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1993

**REPORT
OF THE DIRECTORATE:
INTERNAL PEACE
INSTITUTIONS**

G.P.-S. 017-9380

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REPORT OF THE DIRECTORATE: INTERNAL PEACE INSTITUTIONS

RP 86/1993

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TO: MR D P A SCHUTTE, MP,
MINISTER OF HOME AFFAIRS

I HAVE THE PLEASURE OF SUBMITTING TO YOU IN TERMS OF SECTION 10(1)
OF THE INTERNAL PEACE INSTITUTIONS ACT, 1992 (ACT NO. 135 OF 1992),
MY REPORT FOR THE PERIOD ENDED 31 MARCH 1993.

T D RUDMAN
EXECUTIVE DIRECTOR:
INTERNAL PEACE INSTITUTIONS

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CHAPTER I: INTRODUCTION

1.1 The Directorate: Internal Peace Institutions was established in terms of the provisions of Chapter II of the Internal Peace Institutions Act, 1992 (Act No. 135 of 1992) (the Act), which came into effect on 4 November 1992.

1.2 However, in compliance with the Government's undertaking in paragraphs 7.2 and 7.3.4 of the National Peace Accord, the Directorate had been functioning as a component of the Department of Justice since November 1991. In terms of State President's Action 139 of 25 March 1993 the functions relating to the National Peace Secretariat in terms of the Act have been transferred to the Minister of Home Affairs.

1.3 In terms of section 9 of the Act the Directorate exercises the powers and performs the functions and duties conferred upon it in order to achieve the objects of the Act and of the Prevention of Public Violence and Intimidation Act, 1991 (Act No. 139 of 1991). In addition, the Directorate has to perform the administrative duties relating to the performance of the functions of the National Peace Secretariat, regional dispute resolution committees and local dispute resolution committees. The Directorate also makes arrangements for the payment of the remuneration, travel and subsistence allowances and any other allowances of the members of the Secretariat and of members of regional and local dispute resolution committees, and it exercises control over money appropriated by Parliament for the purposes of the Act. The Directorate uses this

money to promote the objects of the Act. The Directorate is also responsible for the appointment of staff for regional and local dispute resolution committees.

1.4 Advocate T D Rudman was appointed Executive Director: Internal Peace Institutions in terms of section 8 of the Act. He has been performing this task since November 1991, however. **Ex officio** he is the only permanent member of the Secretariat.

1.5 The initial staff establishment of the Directorate comprised 6 persons. The Executive Director is at present assisted by a complement of 22 officers. On 31 March 1993 all these officers were officers of the Department of Justice designated for this purpose by the Director-General of Justice. To maintain continuity and so as not to lose the experience gained by these officers the Director-General of Justice and the Director-General of Home Affairs agreed that the officers of the Department of Justice who were involved with the activities of the Directorate on 31 March 1993 should be seconded to the Department of Home Affairs with effect from 1 April 1993 to be designated for service with the Directorate.

1.6 The Executive Director holds the rank of Deputy Director-General additional to the staff establishment.

1.7 Since this is the first report to you from the Directorate, and for the sake of a comprehensive review of activities, the

report covers the activities of the Directorate since November 1991.

1.8 Despite the best efforts to give a complete picture, a mere review of the functions performed by the Directorate would not reflect the circumstances and the demands related to the work performed by the Directorate unless specific attention was given to some of the surrounding circumstances.

1.9 There is virtually no activity of the Directorate in which the principle of consultation with all interested parties and consideration of the political sensitivities of the many players in the peace process is not applied. Consequently, it is not only the lawyers in the Directorate (who, as indicated below, also played a facilitating role) who had to display the greatest degree of tact, diplomacy and negotiating skills, but also the administrative staff who, even when dealing with otherwise routine activities such as obtaining accommodation and appointing staff, had to obtain consensus among differing views and interests, whether real or imagined. In this manner staff found themselves not only ideologically, but often physically, caught between the conflicting parties. But even officers who dealt with remuneration and subsistence claims and were otherwise involved with the players in the process only by telephone, showed such a degree of patience, objectivity and sympathy that they remain acceptable participants in the peace efforts.

1.10 The aforementioned circumstances are inherently demanding and time-consuming. Furthermore, the nature of the process of dispute resolution and conciliation is such that the day-to-day activities of the Directorate are characterised by matters unpredictable and urgent - the virtually impossible usually has to be achieved in crisis situations and at all times of the day or night. The remark made by the Director-General of Justice in his Annual Report that the Directorate has a corps of particularly dedicated, competent and enthusiastic officers, can therefore be endorsed without reservation.

CHAPTER II: ADMINISTRATIVE ACTIVITIES WITH REGARD TO THE COMMISSION OF INQUIRY REGARDING THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

2.1 The Directorate provided a secretarial service to the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation (the Commission).

2.2 The service to the Commission included the following:

- (a) Preparing documents for the Commission.
- (b) Finalising reports of the Commission and the committees of the Commission.
- (c) Operating a filing system and indexing the investigation documentation of the Commission.
- (d) Arranging sessions for the Commission and committees of the Commission.

- (e) Arranging payment of the remuneration, allowances and claims of members of the Commission and of the committees.
- (f) Making travel and subsistence arrangements for members of the Commission and of the committees.
- (g) Providing typing and messenger services to the Commission and committees.
- (h) Dealing with correspondence and provisioning administration for the Commission and the committees.
- (i) Answering media enquiries and finalising media statements of the Commission.
- (j) Operating a programme for the protection of witnesses giving evidence before the Commission.

2.3 In terms of the above-mentioned State President's Action these functions are no longer performed by the Directorate, but are continued by the Department of Justice from 1 April 1993.

CHAPTER III: SECRETARIAL SERVICES WITH REGARD TO THE NATIONAL PEACE SECRETARIAT

The Directorate provides a secretarial service for all meetings of the National Peace Secretariat and its committees. This service involves preparing and distributing documents for meetings of the Secretariat, recording proceedings and executing the resolutions of the Secretariat.

3.1 SECRETARIAT MEETINGS

3.1.1 In addition to other meetings referred to elsewhere in this report, the Secretariat has held 52 formal and 13 management committee meetings since November 1991.

3.1.2 The meetings are held in Pretoria, Johannesburg, Cape Town or Durban, depending on the availability of the members of the Secretariat.

3.2 JOINT MEETINGS

3.2.1 Meetings of the Secretariat with the chairmen of regional dispute resolution committees

The Secretariat met on 7 occasions with the chairmen of the 11 regional dispute resolution committees, and the Directorate made all the relevant arrangements.

3.2.2 Meetings of the Secretariat with the observer groups from the United Nations, the European Economic Community, the Commonwealth of Nations and the Organization of African Unity

Since the introduction by various international organisations of observers in the Republic, the Directorate has arranged 14 meetings that the Secretariat held with representatives of these groups.

3.3 MEETINGS OF COMMITTEES OF THE SECRETARIAT

3.3.1 TRAINING COMMITTEE

The Directorate provided the secretarial services at 23 meetings of the Training Committee held during the period under review. In addition to the meetings of the Training Committee, the Directorate was involved in the presentation of 28 training seminars, which are discussed elsewhere in the report.

3.3.2 MARKETING COMMITTEE

Secretarial services were provided at 11 meetings of the Marketing Committee. R2,5 million has already been allocated by the State, specifically for the work of the Marketing Committee. At 31 March 1993, R1 061 968 of the R2,5 million had already been expended. It is expected, with the continued co-operation and sponsorship of the print and electronic media, that the value of publicity received will exceed ten times this amount.

3.3.3 RESEARCH COMMITTEE

During the year under review this Committee held 4 meetings. The Research Subcommittee also met on 3 occasions with researchers, academics and training officers in the field of conflict management, mediation and negotiation skills.

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CHAPTER IV: SUPPORT SERVICES

Logistical support services were provided by the Directorate in respect of a variety of the activities of the Secretariat and its committees. These activities may be set out as follows:

4.1 INAUGURAL MEETINGS FOR REGIONAL DISPUTE RESOLUTION COMMITTEES AND LOCAL DISPUTE RESOLUTION COMMITTEES

4.1.1 In terms of section 4 of the Act the Secretariat is responsible for the establishment of regional dispute resolution committees and also for assisting the regional committees in the establishment of local committees. Eleven regional committees and 85 local committees have been established. The functions of the Directorate as regards the establishment of regional committees entail the following:

- (a) Liaison with national organisations in religious, political, social and business spheres so as to identify representatives at regional level.
- (b) Liaison with national, regional and local authorities of all population groups so as to identify representatives.
- (c) Liaison with other organisations that may be involved with local and regional government affairs so as to identify representatives.

- (d) Liaison at national and regional levels with the security forces so as to identify representatives.
- (e) The arrangement of an inaugural meeting in consultation with members of the Secretariat and the identified representatives.

4.1.2 The inaugural meetings are usually attended by an average of 30 people.

4.1.3 For most regions the process had to be repeated once or more than once before a committee could be established successfully. In all, 22 meetings were arranged in this manner.

4.1.4 In the case of the establishment of 5 local committees, the identifying and bringing together of local representatives and community leaders were dealt with from the Directorate's office. This was because the need for the establishment of the local committees was too urgent to wait until all the regional committees had built up an effective administrative infrastructure.

4.2 INFORMATION SESSIONS FOR FOREIGN OBSERVERS

As each team of foreign observers arrived, it was fully briefed on the National Peace Accord, the structures established in terms of the Accord and the support and co-operation that they could expect from the Secretariat and the Directorate. Such information sessions were held on 31 July and 14 and 15 September 1992 for the observers from the United Nations; on 21 October 1992 for the

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observers from the Commonwealth of Nations; on 30 October 1992 for the observers from the European Economic Community and on 24 November 1992 for the observers from the Organization of African Unity.

4.3 GOODWILL VISITS BY THE FOREIGN OBSERVERS

4.3.1 The Directorate was responsible for arranging several goodwill visits by the foreign observers to governments in South Africa and members of the Directorate accompanied them on these visits. Representatives of the following governments were visited:

KwaZulu on 8 October 1992
Qwaqwa on 23 November 1992
Lebowa on 26 November 1992
KaNgwane on 2 December 1992
Gazankulu on 12 February 1993
KwaNdebele on 4 March 1993
Qwaqwa on 19 March 1993

4.3.2 These visits took place with the co-operation of the South African Air Force, which was much appreciated.

4.4 OTHER MEETINGS

4.4.1 In addition to the services already mentioned, the Directorate also provided supportive and logistical assistance at meetings held by the Chairman and members of the Secretariat with a wide range of persons and organisations. The most important of

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these were meetings with government officials from, and other important players in, Transkei, Bophuthatswana, Ciskei and Venda. Transkei and Venda were visited once, Ciskei 9 times and Bophuthatswana 5 times. The Directorate is indebted to the officials of the Department of Foreign Affairs and the officers attached to the offices of the heads of state and ministers in the States in question for their friendly and helpful co-operation. They were sometimes contacted at very short notice and at inconvenient times.

4.4.2 In addition to the above-mentioned meetings, the Directorate arranged a further 118 meetings with a variety of organisations, Cabinet Ministers, Government departments and political leaders, which in 71 cases were attended either by members of the Directorate or together with members of the Secretariat or as representatives of the Secretariat.

4.5 TRAINING IN DISPUTE RESOLUTION AND THE FACILITATING OF DISPUTE RESOLUTION

In terms of section 4(e) of the Act the Secretariat may use the services of competent persons in order to achieve the objects of this Act and the Prevention of Public Violence and Intimidation Act, 1991. The resolution of disputes plays an important part in achieving these objects.

4.5.1 The Secretariat's training function

4.5.1.1 It has already been pointed out that the Directorate provided assistance at 23 meetings of the Training Committee of the Secretariat. In addition to this, however, additional planning meetings and two workshops were arranged for October and November 1992 with a view to the refinement of the Secretariat's training programme.

4.5.1.2 The Directorate also dealt with the arrangements for the presentation of 42 training seminars with a view to training chairmen and members of regional and local committees in conflict management, mediation and dispute resolution. The services of a training officer, a fellow training officer and a training facilitator are usually used, since the seminars offer intensive training for two to three days.

4.5.1.3 A total of 37 people have already been appointed to a training panel, the services of some of whom are used for training. Since 1 January 1993 the training function of the Secretariat has been funded out of a donation of R1 million made to the Secretariat by the Danish Government for this purpose. Up to 31 December 1992, State funding amounting to R280 387,35 was used for training, and from 1 January 1993 to 31 March 1993, R47 107,26 has been used out of the donated funds.

4.5.2 Facilitating functions

4.5.2.1 In terms of the National Peace Accord and the Act the National Peace Secretariat and the regional and local committees are called upon to combat violence and intimidation at grassroots level. The object envisaged, which has in fact been achieved, was that the regional and local committees would, by negotiating with the parties involved, resolve disputes that cause or could cause public violence and intimidation, that they would consult with the authorities concerned, especially on planned public action of a contentious nature in order to prevent conflict and to monitor the implementation of agreements that may result from the above. The facilitating role that underlies the above functions leads more often than not to the establishment of a local committee in those areas in which the various parties have not yet had the opportunity to meet in a joint forum. The facilitating function is therefore of vital importance, since continued discussion is the key to the peaceful resolution of disputes. Although the National Peace Secretariat and the regional and local committees are principally responsible for this facilitating function, the services of professional facilitators are often used owing to the extent of the need. Senior staff members of the Directorate, who are all trained lawyers, have themselves successfully resolved municipal disputes in Potgietersrus, Phola, Parys, Naboomspruit and Ogies.

4.5.2.2 Since this function is by its nature a very sensitive one, great care must be taken in appointing a facilitator. The

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Directorate obtains, within the shortest time possible, all information on the nature of the conflict and the community in which it is present and also information indicating the desired qualities of a particular facilitator. As soon as the appointment and mandate of a facilitator have been approved by the Secretariat, a letter of appointment compiled by the Directorate and containing the conditions for the appointment is sent to the facilitator.

4.5.2.3 During the year under review 32 persons were appointed as facilitators for periods of up to 3 months. The cost of these appointments, including the persons' travel and subsistence expenses, amounted to R420 855,82.

CHAPTER V: ADMINISTRATIVE AND PERSONNEL AFFAIRS

5.1 OFFICES FOR REGIONAL DISPUTE RESOLUTION COMMITTEES

5.1.1 The Secretariat established regional committees in compliance with section 4 of the Act in the areas that chiefly correspond with the 11 development regions into which South Africa is divided at present. Consequently, the regional committees are situated in the following centres:

- (a) Pretoria (Northern Transvaal Dispute Resolution Committee)
- (b) Bellville (Western Cape Dispute Resolution Committee)
- (c) Bloemfontein (Orange Free State Dispute Resolution Committee)
- (d) Durban (Natal/KwaZulu Dispute Resolution Committee)
- (e) Johannesburg (Wits/Vaal Dispute Resolution Committee)

- (f) Kimberley (Northern Cape Dispute Resolution Committee)
- (g) Pietersburg (Far Northern Transvaal Dispute Resolution Committee)
- (h) East London (Border/Ciskei Dispute Resolution Committee)
- (i) Port Elizabeth (Eastern Cape Dispute Resolution Committee)
- (j) Witbank (Eastern Transvaal Dispute Resolution Committee)
- (k) Klerksdorp (Western Transvaal Dispute Resolution Committee)

5.1.2 Regarding the administrative and personnel affairs of regional committees, it is appropriate to express appreciation for the contribution made by the South African Communication Service in establishing offices and providing personnel for the regional committees. As the Communication Service already had the personnel and considerable administrative abilities at its disposal in all of the above-mentioned centres, the Head of the Communication Service offered the assistance of the Service with regard to accommodation and the provision of personnel to regional offices. However, political opposition led to the scaling down of the contribution of the Communication Service at most of the offices, and in some cases the suspending of it altogether.

5.1.3 In terms of section 9(2) of the Act, the Directorate, which is also responsible for the administrative work in connection with the performance of the duties of the regional committees, may appoint personnel for the committees on such conditions, remuneration and allowances as the Minister with the concurrence of the Minister of State Expenditure may determine. Consequently, provision was made initially for the provision of a core staff of two or

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three people at every regional committee to get the ball rolling in the region. As the Directorate was also directed to provide for the personnel needs with regard to the Subcommittee of the National Peace Committee for Socio-economic Reconstruction and Development, the chairmen of regional committees were requested, in considering candidates for the filling of the available posts, to note at that stage already any characteristics of such candidates that would render them suitable to make contributions in the field of socio-economic development co-ordination.

5.1.4 Since the idea of involving Public Servants in the committees was entirely unacceptable to certain political players in the peace structures, it was decided to appoint personnel for the committees on contract and not to employ them as officers. The regional committees were offered the services of experienced officials to take care of their provisioning administration needs and to serve as a link with the Directorate in Pretoria so that the other personnel members could apply themselves exclusively to the work of the committee. With the exception of two, the regional committees all made use of this offer.

5.1.5 All regional committees have well-equipped offices at their disposal, with the exception of the Northern Cape Committee which is in the process of vacating the offices provided by the South African Communication Service as a result of objections that were raised against the officials at a very late stage. Alternative accommodation will probably be provided by the Directorate in

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co-operation with the Department of Public Works within a few weeks.

5.1.6 In addition to the offices for regional committees, so-called branch offices were established in some of the regions so that the personnel at the regional offices would be able to reach the remote parts of the region more easily.

5.1.7 In addition to the committees that were established under the Act as a result of the National Peace Accord, various "operational centres" also exist as part of the peace structures. These centres were created at the recommendation of Mr Cyrus Vance, special envoy of the Secretary-General of the United Nations, after his visit to South Africa during July 1992. The chairmen of the regional committees requested, and it was also the viewpoint of the Directorate, that these "operational centres" should not form a separate structure, but should be administered as part of the functions of the regional committees. Where they have been established, therefore, the "operational centres" function as branch offices of the regional committees, are manned by personnel of the regional committees and often also form the core of the administrative abilities for one or more local committees.

5.1.8 The establishment of the above-mentioned offices and the provision of equipment and furniture had to be accomplished within the short space of only a few months. The understanding and co-operation of the Government departments involved, and more specifically the heads of departments and the senior officers of the

Departments of Justice, State Expenditure and Public Works under the unique circumstances in which the Directorate had to accomplish this task is recorded with much appreciation.

5.1.9 Of the 24 offices that were established, 10 offices were for regional committees, 4 for branch offices and 10 for "operational centres". A further 4 offices are being established for "operational centres" and 1 office for a regional committee.

5.2 PERSONNEL PROVISION

5.2.1 The private sector and various non-government organisations participate enthusiastically in the activities of the structures of the Peace Accord, not only as members of the various committees, but also by providing personnel, whether for compensation or on a seconded basis. Organisations of which particular mention may be made are ENGEN, the Independent Media Service of South Africa and the Consultative Business Movement. It has already been noted that the Department of Justice and the South African Communication Service play an important role in the provision of personnel to the regional committees.

The following personnel were appointed at regional and local committees and at operational centres:

- 6 Regional Managers
- 9 Office Managers
- 2 Assistant Office Managers

1	Marketing co-ordinator
1	Training co-ordinator
10	Co-ordinators
22	Field Workers
1	Media Officer
19	Secretaries
7	Receptionists/Typists

5.3 MISCELLANEOUS MATTERS

5.3.1 The contracts in terms of which personnel were appointed to regional committees do not make provision for any fringe benefits. Since the inception of the Peace Institutions, this state of affairs has resulted in regular calls being made upon the Secretariat and the Directorate to make provision for a transport allowance and for life insurance.

5.3.2 Since the Government Garage is not always able to meet the transport needs of the committees at short notice in crisis situations, 26 motor vehicles were purchased for use by the regional committees.

5.3.3 To date no insurer willing to provide cover for members and personnel of the committees could be found. At present the Directorate is once again taking up the matter with donors and the insurance industry in order to investigate the possibility of a special fund for members and personnel of committees who may become the victims of violence.

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**VERSLAG
VAN DIE DIREKTORAAT:
BINNELANDSE
VREDESINSTELLINGS**

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AAN: MNR D P A SCHUTTE, LP,
MINISTER VAN BINNELANDSE SAKE

GRAAG LÊ EK INGEVOLGE ARTIKEL 10(1) VAN DIE WET OP BINNELANDSE
VREDESINSTELLINGS, 1992 (WET NO. 135 VAN 1992), MY VERSLAG VIR DIE
TYDPERK GEËINDIG 31 MAART 1993 AAN U VOOR.

T D RUDMAN
UITVOERENDE DIREKTEUR:
BINNELANDSE VREDESINSTELLINGS

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HOOFSTUK I : INLEIDING

1.1 Die Direktooraat Binnelandse Vredesinstellings is ingevolge die bepalings van Hoofstuk II van die Wet op Binnelandse Vredesinstellings, 1992 (Wet No. 135 van 1992) (die Wet), wat op 4 November 1992 in werking getree het, ingestel.

1.2 Die Direktooraat het egter, ter nakoming van die Regering se onderneming in paragrawe 7.2 en 7.3.4 van die Nasionale Vredesakkoord, reeds sedert November 1991 as 'n komponent van die Departement van Justisie gefunksioneer. Ingevolge Staatspresidentshandeling 139 van 25 Maart 1993 is die funksies ingevolge die Wet wat met die Nasionale Vredesekretariaat in verband staan, aan die Minister van Binnelandse Sake oorgedra.

1.3 Ingevolge artikel 9 van die Wet oefen die Direktooraat die bevoegdhede uit en verrig die werksaamhede en pligte aan hom opgelê ten einde die oogmerke van die Wet en van die Wet op die Voorkoming van Openbare Geweld en Intimidasie, 1991 (Wet No. 139 van 1991), te bereik. Die Direktooraat moet hierbenewens die administratiewe werk verrig wat verbonde is aan die verrigting van werksaamhede van die Nasionale Vredesekretariaat, streekdispuutbeslegtingskomitees en plaaslike dispuutbeslegtingskomitees. Die Direktooraat reël ook die betaling van die besoldiging, reis- en verblyftoelaes en ander toelaes van die lede van die Sekretariaat en lede van streek- en plaaslike dispuutbeslegtingskomitees en oefen beheer uit oor geld wat die Parlement vir die doeleindes van die Wet bewillig. Die Direktooraat wend hierdie geld aan ten einde

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die oogmerke van die Wet te bevorder. Die Direktoraat is ook verantwoordelik vir die aanstelling van personeel by streek- en plaaslike dispuutbeslegtingskomitees.

1.4 Advokaat T D Rudman is op 4 November 1992 ingevolge artikel 8 van die Wet as Uitvoerende Direkteur: Binnelandse Vredesinstellings aangestel. Hy verrig egter dié taak sedert November 1991. **Ex officio** is hy die enigste permanente lid van die Sekretariaat.

1.5 Die aanvanklike diensstaat van die Direktoraat was 6 persone. Die Uitvoerende Direkteur word tans bygestaan deur 'n komponent van 22 beamptes. Op 31 Maart 1993 was al hierdie beamptes beamptes van die Departement van Justisie wat vir dié doel deur die Direkteur-generaal: Justisie aangewys is. Ten einde kontinuïteit te behou en om nie die ervaring wat deur die beamptes opgedoen is te verloor nie, het die Direkteur-generaal: Justisie en die Direkteur-generaal: Binnelandse Sake ingestem dat die beamptes van die Departement van Justisie wat op 31 Maart 1993 met die werksaamhede van die Direktoraat belas was, met ingang van 1 April 1993 na die Departement van Binnelandse Sake gesecondeer word vir aanwysing vir diens by die Direktoraat.

1.6 Die Uitvoerende Direkteur beklee die rang van Adjunk-direkteur-generaal addisioneel tot die diensstaat.

1.7 Aangesien hierdie die eerste verslag aan u van die Direktoraat is, en om 'n volledige oorsig van werksaamhede te gee, word

oor die werksaamhede van die Direktooraat sedert November 1991 verslag gedoen.

1.8 Alle pogings tot volledigheid ten spyt, kan 'n blote weergawe van die funksies wat die Direktooraat verrig het, nie die omstandighede en die eise verbonde aan die werk wat die Direktooraat lewer, weerspieël sonder dat die aandag spesifiek op sommige van die omringende omstandighede gevestig word nie.

1.9 Daar is bykans geen aktiwiteit van die Direktooraat waarby die beginsel van raadpleging van alle belanghebbendes en die inagneming van die politieke sensitiwiteite van die vele rolspelers in die vredesproses nie toepassing vind nie. Gevolglik is dit nie net die regsgekwalfiseerdes in die Direktooraat wat, soos later aangedui, ook 'n fasiliterende rol gespeel het, wat die grootste mate van takt, diplomاسie en onderhandelingsvaardigheid aan die dag moes lê nie, maar ook die administratiewe personeel wat by andersins alledaagse werksaamhede soos die verkryging van akkommodasie en die aanstelling van personeel, konsensus moes soek tussen verskillende sieninge en belange, hetsy werklik of gewaand. Personeel het hulle op dié wyse nie net ideologies nie maar meer dikwels ook fisiek in die strydperk tussen die partye bevind. Maar selfs die beamptes wat die besoldigings- en verblyfseise hanteer en andersins net telefonies met die rolspelers in die proses betrokke is, het daarin so 'n mate van geduld, objektiwiteit en meelewendheid openbaar dat hulle aanvaarbaarheid om aan die vredespoging te kan deelneem, bo verdenking staan.

1.10 Die voornoemde omstandighede is inherent veeleisend en tydeisend. Hierbenewens is die aard van die proses van dispuutbeslegting en versoening sodanig dat die dag-tot-dag-werksaamhede van die Direktooraat gekenmerk word deur die onvoorsiene en die spoedeisende - die bykans onmoontlike moet gewoonlik in krisistoestande en te alle tye van die dag of die nag vermag word. Die opmerking van die Direkteur-generaal: Justisie in sy Jaarverslag dat die Direktooraat oor 'n korps besonder toegewyde, bekwame en entoesiastiese beamptes beskik, kan dus sonder huiwering onderskryf word.

HOOFSTUK II : ADMINISTRATIEWE WERKSAAMHEDE IN VERBAND MET DIE KOMMISSIE VAN ONDERSOEK INSAKE DIE VOORKOMING VAN OPENBARE GEWELD EN INTIMIDASIE

2.1 Die Direktooraat het 'n sekretariaatsdiens aan die Kommissie van Onderzoek insake die Voorkoming van Openbare Geweld en Intimidasië (die Kommissie) gelewer.

2.2 Die diens aan die Kommissie het onder meer die volgende behels:

- (a) Die voorbereiding van werkstukke vir die Kommissie.
- (b) Die versorging van verslae van die Kommissie en komitees van die Kommissie.
- (c) Die bedryf van 'n liasseerstelsel en die indeksering van ondersoekdokumentasie van die Kommissie.
- (d) Die reëling van sittings vir die Kommissie en komitees van die Kommissie.

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(e) Die reëling van betaling van die besoldiging, toelaes en eise van lede van die Kommissie en komitees.

(f) Die reëling van reis en verblyf vir lede van die Kommissie en komitees.

(g) Die lewering van tik- en bodedienste aan die Kommissie en komitees.

(h) Die behartiging van korrespondensie en voorsieningsadministrasie vir die Kommissie en komitees.

(i) Die beantwoording van persnavrae en die versorging van persverklarings van die Kommissie.

(j) Die bedryf van 'n program vir die beskerming van getuies wat voor die Kommissie getuig.

2.3 Ingevolge die reeds vermelde Staatspresidentshandeling word hierdie funksies sedert 1 April 1993 nie meer deur die Direktoraat verrig nie maar deur die Departement van Justisie voortgesit.

HOOFSTUK III : SEKRETARIËLE DIENSTE IN VERBAND MET DIE NASIONALE VREDESEKRETARIAAT

Die Direktoraat voorsien 'n sekretariaatsdiens vir alle vergaderings van die Nasionale Vredesekretariaat en sy komitees. Die diens behels die voorbereiding en verspreiding van dokumente vir vergaderings van die Sekretariaat, die notulering van verrigtinge en die uitvoering van besluite van die Sekretariaat.

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3.1. SEKRETARIAATSVERGADERINGS

3.1.1. Sedert November 1991 het die Sekretariaat, benewens ander vergaderings wat elders in hierdie verslag vermeld word, 52 formele en 13 dagbestuurvergaderings gehou.

3.1.2 Na gelang van die beskikbaarheid van die lede van die Sekretariaat word die vergaderings in Pretoria, Johannesburg, Kaapstad of Durban gehou.

3.2 GESAMENTLIKE VERGADERINGS

3.2.1 Vergaderings van die Sekretariaat met die Voorsitters van streekdispuutbeslegtingskomitees

Die Sekretariaat het by 7 geleenthede saam met die voorsitters van die 11 streekdispuutbeslegtingskomitees vergader en die Direktooraat het al die reëlins in verband daarmee getref.

3.2.2 Vergaderings van die Sekretariaat saam met die waarnemersgroepe van die Verenigde Volkeorganisasie, die Europese Ekonomiese Gemeenskap, die Gemenebes van Nasies en die Organisasie vir Afrika-eenheid

Sedert die plasing deur verskillende internasionale organisasies van waarnemers in die Republiek het die Direktooraat 14 vergaderings gereël wat die Sekretariaat met verteenwoordigers van dié groepe gehou het.

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3.3 VERGADERINGS VAN KOMITEES VAN DIE SEKRETARIAAT

3.3.1 OPLEIDINGSKOMITEE

Die Direktooraat het die sekretariële diens gelewer by die 23 vergaderings van die Opleidingskomitee wat in die verslagtydperk gehou is. Benewens die vergaderings van die Opleidingskomitee was die Direktooraat betrokke by die aanbieding van 28 opleidingseminare, waarmee elders in die verslag gehandel word.

3.3.2 BEMARKINGSKOMITEE

Sekretariële dienste is gelewer by die 11 vergaderings van die Bemarkingskomitee. R2,5 miljoen is reeds deur die Staat spesifiek vir die werk van die Bemarkingskomitee bewillig. Van die R2,5 miljoen is teen 31 Maart 1993 R1 061 968 bestee. Met die voortgesette samewerking en borgskappe van die gedrukte en elektroniese media word verwag dat reklame in tienvoudige waardes hiervan verkry sal word.

3.3.3 NAVORSINGSKOMITEE

Hierdie komitee het in die loop van die verslagjaar 4 vergaderings gehou. Die Navorsingssubkomitee het ook reeds by drie geleenthede met navorsers, akademici en opleidingsbeampies op die gebied van konflikhantering, mediasie en onderhandelingsvaardighede vergader.

HOOFSTUK IV: ONDERSTEUNENDE DIENSTE

Ondersteunende logistieke dienste word deur die Direkoraat by 'n verskeidenheid van die bedrywighele van die Sekretariaat en sy Komitees gelewer. Hierdie bedrywighele kan soos volg uiteengesit word.

4.1 STIGTINGSVERGADERINGS VIR STREEKDISPUUTBESLEGTINGSKOMITEES EN PLAASLIKE DISPUUTBESLEGTINGSKOMITEES

4.1.1 Ingevolge artikel 4 van die Wet is die Sekretariaat verantwoordelik vir die instelling van streekdispuutbeslegtingskomitees en moet hy ook streekkomitees by die instelling van plaaslike komitees behulpsaam wees. Elf streekkomitees en 85 plaaslike komitees is ingestel. Die werksaamhede van die Direkoraat in verband met die instelling van streekkomitees behels die volgende:

- (a) Skakeling met nasionale organisasies op kerklike, politieke, maatskaplike en handelsgebied vir die identifisering van verteenwoordigers op streekvlak.
- (b) Skakeling met nasionale, streek- en plaaslike owerhede van alle bevolkingsgroepe vir die identifisering van verteenwoordigers.
- (c) Skakeling met ander organisasies wat by plaaslike en streeksbestuursaanleenthede betrokke mag wees vir die identifisering van verteenwoordigers.

- (d) Skakeling op nasionale en streekvlak met die veiligheidsmagte vir identifisering van verteenwoordigers.
- (e) Die reëling van 'n stigtingsvergadering in oorleg met lede van die Sekretariaat en die geïdentifiseerde verteenwoordigers.

4.1.2 Die stigtingsvergaderings is gewoonlik deur gemiddeld 30 mense bygewoon.

4.1.3 Ten opsigte van die meeste streke moes die proses een of meer maal herhaal word voordat 'n komitee suksesvol ingestel is, en 22 vergaderings is op dié wyse gereël.

4.1.4 Aangesien die behoefte aan die stigting van plaaslike komitees nie altyd kon wag totdat al die streekkomitees genoegsame administratiewe infrastruktuur opgebou het nie, is die identifisering en byeenbring van plaaslike verteenwoordigers en gemeenskapsleiers vanuit die Direktoraat se kantoor behartig ten opsigte van die stigting van 5 plaaslike komitees.

4.2 INLIGTINGSSESSIES AAN BUITELANDSE WAARNEMERS

By die aankoms van elke span buitelandse waarnemers is hulle volledig ingelig oor die Nasionale Vredesakkoord, die strukture wat ingevolge die Akkoord ingestel is en die ondersteuning en samewerking wat hulle van die Sekretariaat en die Direktoraat kan verwag. Sodanige inligtingsessies is gehou op 31 Julie en 14 en 15 September 1992 vir die waarnemers van die Verenigde Volke-

organisasie; op 21 Oktober 1992 vir die waarnemers van die Gemeenbes van Nasies; op 30 Oktober 1992 vir die waarnemers van die Europese Ekonomiese Gemeenskap en op 24 November 1992 vir die waarnemers van die Organisasie vir Afrika-eenheid.

4.3 WELWILLENDHEIDSBESOEKE DEUR DIE BUITELANDSE WAARNEMERS

4.3.1. Die Direktooraat was verantwoordelik vir die reëling van verskeie welwillendheidsbesoeke deur die buitelandse waarnemers aan regerings in Suid-Afrika en lede van die Direktooraat het hulle op hierdie besoeke vergesel. Verteenwoordigers van die volgende regerings is besoek:

KwaZulu op 8 Oktober 1992

Qwaqwa op 23 November 1992

Lebowa op 26 November 1992

KaNgwane op 2 Desember 1992

Gazankulu op 12 Februarie 1993

KwaNdebele op 4 Maart 1993

Qwaqwa op 19 Maart 1993

4.3.2 Hierdie besoeke het plaasgevind met die gewaardeerde samewerking van die Suid-Afrikaanse Lugmag.

4.4 DIVERSE VERGADERINGS

4.4.1 Die Direktooraat het benewens die reeds vermelde dienste ook ondersteunende en logistieke bystand verleen by vergaderings wat deur die Voorsitter en lede van die Sekretariaat met 'n wye

verskeidenheid van persone en instansies gehou is. Die belangrikste hiervan is vergaderings met regeringslui van, en ander belangrike rolspelers in, Transkei, Bophuthatswana, Ciskei en Venda. Transkei en Venda is 1 keer, Ciskei 9 keer en Bophuthatswana 5 keer besoek. Die Direktooraat is dank verskuldig aan die amptenary van die Departement van Buitelandse Sake, en die beamptes verbonde aan die kantore van die staatshoofde en ministers in die betrokke State met wie daar soms op baie kort kennisgewing en op ongeleë tye geskakel is, vir hulle vriendelike en hulpvaardige samewerking.

4.4.2 Benewens die voormelde vergaderings het die Direktooraat 'n verdere 118 vergaderings gereël met 'n verskeidenheid van organisasies, kabinetsministers, staatsdepartemente en politieke leiers, waarvan 71 deur lede van die Direktooraat bygewoon is, óf saam met lede van die Sekretariaat, óf as verteenwoordigers van die Sekretariaat.

4.5 OPLEIDING IN DISPUUTBESLEGTING EN DIE FASILITERING VAN DIS- PUUTBESLEGTING

Ingevolge artikel 4(e) van die Wet kan die Sekretariaat van die dienste van bevoegde persone gebruik maak om die oogmerke van die Wet en van die Wet op die Voorkoming van Openbare Geweld en Intimidasië, 1991, te bereik. In die bereiking van hierdie oogmerke speel die beslegting van geskille 'n groot rol.

4.5.1 Die Sekretariaat se opleidingsfunksie

4.5.1.1 Daar is reeds hierbo daarop gewys dat die Direktoraat bystand verleen het by 23 vergaderings van die Opleidingskomitee van die Sekretariaat. Hierbenewens is daar egter ook addisionele beplanningsvergaderings en twee werksinkels gedurende Oktober en November 1992 gereël met die oog op die verfyning van die Sekretariaat se opleidingsprogram.

4.5.1.2 Die Direktoraat het ook die reëlins behartig vir die hou van 42 opleidingseminare met die oog daarop om voorsitters en lede van streek- en plaaslike komitees in konflikhantering, media-sie en geskilbeslegting op te lei. Aangesien die seminare intensiewe opleiding binne 2 tot 3 dae aanbied, word daar gewoonlik van 'n opleidingsbeampte, 'n mede-opleidingsbeampte en 'n opleidingsfasiliteerder gebruik gemaak.

4.5.1.3 Daar is tot dusver 37 persone in 'n opleidingspaneel aangestel van wie se dienste vir opleiding gebruik gemaak word. Sedert 1 Januarie 1993 word die opleidingsfunksie van die Sekretariaat befonds uit 'n skenking van R1 miljoen wat vir dié doel deur die Deense Regering aan die Sekretariaat geskenk is. Tot op 31 Desember 1992 is R280 387,35 aan staatfondse vir opleiding aangewend en sedert 1 Januarie 1993 tot 31 Maart 1993, R47 107,26 uit die geskenkte fondse.

4.5.2 Fasiliteringsfunksies

4.5.2.1 Ingevolge die Nasionale Vredesakkoord en die Wet is die Nasionale Vredesekretariaat en die streek- en plaaslike komitees geroepe om geweld en intimidasie op voetsoolvlak te bekamp. Die doel wat beoog is, en wat inderdaad verwesenlik word, is dat die streek- en plaaslike komitees geskille wat tot openbare geweld en intimidasie aanleiding gee of kan gee, moet besleg deur met die betrokke partye te onderhandel, dat hulle met die betrokke owerhe- de oorleg moet pleeg, veral oor beplande openbare optredes van omstrede aard, om konflik te vermy en om die uitvoering van oor- eenkomste wat uit bovermelde mag vloei, te moniteer. Die fasili- teringsrol wat die bovermelde funksies ten grondslag lê, lei in daardie gebiede waarin die verskillende partye nog nie geleentheid gehad het om in 'n gesamentlike forum te ontmoet nie, heel dikwels tot die stigting van 'n plaaslike komitee. Die fasiliteringsfunk- sie is dus van deurslaggewende belang aangesien voortgesette gesprekvoering die sleutel tot vreedsame oplossing van geskille is. Hoewel die Nasionale Vredesekretariaat en die streek- en plaaslike komitees hoofsaaklik vir hierdie fasilitering verant- woordelik is, word daar weens die omvang van die behoefte ook dikwels van professionele fasiliteerders gebruik gemaak. Senior personeellede van die Direktoraat wat almal opgeleide regslui is, het self ook suksesvol munisipale geskille besleg in Potgieters- rus, Phola, Parys, Naboomspruit en Ogies.

4.5.2.2 Aangesien hierdie funksie uiteraard 'n baie sensitiewe een is, moet die aanstelling van 'n fasiliteerder met groot omsig-

tigheid geskied. Die Direktooraat bekom binne die kortste moontlike tyd alle inligting oor die aard van die konflik en die gemeenskap waarin dit bestaan en ook inligting wat op gewenste eienskappe van 'n bepaalde fasiliteerder kan dui. Sodra die aanstelling en opdrag van 'n fasiliteerder deur die Sekretariaat goedgekeur is, word 'n aanstellingsbrief met die voorwaardes vir die aanstelling deur die Direktooraat opgestel en aan die fasiliteerder gestuur.

4.5.2.3 32 persone is tydens die verslagjaar as fasiliteerders vir tydperke van tot 3 maande aangestel. Die koste van hierdie aanstellings, met insluiting van die persone se reis- en verblyfuitgawes, het R420 855,82 beloop.

HOOFSTUK V : ADMINISTRATIEWE EN PERSONEELAANGELEENTHEDE

5.1 KANTORE VIR STREEKDISPUUTBESLEGTINGSKOMITEES

5.1.1 Die Sekretariaat het in navolging van artikel 4 van die Wet streekkomitees ingestel, en wel in gebiede wat in hoofsaak ooreenstem met die 11 ontwikkelingstreke waarin Suid-Afrika tans verdeel is. Die streekkomitees is gevolglik in die volgende sentra gevestig :

- (a) Pretoria (Noord-Transvaalse Dispuutbeslegtingskomitee)
- (b) Bellville (Wes-Kaapse Dispuutbeslegtingskomitee)
- (c) Bloemfontein (Oranje-Vrystaatse Dispuutbeslegtingskomitee)
- (d) Durban (Natal/KwaZulu Dispuutbeslegtingskomitee)
- (e) Johannesburg (Wits/Vaal Dispuutbeslegtingskomitee)

- (f) Kimberley (Noord-Kaapse Dispuutbeslegtingskomitee)
- (g) Pietersburg (Verre Noord-Transvaalse Dispuutbeslegtingskomitee)
- (h) Oos-London (Grens/Ciskei Dispuutbeslegtingskomitee)
- (i) Port Elizabeth (Oos-Kaapse Dispuutbeslegtingskomitee)
- (j) Witbank (Oos-Transvaalse Dispuutbeslegtingskomitee)
- (k) Klerksdorp (Wes-Transvaalse Dispuutbeslegtingskomitee)

5.1.2 Ten aanvang moet in verband met die administratiewe en personeelaangeleenthede van streekkomitees met groot waardering melding gemaak word van die bydrae wat die Suid-Afrikaanse Kommunikasiediens gelewer het met die vestiging van kantore en die voorsiening van personeel aan sommige streekkomitees. Aangesien die Kommunikasiediens reeds oor personeel en 'n aansienlike administratiewe vermoë in elkeen van die bovermelde sentra beskik het, het die Hoof van die Kommunikasiediens aangebied dat die Kommunikasiediens sou help met akkommodasie en personeelvoorsiening aan streekkantore. Politieke teenkanting het egter daartoe gelei dat die bydrae van die Kommunikasiediens by die meeste kantore afgeskaal en in sommige gevalle heeltemal opgeskort moes word.

5.1.3 Ingevolge artikel 9(2) van die Wet kan die Direktooraat, wat ook vir die administratiewe werk in verband met die verrigting van werksaamhede van die streekkomitees verantwoordelik is, personeel vir die komitees aanstel op die voorwaardes, besoldiging en toelaes wat die Minister in oorleg met die Minister van Staatsbesteding bepaal. Daar is gevolglik aanvanklik voorsiening gemaak vir die voorsiening van 'n kernpersoneel van twee of drie persone

by elke streekkomitee om die wiel in die streek aan die rol te kry. Aangesien die Direktoraat ook opdrag het om in die personeelbehoefte ten opsigte van die Subkomitee van die Nasionale Vredeskomitee vir Sosio-ekonomiese Heropbou en Ontwikkeling te voorsien, is voorsitters van streekkomitees versoek om by die oorweging van kandidate vir die vulling van die beskikbare poste reeds te let op eienskappe by diesulke kandidate wat hulle geskik sou maak om op die terrein van sosio-ekonomiese ontwikkelingskoördinasie 'n bydrae te lewer.

5.1.4 Aangesien die gedagte van staatsamptenare by die komitees vir sommige politieke rolspelers in die vredestrukture totaal onaanvaarbaar was, is besluit om die personeel vir die komitees op kontrak aan te stel en nie as amptenare in diens te neem nie. Die streekkomitees is wel die dienste aangebied van ervare amptenare om na hulle voorsieningsadministrasiebehoefte om te sien en as skakel te dien met die Direktoraat in Pretoria sodat die ander personeel hulle uitsluitlik met die werk van die komitee kon besig hou. Met uitsondering van twee het die streekkomitees van hierdie aanbod gebruik gemaak.

5.1.5 Alle streekkomitees beskik oor goed toegeruste kantore, met uitsondering van die Noord-Kaapse Komitee wat besig is om die kantore wat daar deur die Suid-Afrikaanse Kommunikasiediens voorsien is, te ontruim as gevolg van besware wat in 'n baie laat stadium teen die amptenary geopper is. Na verwagting sal alternatiewe akkommodasie binne enkele weke deur die Direktoraat

in samewerking met die Departement van Openbare Werke verskaf word.

5.1.6 Benewens die kantore vir streekkomitees is daar ook by sommige streke sogenaamde takkantore ingerig ten einde die personeel by die streekkantore in staat te stel om afgeleë dele in die streek makliker te bereik.

5.1.7 Benewens die komitees wat ingevolge die Wet na aanleiding van die Nasionale Vredesakkoord daargestel is, bestaan daar as deel van die vredestrukture ook verskeie "operasionele sentrums". Hierdie sentrums is geskep op aanbeveling van mnr Cyrus Vance, spesiale gesant van die Sekretaris-generaal van die Verenigde Volkeorganisasie, na 'n besoek aan Suid-Afrika gedurende Julie 1992. Die voorsitters van streekkomitees het versoek, en dit was ook die standpunt van die Direktoraat, dat hierdie "operasionele sentrums" nie 'n afsonderlike struktuur moet vorm nie maar as deel van die streekkomitees se funksies geadministreer word. Waar hulle dus ingestel is, funksioneer die "operasionele sentrums" as takkantore van die streekkomitees, word beman deur personeel van die streekkomitees en vorm dikwels ook die kern van die administratiewe vermoë vir een of meer plaaslike komitees.

5.1.8 Die vestiging van die bovermelde kantore en die voorsiening van toerusting en meubels moes binne die kort bestek van enkele maande geskied. Die begrip en samewerking van die betrokke Staatsdepartemente, en meer bepaald die departementshoofde en senior amptenare van die Departemente van Justisie, Staatsbeste-

ding en Openbare Werke in die unieke omstandighede waarin die Direkoraat hierdie taak moes verrig, word met groot waardering geboekstaaf.

5.1.9 Van die 24 kantore wat ingerig is, is 10 kantore vir streekkomitees, 4 vir takkantore en 10 vir "operasionele sentrums". 'n Verdere 4 kantore vir "operasionele sentrums" en 1 kantoor vir 'n streekkomitee word tans gevestig.

5.2 PERSONEELVOORSIENING

5.2.1 Die privaatsektor en verskeie nie-regeringsorganisasies neem met entoesiasme deel aan die werksaamhede van die strukture van die Vredesakkoord, nie alleen as lede van die verskillende komitees nie, maar ook deur voorsiening van personeel, hetsy teen vergoeding of op gesekondeerde grondslag. Instansies wat in dié verband uitgesonder kan word, is ENGEN, die Independent Mediation Service of South Africa en die Konsultatiewe Sakebeweging. Daar is reeds ook daarop gewys dat die Departement van Justisie en die Suid-Afrikaanse Kommunikasiediens 'n groot rol speel in die voorsiening van personeel by streekkomitees.

Die volgende personeel is by streek- en plaaslike komitees en by operasionele sentrums aangestel :

- 6 Streekbestuurders
- 9 Kantoorbestuurders
- 2 Assistent-kantoorbestuurders

1	Bemarkingskoördineerder
1	Opleidingskoördineerder
10	Koördineerders
22	Veldwerkers
1	Mediabeampte
19	Sekretaresse
7	Ontvangsdames/tiksters

5.3 DIVERSE AANGELEENTHEDE

5.3.1 Die kontrakte ingevolge waarvan personeel vir streekkomitees aangestel word, maak nie voorsiening vir enige byvoordele nie. Hierdie toedrag van sake het sedert die instelling van die Vredesinstellings tot gevolg dat voortdurende beroepe op die Sekretariaat en die Direktoraat gemaak word om voorsiening te maak vir 'n vervoertoelaag en vir lewensversekering.

5.3.2 Aangesien die Staatsgarage nie altyd in staat is om op kort kennisgewing in krisissituasies in die vervoerbehoefte van die komitees te voorsien nie, is 26 motorvoertuie vir gebruik deur streekkomitees aangekoop.

5.3.3 Geen versekeraar kon tot dusver gevind word wat bereid is om dekking aan lede en personeel van komitees te verleen nie. Die aangeleentheid word tans weer deur die Direktoraat met donateurs en die versekeringsbedryf opgeneem ten einde die moontlikheid van 'n spesiale fonds vir lede en personeel van komitees wat die slagoffers van geweld mag word, te ondersoek.

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