

TO : MEMBERS OF WORKING GROUP 1 : SUBGROUP 1

FROM : CODESA ADMINISTRATION

QUERIES : LOVEDALIA OR DIANNE

RE : DRAFT AGENDA FOR MEETING OF WG1 SUB-GROUP 1  
TO BE HELD ON 24 FEBRUARY AND DRAFT MINUTES  
OF MEETING HELD ON 17 FEBRUARY

---

ANC  
Negotiations Comm (011) 333-9090  
J Zuma  
P Maduna (011) 333-4509

BOPHUTHATSWANA GOVERNMENT  
D Schoeman (0140) 84-2943  
K V A C Sehume (0140) 84-2585  
J Esterhuizen (0140) 22072/3

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

DEMOCRATIC PARTY  
D J Dalling (021) 461-0092  
H Bester (021) 461-0092  
J van Eck (021) 461-0092

DIKWANKWETLA PARTY  
J S S Phatang (01438) 30318  
M H Cunukelo

INKATHA FREEDOM PARTY  
S Felgate (0358) 20-2167  
D R Benard (011) 886-1394  
A M Mncwango (03545) 2036

INTANDO YESIZWE PARTY  
S L Mthimunye (01215) 2541  
D P Mahlangu (01215) 2684

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

LABOUR PARTY  
E Samuels (021) 483-3531  
M Leonat



NIC/TIC

P G Gordhan (031) 309-2278  
N Pillay (012) 374-4792  
D Patel  
M Moola

NATIONAL PARTY

G B Myburgh (021) 461-5329  
L H Fick (021) 461-7617

NATIONAL PEOPLE'S PARTY

M Mohanlall (021) 403-2971  
R Garrib  
S M Govender

SOLIDARITY PARTY

P Naidoo  
C F Thandroyen (031) 432302

SA COMMUNIST PARTY

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

TRANSKEI GOVERNMENT

Z Titus (0471) 23876  
M A Ntshinga (0471) 23876  
S P Kakudi

UNITED PEOPLE'S FRONT

c/o Chief PR Minister (0156) 35244  
M I Moroamoche (0156) 35181  
S Maja (0156) 35104

VENDA GOVERNMENT

C Neluvhalani :  
Chief Gov Liaison Off (0159) 23172  
N E Mulaudzi (0159) 22097  
M E Ramulondi (0159) 31628

XIMOKO PROGRESSIVE PARTY

J C Ackron (01526) 23140  
B M Tlakula (01526) 20417  
N M Mtsetwene (01526) 20417

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 SUBGROUP 1**

**FROM : CODESA ADMIN - DIANNE**

**DATE : 20 FEBRUARY 1992**

**RE : DRAFT MINUTES - 17 FEBRUARY 1992**  
**DRAFT AGENDA - 24 FEBRUARY 1992**

Enclosed for your information, please find the following :

1. Draft minutes of the WG1 Sub-Group 1 meeting held on 17 February 1992.
2. Draft agenda for the WG1 Sub-Group 1 meeting to be held on 24 February 1992.

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

Regards.



WORKING GROUP 1/AGENDA/24 FEBRUARY

**DRAFT AGENDA OF WORKING GROUP 1 SUBGROUP 1 TO BE HELD AT THE  
WORLD TRADE CENTRE ON 24/2/92 AT 08H00 -12:30**

1. Convenors opening remarks
2. Ratification of Minutes
3. Matters arising from the Minutes
4. Continuation of Discussion
  - 4.1 Repeal of remaining apartheid laws
5. Any other business
6. Date of next meeting

●  
CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

●  
PO Box 507, Isando, 1600, South Africa.  
Telephone (011) 597-1198/99. Fax (011) 597-2211  
●



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 ~~THE 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 MEETING OF WORKING GROUP 1 SUBGROUP 1 HELD AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY 1992 AT 13H00.**

PRESENT: SEE ADDENDUM A

D Dalling (Chair)  
A Schoeman (minute taker)

**1. Convenor's Opening Remarks**

**2. Ratification of Minutes**

The minutes were adopted with the following amendments:

- 2.1 Point 3.1.5 was amended to state that: There was support for the proposal (but not full consensus) that the principle of general amnesty should be considered.
- 2.2 Point 3.1.7 was amended to start with the following: In view of existing bilateral agreements between the South African Government and the ANC.

**3. Matters Arising from the Minutes**

- 3.1 In response to point 3.1.6 of the minutes it was highlighted that the technical aspects cannot be examined until the issue has been resolved between the ANC and the South African Government. It was however stressed that the question of indemnity is not only a bilateral concern but involves other parties and members of CODESA.
- 3.2 The meeting between the ANC and the South African Government, (point 3.1.7 of minutes) has not yet taken place but has been scheduled for Monday 24 February. The meeting accepted this while stressing the urgency of the meeting, for it was felt that delays in holding an ANC/SA Government meeting could retard the progress of the sub-group.

**4. Continuation of Discussion**

**4.1 Release of Political Prisoners**

- 4.1.1 The meeting agreed that the sub-group would discuss the issue of Political Prisoners once the meeting between the ANC and the South African Government has been concluded. This discussion would examine the question of all Political Prisoners held or allegedly held by any South African Organisation or Party, as also by any of the TBVC governments.
- 4.1.2 The meeting agreed to hear the additional verbal representation from Lawyers for Human Rights. Confirmation of this decision to be obtained from the WGSC1.

**4.2 Exiles**



- 4.2.1 The meeting agreed that the discussion on Exiles would be held over pending a report on projected bilateral meetings between the ANC and SA Government.

#### 4.3 Repeal of remaining apartheid laws

- 4.3.1 The sub-group agreed that the discussion on the repeal of remaining laws militating against free political activity and discussion on all discriminatory legislation, would be conducted by first itemising existing legislation and then examining the three options aimed at addressing the repeal, listed below, in tandem (these options are not exhaustive or mutually exclusive).

- 4.3.1.1 Members should itemise the legislation and motivate why these are seen to inhibit free political activity or are discriminatory. This list should further include suggestions on the repeal or amendment of such laws.

- 4.3.1.2 An Interim Bill of Rights to address issues arising out of discussion regarding the freeing of political activity and the issue of discriminatory legislation

- 4.3.1.3 In addition to a General Law Amendment Bill several general clauses should be included in legislation eg. a clause on Freedom of association. These will be applied to laws not covered by the General Law Amendment bill by the courts and open to the discretion of the judiciary.

- 4.3.2 It was further agreed that Mr Dalling would raise the question of the interim Bill of Rights at the Steering Committee meeting and seek guidance from them on the issue. This however does not prevent the sub-group from discussing the Interim Bill of Rights as a possible solution to the method of repeal of remaining Apartheid laws.

- 4.3.3 See Addendum B for questions tabled by the African National Congress.

#### 4.4 Refugees

- 4.4.1 The Venda delegation raised the question of refugees and made certain representations in this regard. The meeting stressed that the refugee issue does not only affect Venda but the whole of South Africa. The South African Government undertook to look at these representations and to deliver a response at the next meeting.

### 5. General Matters

- 5.1 A number of delegates objected to material distributed by an IFP delegate attacking the ANC, arguing that the procedure of CODESA was abused and disrupted by an individual member distributing the documentation in question without consulting his/her own organisation.

**ADDENDUM A  
PRESENT:**

AFRICAN NATIONAL CONGRESS	K Asmal (D)
BOPHUTHATSWANA GOVERNMENT	P Maduna (A)
CISKEI GOVERNMENT	KCAV Sehume
DEMOCRATIC PARTY	J Esterhuizen
DIKWANKWETLA PARTY	MB Webb
INKATA FREEDOM PARTY	M Nozondo
INTANDO YESISWE PARTY	J van Eck (D)
INYANDZA NATIONAL MOVEMENT	H Bester (A)
LABOUR PARTY	JSS Phatang
NIC/TIC	MH Cunukelo
NATIONAL PARTY	Dr. Benard
NATIONAL PEOPLES PARTY	A Mncwango
SOLIDARITY PARTY	SL Mthimunye
SOUTH AFRICAN COMMUNIST PARTY	DP Mahlangu
SOUTH AFRICAN GOVERNMENT	MS Gininda (D)
TRANSKEI GOVERNMENT	MJ Mahlalela (A)
UNITED PEOPLE'S FRONT	E Samuels (D)
VENDA GOVERNMENT	D Patel
XIMOKO PROGRESSIVE PARTY	M Moolla
	GB Myburgh (D)
	LH Fick (A)
	R Garrib
	SM Govender
	P Naidoo (D)
	CF Thandroyen (A)
	E Pahad (D)
	F Baleni (A)
	HJ Coetsee (D)
	D Swanepoel (A)
	MA Ntshinga
	SP Kakudi
	MI Moroamoche
	S Maja
	NE Mulaudzi
	ME Ramulondi
	BM Tlakula (D)
	NM Mtsetwene (A)

**ADDENDUM B**

**Questions posed by the ANC to the South African Government and all other parties or organisations that support an Interim Bill of Rights.**

1. How long will an Interim Bill of Rights be in effect ?
2. Who will provide assistance to test legislation ?
3. What mechanism would be used ?
4. South Africa is a country without a history of a Bill of Rights, where judges have worked under a sovereign system, how will the judiciary suddenly address the issues that arise before them?
5. Who will take initiative to bring the action to invalidate the whole list of laws?



**ADDENDUM C**

Submissions were made to Sub-group 1 On 17 February 1992 by the following organisations:

**Inkatha Freedom Party  
Inyandza National Movement  
Lawyers for Human Rights  
Venda Government**