

**REPORT TO THE NEGOTIATING COUNCIL
ON THE AVF DEMONSTRATION
OF 25 JUNE 1993**

BACKGROUND INFORMATION

1. On 19 July 1993, members of the Negotiating Council were provided with copies of the report on the inquiry conducted by Mr Justice Goldstone into the events at the World Trade Centre on 25 June 1993. At Page 20 of that report Judge Goldstone lists certain questions which were referred to his commission by the Planning Committee. The Planning Committee took this step after having come to the conclusion that any commission appointed by it would have certain limitations in that it could not be endowed with statutory authority, for example, to enforce subpoenas.

2. Before one deals with the action steps which need to be taken in this matter, it would be apposite to outline the history thereof:
 - 2.1 The incident occurred at a time when negotiators were preparing for a meeting of the Negotiating Forum and therefore had a very tight work schedule;
 - 2.2 The incident was considered by the Negotiating Council in the afternoon of 25 June;
 - 2.3 The Planning Committee was, in terms of the resolution of the Council, mandated to appoint members of a commission of inquiry which was to investigate and enquire into the incident, and also to formulate more detailed terms of reference for the commission;
 - 2.4 After this Council's resolution and before the Planning Committee could attend to the matters set out in 2.3, the Goldstone Commission was authorised to investigate the incident;
 - 2.5 In the light of the development in 2.4 the Planning Committee resolved to consider matters pertaining to security first before finalising those matters in respect of which an investigation was required; and
 - 2.6 The more detailed terms of reference were subsequently drafted and on a reading of the Goldstone report it appears that everything mentioned in the terms of reference which the Planning Committee was mandated to draft has by and large been covered by the Goldstone Commission.

FURTHER ACTION STEPS

3. It is assumed that members of the Negotiating Council have read the Goldstone report. In the opinion of the Planning Committee the following matters still warrant further action. These are -
 - 3.1 Monitoring of progress on prosecutions arising from the incident;
 - 3.2 Enquiries on success achieved with regard to the tracing of missing or stolen articles which were in the Council chamber at the time;
 - 3.3 Ensuring that recommendations and findings of the Goldstone Commission (including those specifically dealing with the South African Police), are implemented; and
 - 3.4 Ensuring that the World Trade Centre is secured properly, that the security of delegates generally is addressed and that the guidelines for demonstrations are updated to deal with all the potential threats or situations.

RECOMMENDATIONS

4. In the light of the work done so far by the Goldstone Commission, the Planning Committee recommends as follows:
 - 4.1 The Negotiating Council should not pursue the setting up of its own Commission of Inquiry regarding the factual aspects of the incident of 25 June;
 - 4.2 That all the matters referred to in paragraph 3 be entrusted to the Planning Committee for further action and that the Planning Committee be mandated to instruct the three-man subcommittee to take whatever steps are required to give effect to these matters;
 - 4.3 That the three-man subcommittee be empowered to engage in discussion with the Police investigators on pending and outstanding criminal prosecutions or investigations, including any other matter connected therewith, and also to call for information from the Police thereanent; and
 - 4.4 That the Planning Committee should report to the Negotiating Council on the results on a periodic basis.

CONCLUSION

5. In conclusion it must be recorded that matters pertaining to security are currently under discussion by the three-man subcommittee, Multi-party Security and the South African Police.