

MCH91-79-4-12

AFRICAN NATIONAL CONGRESS

LEGAL AND CONSTITUTIONAL CONFERENCE

1ST MAY 1991

FORT HARE UNIVERSITY

AGENDA

1. OPENING ADDRESS - Cde Smuts Ngonyama

2. INTRODUCTION: What is a Constitution? - Border Legal and Constitutional Committee

3. ELECTORAL SYSTEMS FOR A NEW SOUTH AFRICA - Cde Bulelani Ngcuka

4. THE ROLE OF A CONSTITUTIONAL COURT - Cde Pious Langa

LUNCH

5. A BILL OF RIGHTS AND THE NEW CONSTITUTION - Cde Albie Sachs

6. THE ROLE OF THE MULTI-PARTY CONFERENCE, AN INTERIM GOVERNMENT AND THE CONSTITUENT ASSEMBLY - Adv. Dullah Omar

7. CLOSURE

THE PEOPLE SHALL GOVERN

African National Congress

51 Plein Street
Johannesburg 2001
P O Box 61884
Marshalltown 2107

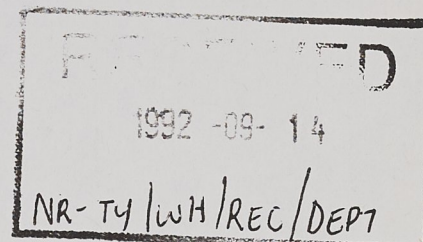


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OFFICE OF THE SECRETARY GENERAL

Inter Office Memorandum


DATE : 11 September 1992
TO : All HOD's
All REC's
FROM : Secretary General



Please be informed that as per decision of the NEC on 31 August - 2 September:

1. Comrade Terror Lekota has been re assigned to the Elections Commission.
2. The new Head of ANC Intelligence is Comrade Alfred Nzo.


M.C RAMAPHOSA
SECRETARY GENERAL


The People Shall Govern!

AFRICAN NATIONAL CONGRESS

NATIONAL EXECUTIVE COMMITTEE

DATE: 31 August 1992 - 2 September 1992

VENUE: Johannesburg

TIME: 10:00

DRAFT AGENDA

1. *Opening - State of the Nation*
2. *Adoption of Agenda*
3. *Apologies*
4. *Adoption of minutes of previous NEC*
5. *NWC Report*
6. *Mass Action*
 - 6.1. *Assessment of Week of Mass Action*
 - 6.2. *Way Forward*
7. *Implementation of Policy Conference Decisions*
8. *Elections Strategy*
9. *Negotiations Commission:*
 - 9.1. *Report*
 - 9.2. *Transition to Democracy Act*
10. *Code of Conduct for NEC Members*
11. *Statements by NEC Members on Matters Affecting the ANC*
12. *Restructuring of Organising Department*
13. *Peace Process*
 - 13.1. *Report on National Situation*
 - 13.2. *UN Monitoring*
 - 13.3. *Peace Accord (Amendments)*
14. *General*
15. *Closure*

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DATE: 8-7-92

TO: ALL SECRETARIES AND NEC MEMBERS

ATT: SECRETARY

FAX:

SENDER KHULU WRATHA (SGO)

NUMBER OF PAGES (INCLUDING COVER SHEET) 14

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ADDITIONAL MESSAGE:

FOR YOUR INFORMATION ONLY

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The People Shall Govern!



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COUNCIL OF MINISTERS
Fifty-sixth Ordinary Session
22 - 28 June, 1992
Dakar, Senegal

CM/Res.1385 - 1421 (LVI)

RESOLUTIONS ADOPTED BY THE FIFTY-SIXTH
ORDINARY SESSION OF THE OAU COUNCIL OF MINISTERS

RESOLUTION ON SOUTH AFRICA

The Council of Ministers of the Organization of African Unity, meeting in its Fifty-sixth Ordinary Session in Dakar, Senegal, from 22 to 28 June 1992,

Recalling its earlier resolutions, declarations and decisions on South Africa,

Further Recalling the decisions taken by the OAU Ad Hoc Committee of Heads of State and Government on Southern Africa at its Eighth Session held in Arusha, the United Republic of Tanzania, on 28 April, 1992,

Having considered the reports of the Secretary-General and the Fifty-eighth Ordinary Session of the Coordinating Committee for the Liberation of Africa on the developments in South Africa, as well as the report of the OAU Monitoring Mission to South Africa,

Having also considered the detailed reports made by the National Liberation Movements, ANC and PAC, on the prevailing situation inside South Africa,

Noting with great concern the fact that the negotiation process within the framework of CODESA is deadlocked because of the refusal by the regime to accept the universally accepted democratic principles in Constitution-making,

Concerned over the escalating violence in South Africa in spite of constant appeals by the international community to end the carnage which constitutes a major obstacle to the negotiation process,

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CM/Res.1387 (LVI)	Resolution on Frontline and Other Neighbouring States	1 - 3
CM/Res.1389 (LVI)	Resolution on the Right of States to Decide on their Political Options Without Foreign Interference	1 - 2

Convinced that unity of action and cohesion among the Liberation Movements and other democratic South African forces within the framework of the United Patriotic Front is absolutely necessary at this crucial stage of the struggle and constitutes the best means of hastening the process of negotiations aimed at the advent of a non-racial, democratic and united South Africa:

1. **REITERATES ONCE AGAIN** Africa's preference for the elimination of Apartheid and the creation of a new non-racial, democratic and united South Africa through genuine and sincere negotiations;
2. **EXPRESSES GRAVE CONCERN** over the deadlock in the negotiations and **CALLS ON** the regime to reciprocate the good will of the other parties within CODESA in order to ensure an early and successful end of this process which will lead to the establishment of an interim government and the election of a constituent assembly to draft the new constitution for the country;
3. **APPEALS** to all Member States and the international community to continue to exert pressure on the De Klerk government and to address the concerns that has led to the deadlock in order to get the process back on track;
4. **FURTHER REITERATES** the urgent need for the Liberation Movement and other anti-apartheid forces to close their ranks and strengthen their unity in order to accelerate the process of change in South Africa;

5. **STRONGLY CONDEMNS** the perpetrators of the violence that continues to devastate South Africa and **DENOUNCES** the Pretoria regime for its role in the perpetuation of the violence;
6. **WELCOMES** the decisions taken by the OAU Ad-Hoc Committee of Heads of State and Government at its Eighth Session held in Arusha, United Republic of Tanzania on 28 April, 1992 including the sending of a Monitoring Team to South Africa as a concrete contribution by the OAU to the negotiation process and to efforts aimed at bringing an end to the violence;
7. **ENDORSES** the conclusions contained in the report on the Mission to South Africa which indicates that elements of the South African security forces, in collusion with supporters of the Inkatha Freedom Party, are mainly responsible for the violence;
8. **URGENTLY** requests the regime to adopt without delay measures designed to put a stop to the wave of violence including the transformation of hostels and squatter camps, introduction of security measures in trains, railway stations, and by strictly enforcing the law against the carrying of arms and offensive weapons at public rallies as well as the disbanding of mercenary forces and the expelling of those forces from South Africa;

9. **URGES** Member States and the international community to respect the decision of the OAU Ad Hoc Committee of Heads of State and Government by refraining from establishing official links with South Africa until an interim government responsible for supervising the transition to democratic rule, including the holding of free and fair elections under universal adult suffrage on a common voters roll, has been put in place in the country;

10. **REQUESTS** the Secretary-General to closely follow the question and submit a report to the 57th Ordinary Session of the Council of Ministers.

**RESOLUTION ON AN URGENT MEETING OF THE
SECURITY COUNCIL ON THE SITUATION IN
SOUTH AFRICA**

The Council of Ministers of the Organization of African Unity, meeting in its Fifty-sixth Ordinary Session in Dakar, Senegal, from 22 to 28 June, 1992,

Recalling its previous resolution on the situation in South Africa,

Gravely concerned by the escalation of violence in South Africa targeted at black communities and, in particular by the recent massacre at Boipatong Township on the night of the 17th June 1992; and the subsequent shootings of unarmed protesters by the army and police of the regime,

Emphasizing that it is the responsibility of the South African Government to take all necessary measures to immediately stop the violence and protect life and property of all South Africans,

Considering that the continuation of present cycle of violence seriously jeopardizes the process of peaceful negotiations and transition toward a democratic non-racial and united South Africa,

Convinced of the need for the international community to investigate the causes of the violence and to adopt the necessary measures for its early end:

1. **STRONGLY CONDEMNS** the violence unleashed against the people of Boipatong and in other townships;
2. **FURTHER CONDEMNS** the Government of South Africa for its failure to take effective action to stop the on-going violence and **DEMANDS** that the Pretoria Government takes immediate necessary measures to that end;

RESOLUTION ON FRONTLINE AND OTHER NEIGHBOURING STATES

The Council of Ministers of the Organization of African Unity meeting in its Fifty-sixth Ordinary Session in Dakar, Senegal from 22nd to 28th June 1992,

Having considered the report of the Secretary-General, and the OAU Coordinating Committee for the Liberation of Africa,

Gravely concerned over the continuing precarious security situation in Southern Africa engendered by the inhuman and obnoxious system of Apartheid,

Fully aware of the enormous sacrifices which the Frontline States continue to make in the course of the struggle for the total liberation of Africa :

1. **COMMENDS** the Frontline and other Neighbouring States for their continued sacrifices and support to the people of South Africa in the legitimate struggle against apartheid and colonialism;
2. **CALLS UPON** the United Nations and the international community at large, to continue extending all round assistance to Namibia to enable it to further consolidate the institution of government and ensure security and economic development in the country;

3. **DEMANDS** a full and open investigation of this and other incidents of violence and the role of the security forces in the perpetration of those incidents. In this regard **REITERATES** its decision to send an OAU fact-finding mission of experts to South Africa to investigate the violence;
4. **CALLS** for the urgent convening of a meeting of the UN Security Council to examine the issue of violence in South Africa and to take all appropriate action to put an end to it as well as to create conditions for negotiations leading towards a peaceful transition towards a democratic non-racial and united South Africa;
5. **CALLS** upon the African Group at the United Nations to take urgent action in implementation of the request for the Security Council Session;
6. **DECIDES** to send a ministerial delegation headed by the representative of the OAU Current Chairman to present Africa's position to the Security Council;
7. **INVITES** the Secretary-General of the United Nations to follow closely the evolution of the situation and take all necessary measures aimed at achieving the objectives outlined in operative paragraph 4 above;
8. **REQUESTS** the OAU Secretary-General to present a report on this question to the 57th Session of the Council.

3. **REAFFIRMS** that Walvis Bay and the Off-shore Islands constitute an integral part of Namibia and **URGES** early re-integration of these territories into Namibia, in accordance with United Nations Security Council Resolution 432 (1978);
4. **DEPLORES** South Africa's intransigence in the on-going negotiations aimed at resolving the dispute over Walvis Bay and the off-shore Islands and **REJECTS** in particular introduction of any linkage of these negotiations with the internal political and constitutional talks in South Africa itself;
5. **CALLS UPON** South Africa to hasten the implementation of the interim joint administration agreed upon and also to agree on a definitive and firm date for the re-integration of the said territories;
6. **VIEWS WITH GRAVE CONCERN** the continued war of destruction and destabilization being waged by RENAMO in Mozambique and expressed shock and dismay at the continued killing of innocent civilians, particularly women, children and the elderly;
7. **COMMENDS** President Joaquim Chissano for his untiring efforts in the search for peace and stability in Mozambique and in the creation of the necessary conditions for the normalization of life for every citizen in the country;

8. **FURTHER APPRECIATES** the spirit of flexibility and compromise demonstrated by the Government of Mozambique during the negotiations in Rome and called upon RENAMO to respond positively;
9. **COMMENDS** the efforts made by Angola to achieve peace and national reconciliation and encourages the Government and people of that country to persevere in their on-going efforts to restore peace and harmony;
10. **APPEALS** to the parties concerned, in particular UNITA, to comply fully with the letter and spirit of the peace accords and to desist from any action that may jeopardize the peace process, in order to allow an orderly and peaceful conduct of the general elections in that country in September 1992;
11. **FURTHER APPEALS** to the international community to grant material and technical assistance in the electoral process and in the social integration of the demobilized soldiers in Angola;
12. **RENEWS ITS APPEAL** to the international community to renew all possible assistance to the Frontline and Neighbouring countries to enable their economies recover from the effects of years of destabilization.
13. **REQUESTS** the Secretary-General to closely follow the situation and submit a report to the 57th Ordinary Session of the Council.

**RESOLUTION ON THE RIGHT OF STATES TO
DECIDE ON THEIR POLITICAL OPTIONS
WITHOUT FOREIGN INTERFERENCE**

The Council of Ministers of the Organization of African Unity meeting in its Fifty-sixth Ordinary Session in Dakar, Senegal, from 22 to 28 June, 1992,

Considering that the Charter of the Organization of African Unity in its Article 3, solemnly affirms among others: the following principles:

- Equality of Member States,
- Non-interference in the internal affairs of States and respect for sovereignty;
- Territorial integrity of each State, and its inalienable right to independent existence.

Recalling the Declaration on the political and socio-economic situation in Africa and the changes currently taking place in the world, - conditions which enjoin African countries to consolidate their democratic institutions in all sovereignty and on the basis of African social and cultural values,

Further Recalling the standing provisions of the United Nations Charter,

Referring to the Report of the OAU Secretary-General which emphasized the fact that, as far as democracy was concerned, it was important to take account of the needs and specific circumstances of African societies:

1. **REAFFIRMS** the right of every state to determine freely, sovereignty and in complete freedom, its political institutions without foreign influence;

2. **CALLS ON** extra-African Powers to refrain from interfering in the internal affairs of African countries;
3. **ENJOINS** the Secretary-General to closely monitor the issue and submit a report thereon to the next session of the Council of Ministers.

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OFFICE OF THE PRESIDENT

INTERNAL MEMO

January 12, 1993

To: Cdes Cyril Ramaphosa - SG.
Trevor Manuel
Barbara Masekela
Mohammed Valli Moosa
[REDACTED]
Tito Mboweni
Gill Marcus

From: Tladi Ditshego, Office of the President

Re: Meeting with the Jewish Board of Deputies, January 28, '93.

This is to confirm that the meeting between the ANC delegation (led by the President) and the Jewish business community, will take place on January 28, 1993 at 6.00pm at the offices of the SA Jewish Board of Deputies: Building # 1, Anerley Office Park, 7 Anerley Road, Parktown. Dinner will be served.

The theme of the meeting will be the question of economics in the future South Africa.

Amandla!