



WORKING GROUP 1

SUBGROUP 2

EXTERNAL SUBMISSIONS

MARCH 1992

VOL 2

●
CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

●
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74 P.11 APR 12 '92 15

NATIONAL DIRECTORATE

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Our ref:
Your ref:
Date: 11th March 1992

LAWYERS
for
HUMAN
RIGHTS


PRESS RELEASE

**** R10 000 REWARD ****

Lawyers for Human Rights has taken the somewhat unusual step of advertising a R10,000 Reward for information leading to the arrest and conviction of persons involved in the attacks on commuters, township residents, persons attending vigils and funerals and others who have fallen victim to the current violence.

It is our view that the killings taking place in this region and others are not sporadic and nor are they mindless - they form part of an orchestrated campaign. We believe that serious steps are needed to win over persons who have been involved either directly or indirectly in the perpetration of this violence. Our experience in the Goldstone Commission has demonstrated the urgent need for informants who will provide us with detailed information on the arming, training and funding of those perpetrating the violence, as well as insight into the planning of attacks and the level of organisation involved.

In the past, potential witnesses fearing assassination failed to come forward. We have now instituted a Special Witness Protection programme, which has enabled us to ensure that witnesses are kept in safety. Our hope is that through our advertisements we will be able to enlarge upon the substantial evidence already presented to the Commission by witnesses given this protection. There have been over 11 000 people killed as a result of political violence in South Africa since 1984 and over half of these deaths have occurred since January 1990. - unless people within the structures perpetrating this violence come forward, peace accords and commissions are doomed to failure.


BRIAN CURRIN
NATIONAL DIRECTORATE

FAX-MEMORANDUM

TO: CODESA
THE SECRETARIAT

FAX NO: (011) 3972211

FROM: JAY DOUWES

FAX NO: 021 - 23 0448

SUBJECT: THE FORMATION OF A NATIONAL HOUSING
FORUM

DATE: 16 MARCH 1992

NO OF PAGES: 3 (INCL COVER PAGE)

WORKING COMMITTEE
NATIONAL HOUSING FORUM
P.O. BOX 15714
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1992.03.13

THE SECRETARIAT
CODESA
P.O. BOX 307
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1 600

ATTENTION : MR THEUNS ELLOF

Dear Sir

THE FORMATION OF A NATIONAL HOUSING FORUM

1. A widely representative National Discussion Forum held on 1 August 1991 to consider the Hostels issue concluded the following:
 - 1.1 The hostels issue is a National Priority that must be resolved with the participation of Hostel Dwellers and Adjoining Communities, Political Parties and Civics, The State and Local and Provincial Authorities.
 - 1.2 A National Housing Forum must be established to develop a framework within which hostel issues can be addressed.

The IDT and DBSA were requested to act as conveners of a Working Committee to address these issues.

2. The Working Committee consisted of representatives of the ANC, PAC, AZAPO, IFP, NATIONAL INTERIM CIVICS COMMITTEE, NACTU, COSATU, W.Cape Hostel Dwellers Association, the South African Government (Dept. of Planning, Provincial Affairs and Housing), as well as a support group consisting of representatives from the SAHT, SBDC, UF, IDT, DBSA and CBM.

The Working Committee evolved the following terms of reference:

- 2.1 After due consultation with all current policy initiatives/actors, to develop proposals for a broadly based, representative National Housing Forum to formulate National Housing Policy and Strategy within an overall development framework (including the integration/co-ordination with other housing policy initiatives).
- 2.2 To formulate short-term guidelines to address current and new hostel initiatives while recognising the need for such initiatives to be integrated into the local housing and urban development context.

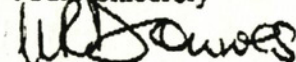
3. A subsequent National Discussion Forum was held on 1 November 1991 and the Short Term Guidelines and the Proposals for a National Housing Forum (attached) were adopted by those mandated to do so and referred to a Working Committee for further action.

The Working Committee was composed of representatives from the ANC, PAC, AZAPO, IFP, NACTU, COSATU, NICC, EMPLOYERS, GOVERNMENT, SAHT, SBDC, UF, IDT, DBSA and CBM.

4. The Working Committee proceeded with the necessary actions to constitute a National Housing Forum:
- 4.1 On 25 January 1992 the Government representatives advised the meeting that the government had decided to withdraw from forum discussions in favour of potential alternative processes that could develop via CODESA.
- 4.2 The remaining participants, being a broadly representative group, decided to proceed with the establishment of a National Housing Forum in view of the urgent need to discuss and resolve substantive problems in the housing field. This process will, of necessity, have to interact with the CODESA processes and a working relationship will have to be developed.
- 4.3 Minister Leon Wessels met with the Working Committee on 18 February 1992 and it was agreed that the Government would retain a working relationship with the National Housing Forum.
- 4.3 The Working Committee is establishing the National Housing Forum on a basis that will allow all parties who have an interest in the housing process to participate in the development of national housing policy and strategy through constructive interaction with the government of the day.

I would like to meet with you to discuss this process and its relationship with CODESA. Please either contact me directly at the Centre for Policy Studies (011) 402-4305 or Jay Douwes of the Secretariat (021) 24-5592.

Yours Sincerely



fp. Khehla Shubane
CHAIRMAN
WORKING COMMITTEE

cc WORKING GROUP 1
KADER ASMAL
c/o ANDREW FEINSTEIN

WORKING GROUP 2
COLIN EGLIN
c/o MARK PHILLIPS

WORKING GROUP 3
KEN ANDREWS
c/o COLIN COLEMAN

BRIEFING REPORT ON THE ACTIVITIES OF THE NATIONAL PEACE SECRETARIAT BY THE CHAIRMAN OF THE NATIONAL PEACE SECRETARIAT TO WORKING GROUP 1, SUBGROUP 2 AS REQUESTED

A summary of the activities of the National Peace Secretariat since its inception during November 1991 up to 26 February 1992 is set out below.

1. EXISTING REGIONAL DISPUTE RESOLUTION COMMITTEES

The following Regional Dispute Resolution Committees have been established.

1.1 Natal/KwaZulu Regional Dispute Resolution Committee

This Committee was established on 11 December 1991 under the joint chairmanship of Mr M. C. Pretorius and Archbishop D. Hurley. The committee has established two local dispute resolution committees at Umlazi and Lower Tugela and at least 14 more are being considered.

They are:

- | | |
|-------------------|---------------------|
| - Mooi River; | - Stanger; |
| - Port Shepstone; | - Estcourt; |
| - Empangeni; | - Newcastle; |
| - Oswatini; | - Mpomolanga; |
| - Tongaat; | - Pinetown; |
| - Umvumbumbu; | - Ixopo; and |
| - Bulwer; | - Pietermaritzburg. |

The following committees are to be established in the Pietermaritzburg area:

- Table Mountain;
- Imbali; and
- NcWadi.

Recent outbreaks of violence in Natal necessitated an emergency meeting of the regional dispute resolution committee on 12 February 1992. This meeting was attended by myself and members of the National Peace Secretariat.

The progress of the dispute resolution committees in Natal is being impeded by political infighting on the committees and also by a lack of sufficient infrastructure and secretarial services. All the committee members serve part time, and they cannot always devote the time which is necessary to create an effective organisation. The frequency of violence in Natal makes almost impossible demands on the time of some of the key members.

1.2 Ciskei/Border Regional Dispute Resolution Committee

This committee was established on 12 December 1991 under the chairmanship of Mr R. Mason. The committee has established three local dispute resolution committees at Cathcart, King William's Town and Whittlesea/Queenstown. An interim committee was established in Grahamstown on 26 February 1992. The formation meeting

will be on 8 April 1992 and final details are still to be announced.

The following are committees that are still to be established in this area:

- | | |
|------------------|--------------------|
| - Peddie; | - Seymour/Balfour; |
| - Aliwal North; | - Alice; |
| - East London; | - Middledrift; and |
| - Keiskammahoek; | - Komga. |

1.3 Western Cape Regional Dispute Resolution Committees

The steering committee was established on 14 January 1992. A regional dispute resolution committee was established on 16 February 1992. Mr G. H. Higgs was appointed chairman. An executive committee was established on 19 February 1992 to investigate areas for which local dispute resolution committees are to be established.

1.4 Witwatersrand/Vaal Regional Dispute Resolution Committee

This committee was established on 7 February 1992. Mr Charles Nupen, a professional facilitator, acts as interim chairman. The following local dispute resolution committees have been established in this area:

- Thokoza/Pholapark;
- Soweto; and
- Germiston.

The following committees are still to be established in the Soweto area:

- Kliptown;
- Jabulani;
- Dobsonville;
- Meadowlands;
- Orlando;
- Moroka; and
- Diepkloof.

1.5 Orange Free State Regional Dispute Resolution Committee

The Secretariat met with relevant organisations in Bloemfontein on 18 February 1992, and a regional dispute resolution committee was established. Mr H. Lerm and the Rev. Mabunda of the SA Council of Churches will act as co-chairmen.

1.6 Eastern Transvaal Regional Dispute Resolution Committee

The Secretariat attended a meeting with interested groups in Middelburg on 26 February 1992. A regional dispute resolution committee for the area was established. Co-chairmen will be appointed, one to be nominated by business and the other by the churches.

Following upon representations from organisations in the Northern Transvaal, the Secretariat decided to divide the Northern Transvaal into two regions, namely:

- the Northern Transvaal Region, comprising Pretoria, Rustenburg, Brits, parts of Bophuthatswana and environs; and
- the far Northern Transvaal Region, comprising the area north of Warmbaths, including Venda, parts of Lebowa, Gazankulu and KwaNdebele.

1.7 Northern Transvaal Regional Dispute Resolution Committee

A meeting with interested parties was held in Pretoria on 11 February 1992, and a steering committee was elected from the organisations that attended. Following upon the work done by the steering committee, a regional dispute resolution committee was established on 25 February 1992. Co-chairmen will be appointed, one to be nominated by business and the other by the churches.

1.8 Far Northern Transvaal Regional Dispute Resolution Committee

A preliminary meeting was held at Pietersburg on 8 February 1992 and an advisory committee was elected from the organisations that attended. A regional dispute resolution committee was established on 26 February 1992. Prof. K. van den Heever was elected chairman.

2. FUTURE REGIONAL DISPUTE RESOLUTION COMMITTEES

2.1 Western Transvaal Regional Dispute Resolution Committee

An investigative meeting attended by all interested parties was held at Klerksdorp on 11 February 1992. A steering committee was elected from the organisations present and it was agreed that a regional committee will be established on 25 March 1992.

2.2 Eastern Cape

A visit by the Secretariat to Port Elizabeth is planned for 5 March 1992, to lay the foundations for a regional dispute resolution committee for the area.

2.3 Northern Cape

The Secretariat plans to visit Kimberley on 25 March 1992 to discuss the establishment of a regional dispute resolution committee.

It is envisaged that all regional dispute resolution committees will be established towards the end of March 1992.

3. LOCAL DISPUTE RESOLUTION COMMITTEES ESTABLISHED BY THE PEACE SECRETARIAT

When a local dispute resolution committee is urgently required for an area, it has been the policy of the Secretariat not to wait for

the establishment of a regional dispute resolution committee for that area, but to establish the local committee itself. The following local committees have been established by the Secretariat:

3.1 Germiston

A local committee was established on 10 December 1991 under the co-chairmanship of the Rev. B. van Zijl and Mrs K. Jansen.

3.2 Soweto

After much preparatory work a local dispute resolution committee was established for the Greater Soweto area on 12 December 1991.

I acted as interim chairman for the first three meetings, after which Mr Charles Nupen took over the interim chairmanship. Although agreement has been reached on the appointment of an executive committee, it has not yet been possible to reach agreement on the appointment of a permanent chairman.

3.3 Phalaborwa

A local committee for Phalaborwa was established by the Secretariat on 8 February 1992. Because no agreement could be reached on the appointment of a chairman, I agreed to act as interim chairman for the first meeting on 26 February 1992. At that meeting the committee decided that the chairmanship should revolve between nominees of the three major mining companies in the area.

3.4 Ennerdale

The National Peace Secretariat is seeking to resolve a dispute on municipal services between the Civic Association and the Ennerdale Local Development Committee. It is intended that these proceedings will lead to the establishment of a local dispute resolution committee.

4. INFRASTRUCTURE FOR DISPUTE RESOLUTION COMMITTEES

The efficiency of some existing dispute committees is being hampered by adequate infrastructure. The promotion of peace requires continued efforts which part-time members of committees are not always able to provide. Secretarial assistance is needed, and at times also facilitators.

The South African Communication Service is in a position to provide the necessary infrastructure, and some committees make good use of its services. The South African Communication Service is a State body, and it appears that this body may not be acceptable to some political organisations in certain areas. It is essential that either the services of either the South African Communication Service be used or that other infrastructure arrangements be made. Unfortunately, other facilities will take time and cost money. The work of the dispute resolution committees cannot be allowed to slow down through the lack of infrastructure, and the provision of adequate infrastructure must be a first priority.

In cases of dire conflict, where members of the Secretariat or of the dispute resolution committees do not have the necessary time or the necessary expertise to deal with a matter, it is necessary to employ professional facilitators. The basis on which such facilitators may be employed has recently been approved by the State.

5. LACK OF COMMUNICATION

There is at times an unfortunate lack of communication between the leadership of political parties at top level, and the membership on the ground. This lack of communication delays the formation of dispute resolution committees and also the operation of the committees after they have been established. It is essential for the top leadership of political parties -

- to publicly and frequently commit themselves to the process of peace and the mechanisms of facilitation and mediation; and
- to ensure that all their members understand and comply with the provisions of the peace accord.

It is also essential that the peace accord (or a summary thereof) be made available in the most important indigenous languages. At this stage, very few people understand the accord or its operation. Copies of the shortened document are at present being prepared in different languages.

6. TRAINING

Now that a sizable number of dispute resolution committees have been established (or are soon to be established), it has become necessary to institute training programmes in facilitation and mediation skills for the committee members. The purpose of such training would be -

- to enable and empower participants in the peace process to promote their interests through peaceful negotiations; and
- to change the prevailing political culture from one characterised by adversity and intolerance, particularly at grass-roots level, to one characterised by joint problem-solving and development.

Attaining this ultimate goal will take time.

The Secretariat has established a comprehensive dossier of facilitators who could be of assistance. A subcommittee of the Secretariat is holding discussions with a number of facilitators in order to put together a training programme. It is expected that general training could commence by the end of March 1992. The first training session for members of the National Peace Secretariat will take place over a two-day period on 20-21 March 1992.

7. MEETING OF CHAIRMEN OF ALL REGIONAL DISPUTE RESOLUTION COMMITTEES

A joint meeting with the Chairman of all the regional dispute resolution committees is planned for 10 April 1992. By that date, all the committees will have been established. The meeting will be used to plan a co-ordinated violence-prevention strategy for the country as a whole and will be based on the experiences of the various regions.

8. PUBLICITY

The activities of the Secretariat and of the dispute resolution committees must be given continued publicity. People must know about the committees, how they work and how they can assist in preventing violence. My colleagues and I have taken every opportunity to promote the work of the Secretariat and of the dispute resolution committees in the press, on the radio, on television and also through personal discussions and lectures. We have had a good reception from the press, for which we are grateful.

9. ACTIVITIES OF THE SECRETARIAT

Since its inception in November 1991 the National Peace Secretariat has met 43 times. Some of these meetings were devoted to the establishment of regional and local dispute resolution committees and the furtherance of their activities. Of these 43 meetings, at least nine were devoted fully or partially to the planning of strategies, training programmes, publicity and the identification

of interest groups in the various areas. The administrative affairs of the Secretariat are conducted by seven full-time staff members from offices in Pretoria. These staff members receive and deal a vast number of documents, and telephone enquiries and a vast volume of correspondence, arrange all the meetings, keep all the minutes and attend to normal administrative functions. They perform their difficult task admirably.

10. IS THE VIOLENCE ABATING?

The peace accord rests on three main pillars, and each of these has a separate function, distinct from but complementary to the others.

The Peace Committee oversees the peace process as set out in the peace accord, publicises it and applies the code of conduct for political parties.

The Commission of Inquiry regarding the Prevention of Public Violence and Intimidation investigates the phenomenon of public violence and intimidation, exposes the background and reasons for it, and brings it to the attention of the media. The process is similar to a judicial operation, and the members of the Commission are lawyers.

The National Peace Secretariat is, through the various dispute resolution committees, charged with preventing future violence through mediation and facilitation. The Secretariat and the committees have a political base, and as such they cannot be a

vehicle for the formal investigation of past violence, nor can they make findings on past violence.

Unfortunately the efficacy of some dispute resolution committees is impeded by continued political point-scoring during debates, and by dissent on who should serve on the various subcommittees. During the recent spate of violence these factors inhibited the efficiency of the committees.

It is important that the above separation of functions be borne in mind when the activities of any of these peace structures are considered.

None of the peace structures will cause violence to disappear overnight. The process is a long-term one. None the less, some mechanism must be found to monitor the incidence of violence, its increase or decrease, and the efficiency of the roles and efforts of each of the peace structures. The Secretariat is investigating such a monitoring mechanism, which will be put into operation as soon as possible.

Talks are actually in progress in most of the violence-ridden areas. Dispute resolution committees have been established for these areas. I believe that the mere fact that people from opposite ends of the political spectrum are talking to each other has the effect, to some degree at least, of reducing violence. The National Peace Secretariat serves as a positive structure through which talks between conflicting parties should continue. These parties are not limited to signatories to the National Peace

Accord. In fact, parties who were not prepared to sign the Accord have on occasion participated in conflict facilitation procedures initiated by the Secretariat.

A. GILDENHUYS

CHAIRMAN OF THE NATIONAL PEACE SECRETARIAT

26 February 1992

MOOSA, MOHAMED & WAGLAY
ATTORNEYS AND CONVEYANCERS

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YOUR REF:

DATE: 9/3/92

FACSIMILE TRANSMISSION

TO: The Secretariat CONESA Management Committee
NO: 011-397 2211
FROM: MR. E. MOOSA

MESSAGE: _____

THIS TRANSMISSION CONSISTS OFPAGES (INCLUDING COVERSHEET).

SHOULD THIS FAX NOT BE CLEAR, PLEASE TELEPHONE OUR OFFICES AT 6971500.
THANK YOU.

MOOSA, MOHAMED & WAGLAY
ATTORNEYS AND CONVEYANCERS

ESSA MOOSA
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YOUR REF:

DATE: 9/3/1992

The Secretariat
Codesa Management Committee
P.O. Box 307
ISANDO
1600

Telefax No. 011-3972211

Dear Sir

We act for the POLICE AND PRISONS CIVIL RIGHTS UNION (POPCRU) and have been instructed by its Executive Committee to communicate with you in connection with the issues relating to the creation of a climate for negotiations and the role of the Security Forces in a new South Africa.

AIMS OF POPCRU

Popcru was formed in 1989 to represent the interest of members in the Police and Prison Service. The aims and objects of Popcru are:

1. To remove all forms of discrimination in the Prison and Police Service.
2. To foster recognition and respect for basic human rights of its members and those with whom they deal in the performance of their duties.
3. To strive towards the equality of treatment of and facilities for all employees of the services.
4. To strive towards the equality of treatment of and facilities for all prisoners respectively.
5. To do all such other things which may be conducive to the attainment of the above objects.
6. To affiliate, co-operate and/or associate with other organisations with similar aims and objects to that of Popcru.

The motivating force for the creation of Popcru was the fact that people of colour both in the Police and Prison Services had long-standing grievances dealing particularly with discrimination, unfair labour practices, etc., which were either not addressed at all or not adequately addressed.

PROTEST ACTION

In order to bring the matter forcibly to the notice of the authorities, Popcru decided to embark on strike action on 21, 22 and 23 March 1990. The action took place nationally at various prisons and police stations. As a result of such strike action, the following steps were taken by the State:

1. Members of the Police Force taking part in such protest action were dismissed immediately.
2. Prison Warders who were on probation and who participated in the protest action were also dismissed immediately.
3. Other Prison Warders who participated were suspended, subject to an enquiry in terms of Prison Regulation 77(1), to determine whether they were fit to remain in the Prison Service.
4. There were approximately 834 members of Popcru who were affected by such action at the following places: Cape Town, Worcester, Mossel Bay, George, Oudtshoorn, Port Elizabeth, Kirkwood, East London, Fort Beaufort, King Williamstown, Grahamstown, Queenstown and Johannesburg.

After the suspension and dismissal of members of Popcru, Dr Nelson Mandela and Dr Allan Boesak were called in to negotiate with the Minister of Law and Order and the Minister of Justice for the reinstatement of those members of Popcru who were dismissed and suspended.

Following such negotiations, all suspended members of the Prison Service were reinstated, subject however to the condition that enquiries against them in terms of Prison Regulation 77(1) proceed. Members of the Police Force who were dismissed, were given an extension of time within which to make application for their reinstatement. Out of 54 members of the Police Force who were dismissed, only 2 members were reinstated.

Dr Nelson Mandela, the President of the African National Congress, had meetings in order to resolve the matters with both the Minister of Law and Order namely Minister Adriaan Vlok, and with the Minister of Justice responsible for prisons, namely Minister Kobie Coetzee. Although the Ministers undertook to look into the matter, the members of the Police and Prison Service who were dismissed, have not been reinstated and the enquiries instituted against members of the Prison Service to determine whether they are fit to remain in the service, have continued.

DISMISSALS

The following policemen were dismissed:

Western Cape:

Lt Gregory Rockman; Serg. George Johnson.

Border Area:

Constables V H Kock; J Hlanganyana; E Nelani; T Senti; P Witbooi; A Mtshengu; S A Gennette; F Meyers; Z Sowazi; G Fraser; L Mabi; M Mackay; M Majiya; X Raphael; M Tumani; A Davids; K L Appel; N Boma; N S Bongani; Z C Booie; N P Dlepu; N T Funde; L M Hlalatu; J Joubert; M E Majamana; J Makasi; A M Mazomba; M Ntshingwa; L M Quse; M B Swartbooie; L K Witbooy; M G Xaso; T Jafta; S Jacobs; J Alie; A Richards; G Clack; S James; B Prince; J C Smith; W C Ricketts; T Anthony; S Bangisa; K Botyeni; J Poella; D Trollip.

Sergeants F M Sidzatane; M Kota; A C Jacobs; I Newton.

DISCIPLINARY ENQUIRIES

The status of members of the Prison Service who were affected are as follows:

1. Cape Town (Pollsmoor Prison)

70 Members appeared before the Board of Enquiry and the Presiding Officer recommended that 63 of them be dismissed and 7 to be demoted.

2. Worcester (Brandvlei Prison)

9 Members faced the Board of Enquiry and the recommendation of the Presiding Officer was that 3 members be dismissed and 6 be demoted.

3. Mossel Bay and Oudtshoorn

10 Members were subjected to a Prison Regulation 77(1) Enquiry and the Presiding Officer recommended the dismissal of 6 and 4 to be demoted. The Commissioner, however, is considering the dismissal of 3 and the demotion of 7 members.

4. Port Elizabeth (St Albans)

28 Members have been subjected to a Prison Regulation 77(1) Enquiry and the matter is due to be heard on 16 March 1992.

5. Grahamstown

27 Members were subjected to the Enquiry and the Presiding Officer recommended that 2 members be dismissed and 25 members be demoted.

6. East London

67 Members were subjected to the Enquiry, of which 13 members were dismissed and the rest demoted.

7. King Williamstown

36 Members were subjected to the Enquiry, of which 2 were dismissed and the rest demoted.

8. Fort Beaufort

13 Members were subjected to the Enquiry. 1 Member was dismissed and 12 were demoted.

9. Stutterheim

8 Members were subjected to an Enquiry and all of them were demoted.

10. Kirkwood (J C Steyn Prison)

7 Members were subjected to the Enquiry and their matter is to be heard on 14 April 1992.

11. Johannesburg (Diepkloof)

103 Members have been subjected to an Enquiry and the hearing against them is still pending.

12. Queenstown

26 Members were subjected to the Enquiry and the recommendation is that 6 members be dismissed and 20 be demoted.

MOTIVATION

1. The Police and Prison Service forms an important and integral part of the Security Forces. Popcru was formed in order to address genuine grievances which existed in the Police and Prison Service. The normal channels to air grievances within the respective departments were used, but these grievances were not properly addressed.
2. Grievances revolved around racial discrimination practiced by the respective departments within the workplace. The members of Popcru decided to take drastic steps in order to highlight their grievances and embark on strike action on 21, 22 and 23 March 1990. This resulted in many of its members being dismissed from both the Police and Prison Departments, others suffering the fate of being demoted either in rank or seniority.

3. The action resulted in the State seriously addressing their grievances, removing the discriminatory practices from the Departments and improving the working conditions of members of colour.
4. There has also been a change in attitude between white members of the respective departments and members of colour. The action also resulted in the Prison Department addressing collective grievances through the establishment of work stations at the places of work.
5. The action of Popcru also focused attention on the shortcomings within the two departments and which resulted in such shortcomings being addressed at the highest level within the respective departments.
6. Since the action was taken, there has been considerable changes in the political situation in the country. The reform process has been accelerated. Apartheid which was the cause of these grievances, have since been dismantled and Codesa has been convened to effect reconciliation in the country amongst its citizens and to bring in place a new constitution for a democratic South Africa.
7. The members of Popcru suffered human indignities within both the Police and Prison Departments and became victims of Apartheid. No steps have been taken against those responsible for such indignities suffered by members of Popcru. The Department, however, has taken steps against members who had resisted Apartheid through Popcru and therefore became victims of circumstances.
8. Most of the members who were dismissed, were active and leading members of Popcru and it appears that they have been singled out particularly because of the prominent role they had played in highlighting these grievances within the respective departments.

RECONCILIATION

Presently in the country, there are efforts being made to effect national reconciliation and remove the indignities of the past. All sectors of our society are affected by this particular process. It is a pity that members of Popcru who stood for these ideals have been victimised for their noble efforts to bring about reconciliation, justice and humanity at their workplace and by so doing, brought about improvement in the image of these respective departments.

If the Government is sincere in trying to effect national reconciliation and to make the Security Forces more acceptable to the different stratas of society, then it is imperative that the Government

- (1) reinstates all those members of Popcru who have been dismissed;

-
- (2) promotes those members who have been demoted to the positions which they held before such demotion; and
 - (3) stop all enquiries against members of the Prison Service which is presently pending.

REQUEST

In the light of above factors, we have been instructed by Popcru to place the matter on the agenda of Codesa. The objective is two-fold, namely to remedy the injustices meted out to these members in the past, and secondly to make the Security Forces more acceptable to a new South Africa.

In the circumstances, kindly place the matter on the agenda of Codesa and also on the agenda of the working groups dealing with the creation of a climate for negotiations and the working group dealing with Security Forces in a new South Africa.

Popcru is prepared to give viva voce evidence before any working commission in order to substantiate their motivation and furnish such other information that may be necessary to enable Codesa to make an informed decision on this particular issue.

Pending the consideration of this matter, an appeal is made to Codesa to ask the Government to stay all proceedings against members of the Prison Department.

Kindly acknowledge receipt and let us hear from you hereon in due course.

Yours faithfully
MOOSA, MOHAMED & WAGLAY

per: 

E. MOOSA



The South African
Scriptwriters Association

PO Box/Posbus 91937, Auckland Park 2006 Johannesburg

Die Suid-Afrikaanse
Vereniging vir
Teksskrywers

Tel: (011) 482-2126
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28 FEBRUARY 1992

The Chairman
Working Group 1
Codesa
World Trade Centre
P O Box 307
ISANDO
1600

Date Rec'd : 12/3/92.....
Date Ackn : 12/3/92.....
Docs Sent : n/a.....
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Dear Sir

CHARTER FOR THE ARTS

Your kind attention to the enclosed proposals for a Charter for the Arts will be appreciated.

Yours faithfully

H. McCaul-Dommisse

**H McCAUL-DOMMISSE
CHAIRMAN**

mo/

A Charter for the Arts

Preamble

It is accepted

- (i) that movement in South Africa is towards consultation and negotiation aimed at achieving consensus in all areas affecting the lives of all the peoples of South Africa.
- (ii) that the accommodation of diverse cultural demands leading to the development of a vibrant, meaningful and nationally representative cultural future must be built on the acceptance of our common humanity and common destiny as people dwelling on this earth.
- (iii) that the eventual fusion of our diverse cultures into an internationally accepted cultural and artistic identity must be based on the acceptance of the recognised and legitimate heritages of our diverse peoples and the right to express itself culturally and artistically in terms of these heritages.
- (iv) that the traditional craftsmanship and ethnic arts of the indigenous people of South Africa must be documented, preserved and supported and must include traditional, music, dance, song and literary forms.
- (v) that the binding force of a common enjoyment of the arts is a prerequisite for the development of a common South African patriotism.
- (vi) that the cultural wealth and the creative strength and power of all our artists is a common possession to be shared by all our people.

AIMS

- (a) to establish frameworks for the funding, training, presentation, development and administration of every aspect on National, Regional and Local levels of South African Art and Culture with due regard to particular circumstances and needs.
- (b) the elimination of divisive trade union establishments and their replacement with consultative bodies.
- (c) to institute bodies or organisations to define, regulate and control employment parameters and conditions for all those employed in all facets of the arts.
- (d) the embodiment of the structures and principles involved in a Charter of the Arts and the legal safeguarding of the principles as expressed in the Charter, within the Constitution.

Aspects to be addressed:

- (i) Creation of a politico-cultural climate within which the creativity of all artists on every level of the arts can be stimulated, supported and developed.
- (ii) Methods to be adopted for the development of a common foundation, representing all the diverse inputs of South Africa's multi-faceted cultures, as a basis on which the nation's cultural life can be built.

- (iii) Methods of funding the administration and control of art and culture in a national representative body with Regional and Local divisions, independent of government control.
- (iv) Recognition of the separate though interlinked functions of financial control and artistic policy definition.
- (v) Provision for the security and well-being of all accredited artists by means of national medical aid and pension schemes.
- (vi) Recognition of the principle of free competition and private initiative.
- (vii) Protection of South African endeavours by means of import control mechanisms.
- (viii) Provision for access to the arts for all citizens from childhood to old age.
- (ix) Defining the application and parameters of the above aspects to each of the following:

theatre; ballet and dance; opera; painting, sculpture and related arts; museums and art galleries; music and orchestras; radio, TV and the electronic media; film; cabaret; circus ...

The implementation of the charter could entail some or all of the following:

setting up and administering national, regional, community and mobile centres where they do not already exist; creating training facilities at each of the above centres for artists,

administrators and technicians; audience development and participation on all levels; art education and/or appreciation at school level.

SOUTHERN AFRICA
INSTITUTE OF FUNDRAISING

P.O. Box 31836, Braamfontein 2017
Telephone: 725-2268
Telephone: 403-4020



Date Rec'd : ... 9/2/92 ...

Date Ackn : ... 9/2/92 ...

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The Administrator

CODESA Working Committees
P O Box 307
Isando 1600

28 February, 1992

Dear Sirs,

REQUEST FOR DECLARATION OF INTEREST BY OUTSIDE ORGANISATIONS

In response to your public announcement welcoming submissions to the proceedings of CODESA Working Committees by outside organisations, I have been authorised by the National Council of The Southern Africa Institute of Fundraising to declare our interest.

We do not know how you have chosen to receive submissions, and therefore this letter does not attempt to go into any detail, save to describe the constituency we represent.

There are about 56 000 Non-Profit organisations or NGO's in South Africa raising funds for a wide spectrum of community services. These funds are raised from a variety of publics both in Southern Africa and overseas, and we estimate that the total income is in the order of R10 billion annually. Fundraisers work for these organisations in either a full-time, part-time or voluntary capacity. After subtracting some funding received from State subsidies, the remaining income is derived from the corporate sector and individual donors.

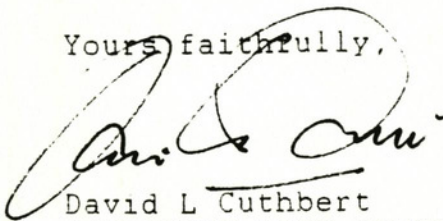
The Southern Africa Institute of Fundraising was founded in 1986, and is the only body representing the interests of fundraisers in South Africa. Our objectives have been to provide education opportunities for fundraisers; set high ethical standards of fundraising practice; negotiate with the authorities on such matters as tax-deductible gifts and postal rates. We advocate the nurture and promotion of philanthropy in South Africa - encouraging voluntary giving for community good.

SAIF is also a founder member of the World Fundraising Council (I am its representative, and Vice-President for Africa). This body was founded in 1989 to provide resources and expertise out of developed nations into developing nations.

We believe that the fundraisers of South Africa have a very important role in the development of an open and democratic new South Africa. It is through us that people are enabled to help people, and the community is equipped to tackle many fundamental needs at grassroots. It is in our interests that any future constitution and legislation create an environment in which we will be able to freely operate on behalf of the Non-Profits we represent.

SAIF will welcome an invitation to submit written or verbal information to a Working Group on this important subject.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "David L. Cuthbert". The signature is written in dark ink and is positioned above the typed name.

David L Cuthbert
IMMEDIATE PAST PRESIDENT

ZEBEDIELA CIVIC ASSOCIATION
 P.O. BOX 191
 GROOTHOEK
 0628
 11. 02. 92

ATTENTION WORKING GROUP 1
 CODESA SECRETARIAT
 P.O. BOX 307
 ISANDO 1600
 Tel: 397-1198
 Fax: 397-2211

Sir/Madam

RE: ROLE OF TRIBAL AUTHORITIES, POLICE AND SADF DURING TRANSITION

During the dark period from which we are now emerging, the magistrate, empowered by the provisions of the Internal Security Act, could deny or grant permission for marches, pickets or the holding of meetings. The security forces could disrupt any of these activities if proof of permission could not be produced on request.

Some insignificant parts of this act have been repealed, but the actions of the security forces leave one with a feeling that they are ignorant of the modifications to this act or else they are operating within a certain covert political agenda. Presently, magistrates refuse to issue permits, saying there's no legal need for us to obtain permits. But a detachment of the SADF that is camping here in ZEBEDIELA disrupts our meeting, saying we must obtain permits from the tribal authority.

Always ready to carry out the SADF's instructions, the authority in turn refuses to grant us the permission, generally adopting a very hostile attitude towards us. Thus our political life effectively under the control of the SADF. Experience has taught us that even if the SADF were to pull out of our village, the Lebowa Police or the SAP would act in no difficult to find out why it is so. All these security structures are there to carry out the political programmes of one and the same government, the government that is in CODESA precisely because it acknowledges the shortcomings of its own political programmes.

There is no doubt that the present government will have the political wisdom to agree to defer the reigns of power to an interim government. But if this should happen while the security forces retain their present format and personnel, then there shall have arisen a situation in which the government shall have relinquished its power and yet its programmes remaining enforceable.

We say this because we don't see the SADF, SAP and the homeland police and military forces in their present format and served by the same personnel ever divorcing themselves from the notion that the "comrades" are the devils while the forces representing the present establishment are the saints. Such a transformation in security personnel thinking will never happen. We are the villains, they are protecting the saints, now and in the future-for ever.

It is an attitude that has been built over many years and it will never change. It is ingrained. While the mechanisms for the control of these security forces are being negotiated by CODESA, we would like to recommend that as a matter of urgency, CODESA urge the present government to effect the following:

1. All the detachments of the SADF that are deployed in the Northern Tvl villages (and elsewhere, if any) be removed;
2. The present government issue a circular to all SADF and police commanders instructing them to refrain from disrupting political meetings;
3. A similar circular be sent all tribal authorities informing them that they have no right to withhold or issue permits for meetings;
4. The present government issue a public multi-media statement indicating that it is committed to the implementation of the above.

We have communicated our feelings on this matter to the State President, Mr F.W. De Klerk, through a fax that we sent to him on 14th January 1992; and to the ANC, through a meeting with the National Leadership on 16th January 1992. We don't want to be forced into a situation where we are seen as taking the law into our own hands.

Delegates at CODESA don't represent themselves. They represent their constituencies. They must report to their constituencies who must in turn meet and discuss the issues and then submit their own views. This is democracy and it must be allowed to happen. Security forces are not politicians, let them not interfere in political matter, whether those political matters are "national" or local.

In our view, when the interim government comes into being the security forces should be structured as follows:

1. The SADF, homeland armies, and all liberation armies must merge in an acceptable proportion. Your working group may work out these proportions.
2. A large army during a transitional period is unnecessary. Large parts of the SADF and homeland armies must be deactivated.

3. The SAP and homeland police forces may remain intact. But they must serve the interests of the communities in which they operate. Each community should appoint a police watchdog committee which can mediate between the police and the community. This committee shall as its main duty, ensure that the police concentrate purely on criminal and civil cases and does not interfere in the political affairs of the community. The police watchdog committee should enjoy legal status.
4. Since the interim government would not be expected to have any interests of its own in the outcomes of the constitutional negotiations, the National Intelligence service would become obsolete and thus should be disbanded.

In conclusion we would like to quote the words that were spoken by an SADF soldier when he disrupted one of our meetings.
 "I assure you, I will not allow meetings that are held every Sunday to discuss our presence in this village. We are here to stay; take it from me, we will never leave this place; never"

That is the New South Africa for the National Party, and that, for us, is repression. May you please oblige us with a well-considered reply of this letter.

Yours in the Re-construction Process

T.J. MAHLOBOCANE
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FOR SECRETARY

