional Leaders
 - 1.11 National Council of Women of SA
 - 1.12 National Forum
 - 1.13 National Seoposengwe Party
 - 1.14 People's Democratic Christian Party
 - 1.15 People's Progressive Party
 - 1.16 Reform Party of SA
 - ~~1.17 SA Association of University Women~~
 - 1.18 Sindawonye Progressive Party
 - 1.19 The Third Force Nationalist Party
 - 1.20 United Federal Party
 - 1.20 United Asian Front
 - 1.21 Volks Unity Committee

MAR 15 1993 10:52 E O DIENS (221) 461-2348

P. 11/16

000087

GUIDEPTC.SG (1)

**QUESTIONS TO POLITICAL PARTIES/ORGANISATIONS
APPLYING TO JOIN CODESA:
FOR THE PURPOSES OF PROCESSING THE APPLICATION**

1. Date of formation of party/organisation
2. Names of office bearers and designation
3. Statement of Political Locus/Constitution
4. Indicators of demonstrable support (signed up membership, attendance at rallies, election results)
5. Activities: Meetings
 Publications
 Other
6. Participation in other organisations: *Parliament/Legislative Assembly*
 Local Government
 Civics
 Other
7. Offices: Address HQ and other offices
 Telephone, Fax
 Number of personnel employed by your party/organisation
8. Are you viable in regards to sustained funding?
9. Geographical area of operation: support, offices, etc?
10. Rules for membership

OFFICE OF THE MILITARY COUNCIL
REPUBLIC OF TRANSKEI



FAX TRANSMISSION

TO : **MULTI-PARTY NEGOTIATIONS FORUM**
COMPANY : **WORLD TRADE CENTER**
FAX NO : **011 397 2211**
DATE : **19 MARCH 1993**
TIME : **15H30**
FROM : **MAJ GEN H.B. HOLOMISA**

NUMBER OF PAGES FOLLOWING THIS PAGE :

COMMENTS :

SHOULD YOU HAVE ANY DIFFICULTY IN RECEIVING CLEAR COPIES
PLEASE CONTACT : **MAJOR XABA**

AT (27) (0471) 22510 - INTERNATIONAL CALLS

OR (0471) 22510 - LOCAL CALLS

No. PM/10/1/1/1/1

IRIPHABLIKI YETRANSKEI



REPUBLIC OF TRANSKEI

Telegraphic Address } BOTWE

Private Bag X5039

OFFICE OF THE MILITARY COUNCIL
UMTATA

ENQUIRIES }

Tel. } 22510/310436

Fax. 23876

19 March 1993

**Multiparty Negotiations Forum
World Trade Centre
JOHANNESBURG**

**REPRESENTATION OF NATAL AND OTHER TRADITIONAL LEADERS IN THE
NEGOTIATIONS PROCESS, STATUS OF THE KWAZULU GOVERNMENT
DELEGATION AND TIME-FRAMES FOR NEGOTIATION**

1. This minute addresses the following issues:
 - a. The representation of Natal traditional leaders in the negotiations process;
 - b. The overseeing by a Judge-President of the selection, under certain circumstances, of each delegation representing traditional leaders from the four provinces; and
 - c. The status of the KwaZulu Government in the negotiations process.

2. The issue relating to Natal traditional leaders has to be resolved before the meeting of the Multi-party Negotiations Forum scheduled for 1 and 2 April. In the interest of fairness and justice, I implore the sub-committee of the Facilitating Committee to give this matter priority attention. Failure to do so may bring the integrity and impartiality of all concerned into doubt. The regional problems in Natal must not be allowed to permeate the structures created at the national level, and in view of the participation of traditional leaders from the other provinces at the Multi-party Planning Conference a decision on the position of those from Natal cannot be delayed any longer.

3. On the 5th of March comments made from the chair by Mr M.C. Ramaphosa and a response to Mr Ramaphosa's remark by Dr Ben Ngubane left those at the M.P.P.C. in no doubt that the KwaZulu Government had attended the Conference in its own right despite earlier indications that it may have been representing the Natal traditional leaders. The sub-committee should also look into this issue. If KwaZulu is going to be represented by both the KwaZulu Government and the Inkatha Freedom Party then other homelands ought to be placed on the same plane. In other words this principle, if it is acceptable to all those involved in negotiations, should also be extended to other homelands such as Kangwane, Gazankulu, etc. This matter, too, should be resolved before the 1st and 2nd of April 1993.

4. It has come to my attention that some chiefs in certain provinces are not happy about the system adopted regarding the selection of those who will represent them at negotiations. I recommend that in those provinces in respect of which there are complaints, the Judges-President of those provinces should be asked to oversee the selection process so as to ensure that it is fair to all concerned. Transkei is of the view that the provincial system of representation should not be reviewed as some chiefs are not aligned to any representative body of chiefs.

5. The negotiations process cannot continue ad infinitum. Codesa cost the poor taxpayers a fortune. We must therefore have clearly stipulated time-frames. These time-frames must be linked to the holding of an election for a constitution-making body. In our view as Transkei the discussions of the 1st and 2nd of April should not only deal with the transition process but should also culminate in the setting of a date for the election of those who are to constitute a constitution-making body. South Africans need to know now where they are being led to. Are they being led to another deadlock similar to that we had at Codesa II? Are they being used by others to foster and promote goals and aims presently unknown to them? What Transkei is saying, therefore, is that agreement on the whole objective of the present negotiations will have to be reached right at the outset. Our people cannot afford another expensive round of negotiations without prior agreement on their primary objective. The schedule of all meetings will then be worked out with the date of the elections in mind.

6. I request that these recommendations be forwarded to the sub-committee of the Facilitating Committee for consideration.

Yours faithfully

 Maj' Gen
(H.B. HOLOMISA)

CHAIRMAN OF THE MILITARY COUNCIL : MAJOR-GENERAL

APPLICATIONS FOR PARTICIPATION

1. Criteria

1.1 The following criteria are proposed for applications from political parties or organisations:

1.1.1 To qualify for admission the applicant must show:

1.1.1.1 That it is indeed a political party or organisation intending to participate as such in the first election under a transitional/new constitution;

1.1.1.2 That it has proven substantial support in a national context; and

1.1.1.3 That its admission will enhance the peaceful negotiating process.

1.2 *Traditional Leaders*

2. Process

2.1 The following process for dealing with applications is proposed:

2.1.1 To assist in the application of the criteria, it is proposed that the applicant political parties and organisations be informed of the criteria and be asked to submit whatever facts and arguments they wish to, but that they be required to at least respond to the questionnaire annexed to this report. [Annexed]

2.1.2 To further assist in the application of the ^{CRITERIA} it is recommended that the Administration be required to cause a newspaper survey over the preceding year to be conducted to establish the type of coverage every applicant has received.

2.1.3 As soon as all the information is at hand in respect of a particular application, it is put before the Negotiating Council for decision.

REVISED REPORT OF THE COMMUNICATIONS COMMITTEE
FOR PRESENTATION TO THE PLANNING COMMITTEE ON
THURSDAY 29 APRIL 1993

1. TECHNICAL

1.1 Negotiating Council

1.1.1 As the deliberations of the Negotiating Council are to be reported on by news representatives of local and foreign television, radio and print media, the Committee recommends that:

1.1.2 an area (gallery) be permanently reserved inside the room for media representatives (given the expected size of the gallery it should be for the use of journalists only);

1.1.3 the area be separated from the rest of the room and with a separate entrance, but that easy access to and from this area should be ensured;

1.1.4 the media area be elevated and furnished with as many tables and chairs as possible;

1.1.5 steps be taken to ensure that debate in the Council is audible in the media area;

1.1.6 adequate lighting be provided for reporters working in the area; and

1.1.7 to ensure that the electronic media have an equal opportunity to report on the deliberations of the Council and that those journalists (and special guests of the Council) who cannot be accommodated in the gallery can follow proceedings elsewhere, that the Planning

Committee should urgently call for tenders from possible contractors to supply an audio and video feed of broadcast quality.

1.1.8 Parties interested in tendering should know that:

1.1.8.1 the Council will not necessarily sit on the same days of the week or at the same times every day;

1.1.8.2 tenders should not only be for the Council but also for the Forum and Plenary meetings (details later);

1.1.8.3 a separate tender for the manning of the equipment should be included;

1.1.8.4 three fixed cameras with a remote switching facility should be installed in the Council room;

1.1.8.5 television lighting should be installed;

1.1.8.6 audio feed should link up with Council facilities;

1.1.8.7 video and audio feed should be relayed to the media working area (and to area for special guests) provided for those who cannot be accommodated in Council room;

1.1.8.8 video monitors and loudspeakers should be installed in these separate areas; and

1.1.8.9 feed should also be made available for recording through malt boxes with an adequate number of plug points.

1.1.9 Tendering parties should also indicate whether they think covering the costs themselves and selling the

audio and video feed to interested media and the Council would be feasible.

1.1.10 The Planning Committee should note that costs could be cut if all speakers were to use a podium (instead of participating in debates from their seats) and/or if the Council were to meet in a bigger room where the visual media could do their own recording.

1.2 Negotiating Forum / Plenary

1.2.1 The Committee recommends that when the installation of facilities for the Council room is considered, media coverage of the Forums and Plenaries should also be taken into account.

1.2.2 It also recommends that:

1.2.2.1 the whole gallery area be reserved for the media and that it be furnished with as many chairs and tables as possible;

1.2.2.2 there should be adequate lighting and loudspeakers in the gallery; and

1.2.2.3 an audio and video feed of broadcast quality should be supplied for broadcasting purposes (see 1.1.7 to 1.1.10).

1.3 General

1.3.1 The Committee recommends that a media conference room be made available permanently.

1.3.2 The room should have:

- 1.3.2.1 an elevated area for speakers' table and chairs;
 - 1.3.2.2 a special table covering and backdrop for TV coverage;
 - 1.3.2.3 a stable elevated area across the back of the room for TV cameras;
 - 1.3.2.4 as many chairs as possible between elevated areas for seating of journalists; and
 - 1.3.2.5 proper air-conditioning.
- 1.3.3 Because of the costs involved, the media should supply own lighting equipment and microphones.
- 1.3.4 The Committee recommends that a special interview room with necessary furniture and backdrop be provided for TV and radio interviews.
- 1.3.5 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 private lines with locking facilities for individual users in this area.

2. ACCREDITATION

- 2.1 The Committee recommends that initially representatives of the news media should be re-registered on each day that they attend meetings of the Council, Forum or Plenary.
- 2.2 Some form of permanent registration I.D. could be introduced in the future.

2.3 The Committee also recommends all facilities should be made available to the media on a first come first served basis.

2.4 The Committee will consider a form of accreditation to regular users of the facilities at a later stage (after two months) with a view to giving such representatives priority use of some facilities and advise the Planning Committee accordingly.

3. PUBLICITY

3.1 The Committee still has to consider the report of its Publicity Sub-Committee and will later advise the Planning Committee accordingly.

WORLD TRADE CENTRE
KEMPTON PARK
28.4.93

DECLARATION OF INTENT ON THE NEGOTIATING PROCESS

This meeting of the Negotiating Council, held on 30 April 1993 at the World Trade Centre

1. **Noting That There Is An Urgent Need To:**

- * Inspire confidence in the negotiating process and our ability to resolve our problems peacefully;
- * Offer a clear vision of the major milestones in the negotiating and transition process;
- * Create conditions which eliminate violence in South Africa;

2. **And recognising wide acceptance of the need for democratic elections in South Africa;**

3. **Therefore Commit Ourselves:**

- * To reach agreements on binding constitutional principles, the constitutional framework and the constitution-making process within which an election will be held;
- * To provide for an adequate time-frame for the implementation of decisions on these matters and procedures for elections; and
- * To ensure that the negotiating process moves forward over the next five weeks to set the exact date for an election that should take place not later than the end of April 1994.

SCHEDULE OF MEETINGS

Planning Committee	Monday 3 May 1993	10h00 - 18h00
	Tuesday 4 May 1993	08h30 - 13h00
Negotiating Council	Friday 7 May 1993	09h15 - 17h00
	PC 71 08h30 - 10h00	11h00 - 18h00
Planning Committee	Monday 10 May 1993	10h00 - 18h00
	Thursday 13 May 1993	10h00 - 18h00
Negotiating Council	Tuesday 18 May 1993	09h15 - 17h00
	19th - P.C. 10h00 - 18h00	
Planning Committee	Monday 24 May 1993	10h00 - 18h00
	Tuesday 25 May 1993	08h30 - 13h00
Negotiating Council	Friday 28 May 1993	09h15 - 18h00
Planning Committee	Tuesday 1 June 1993	10h00 - 18h00
NEGOTIATING FORUM	Wednesday 2 June 1993	10h00 - 18h00

NEG Council 25 May 1993
 WED 19 - P.C.
 Monday 24 May 1993 - PI
 Tuesday 25 May 1993 - NEG.
 Friday 28 May 1993

PC 14 - 08h00 - 13h30 ✓
 PC 17 - 14h00 - 18h00.
 18 MAY - NC - 10h00 - 18h00
 09h15 -
 18h00 - 20h00.
 25 May - 18h00 - 20h00 - P.C.

