



**TO : MEMBERS OF WORKING GROUP 1 : SUBGROUP 3  
CO-ORDINATORS OF WORKING GROUP 1**

**FROM : CODESA ADMINISTRATION**

**QUERIES : LOVEDALIA**

**RE : DRAFT MINUTES OF THE MEETING HELD ON 2 MARCH  
DELEGATE FACT SHEET NO 2**

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**ANC**  
 Negotiations Comm (011) 333-9090  
 K Asmal (021) 959-2960  
 P Maduna (011) 333-4509

**BOPHUTHATSWANA GOVERNMENT**  
 D Schoeman (0140) 84-2943  
 M Z Masilo (0140) 22072/3  
 J Esterhuizen (0140) 22072/3

**CISKEI GOVERNMENT**  
 H J S Kayser (0401) 91189  
 M B Webb (0401) 92651  
 M G Ndzondo

**DEMOCRATIC PARTY**  
 P Soal (021) 461-0092  
 D Smuts (021) 461-0092

**DIKWANKWETLA PARTY**  
 T J Mohapi (01438) 30318  
 M M Maekane

**INKATHA FREEDOM PARTY**  
 S Felgate (0358) 20-2167  
 D Madide (0358) 20-2483

**INTANDO YESIZWE PARTY**  
 M J Mahlangu c/o (01215) 2548  
 J S Mabona (01215) 2541  
 S L Mthimunye (01215) 2541  
 D P Mahlangu (01215) 2541

**INYANDZA NATIONAL MOVEMENT**  
 T J Ndaba (013140) 879  
 P R Mahlalela (01314) 72125  
 M S Gininda (01314) 72125

**LABOUR PARTY**  
 I Kruger  
 E Samuels (021) 483-3531

NIC/TIC  
 P Gordhan (031) 309-2278  
 N Pillay (012) 374-4792  
 M Moola  
 M Shaik (031) 86-7444

NATIONAL PARTY  
 G B Myburgh (021) 461-5329 or 461-7617  
 A J G Oosthuizen (021) 461-7617

NATIONAL PEOPLE'S PARTY  
 M Mohanlall (021) 403-2971  
 A K Beesham (031) 309-1272  
 D Chetty (011) 837-4156 (Manual)

SOLIDARITY PARTY  
 P I Devan  
 C Naguran

SA COMMUNIST PARTY  
 G Fraser-Moleketi (011) 836-8366 or 838-2816  
 E Pahad (011) 836-8366 or 838-2816  
 F Baleni (0171) 96-4809

TRANSKEI GOVERNMENT  
 Z Titus (0471) 23876  
 L V Ntsubane (0471) 31-2595  
 M Mpahlwa (0471) 22517 or 31-0815

UNITED PEOPLE'S FRONT  
 c/o Chief PR Minister (0156) 35244  
 R Maponya (011) 880-5178  
 L L Mpya

VENDA GOVERNMENT  
 C Neluvhalani :  
 Chief Gov Liaison Off (0159) 23172  
 Z C Nevhutalu (0159) 31638  
 P J Nembambula (0159) 21236

XIMOKO PROGRESSIVE PARTY  
 J C Ackron (01526) 23140  
 B M Tlakula See Above  
 N M Mtsetwene See Above

WORKING GROUP 1 SECRETARY  
 A Feinstein (011) 491-6542



**F A X M E S S A G E**

**TO : MEMBERS OF WORKING GROUP 1, SUB-GROUP 3**  
**FROM : CODESA ADMIN - DIANNE**  
**DATE : 3 MARCH 1992**  
**RE : DRAFT MINUTES - 2 MARCH**

Attached please find the following :

1. Draft minutes of the meeting of Working Group 1, Sub-Group 1 held on 2 March 1992.
2. Delegate Fact Sheet No 2 - Administrative Arrangements/Facilities

Should you have any queries, please do not hesitate to contact us.

Regards.



THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO APPROVAL OF THE CHAIRPERSON OF THE WORKING GROUP SUB-GROUP AND TO RATIFICATION BY THE WORKING GROUP SUB-GROUP AT ITS NEXT MEETING.

MINUTES OF THE FOURTH MEETING OF THE WORKING GROUP 1 SUB-GROUP 3 HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992 AT 08H00.

PRESENT: SEE ADDENDUM A

M Webb (Chair)  
A Schoeman (Minute taker)  
T Motumi (Secretary)

Apologies from NM Mtsetwene (Ximoko Progressive Party)

1. Convenors opening remarks.

In the absence of the Reverend Mohapi who had sent apologies the Mr Webb the chair of WG1SC took the chair.

2. Adoption of Agenda.

2.1 The meeting agreed that Point 5 of the agenda would not be discussed at this meeting. The ANC would put forward a motion after the South African Government has submitted its proposal.

3. Ratification of minutes of the previous meeting.

3.1 The press statement should be included in the minutes. It reads as follows: It was agreed that the members of the sub-group would investigate if there are any statutory provisions within South Africa (including the TBVC states) which prevent any political party or any other agency from establishing and continuing its own means of mass communication and from exercising press freedom and enjoying access to established printed media. The five government/administration representatives and other delegations will make submissions at the next meeting when we will discuss if these laws should be repealed or amended.

It was further felt that members of the sub-group would present suggestions next week to promote the role of intensive and continuous educative and informative campaigns in respect of political tolerance, the working of democracy and the processes of CODESA.

4. The meeting agreed to allow the South African Government to substitute Mr. Smuts, for Mr Colyn, as advisor to Minister Coetsee.

5. Matters arising from the minutes.

5.1 The meeting agreed to discuss points 3.4, 4.3 and 4.4 as separate items.

5.2 The meeting requested the South African Government to investigate the repeal of the Registration of Newspapers Amendment Act of 1982, in which provision is made for the minister of Home Affairs to cancel the registration of a newspaper.

5.3 The South African Government made an oral submission in response to point 3 of the

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minutes of the 25 February. A written report would be forwarded to delegates shortly.

5.4 The meeting agreed that there is a need for an independent body to regulate all forms of telecommunication including electronic media.

5.5 The meeting agreed that the discussions in future need to focus on the detail of the implementation of the regulation.

**6. Media Release.**

6.1 There was consensus in SUBGROUP 3 that there is a need for an independent authority to regulate all forms of telecommunication, including radio and television, and to exploit and supervise the utilisation of the electromagnetic frequency spectrum and relevant technologies.

## ADDENDUM A

The following people signed the register:

AFRICAN NATIONAL CONGRESS	K Asmal
BOPHUTHATSWANA GOVERNMENT	P Maduna
CISKEI GOVERNMENT	MZ Masilo
DEMOCRATIC PARTY	J Esterhuizen
DIKWANKWETLA PARTY	MB Webb
INKATHA FREEDOM PARTY	GM Ndzondo
INTANDO YESISWE PARTY	P Soal
INYANDZA NATIONAL MOVEMENT	D Smuts
LABOUR PARTY	MM Maekane
NIC/TIC	I Mars
NATIONAL PARTY	AM Mmawango
NATIONAL PEOPLE'S PARTY	SL Mthimunye
SOLIDARITY PARTY	DP Mahlangu
SOUTH AFRICAN COMMUNIST PARTY	MS Gininda
SOUTH AFRICAN GOVERNMENT	MJ Mahlalela
TRANSKEI GOVERNMENT	I Kruger
UNITED PEOPLE'S FRONT	P Waagenaar
VENDA GOVERNMENT	M Moola
XIMOKO PROGRESSIVE PARTY	M Shaik
	GB Myburgh
	AJG Oosthuizen
	AK Beesham
	B Jayraj
	PI Devan
	AS Kahn
	E Pahad
	F Baleni
	HJ Coetsee
	P Colyn
	MA Ntshinga
	MP Tladi
	LL Mpya
	ZC Nevutalu
	PJ Nembambula
	BM Tlakula

## ADDENDUM B

## 7. Summary of discussion.

- 7.1 The South African Government indicated that in their input, on Point 3.3 of the minutes, they find it necessary that technical data be submitted, by Mr. Smuts from the SABC, in addition to their submission.
- 7.2 The SACP pointed out that any oral submissions by any person must first be submitted in writing to the Steering Committee. The SC would decide on the suitability of the submission. The SACP therefore concluded that the SA Government's request was not in line with the above procedure.
- 7.3 The chair pointed out that briefings are acceptable in terms of CODESA procedure, if required to brief the house.
- 7.4 The ANC argued that technical briefings cannot be separated from political issues. The questions of the technical briefing can therefore not be allowed.
- 7.5 The Democratic Party agreed that the briefing should not be allowed at that moment and that the South African Government should proceed with their submission. If the meeting finds that they require the technical input after the SA Government submission the issue should be re-examined.
- 7.6 The meeting moved on to discuss matters arising out of the minutes.
- 7.7 The SACP requested the right to make their submission on the print media, at any time that was assessed to be suitable.
- 7.7 Response to point 4.4 of the minutes:
- 7.7.1 The South African Government stated that there are no laws that prevent political parties from distributing or publishing media and that licenses to publish was granted to everybody. Several laws militating against this have been repealed.
- 7.7.2 The Bophuthatswana delegation pointed out that the laws are the same in South Africa. A R 20 000 rand deposit is however required. The editor further does not need to be a South African citizen.
- 7.7.3 The Venda Government are still investigating the issue of press freedom.
- 7.7.4 The laws in the Ciskei are the same as the laws in South Africa, the deposits have been waved as well.
- 7.8 The S A Government argued that the issue under discussion was not general press freedom but press freedom in relation to political parties.
- 7.9 The Democratic Party argued that we need to look at press freedom as a whole for example the Electoral Act of 1975.
- 5.6 7.10 The ANC argued we have to be flexible on issues like this.
- 7.11 Several Acts were listed that could offend against press freedom, the meeting agreed however that there is a list available from the Campaign for Open media and this should be examined and debated at a later state.
- 7.12 The South African government submitted a paper dealing with issues such as the creation of free and equitable access to mass media for political organisations and free and neutral broadcasting. Mr Smuts presented a paper explaining the technical aspects of the electromagnetic media.
- 7.13 The DP welcomed the government presentation but requested that the documents be made available.
- 7.14 The ANC argued that the discussion on the governments submissions need to be held in the context of discussions already held.
- 7.15 ANC points for discussion:
- 7.15.1 The subgroup has to examine the commissions suggested by the government and the functions thereof.
- 7.15.2 The subgroup has to examine the submissions by the Media Conference.
- 7.16 The ANC argued that the independent communications authority should have a broad terms

- of reference and these should be spelt out.
- 7.17 The ANC argued that the government proposal does not restructure the SABC and the ANC believes that the SABC should be restructured, and that no unilateral decision can be made in the interim period.
- 7.18 The ANC stated that the basic human right to receive and impart information should form the basis for the discussions held on restructuring.
- 7.19 The ANC rejected, in both the interim and the long term, that the government of the day should be responsible for unilateral restructuring.
- 7.20 The ANC expressed interest in information about the complaints machinery, acceptable board of governors with common jurisdiction in the whole of South Africa.
- 7.21 In the interim period the principles of impartiality and neutrality and the structures of the media must be examined in relation to the transitional period.
- 7.22 The ANC argued that we need a coherent supervisory board of control who will look at more than complaints, for that is only one aspect and leaves untouched all the other issues.
- 7.23 The NPP agreed with the general principles mentioned by the government, but that the composition of the commissions be examined in greater detail and that the broadening of representation on these boards be discussed.
- 7.24 The South African government made an unedited version of the paper available.
- 7.25 The SACP argued that they need time to study the government submission. They requested clarity on:
- 7.25.1 The features of the independent regulatory board, its role, terms of reference, functions and accountability.
- 7.25.2 The relationship between the independent body and complaint mechanisms.
- 7.25.3 The relationship in the immediate sense, if we accept that we are in a transitional period, of such a commission already set up with the structures of the SABC.
- 7.26 The South African Government argued that the theme of the discussions need to be related to the theme of CODESA. The main question should therefore be does political parties have a voice and would restructuring provide them with a voice ?
- 7.27 The SA Government stated that there is overwhelming evidence for the need for a regulatory body for telecommunication. They cannot however provide an exhaustive list of functions.
- 7.28 The SA Government stated that South Africa should have a charter as in the British System.
- 7.29 The SACP questioned the preference given to the South African Media Council by the government's argument for extending the Media Council's powers to the electronic media.
- 7.30 The NIC/TIC delegation welcomed the governments attempt in this regard, but felt that this is only small scale reforms and that CODESA needs to examine the whole question of the SABC, including resources.
- 7.31 The SA Government stated that they favour the free market atmosphere that will be created by their proposed commission.
- 7.32 The SACP stated that we need an independent commission with a wide brief to regulate media.
- 7.33 The SACP stated that there is grave suspicion of the present SABC structures and reservations about its neutrality. CODESA needs to find a solution to this suspicion.
- 7.34 The IFP raised three issues that they felt needed to be considered:
- 7.34.1 Technical aspects of media.
- 7.34.2 Administrative aspects.
- 7.34.3 Editorial policy.
- 7.35 The IFP suggested that a smaller body of experts collects evidence from all participants on the issue in question.
- 7.36 The ANC requested:
- 7.36.1 More precise information on commissions.
- 7.36.2 A clearer statement on the relationship between the independent commission and existing bodies in the whole of South Africa.
- 7.36.3 Clarity on the commissions ability to look at the SABC.
- 7.36.4 Clarity on the complaints machinery in relation to terms of reference, power and



authority.

7.36.5 Clarity on the code of conduct.

7.37 The DP submitted a document at the previous meeting detailing how an independent authority would operate. Delegates are requested to examine this document.

7.38 The DP distributed a document produced by lawyers Cheadle, Thompson and Haysom.

7.39 The meeting agreed on the press release.

**ADDENDUM C**

**Submissions were tabled by the following organisations:**

**The South African Government  
The Democratic Party**



ADMINISTRATION/FACTSHEET/2 MARCH

## DELEGATE FACT SHEET NO 2 2 MARCH 1992

### I. ADMINISTRATIVE ARRANGEMENTS/FACILITIES

The main aim of the Administration is to:

- \* Ensure accurate records of all meetings
- \* To provide documentation in the hands of delegates on time
- \* to provide facilities for the functioning of all CODESA structures.

There are, however, a few practical problems. The main issue revolves around the programming of CODESA's activities, so as to enable the Administration to achieve this aim.

The following pattern has emerged in CODESA's activities:

- \* Mondays and Tuesdays are used for meetings of WGs, WGSCs, Subgroups, Sub-committees and the DMC/MC. These meetings have increased considerably. For instance, on Monday 2 March, 22 meetings are scheduled. Immediately after these meetings, secretaries and minute takers have to start writing the minutes.
- \* The deadline for the draft of the minutes, approved by the relevant chairperson, of all the above-mentioned meetings is Wednesday 12h00. This means that in the case of some minutes, less than 24 hours are allowed for a draft of the minutes of any meeting. The Secretariat has initiated a meeting with the five secretaries of the Working Groups to be held regularly on Tuesday evenings, with the following aims:
  - + To raise and discuss all administrative problems
  - + To monitor the functioning of the Working Groups
  - + To enable the Secretariat to compile a report to the DMC and
  - + To enable the Secretariat to compile the DMC/MC Agenda.

The process of faxing the draft minutes, approved by the different chairpersons, to the WG and WGSC members, is then initiated on Wednesday afternoon and takes two and a half days to complete (with 4 technically-advanced fax machines working 24 hours a day). Any problems with regard to not receiving faxed minutes, or late reception of minutes, should please be communicated to the Administration.

Against this background, it is important to also note that before CODESA 1, parties/organisations/administrations have been requested to submit the names of suitable administrative staff. This same request was made again on 12 February. As work increases, CODESA Administration is able to take on more staff. The sole test in this regard is competence.

It must be pointed out, however, that so far, parties/organisations/administrations have responded primarily to requests at the level of Security. Staff requirements for CODESA have now moved into specific areas, requiring specific competence, for example, minute taking. At present, the secretarial and administrative staff component is adequate. It is also important to note that before CODESA 1, it was approved by the Steering Committee to appoint the Consultative Business Movement (CBM) as an independent body to provide the core of the staff for the CODESA Administration. All staff appointments are therefore made under the aegis of CBM.

# DELEGATE FACT SHEET NO 2

## II. FINANCIAL ASSISTANCE TO PARTIES/ORGANISATIONS IN CODESA

In pursuance of decisions by the Management Committee of *CODESA* on 13 January 1992 and on 24 February 1992, the following is brought to your attention:

### **OFFICE ACCOMMODATION AND MEALS**

- 1.1 Office accommodation is provided by *CODESA* for each party, organisation or administration in the *World Trade Centre*. Basic furniture (tables and chairs) will also be supplied. Any other furniture required will, however, have to be rented from *CODESA*. Please notify us immediately, should you wish to make use of this facility. Under no circumstances will you be allowed to bring in your own furniture.

It is suggested that parties, organisations or administrations make use of this opportunity to facilitate preparations for *CODESA II*.

- 1.2. A maximum monthly subsidy of R2 000 per party/organisation/administration will be paid in respect of expenses for *CODESA* and offices at the *World Trade Centre*. These will include the following: telephone calls, fax costs, photocopying costs, rental of equipment and secretarial services. PLEASE NOTE THAT THE SUBSIDY IS PAYABLE ON RECEIPT OF DOCUMENTED PROOF OF ACTUAL EXPENSES AND THAT IT COMES INTO EFFECT RETROSPECTIVELY FROM 13 JANUARY 1992.
- 1.3 *CODESA* cannot supply telephone and/or fax lines. Should these be required, they will be supplied by *Telkom* for the account of each party, organisation or administration. Application forms are available at our offices and must be returned to *CODESA* to facilitate the installation thereof.
- 1.4 Please note that *CODESA* cannot provide any equipment such as word processors, fax machines or photocopiers **or render any of these services for or on behalf of parties, organisations or administrations** or their representatives on working groups. These must be provided for by each party, organisation or administration. One photocopier has been made available for the service of party offices. It is controlled by Aaron Tshehla, and is situated underneath the escalator. At present requests for copying should be given to him in writing (forms obtainable at the machine). These will be attended to on a first-come, first-served basis, PLEASE NOTE THAT ALL COPIES MADE ON THIS MACHINE WILL BE CHARGED TO THE ORGANISATION AT 15C PER COPY.
- 1.5 *CODESA* **only supplies meals to members of and advisers to members of working groups.** *CODESA* can make no provision in respect of meals for support staff to members of working groups, their bodyguards, private secretaries or drivers or the support staff of parties, organisations or administrations occupying offices in the *World Trade Centre*. A tuck shop is available on the premises and all such support staff, private secretaries, drivers and bodyguards can make use of it on a cash basis.
- 1.6 PLEASE NOTE THAT AS FROM 3 MARCH 1992 ALL LIQUOR AT MEALS WILL BE ON A CASH BASIS.

**Please turn over**

## **PER DIEM ALLOWANCES TO DELEGATES AND OFFICIAL ADVISERS**

- 1.1 A per diem allowance of R200 per delegate or official adviser for the days on which meetings of **CODESA** are attended may now be claimed. This will only apply to persons not receiving remuneration from State sources. It, however, excludes state/administration officials who have been granted leave without pay to attend meetings of **CODESA**. Documented proof of this will be required.
- 1.2 Income tax will have to be deducted from per diem allowance payments. Delegates claiming per diem allowances must please complete a registration form (available from our Financial office and a separate claim form for allowances.
- 1.3 Allowance may be claimed retrospectively from 13 January 1992.

## **CLAIMS FOR TRANSPORT AND SUBSISTENCE**

- 1.1 Claims for transport and subsistence must please be completed and submitted individually for each separate meeting by every representative and adviser. Only claim forms bearing the printed date for the specific meeting can be accepted.
- 1.2 Faxed copies of claims, flight tickets and hotel bills are unfortunately unacceptable. All claims must please be original and accompanied by original proof of expenditure.
- 1.3 **CODESA** does not refund telephone calls, valet services, bar charges, cigarettes or any claims for meals taken at hotels in stead of those offered at the *World Trade Centre* on the days of meetings.
- 1.4 When claiming for cost of travelling by car, please note that the car registration number must please be supplied and that the kilometers travelled should reflect the shortest route. The engine capacity of your vehicle must also be stated in cubic centimeters.
- 1.5 **CODESA** only refunds air fares in the economic class. Bookings made through one of our accredited travel agencies may also only be made in the economic class. To facilitate problems experienced with travel, accommodation and transport problems, **CODESA** now has a special **CODESA TRAVEL OFFICE** in the *World Trade Centre* co-ordinating with the various agencies and you should not hesitate to call them at (011) 397 2452.
- 1.6 Hotel accommodation booked through any of our accredited agencies must please be made at least 48 hours prior to day of arrival. Should you not take up the accommodation booked for you, you will be personally held responsible for the "no show"-fee charged to **CODESA**. This also applies in respect of accommodation not used for the full period booked.
- 1.7 **CODESA** only accepts responsibility for hotel accommodation (when necessary) on the night before and/or after meetings.
- 1.8 **CODESA** can unfortunately not accept claims for 5-star hotels and/or suites. Should delegates or advisers make their own arrangements for accommodation in such hotels, **CODESA** can only refund an amount equivalent to the tariff negotiated by **CODESA** with either the Jan Smuts Holiday Inn or the Airport Sun.

**Please turn over**

- 1.9 When transport is required from airports in Johannesburg, requests should be made at least 24 hours prior to your arrival. Once again, if you have requested transport and do not make use of it on arrival, you will be personally held responsible for the costs incurred.
- 1.10 **CODESA** does not accept claims for car hire.
- 1.11 Please note that **CODESA** only accepts responsibility for transport arrangements between hotels, the airports and the *World Trade Centre* for official meetings of **CODESA**. We do not provide transport for representatives, their advisers or support staff to attend meetings other than those of **CODESA** in the *World Trade Centre*, elsewhere in Johannesburg or its surroundings.

dpcod59 2 March 1992

**Please turn over**