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PAN AFRICANIST CONGRESS (P.A.C.) OF AZANIA

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MEDIA RELEASE

On the 20th of November, PAC Head-Quarters received a fax from our Chief Representative at the United Nations, DR. PHEKO.

We were advised that MR THABO MBEKI, ANC Director of International Affairs held a briefing of African Ambassadors at the United Nations. At his request the PAC Chief Representative to the UN, was excluded from the briefing. Remarkable in itself since our resolutions at the Patriotic Front commended us to act jointly.

The PAC has obtained minutes detailing MR MBEKI'S briefing, which we believe is a true record of what had transpired. The full minutes are as follows:-

MINUTES

REPORT OF THE FRONTLINE STATES MEETING HELD ON THE 20th OF NOVEMBER, 1991 - NEW YORK:

INTRODUCTION:

The meeting was called at the insistence of the African National Congress of South Africa, whose Secretary for Foreign Affairs, THABO MBEKI, desired to brief the Ambassadors on recent developments in negotiations for South Africa's New Constitution. The lively meeting began at 10H30 and ended shortly before 13H00.

1. MR MBEKI informed the meeting that the African National Congress meeting in July had decided to go on with constitutional negotiations despite some obstacles they had demanded to be removed. The meeting had found it absurd that the South African Government which thrived on divisions among Africans, was expected to stop violence and create a climate conducive to free and fair political activity. That decision was then sold to all the parties at the Natal Patriotic Front Meeting. The PAC which had refused to negotiate with the South African Government was thus given an excuse to join hands with others.
2. Secret meetings between the ANC and the National Party (NP) were held. The ANC kept its partners informed while the NP did the same to the Whites. The parties agreed that 22 parties including the administrations of the independent Bantustans, were to be invited to attend an All-Party Conference. A Steering Committee of 10 was created to prepare the ground for the Conference. The Steering Committee was to have started its work on the 15th of November, 1991 but for objections by the Inkatha Freedom Party on its composition.

It was finally agreed that there will be a Steering Committee of the whole (22) which will meet on November 29th, 1991. December 20th, 1991 is now the day when the All-Party Conference will begin.

3. The Parties agreed that the All-Party Conference will be convened by the South African Chief Justice and a Minister each from the Anglican and Dutch Reformed Churches. Once convened, the Conference will elect Five Chairmen, one each from the **ANC**, **PAC**, **NP** and **INKATHA** plus one from the minority parties. In addition to the above five, the Conference will elect Three more Chairmen from among imminent South Africans of no political persuasion.
4. The Parties agreed on the following Agenda:-
 - i) The creation of a climate conducive for free political activities i.e. current violence, control of the State Media etc;
 - ii) Constitutional Principles, i.e. Bill of Rights, Impartial Judiciary, separation of powers (legislative and executive);
 - iii) Mechanism to draw up a Constitution;
 - iv) Setting up a National Interim Government;
 - v) Re-Incorporation of the Bantustans;
 - vi) The role of the International Community;
 - vii) Time frame for the Conference and Interim Government;
 - viii) Any other business;
5. **MR THABO MBEKI** dwelt at length on the implications of accepting participation in the Interim Government. He pointed out the fears of acquiring responsibility without power. The **ANC** had considered a number of alternatives, i.e. that the Interim Government should concern itself only with elections, security, media, finance and foreign affairs or that the **ANC** appoint capable people to the Interim Government who are not necessarily members of the **ANC**. No decision has been reached yet on this issue.
6. The Steering Committee meeting on the 29th of November, 1991 will first consider a "Declaration of Intent." The Declaration of Intent will set up the legal basis for the decisions of the Conference.

It will set up how decisions will be arrived at and how they will be incorporated into the South African Law. Provisions of the Declaration of Intent will override present South African Law wherever the two are at variance. The Steering Committee will set up Committees to handle different issues before the main session on December 20th.
7. The South African Government has agreed to amend the Referendum Act in order to make it non-racial and to give voting rights to all above 18 years. The Parties are eager to have things move fast, hence, the **ANC** has problems with its "Constituent Assembly" demand which would delay the process by up to a year. The **ANC** appealed for flexibility in negotiations even at the United Nations on South African resolutions. The **ANC** saw the Interim Government being installed by February, 1992.

8. **MR MBEKI** discussed sanctions and the position of the Frontline State and Africa. He believed Africa lost the initiative at **ABUJA**, hence they will have to lag behind events. It would be difficult to support/advocate sanctions after the acceptance of the Declaration of Intent on November 29th, 1991. Legally, once the Declaration of Intent is accepted, apartheid will be dead.
9. **MR MBEKI** dealt with the issue of the army and Police Forces. He said Africans accounted for more than half th Police Force and that they were very supportive of the present changes. Senior White Officers too were co-operating. In the army, only the top brass understood the situation. The rank and file feared for their positions.

P.A.C. COMMENTS:

The **ANC**, whilst purporting to be briefing **PAC** fully about their secret meetings with the regime, failed to inform us that:-

- i) The Steering Committee Meeting on the 29th November, would be asked to consider a Declaration of Intent nor that the impending Conference will be given legal legitimacy for its decisions which would be incorporated into South African Law.
- ii) We are completely ignorant of a decision that an Interim Government would be in place by February, 1992.
- iii) The **ANC** failed to advise us that they discussed the question of the Referendum Bill with the regime.
- iv) Most significantly the **ANC** has never communicated with us that they have "problems with the Constituent Assembly", the bedrock of our agreement to form a Patriotic Front.
- v) We are astonished at the proposition contained in the Minutes that "Legally, once the Declaration of Intent is accepted, apartheid will be dead".
- vi) **PAC** were never advised that the **ANC** were having discussions with the army and Police Forces, nor that they were "supporters of changes".
- vii) We were advised about agreements reached between the **ANC** and the regime with regard to the proposed agenda. Our own view of the Agenda is that the principal matter to be discussed is the setting up of a Constituent Assembly and a Transitional Authority resulting in a democratic constitution coupled with the transfer of power to the people.

Convinced that the transcripts of minutes which we have acquired are accurate, the **PAC'S** National Working Committee, have with great regret concluded that the African National Congress is without question guilty of deceit and duplicity. They are ditching the Constituent Assembly in face of their own Congress decisions and the Declaration of the Patriotic Front; offering the regime an escape from the Constituent Assembly by way of a Referendum Bill, abandoning sanctions on the basis of a spurious "Declaration of Intent that Apartheid is dead"; and are prepared to rule this Country in alliance with the **NP**, by decree for many years to come.

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None of the decisions taken by **ANC/NP** are binding on us, we'll attend the Pre-Constituent Assembly Meeting on the 29th November, 1991 fully prepared to put our own proposals for the Transfer of Power to the people.

We refuse to be co-opted by the regime to co-manage the apartheid system.

We re-iterate and firmly resolve to uphold the Declaration of the Patriotic Front which inter alia states:-

"Believing that a democratic order can only be ushered in through the mechanism in which our entire Nation elects by proportional representation on the basis of universal suffrage, a Constituent Assembly that drafts and adopts a democratic constitution which should constitute the basis for unifying our divided and tortured land around a common patriotism."

We believe the **ANC** in cohorts with the regime, is aborting our common resolve.

P.A.C.'S CASE:

The **PAC** convinced from its inception that peace and democracy can only be attained through the "overthrowal of White Domination as stated in the Second aim of the **PAC** Constitution.

The **PAC** having been banned in 1960 had no option but to embark on the armed struggle to achieve this goal.

When the regime unbanned the **PAC** and other organisations in 1990, the **PAC** remained convinced that the regime having caused a lot of pain and anguish to the majority of our people could not midwife democracy and liquidate itself:

The **PAC**, as it did in 1959 under conditions of legality, put the only internationally acceptable and democratic solution of ending White Domination and set our Country along a democratic path.

This solution is a convocation of a democratically elected Constituent Assembly to draw the New Constitution.

This has been and is a minimum position of the **PAN AFRICANIST CONGRESS** of **AZANIA**. To facilitate the convening of a Constituent Assembly, the **PAC** puts forth its proposals to effect change forthwith.

THE CONSTITUENT ASSEMBLY:

By virtue of resolutions of the 2nd Conference of the **PAN AFRICANIST CONGRESS** of **AZANIA** and in terms of the Declaration of 92 Organisations of the **PATRIOTIC FRONT**, the **PAC** will engage participants at tomorrow's Pre-Constituent Assembly Meeting (**PCAM**) to demand that the regime negotiate the terms for the calling of the Constituent Assembly which will draw up a democratic constitution and facilitate the transfer of power to the people.

Elections to the Assembly will be on the basis of one-person-one-vote, on a common voters role, by proportional representation and in a unitary state.

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PAC will further demand that immediate steps be taken to dismantle all homeland structures and the re-incorporation of the TCVB states into **AZANIA**.

TRANSITIONAL AUTHORITY:

The PAC, convinced that the regime cannot be trusted to oversee the process of change to democracy and full self determination, proposes the creation of a Transitional Authority to ensure that the elections to **THE ASSEMBLY**, are free and fair.

The Transitional Authority must assume control over the Security Services, the state-owned electronic media (T.V. and **RADIO**) defined areas of budget and finance and must monitor the elections for the **ASSEMBLY**.

The U.N. Consensus Declaration contemplates the involvement of the International Community in the transitional process. This has been accepted by both the PAC and the **ANC**.

We propose that the **OAU**, **COMMONWEALTH** and **UNITED NATIONS** should play the role of mediators, observers and instruments of verifications of agreements reached.

The tenure of the Transitional Authority must be of limited duration viz. the period that it takes for **THE ASSEMBLY** to draw up a democratic constitution.

PAC is totally opposed to an Interim Government which is open ended. We do not wish to rule by decree nor to be co-managers of Apartheid.

The regime must abdicate as soon as a New Constitution has been adopted by **THE ASSEMBLY**. Power must be transferred to the people.

INTERNATIONAL SUPERVISION:

VENUE:

PAC views the regime as illegal and illegitimate. In order to ensure the equality of participants in the talks, concerning the modalities of a Constituent Assembly and Transitional Authority, the PAC proposes that talks be held at a neutral venue preferably outside the Country.

CONVENOR:

State appointed functionaries are unacceptable as convenors of the talks. The Chief Justice falls in this category and is therefore totally unacceptable as convenor.

The PAC proposes that independent convenors be sought through the agency of the Organisation of African Unity, the Commonwealth of Nations and the United Nations. They should mediate, observe and verify all agreements reached.