



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

MINUTES OF THE MEETING OF WORKING GROUP 1 SUB-GROUP 2 HELD AT THE WORLD TRADE CENTRE ON TUESDAY 18 FEBRUARY 1992 AT 8H00

PRESENT: SEE ADDENDUM A

- LV Ntsubane (Chair)
- T Motumi (Minute taker)
- A Schoeman (Secretary)
- A Feinstein

1. Convenors Opening Remarks

The chair emphasised the importance of the group to be ahead of other groups to be able facilitate their discussions. The collective effort was stressed, as well as a need to reach common agreement.

2. Adoption of Minutes of previous Meeting

The minutes were adopted with the following amendments :

- 2.1 Point 3.3 was amended to read : It was resolved that participating Parties should be free to make submissions either orally or in writing.
- 2.2 It was agreed that papers submitted by participating Parties be recorded as tabled and numbered to facilitate reference by participants and the Secretariat.
- 2.3 A concern was raised that the minutes of meetings need to reach delegates timeously. It was pointed out that they will from henceforth reach participants by 13h00 on Thursday.

3. Ratification of Minutes

The minutes were adopted and ratified, and only items under 4 in the agenda would be discussed.

4. Continuation of Discussions:

4.1 Stability

- 4.1.1 Consensus that as all items under 4 relate to the National Peace Accord (NPA), the meeting needs to examine CODESA's relation with the National Peace Accord. The meeting also needs to look at whether the Peace Accord has achieved its stated objectives.

- 4.1.2 It was agreed that the National Peace Accord's effects had not been felt uniformly on the round throughout the country. It therefore needed to be revisited by this subgroup, with a view to reassessment and evaluation.
- 4.1.3 Agreed that all participants at CODESA need to be part of the National Peace Accord, as the signatories were fewer than the parties presently constituting CODESA.
- 4.1.4 Agreed on the need for the provisions of the National Peace Accord to have legal force. In addition joint, non-partisan and impartial control of the security forces was required. This, it was said, would help the security forces regain legitimacy through even handed implementation of the law. In this regard, clause 9.6 of the Accord was cited.
- 4.1.5 Agreed that all suggestions of international intervention be left to the relevant subgroup dealing with this aspect, but that it can be briefly discussed where relevant. It was pointed out this should only be as a last resort.
- 4.1.6 An interim government or authority was seen as the only way to speed up process of joint impartial control, as well as accountability.
- 4.1.7 Consensus was reached on the need for a joint sitting with the National Peace Accord's Secretariat, the National Peace Committee and the Goldstone Commission. It was agreed that this would be at the next meeting of this Working Group on the 24/02/1992, at the WTC.
- 4.1.8 General principles on areas for discussion with the National Peace Accord and related structures (mentioned in 4.1.8 above) were outlined, and it was decided that each Party would look at these for discussion in the next meeting. These principles were :
- 4.1.8.1 legal enforceability of the National Peace Accord
 - 4.1.8.2 independent investigative body for the security forces
 - 4.1.8.3 joint control
 - 4.1.8.4 possible international assistance
 - 4.1.8.5 the National Peace Accord's relation to CODESA, and the forthcoming meeting
- 4.1.9 It was agreed that CODESA must carry responsibility for the implementation of the Accord's provisions, and to assess whether measures therein are sufficient to restore peace through, assessments.
- 4.1.10 The government agreed that the Goldstone Commission reports would be made available to subgroup 2, but that it would only be those that had been tabled before parliament. This was agreed to by the house. The information needed from the Goldstone Commission would fall under clause 6.12 of the National Peace Accord, and these would be available at the next meeting on 24/02/1992.

4.2 Political Intimidation

- 4.2.1 Agreed that political intimidation had occurred in various forms, and that it needed to be looked at in totality. In addition, giving statutory powers to the National Peace Accord would help eliminate intimidation.

(see Addendum C.)

In conclusion, the Convenor proposed that all participants must come prepared to the next meeting, which will complete item 4, and then move on to item 5 on Security should there be sufficient time.

ADDENDUM A

The following participants signed the register:

AFRICAN NATIONAL CONGRESS	K Asmal
BOPUTHATSWANA GOVERNMENT	P Langa
CISKEI GOVERNMENT	KCAV Sehume
DEMOCRATIC PARTY	J Esterhuizen
DIKWANKWETLA PARTY	L Maqoma
INKATHA FREEDOM PARTY	M Maki
INTANDO YESISWE PARTY	DJ Dalling
INYANDZA NATIONAL MOVEMENT	J van Eck
LABOUR PARTY	JSS Patang
NIC/TIC	MM Maekane
NATIONAL PARTY	Dr Benard
NATIONAL PEOPLES PARTY	I Mars
SOLIDARITY PARTY	ES Masango
SOUTH AFRICAN COMMUNIST PARTY	PR Mahalela
SOUTH AFRICAN GOVERNMENT	MJ Twala
TRANSKEI GOVERNMENT	E Samuels
UNITED PEOPLE'S FRONT	C April
VENDA GOVERNMENT	EI Ebrahim
XIMOKO PROGRESSIVE PARTY	M Shaik
	BL Geldenhuys
	GB Myburgh
	AK Beesham
	D Chetty
	P Naidoo
	R Kassrils
	M Scott
	HJ Kriel
	LCA Pruis
	MA Ntshinga
	M Mpahlwa
	MI Moroamoche
	S Maja
	NE Mulaudzi
	ME Ramulondi
	SDW Nxumalo
	E Mathe

ADDENDUM B

Submissions were made by the following organisations/parties:

AFRICAN NATIONAL CONGRESS
UNITED PEOPLE'S FRONT
CISKEI
NATIONAL PARTY
SOUTH AFRICAN GOVERNMENT
VENDA

ADDENDUM C

NIC/TIC's proposed definition of intimidation :

" Any action, or sets of action committed by individuals, organisations, political party, state or any of its agencies designed by use of threat of force or violence to disrupt or interfere with the individual's rights, like freedom of expression, freedom of association and freedom of movement, shall be deemed as acts of intimidation. "

The above definition should be read with clause 2.3 of the National Peace Accord.