

MCH91-22-5-6

TO ALL NEC MEMBERS

FOR INFORMATION



NATIONAL WORKING COMMITTEE

DOCUMENTS

ISSUED 28 JULY 1992

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STATEMENT

OF

6 JULY 1992

STATEMENT READ BY MR JUSTICE R J GOLDSTONE AT THE COMMISSION'S
PRELIMINARY HEARING INTO THE BOIPATONG MASSACRE HELD AT PRETORIA
ON MONDAY 6 JULY 1992

A. ENQUIRIES BY THE COMMISSION

The Commission consists of five members and a small staff. It is obviously unable to enquire into every one of the many tragic incidents of violence which regrettably have become a daily occurrence in South Africa. In deciding which incidents to investigate the Commission has regard to many factors and primarily its most important task which is to find ways and means of curbing violence. When it declines to investigate any particular situation or incident of violence, in no way does it lack a full appreciation of the personal and public tragedy associated with needless and often mindless loss of life or serious injury. The Commission holds preliminary enquiries in order to assess whether the issues are such that a full enquiry is necessary having regard to the Commission's resources and terms of reference.

B. THE BOIPATONG ENQUIRY

1. Some incidents cry out for full and exhaustive enquiry. The Boipatong massacre is one. The number of people who were murdered and injured, the personal tragedy of the bereaved families and the justified anger of all decent people demand answers to the ques-

tions which so obviously arise in relation to the events of 17 June 1992.

2. The legal representatives of the parties have assisted the Commission with regard to framing terms of reference relating to the enquiry. They are the following:

- (a) The identity of the persons directly responsible for the massacre;
- (b) The cause of the massacre and the nature, time and place of the planning of the massacre and the persons responsible for the massacre and the planning thereof;
- (c) The action taken by members of the South African Defence Force who were in the vicinity of the Kwamadala Hostel immediately after the massacre;
- (d) Whether any steps could or should have been taken by the South African Police to prevent or avert the massacre;
- (e) The nature and efficiency of the investigation by the South African Police after the massacre;
- (f) Steps which should be taken to prevent or avert any recurrence of such acts of public violence.

3. With the concurrence of the Minister of Justice, the Commission has decided that a Committee of the Commission should be established to conduct the full enquiry. It will consist of myself as chairman. The members will be Adv D J Rossouw SC and Adv M N S Sithole. Justice P N Bhagwati, the former Chief Justice of India, will assist the Committee as an assessor.

4. All of the legal representatives appearing before the Commission are agreed that they are not yet in a position to begin the enquiry. It has been agreed that it will commence on 4 August 1992 at 10 am at a venue to be announced.

5. In its Second Interim Report the commission recommended that the Government empower it to offer adequate witness protection to persons testifying before the Commission. The Minister of Justice has informed the Commission that this recommendation has been accepted and discussions are presently being conducted by the Commission with officials of the Department of Justice with regard to appropriate regulations. It is hoped that the regulations will be in force by 4 August 1992.

6. Justice Bhagwati has generously agreed to return to South Africa in order to sit with the Committee. I would like to express my sincere appreciation to him for agreeing to do so. The Commission is indebted to him more especially as his wise counsel and wide experience have already been of much value to the Commission.

C. GENERAL POLICY CONSIDERATIONS

1. In view of the present climate of violence and political volatility in the country, the Commission has unanimously decided to make public its views on a number of issues.

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Allegations of responsibility for violence

2. With regard to the involvement in current violence of Government and the Security Forces different kinds of allegations have been made by some political leaders and by some newspapers. They include:

- (a) Direct complicity in or planning of current violence by the State President, members of the Cabinet and senior members of the South African Police and Defence Force;
- (b) Direct complicity in or planning of current violence by members of the middle or lower ranks of the South African Police and Defence Force;
- (c) Unwillingness or inability by the State President and members of the Cabinet to take adequate steps to prevent current violence;
- (d) Unwillingness or inability by the of Security Forces to prevent current violence.

3. No evidence has been submitted to the Commission which in any way justifies allegations of any direct complicity in or planning of current violence by the State President, any member of the Cabinet or any highly placed officer in the South African Police or Defence Force. But if such evidence is submitted to the Commission it will be thoroughly investigated.

4. In the absence of such evidence the Commission considers that allegations to the effect that Government and Security-Force

leaders are themselves directly responsible for the commission of violence are unwise, unfair and dangerous. They are dangerous particularly because they are likely to exacerbate the climate of violence and frustrate and retard attempts to curb violence.

5. Evidence in support of the other kinds of allegations concerning Government and Security Force involvement in the violence has been received by the Commission. The serious acts of violence committed by 32 Battalion in Phola Park has been reported by the Commission to the State President. Other evidence of misconduct by members of the Police or Army are currently being heard and considered by Committees of the Commission.

6. The Commission will continue to investigate allegations of violence alleged to have been instigated by supporters of the African National Congress and the Inkatha Freedom Party.

7. So, too, the Commission will continue to investigate any allegations concerning the unwillingness or inability of the Security Forces to prevent violence and those relating to the adequacy or sufficiency of steps taken by them to do so.

8. The Commission is of the view that in order for a Government to gain the respect and support of its citizens whom they serve, it must be able to demonstrate that it has full control of its security forces. In turn the security forces must be able to secure the lives and homes of the people. Such a state of affairs cannot be brought about without active co-operation between the

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security forces and the vast majority of the citizens and their political representatives. How to bring about such a state of affairs is the most urgent and daunting task of the Commission.

9. The Commission appeals to all the political leaders in South Africa to actively assist it in this task.

Non-co-operation with the police

10. In its Second Interim Report the Commission set out a number of reasons for the distrust and mistrust of the South African Police by so many South Africans. The Commission remains deeply aware and concerned at this state of affairs.

11. If acts of violence were to be committed by or with the complicity or with the active support or connivance of members of the South African Police, it could not be expected of the victims of violence to co-operate with the Police in subsequent enquiries into the violence by the Police. The Government and the Security Forces should therefore understand and appreciate the anger and frustration of so many South Africans. It will take more than the abolition of racial legislation and statements of good intention to achieve racial and ethnic harmony in South Africa. Whether or not groups of former Koevoet members employed by the South African Police are involved in incidents of violence, the infamous reputation of Koevoet is such that the very existence of such a group in South Africa in 1992 is calculated to cause yet further distrust

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and suspicion of the security forces. The wisdom of employing such a group or groups must be open to serious question.

12. But at the same time, in the current climate of distrust and suspicion community leaders should be particularly careful not to make allegations of police misconduct or complicity which are not materially substantiated by facts.

Ignoring recommendations of the Commission

13. The Commission is distressed that some of the considered and urgent recommendations made by it have been ignored. In particular it would refer to the following:

14. In its Second Interim Report the Commission reported that:

"Hostels are common to most of the worst areas of violence. All hostels should immediately be adequately and securely fenced. A strong and efficient police presence should ensure that no arms are taken in or out of hostels. It should also be in a position to protect all hostel dwellers from external attack."

The only response to date has been a statement on behalf of Government that R294 million has been allocated for the upgrading of hostels. As far as the Commission is aware no action has been taken to date.

15. The Commission's recommendations, made in January 1992, concerning policing in Mooi River have been ignored. No reasons have been furnished for so doing.

16. The Commission's recommendations concerning the deployment of 32 Battalion in peace-keeping operations were met with what can generously be described as an unhelpful response from a senior member of the South African Defence Force. No reasons have been furnished for ignoring the Commission's recommendations.

17. In December 1991, the Commission referred to the Attorney-General of the Transvaal a *prima facie* case of involvement by policemen in Schweizer-Reneke in an unsuccessful conspiracy to murder an ANC leader in the town. Notwithstanding constant enquiries by the Commission the police investigation has taken an unacceptably long time. Eventually the Commission felt obliged to call the investigating officer to testify in public and explain the delays.

18. The Commission by no means expects that recommendations made by it should necessarily be accepted or implemented. It does expect, however, that they will not be ignored. If they are not accepted or not implemented the Commission believes that it and the public are entitled to be informed of that fact and of the reasons therefor.

19. If the Commission is to continue to serve any purpose it must retain such national and international credibility as it may have

earned. To ignore its recommendations can only be calculated to diminish if not destroy the credibility and effectiveness not only of the Commission but also of the Government.

20. The Commission's recommendations concerning the bearing of weapons in public has been partially but inadequately implemented.

Mass action

21. Public demonstration is a fundamental democratic right though in times of political tension it may have the potential for violence. For that reason, some months ago the Commission set up an international panel of experts to assist it in making recommendations to the State President on the rules and procedures which should apply to public demonstrations, marches and picketing. That panel will report in public in Cape Town on Thursday. It is the hope of the Commission that at the end of the public debate which will follow the Report, an accord will be reached on such rules and procedures.

22. In the view of the Commission the right to public demonstration is especially important at a time when the disenfranchised majority of South Africans have no alternative peaceful means of political action. But at the same time this right should not be exercised in such a way that it is calculated to lead to violence.

Appeal to leaders

23. The Commission appeals to all of our country's leaders to spare no effort in re-establishing appropriate ways to continue the search for a peaceful transition to a democratic form of government. Without it the efforts of people of peace will come to nought and the activities of the instruments of the Peace Accord will become irrelevant.

Anticipation of the findings of the Commission

24. The Commission has previously welcomed vigorous public debate on matters referred to it for enquiry and on its reports. However, it views with concern recent press comment which anticipates findings which have to be made by the Commission. In particular there has been comment on the credibility of witnesses who have testified before the Commission and findings have been stated in matters which have yet to be decided by the Commission. This practise is regrettable and it is hoped that it will not be repeated.

REPORT

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REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE
GOLDSTONE COMMISSION

Justice R.J. Goldstone in his statement on Monday 6 July 1992 said:

"The Commission is distressed that some of the considered and urgent recommendations made by it have been ignored".

This report seeks to outline the recommendations made by the Commission and whether or not these have been implemented.

1 FIRST INTERIM REPORT ON THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION - 24 JANUARY 1992

1.1 In this report the Commission recommended that the Prevention of Public Violence and Intimidation Act of 1991 be amended to remove the requirements that a minimum of three persons be appointed to committees and that a member of the Commission should serve on every committee.

1.2 The Prevention of Public Violence and Intimidation Amendment Act of 1992, which came into operation in May, has fulfilled this recommendation. The various committees can consist of such number of persons as determined by the Commission. The need to have a member of the Commission on a committee is no longer necessary. Justice Goldstone appoints a chairman to each committee, that chairman is not necessarily a member of the Commission. Thus the Commission and committees are able to investigate and give more attention to acts of violence and intimidation.

2 SECOND INTERIM REPORT ON THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION - 29 APRIL 1992

2.1 This report made several important recommendations which have been largely unfulfilled.

- 2.2 The Commission recommended that the Government empower it to offer adequate witness protection to persons testifying before the Commission. Justice Goldstone's statement on 6 July 1992 states that the Minister of Justice has informed the Commission that this recommendation has been accepted and discussions are presently being conducted by the Commission with officials to the Department of Justice with regard to promulgating appropriate regulations. The Commission has further stated that it hopes that these regulations will be in force by 4 August 1992.
- 2.3 At present there is nothing on paper regarding these new regulations. Witnesses testifying before the Commission are not adequately protected. The Commission of inquiry on violence at Boipatong commences on 4 August 1992. If new regulations have not come into effect by this time witnesses will not be protected. This would seriously affect the evidence being lead at the inquiry as many witnesses may be reluctant to come forward for fear of their lives.
- 2.4 The Report recommends that:
- "Hostels are common to most of the worst areas of violence. All hostels should immediately be adequately and securely fenced. A strong and efficient police presence should ensure that no arms are taken in or out of hostels. It should also be in a position to protect all hostel dwellers from external attack".
- 2.5 It should be noted that this recommendation fails to say who should be accountable - Local Authorities, the State or Business groups with hostel inmates.

- 2.6 Nevertheless, whoever this responsibility lies with, hostels have not been adequately and securely fenced. Neither do all hostels have a 24 hour police presence at entry and exit points.
- 2.7 In his statement on 6 July 1992 Justice Goldstone acknowledges that the above recommendation has largely been ignored. The only response to date has been a statement on behalf of the Government that R249 million has been allocated to the upgrading of hostels. It was not stated what this money would be used for and when. As far as the Commission is aware no action has been taken to fulfil this recommendation.
- 2.8 The Commission also recommended in this Report that steps should be taken urgently to prohibit the carrying "in public" of any dangerous weapons at anytime at all.
- 2.9 As stated in Justice Goldstone's statement on 6 July 1992 this recommendation has only partially and inadequately been implemented. The interpretation of the law has been left mostly in the hands of the police which has resulted in confusion e.g. when police confiscate dangerous weapons and then return them.

3 STATEMENT BY JUSTICE R.J. GOLDSTONE ON 1 JUNE 1990

- 3.1 In this statement the Commission expressed concern for the manner in which its views were unfairly and selectively used by public representatives. It recommended that each Commission Report be placed in possession of all the signatories to the National Peace Accord at the same time, and that the Government and public spokespersons not make public comment on

any of the reports until all parties are in possession of the relevant details.

3.2 The first part of the recommendation was fulfilled when Justice Goldstone chose to issue his own statement, to all interested parties, and the public at the same time.

3.3 As to the second part of the recommendation, the Commission will have to rely on the trust and co-operation of all interested parties.

4 INTERIM REPORT ON THE VIOLENCE AT MOOI RIVER - 19 FEBRUARY 1992

4.1 This report makes several recommendations regarding the conduct of South African Police at Mooi River:

4.1.1 Firstly, that a suitable senior officer be appointed at Mooi River as a matter of urgency and clear lines of command established.

4.1.2 Secondly, that the practice of conducting raids without warrants, in plain clothes and in a vehicle bearing false number plates be prohibited forthwith.

4.1.3 Thirdly, that the police make every endeavour to bring the perpetrators of the violence committed at Mooi River to justice and that the Attorney General be requested to render assistance in this regard.

4.2 The first recommendation has not been heeded as no suitable senior officer has been appointed at Mooi River Police Station thus the situation of inadequate

policing remains the same.

- 4.3 In his statement made on 6 July 1992, Justice Godlstone states:

"The Commission's recommendations, made in January 1992, concerning policing in Mooi River have been ignored. No reasons have been furnished for so doing".

- 4.4 With regard to the third recommendation the Minister of Law and Order, Hernus Kriel, said last week that charges had been withdrawn against hostel dwellers arrested in Bruntville (immediately after the attack and still in possession of their weapons), because of lack of evidence. Thus no one has been found responsible for the Bruntville attacks (which legal commentators have likened to the attack at Boipatong).
- 4.5 The Report also noted that the "peace process will be seriously hampered if dangerous weapons continue to be flaunted in public".
- 4.6 This recommendation has not been implemented by either the ANC or the IFP. Both parties have refused to disarm their members. Various monitoring organisations have noted that supporters and members of the two political parties continue to display dangerous weapons in public.
- 4.7 Further the Station Commander at Mooi River Police Station stated last week that the police would not disarm people seen carrying dangerous weapons in public.

5 FIRST INTERIM REPORT ON THE VIOLENCE IN THE TAXI INDUSTRY -
10 JUNE 1992

- 5.1 The Commission suggested that industries that are automotive related such as the oil industry, vehicle manufacturers and finance houses, could usefully join hands with SABTA (South African Black Taxi Association) and other taxi organisations to ensure the urgent availability of training facilities for taxi drivers.
- 5.2 The Sunday Times (5 July 1992) reported that not a single institution canvassed by their reporter either knew of the recommendations or was acting on them. SABTA did not respond to the Sunday Times' requests for comment. Therefore it must be assumed that the above recommendation remains unheeded.
- 5.3 The Report noted the following factors as urgent, and exacerbating violence within the taxi industry:
- 5.3.1 The absence of ranks and stops or of adequate ranks and stops;
- 5.3.2 It is common cause that the facilities available to taxi drivers and passengers at ranks and drop-off points are non-existent or poor;
- 5.3.3 There is virtually no shelter from the elements or toilet facilities.
- 5.4 The Report recommends that authorities in control of these places need to address the problem without delay to help alleviate these circumstances which may add to the already existing tension and confusion. It is not known whether these recommendations have been

implemented.

6 INTERIM REPORT ON THE CONDUCT OF MEMBERS OF 32 BATTALION AT
PHOLA PARK - 10 JUNE 1992

- 6.1 The Report recommended that the South African Police and the Attorney General of the Witwatersrand urgently complete investigations into acts of violence, including murder and rape allegedly committed by members of 32 Battalion against residents of Phola Park and that, where appropriate, the offenders be brought to trial.
- 6.2 Investigations are still on-going. No individual has been arrested to date, despite several charges being laid by the complainants.
- 6.3 It was further recommended that 32 Battalion should not again be used for peace-keeping duties anywhere in South Africa. The Report recommended that urgent consideration be given to any steps that may be necessary to ensure that especially senior officers are aware of their special role in peace-keeping duties.
- 6.4 It is noteworthy that the Commission's recommendation with regard to the above is wider than that of the Committee's recommendation that 32 Battalion be removed only from Phola Park. When making its recommendation the Commission took cognisance of evidence given to the Commission of serious complaints against members of 32 Battalion at Imbali, as well as the perception amongst ANC members and supporters that the Battalion is anti-ANC due to its ties with SWAPO.

6.5 Justice Goldstone stated in his statement made on 6 July 1992 that the recommendations concerning the deployment of 32 Battalion in peace-keeping operations:

"were met with what can generously be described as an unhelpful response from a senior member of the SADF. No reasons have been furnished for ignoring the Commission's recommendations".

6.6 The SADF's response to the above recommendations came from Chief of Army Lieutenant General Meiring. He stated that the SADF would take cognisance of the recommendation and would take measures to ensure that officers knew the difference between a peace-keeping situation and a war situation. The SADF "was considering" whether the attitude the Commission complained about was prevalent, or even existed. He added that 32 Battalion would be deployed as of and where the SADF saw fit.

6.7 At present the specific platoon accused of acts of violence against residents of Phola Park has been removed. But 32 Battalion itself remains as a "peace-keeping force" at Phola Park.

7 CONCLUSION

At this report has shown, the Commission's recommendations have by large not been implemented. Reasons have seldom been given as to the maintenance of the status-quo. Justice Goldstone in his statement made on 6 July 1992 best states the gravity of the lack of implementation of the Commission's recommendations:

"The Commission by no means expects that recommendations made by it should necessarily be accepted or implemented. It does not, expect, however, that they will be ignored. If they are not accepted or implemented the Commission believes that it and the public are entitled to be informed of the fact and of the reasons therefore".

"If the Commission is to continue to serve any purpose it must retain such national and international credibility as it may have earned. To ignore its recommendations can only be calculated to diminish if not destroy the credibility and effectiveness [of] the Commission

STATEMENT

OF

22 JULY 1992

EMBARGO: IMMEDIATE

PRESS RELEASE BY THE HONOURABLE MR JUSTICE R J GOLDSTONE, CHAIRMAN OF THE COMMISSION OF INQUIRY REGARDING THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

1. At the suggestion of the South African Police, in my capacity as Chairman of the Commission, I was requested by the State President on 24 June 1992 to appoint one or more experts to evaluate the investigation by the South African Police into the Boipatong massacre. In pursuance of that request I appointed Dr P A J Waddington, Director, Criminal Justice Studies, Reading University, England and two officers of the British Metropolitan Police to conduct the evaluation.

2. Dr Waddington's report has now been completed and is being made public in order to enable the parties appearing at the Boipatong Enquiry on 5 August 1992 to prepare adequately.

3. I would like to express the Commission's sincere gratitude to Dr Waddington, Commander Laidlaw and Detective Superintendent Don for the efficient and thorough manner in which they completed their task. I would also like to thank the many senior and junior officers of the South African Police who gave every possible assistance and co-operation to the Waddington team.

4. The Commission wishes to stress that the Report is not one in which the Commission or any member of its staff has participated.

It does not represent or reflect any findings or opinions of the Commission or of the Committee investigating the Boipatong massacre whether in general or in relation to the conduct of the South African Police.

5. The findings and opinions contained in the Report are those made by the experts appointed by the Commission. They are based on untested information given to them. They in no way bind the Commission, the Committee of Enquiry into the Boipatong massacre, the South African Police, or any other interested party. If any party wishes to challenge material or relevant findings made in the Report relating to the Boipatong massacre they are invited to request the Committee to hear evidence in relation thereto.

6. The Enquiry will commence at the Civic Centre, Vereeniging at 9:00 on Wednesday, 5 August 1992.

7. Any interested party and the media are invited to obtain a copy of Dr Waddington's Report at the Commission's office at NG Synod Centre, 228 Visagie Street, 3rd Floor, Pretoria at or after 10:00 on Thursday 23 July 1992.

PRETORIA
22 JULY 1992

EMBARGO: IMMEDIATE

PRESS RELEASE BY THE HONOURABLE MR JUSTICE R J GOLDSTONE, CHAIRMAN OF THE COMMISSION OF INQUIRY REGARDING THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

1. A Committee of the Commission sitting in Cape Town heard the report of the International Panel of Experts which was appointed to advise the Committee on the rules and procedures which should apply to mass demonstrations, marches and picketing. During those proceedings the South African Police, Inkatha Freedom Party, African National Congress, the South African Communist Party and Cosatu were all represented by their legal representatives.
2. At the Panel hearings a large measure of agreement was reached on broad issues by all of the parties represented. Having regard to the importance of the terms of that agreement, the Committee, in consultation with the International Panel, set them out in a document which was given to the legal representatives. A copy thereof is attached hereto.
3. The South African Police, African National Congress, the South African Communist Party and Cosatu have now informed the Commission that they accept the terms set out in the document.
4. The Inkatha Freedom Party (IFP) has informed the Commission that it is unable to agree to the terms of paragraph 3 of the

document. In a letter received by me from the IFP it is stated, *inter alia*, that:

"The IFP is in full agreement that weapons, not usually used for ceremonial occasions such as pangas, choppers and sharp lengths of steel etc, should not be carried in any demonstration, and indeed should not be carried at all in public. Cultural weapons are however another matter.

The IFP has already made the concession that it is prepared to support, wherever possible, the prohibition on the carrying of weapons of any kind in areas that have been declared unrest areas.

It is our plea that a search be made for compromise wording to replace the wording of clause 3 in the draft interim agreement. We believe that a meeting between ourselves and yourself and your Commission, for informal discussions in this regard could perhaps be useful. We stress that we would like the matter resolved once and for all.

Except for our reservation about the wording in clause 3, we fully endorse the interim agreement on the conduct of public demonstrations.

In conclusion I want to convey our appreciation and thanks to yourself and the members of your Commission for the very

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commendable work that they have done to reach agreement on this matter".

5. The Commission regrets that the IFP cannot agree to the terms of paragraph 3 of the document. It cannot accept the necessity let alone the right to carry dangerous weapons in demonstrations.

6. Having regard to the present political climate in South Africa the Commission cannot hold back on an agreement as important as this in order to "search" for compromise wording. In any event, the issue of dangerous weapons has been debated for many months and the considered attitude of the Commission has been made known more than once. It is that the display in public of any dangerous weapons is unacceptable. On that broad principle it is unable to compromise.

8. The Commission expresses its satisfaction that agreement has been reached by all the parties on some substantial issues and expresses its sincere wishes that they will adhere to the spirit as well as the terms thereof. It also appeals to the IFP, the KwaZulu Government and other political parties and organisations who were not represented at the Cape Town hearings to adhere to and implement the terms set out in the document.

PRETORIA
22 JULY 1992

KOMMISSIE VAN ONDERSOEK 1/s
DIE VOORKOMING VAN OPENBARE
GEWELD EN INTIMIDASIE



THE
VIOLEN

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INTERIM AGREEMENT BETWEEN THE SOUTH AFRICAN POLICE, THE AFRICAN
NATIONAL CONGRESS, COSATU, SOUTH AFRICAN COMMUNIST PARTY AND
INKATHA FREEDOM PARTY ON THE CONDUCT OF PUBLIC DEMONSTRATIONS

Pending any new legislation which might flow from the
recommendations to be made by the Commission to the State
President, the parties recognize and agree that:

1. Members of the public have the right to demonstrate peacefully in public, in order to convey their views effectively and the South African Police have the duty to protect this right;
2. The organizers of demonstrations, the local authority concerned and the South African Police have a duty to ensure that demonstrations are peaceful and that inconvenience caused to persons not participating in the demonstration is kept to a minimum having regard to the nature, place and time of the demonstration.
3. Participants in demonstrations should not be in possession of dangerous weapons;

4. Reasonable notice of demonstrations should be given by the organizers in order that negotiations can be held with the local authority and the South African Police with regard to the conduct of the demonstrations and that such notice will include:

- 4.1 The name of the organizers and/or organization(s);
- 4.2 The name, address and telephone number of the person authorized by the organizers and/or organization(s) to represent them in relation to the conduct of the demonstration;
- 4.3 The purpose of the demonstration;
- 4.4 The time of the demonstration;
- 4.5 The place of assembly;
- 4.6 The route of the demonstration;
- 4.7 The place where the demonstration will end and the participants disperse;
- 4.8 The anticipated number of participants;
- 4.9 If applicable, the number and types of vehicles;
- 4.10 The number of marshals.

5. Prior negotiations in order to reach agreement on the conduct of the demonstration, if necessary by compromise, between the organizers, the South African Police and the local authority are essential in order to ensure that demonstrations are held peacefully.

CAPE TOWN
16 JULY 1992

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