

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP AND TO THE WORKING GROUP SUBGROUP AT ITS NEXT MEETING, THEY HAVE BEEN APPROVED BY THE CHAIRPERSON OF THE WORKING GROUP SUB-GROUP 2.

MINUTES OF THE MEETING OF WORKING GROUP 1 SUB-GROUP 2 (4) HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH AT 13H30

PRESENT: SEE ADDENDUM A

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

1. Convenor's opening remarks

The convenor welcomed the delegates to the fourth sitting of this sub-group, and hoped meaningful progress would be made in this session.

2. Adoption of Agenda

The agenda was adopted, with an addition of Point 5.3 to the agenda to be titled : Media release. It was also the opinion of the South African government that the sub-group conclude items under stability, then proceed with points 5.1 to 5.3 on the agenda.
At this point, the Ciskei asked to make certain representations at the sub-group's earliest convenience.

3. Ratification of Minutes

3.1 Point 2.4 : line 2, Committee and its...was deleted to read National Peace Secretariat.

3.2 Point 4.3.2.1: line 1 ...socio-economic conditions, was deleted to read : on violence related crime.
Line 4 : Delete remainder of this paragraph after the words...crime rate.

3.3 Point 4.3.2.3: line 2 should read...there was substantial support for abolition

The minutes were adopted following the amendments.

4. Matters Arising from the minutes

4.1 On point 3.1 of the minutes of 24/02, it was reported to the sub-group that the CODESA Secretariat suggested requesting written submissions from the National Peace Secretariat. The NPC should then only be invited after making these written submissions. The subgroup was further informed that the Nat.Peace Sec. was eager to make the submissions.

Most delegates expressed their impatience with the fact that the Nat. Peace Sec. had still not been invited, despite such a request weeks ago. A letter from the Steering Committee dated 27/02/'92 on the matter was read to the house.

There was consensus on the proposal for a strongly worded letter to the Management Committee on the issue. The proposal for a discussion on the National Peace Accord and the input from the National Peace Secretariat was found unacceptable as it was deemed necessary that they be present. It was agreed that the National Peace Secretariat and the National Peace Committee should still be invited to present an oral briefing on 9/3/92. It was suggested the item on stability from the last meeting be completed.

4.2 The meeting agreed on the definition of Political Intimidation as :

Any action or set of actions committed by any individual, organisation, political party, government represented at CODESA, as well as the self governing territories or any agency of such government or self governing territory, that is designed by the use or the threat of use of force or violence to disrupt or interfere with, for instance the following legal rights of an individual :

- 4.2.1 Right to freedom of expression or opinion
- 4.2.2 Right of freedom of association
- 4.2.3 Right of freedom of movement

In particular, the following shall be considered forms of political intimidation, to :

- 4.2.3.1 kill, injure, apply violence to, intimidate or threaten any other person's political beliefs, words, writings or actions;
- 4.2.3.2 remove, disfigure, destroy, plagiarise or otherwise misrepresent any symbol or other material of any other political party or organisation;
- 4.2.3.3 interfere with, obstruct or threaten any other person or group travelling to or from or intending to attend, any gathering for political purposes;
- 4.2.3.4 seek to compel, by force or threat of force, any person to join any party or organisation, attend any meeting, make any contribution, resign from any post or office, boycott any occasion or commercial activity or withhold his or her labour or fail to perform a lawful obligation; or
- 4.2.3.5 obstruct or interfere with any official representative of any other political party or organisation's message to contact or address any group of people;
- 4.2.3.6 to possess, carry or display dangerous weapons or firearms by members of the general public when attending any political gathering, procession or meeting.

5. Continuation of Discussion

5.3 Media Release - The Convenor was mandated to draft a press release highlighting the progress made in the meeting.

ADDENDUM A

The following participants signed the register :

AFRICAN NATIONAL CONGRESS	J Zuma P Langa
BOPHUTHATSWANA GOVERNMENT	KCAV Sehume J Esterhuizen
CISKEI GOVERNMENT	L Maqoma M Maki
DEMOCRATIC PARTY	DJ Dalling J van Eck
DIKWANKWETLA PARTY	JSS Phathang MH Cunukelo
INKATHA FREEDOM PARTY	DR Benard I Mars
INTANDO YESIZWE PARTY	ES Masango CN Mahlangu
INYANDZA NATIONAL MOVEMENT	PR Mahlalela MJ Twala
LABOUR PARTY	E Samuels J Scholtz
NIC/TIC	E Ebrahim M Shaik
NATIONAL PARTY	BL Geldenhuys GB Myburgh
NATIONAL PEOPLE'S PARTY	AK Beesham D Chetty
SOLIDARITY PARTY	P Naidoo CF Thandroyen
SOUTH AFRICAN COMMUNIST PARTY	R Kassrils M Scott
SOUTH AFRICAN GOVERNMENT	HJ Kriel LCA Pruis

TRANSKEI GOVERNMENT

MA Ntshinga
M Mpahlwa

UNITED PEOPLE'S FRONT

MI Moroamoche
S Maja

VENDA GOVERNMENT

NE Mulaudzi
ME Ramulondi

XIMOKO PROGRESSIVE PARTY

SDW Nxumalo
E Mathe

ADDENDUM C

The following points were raised as part of the general discussion :

1. The DP proposed a procedure to seek clarity through discussion on order of tasks (from D-M). If SG3 & SG1 achieve and complete their task, then the factors of political intimidation will have been removed. Because of this, SG2 does not need to dwell on Items D,E,H and M, as these can be eliminated by SG3 and SG1. The agents of state meant to do this should also proceed.
2. The DP also said that the NPA addressed most of SG2's tasks,i.e.political intimidation, use of violence, and the creation of a socio-economic climate. There should therefore be a redefinition of D,E,M and N.
Success of measures to implement SG1's tasks can occur once a new code of conduct is drawn for the security forces.None of NPA's aims can be achieved, unless this specific issue is addressed. There is need for a revisiting of the NPA urgently, to uphold/amend its tasks, and :
 - 2.1 To check whether any of the tasks outlined have been implemented
 - 2.2 Ensuring successful implementation of the NPA, and the security forces' pivotal role in this.
 - 2.3 For M (on socio-economic conditions) to occur, there is also a need for an impartial security force.
 - 2.4 Suggest that Item I (on role and composition of the security forces, including in the TBVC states, be analyzed, as these are the primary sources of conflict.
3. The South African government in its response pointed out that it disagreed with the DP's basis for argument, that everything depends on the police, including those in TBVC states. The DP should expand whether it says only the SAP have a pivotal role to play in the peace process.
4. The NIC/TIC pointed out that the DP's motivation must be understood as being of prime importance, after which all the other items fall into place.
5. The NPP said that there needs to be neutrality and control over the security forces,m and this would settle the matter.
6. The SA government highlighted that there first needs to be a look at the problem, then secondly, at ways of dealing with it. There must therefore be an input from the NPA about their problems, then we can see where we come in.
7. The DP said that it had been agreed that the NPA's input is crucial, and that on the question of political intimidation, there needs to be political tolerance. There thus needs to be agreement on these things, unless SG1 and SG3 finish.
8. Solidarity Party pointed out there was no need to hear the NPA's submissions, as they have failed dismally, so a solution should be sought elsewhere.
9. The DP said that there had been a unanimous decision to have the National Peace Secretariat, but nothing had not happened. This undermines the decisions taken by this SG2, and the Committee's decisions are therefore being stymied.

10. The IFP was of the opinion that oral submissions needed, as they are more effective than the written ones.
11. The Convenor pointed out there seems to be some reluctance on the part of the Management Committee about having the National Peace Secretariat making their input to this committee.
12. Venda pointed that there is a need to have the National Peace Secretariat briefing the SG, so as to hear their reasons for failing, to avoid getting into the same mistakes.
13. The SACP suggested that the meeting address the Peace Accord in dealing with the violence. A strong letter to the Management Committee was also suggested.
14. The NIC/TIC was of the opinion that the meeting should proceed, under the five points they had enumerated in the last meeting to serve as guidelines or terms of reference for the National Peace Committee or its Secretariat.
15. The SA government indicated that whilst it still supported submissions from the NPA, the discussion should not continue in this meeting as they (the NPA) had not made any input. There would thus be no facts on which to base the discussion.
16. The Transkei government said there seemed to be a principle against calling the NPA. This it could not understand, as most of the parties within this forum were actually signatories to the National Peace Accord, and therefore formed the very basis for its existence. Its processes need to be looked at, and the house must decide on the matter.
17. The meeting continued the discussion at length, and concluded that the Convenor should carry its decision forward.
18. The SA government argued that Point 5 cannot be discussed and that we need to continue with discussion on Stability, Security, etc.
19. The Ciskei raised the ANC's alleged destabilisation of their country, and argued that this was not conducive to a climate of free political activity. They did however leave the matter in the hands of the Convenor.
20. The DP stated that there is insufficient information on this and that the meeting could not respond to it yet.
21. The IFP requested clarity from the ANC on this matter.
22. The ANC stated that they are meeting with the Ciskei authorities this week, and the matter will be discussed.
23. Several delegations expressed their belief in the seriousness of this matter.
24. It was however stated by the NIC/TIC delegation that the parties are seeking to score cheap political points. The ANC has already said the issues are being discussed between both parties.
25. The SA government stated that the objectives of the campaign was unclear, even though it was non-violent. The meeting needed to adopt a principle on allegations such as these, and the SACP will be asked to clarify this in their submission.

26. The SA government suggested several amendments to the NIC/TIC proposed definition of Political Intimidation.
27. The meeting had discussion on these amendments, but eventually came to agreement on the nature of the definition. This definition is included in the main minutes, and in the media release.

