

Due to Mr Ntsubane's unavailability, the rapporteur, Mr Shaik was requested to confirm the minutes. This he has done and confirms that the minutes are a true reflection of the proceedings



WORKING GROUP 1 SUB-GROUP 2 /MINUTES/27 APRIL 1992

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 BY THE CHAIRPERSON OF THE WORKING GROUP SUB-GROUP AND TO RATIFICATION BY THE WORKING GROUP SUB-GROUP AT ITS NEXT MEETING.

MINUTES OF THE NINTH MEETING OF WORKING GROUP 1 SUBGROUP 2 HELD AT THE WORLD TRADE CENTRE ON 27 APRIL 1992 AT 15H30.

PRESENT : SEE ADDENDUM

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

1. Convenor's opening remarks

The convenor in welcoming the delegates pointed out that this was the last meeting of the Sub-Group before CODESA II. He asked that an effort be made to complete all the items on the agenda as identified by the rapporteur.

2. Attendance and apologies

2.1 Apologies were received from Mr Zuma (ANC).

3. Ratification of Minutes

Point 7.2 of the minutes of 21 April 1992 should read: "**Dangerous weapons: It was agreed that stronger measures be taken against those found in possessions of illegal firearms and dangerous weapons and the carrying and displaying of such in contravention of regulations in the NPA, clause 3.6.4."**

4. Rapporteur's Report

4.1 I.t.o. point 1.1 regarding recommendations to the RDRCs, it was agreed that the RDRC's could make recommendations to the following police authorities: SAP, the Venda Police Force, the KaNgwane Police Force, the Gazankulu Police Force, the KwaNdebele Police Force and the Lebowa Police Force.

4.2 I.t.o. point 3.1 regarding dangerous weapons, it was agreed that stronger sentences and other measures be imposed for the possession, carrying and display of dangerous weapons or other firearms in contravention of the regulations issued as provided for in 3.6.4 of the NPA.

5. Continuation of Discussion - National Peace Accord

5.1 Regarding the Joint Monitoring Commissions finality has yet to be reached on :

5.1.1 that regional monitoring commissions be created in each RDRC region.

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- 5.1.2 that these monitoring commissions be constituted from amongst the parties and organisations represented on these RDRCs and/or drawn from independent, local monitoring agencies or persons.
- 5.1.3 that persons serving on these monitoring commissions be given the necessary training and certification to enable them to efficiently perform their functions in an impartial and objective manner.
- 5.1.4 that the assistance of both local and international monitoring agencies be considered in the training and development of the above-mentioned regional monitoring commissions.
- 5.1.5 that the functions of these regional monitoring commissions be :
 - 5.1.5.1 to monitor the compliance by NPA signatories to the codes of conduct as provided for in the Accord.
 - 5.1.5.2 to monitor the behaviour of parties and organisations at grass roots in relation to violence.
 - 5.1.5.3 to monitor the compliance of parties and organisations to the NPA after it has been brought to their attention that they have been in violation of the Accord.
- 5.1.6 political parties and members of RDRCs should refrain from making inflammatory remarks in relation to the causes of violence, and should desist from apportioning blame based on unsubstantiated evidence while such matters are under review or investigation by the commission.

5.2 **Regarding the security forces** it was agreed that this issue be dealt with in conjunction with items (e) and (i) of the terms of reference of WG1SG2.

5.3 **Budget and infrastructure problems**

There was sufficient consensus on the following:

- 5.3.1 That CODESA calls on the international community to provide financial and other assistance to facilitate successful implementation of the NPA.
 - 5.3.2 That we recommend to the National Peace Secretariat that it prepares and submits a budget to government outlining the funding requirements of the peace process, as provided for in clause 6.12.5 of the NPA.
 - 5.3.3 That we further recommend to the National Peace Secretariat to take active steps to solicit assistance from local sources in order to obtain funding for the NPA. These steps could include the holding of musical concerts, sports events, and other such activities with a peace theme as well as approaching the business sector in this regard.
6. Due to time constraints the remainder of the agenda was not discussed i.e. Items 6.2 - 8. It was however suggested that since this was the last meeting of the WGSG2, a request be made to the Steering Committee for a meeting on 11/05 from 09H00 to 16h00. The report of this meeting would form an addendum to the report submitted at/before the last WG plenary meeting on 7 May 1992.

ADDENDUM A

AFRICAN NATIONAL CONGRESS	P Maduna
	P Langa
BOPHUTHATSWANA GOVERNMENT	J Esterhuizen
CISKEI GOVERNMENT	L Maqoma
	M Maki
DEMOCRATIC PARTY	HJ Bester
	RJ Lorimer
DIKWANKWETLA PARTY	JSS Phathang
	MH Cunukelo
INKATHA FREEDOM PARTY	Dr Madide
	A M Mncwango
INTANDO YESIZWE PARTY	ES Masango
	CN Mahlangu
INYANDZA NATIONAL MOVEMENT	PR Mahlalela
	MJ Twala
LABOUR PARTY	A Delport
	J Scholtz
NIC/TIC	E Ebrahim
	M Shaik
NATIONAL PARTY	BL Geldenhuys
	LH Fick
NATIONAL PEOPLE'S PARTY	AK Beesham
	D Chetty
SOLIDARITY PARTY	P Naidoo
	CF Thandroyen
SOUTH AFRICAN COMMUNIST PARTY	R Kasrils
	M Scott
SOUTH AFRICAN GOVERNMENT	HJ Kriel
	LCA Pruis
TRANSKEI GOVERNMENT	LV Ntsubane
	M Mpahlwa
UNITED PEOPLE'S FRONT	MI Moroamoche
	S Maja
VENDA GOVERNMENT	NE Mulaudzi
	ME Ramulondi
XIMOKO PROGRESSIVE PARTY	SDW Nxumalo
	E Mathe
RAPPORTEUR : GB Myburgh	

ADDENDUM B

The following submissions were received:

African National Congress
Inyandza National Movement (3)

ADDENDUM C**Summary of Discussion**

1. The SACP questioned point 3.1, page 4 of the minutes. It was of the opinion that two views had been presented on the issue of dangerous weapons, especially the phrase 'stronger sentences'.
2. After discussion, it was agreed that this would be changed, and should be read with point 3.4. (as presently reflected in the minutes).
3. The IFP said it was worried about the phraseology of clause 1.1 and 2 in the rapporteur's report, and said it was of the opinion the issue had not been agreed to, but was a proposal, and was therefore still subject to further discussion. After clarification by the NIC/TIC and the SA government, the points were adopted, with the other administrations/parties having accepted it.
4. On the Joint Monitoring Commissions(JMC), the DP said it was of the opinion that when there are independent monitors in a conflict situation, there is a tendency for issues to be resolved much quicker. The DP therefore supported the idea of Joint Monitoring Commissions.
5. The IFP pointed out the monitors were often not impartial, and tended to be anti-IFP. How is it ensured they are not deceptive, the IFP asked.
6. The ANC said monitoring should not be biased, but joint. It would however like to know how this would be achieved.
7. The SACP said it supported the idea of the JMC to monitor the violence, but was of the opinion it would be best done under the auspices of the RDRCs/LDRCs. This would ensure the findings thereof are used to correct the wrongs.
8. The NP said it seemed there would in the end be more monitoring commissions than in the political parties themselves.
9. The XPP said that lay people should not be used, as the perpetrators of the violence are highly trained. There should therefore be people of equal expertise to monitor situations, and this could lead to early identification of the perpetrators.
10. The NPP said it strongly agreed with the formation of the JMCs under the auspices of the RDRCs/LDRCs. They however wanted to know what suggestions the IFP had on control and ending of violence by the political parties themselves.
11. The IFP said CODESA/NPA should be based on reconciliation, and not try to make structural adjustments to control the violence. There needed to be joint activities-rallies, seminars, discussions, etc. The root of the problem was how people, especially leaders, behaved to one another.
12. The DP agreed with the IFP, but said this was the reason why the JMCs were needed, as they could easily address the concerns raised by the IFP.
13. The NIC/TIC said what the IFP was suggesting had earlier been put to the NPA. There should be a process of peace creation, as the perpetrators of violence were derailing the peace process. The NIC/TIC found problems of 'joint' commissions, and said there should instead be independent monitors, reporting to the RDRCs/LDRCs. Their task would be to monitor the behaviour of parties violating the NPA. The monitors needed to be independent and trained. Their training could be through

the services of international agencies and local universities.

14. The ANC said it would be difficult to obtain the services of monitors 'independent' of political parties. It suggested those involved should disengage themselves from their party political activities.
15. The NPP said the earlier suggestion made for time slots on the electronic media should materialise. The Publicity Subcommittee of the NPA needed to be activated. Furthermore, leaders of parties/organisations did not reprimand or speak out against their followers perpetrating violence. The top leadership should be seen at the violence stricken areas, especially where the LDRCs are in operation.
16. The SA govt said it supported the creation of monitoring mechanisms or structures, but to suggest the RDRCs/LDRCs to do this would be unworkable as these are too big.
17. The SP said it agreed to independent monitoring, and that the Goldstone Commission had shown how an independent monitoring structure could be effective. Its terms of reference needed to be broadened.
18. The NPP wanted to know who would be on the JMCs.
19. The IFP wanted an addition to be made on the rapporteur's report that leaders of parties should refrain from or suspend judgement on whether their member was harassed, until the facts were available or they were proven otherwise.
20. The DP said the leaders should also not use the earliest opportunity to go to the media, but should whilst on the RDRCs/LDRCs show non-partisanship.
21. The IFP said partisanship was created by perceptions that had been held and built over a long period, and that people must however be careful and not pass inflammatory statements, as these could be dangerous, especially where the claims were unsubstantiated. All mechanisms to resolve the conflict must be utilised and exhausted.
22. The SA Govt said it was also important to recommend to the NPA to look at the tasks of the RDRCs/LDRCs and the Justices of the peace. In the conflict areas, there must be liaison between the JMCs and the police.
23. On the Security Forces, the SACP said the NPA had a Code of Conduct for the police, and not the SADF. This needed to be urgently instituted, especially in light of the incidents at Phola Park and other areas by members of Battalion 32. The DP supported the SACP point.
24. On Budgetary and Infrastructure Problems of the NPA, the SACP said this area had been earlier discussed, so there should be speedy progress in the discussion.
25. The NP said once legislation had been passed, there would be no problems, as the Dept of Justice presently was providing funds and the infrastructure for the NPA. The issue of permanent staffing needed to be speeded up. There has already been provision made that they get off the ground. The SA Communications Services had assisted a great deal in this regard in various regions and localities where the RDRCs/LDRCs exist.
26. NIC/TIC indicated Mr Hall and Mr Geldenhuys had indicated some of the problems relating to funds for the running of the RDRCs/LDRCs. The SG should agree that an approach be made to the govt for funding. Secondly, funds were also to be sought internationally.

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27. The SA govt said the services of the SACS should in the meantime be accepted. This point came in light of the fact that in some areas there was resistance to these services. The govt also proposed that as CODESA, there should be a call on the international community to give financial assistance to the peace process, it's not only the govt that should contribute.
28. The SACP said there were no funds for the RDRC in Natal, and also that the secretarial services being received previously proved problematic. There needed to be an independent source of funding for the NPA. The international community should also assist.
29. The ANC said the country's own internal resources needed to be tapped before looking to the international community. This was especially in light of the fact that millions of rand were spent on the referendum campaign, and these had been internally generated. Furthermore, the government is a tax collector, so some of those funds could be used for that purpose.
27. The IFP said peace concerts and sports events should be considered to also raise funds.
28. The NP pointed out that the NPA was aware of the availability of funds internationally. The NPS was however also training people in conflict resolution skills throughout the country, and was in the process of providing personnel and infrastructure - there was no shortage of funds, but the employment of facilitators.
29. The Transkei also agreed that local resources needed to be tapped first, especially from big business, who had shown during the referendum they could contribute something.
30. The IFP wanted to know whether homeland and self governing territories would be prepared to assist financially.
31. The NP informed the meeting the British Council had recently donated R25 000 to the NPA, and the US had also provided some form of training.
32. The SACP said the govt must be seen to be making substantive financial and material input towards the peace process, and these would put the NPA structures in place. The one main reason people feel nothing is being done is the unending, and seemingly spiralling violence.
33. The government said it had already funded the NPA, and was presently funding CODESA.
34. NIC/TIC said there needed to be budgetary regulations set aside - a specific amount for the NPA. The budgetary constraints needed to be seriously addressed.
35. The NP said was difficult to budget for violence. Funds were allocated as the need was identified. The other problem was that the NPA was not a legal persona, and once this had been sorted out, the funds would be made directly available to it.
36. The NIC/TIC said there needed to be a way to solve the funding processes of the NPA.