

1/3/1/3/2

TECHNICAL COMMITTEE ON VIOLENCE

1. Resolutions/Declarations/ Motions relating to Violence

- 26 April 1993 A Draft Motion on Violence was tabled and discussion was deferred to 30 April 1993 (Addendum A)
- 30 April 1993: The Negotiating Council adopted, as interim measure, a recommendation by the Planning Committee (Addendum B).
- The Negotiating Council adopted a Resolution on Attacks of Journalists (Addendum C).
- A Declaration of Intent on the Negotiating Process was submitted by the Planning Committee and adopted on 7 May 1993 (Addendum D).
- 18 May 1993 A Resolution on Intolerance and Assassinations was submitted and adopted (Addendum E).
- 28 May 1993 The Technical Committee was requested to report on the Conditions that should be Created to Eliminate Violence in accordance with the "Declaration of Intent on the Negotiating Process" adopted on 7 May 1993 (Addendum F).
- 3 June 1993 A Draft Resolution on Violence was tabled by the Planning Committee (Addendum G).
- 17 June 1993 A Draft Declaration and Draft Resolution on Cessation/Suspension of Hostilities, was tabled at the Negotiating Council meeting and discussion was deferred to 18 June 1993 (Addendum H).
- 18 June 1993 The amended Draft Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence was tabled and deferred to 22 June 1993 (Addendum I)
- 22 June 1993 The Declaration and Resolution tabled on 17 and 18 June was adopted (Addendum J) as well as a Resolution on the Conditions that should be created to Eliminate Violence (Addendum K).

2. The Technical Committee submitted four reports to the Negotiating Council. Discussions on the reports took place on 18 May 1993, 28 May 1993, 3 June 1993 and 22 June 1993.

3. **Aspects of Reports Agreed Upon**

- 3.1 National Peace Committee

- 3.1.1 Strengthening of the Peace Accord.

- 3.1.2 Urgency of a meeting of Signatories to the National Peace Committee.

- 3.1.3 Invitation of Non-Signatories to a meeting of the National Peace Committee.

- 3.1.4 Non-Signatories to consider signing the Peace Accord.

- 3.1.5 National Peace Committee to finalise proposed amendments to Peace Accord.

- 3.1.6 National Peace Committee to submit proposed amendments to the Regulation of Gatherings Bill.

- 3.2 Bi-lateral meetings between parties to seek joint solutions to conflicts between them.

4. **Issues referred back for debate**

- 4.2 Redrafting paragraph six on Mass Action (Report 4).

5. **Issues to be completed**

- 5.1 Peace Corps/Youth Services corps

- 5.2 Multi-Party control over security forces

- 5.3 Violence against women

- 5.4 Issues raised in Third Report:

- 5.4.1 The South African Government

- 5.4.2 Other Governments and administrations

- 5.4.3 Other

6. **Technical Committee in Consultation with other Committees**

- 6.1 Principle of independent peacekeeping force together with TEC

7. Issues Referred to Other Technical Committees

- 7.1 IEC to develop a code of conduct for political parties as well as sanctions/punitive measures to deal with transgressors.
- 7.2 Future of armed formations to be discussed by TEC and its sub-councils

8. Further Submissions Requested

- 8.1 Submissions on "women as victims of political violence"
- 8.2 Independent peacekeeping force

DRAFT MOTION ON VIOLENCE

We, the participants of the Negotiating Council meeting at the World Trade Centre on 26 April 1993:

NOTING

- * The Resolution on Violence taken by the Negotiating Forum on 1 April 1993;
- * The tragic events of the past weeks and the escalation of violence in our country;
- * The detrimental effect this can have on the negotiating process and the peaceful settlement of the political problems of our country.

NOTING FURTHER

- * That many leaders and political formations have expressed themselves increasingly and with greater forthrightness and urgency on the need to curb violence;
- * That there is a growing perception amongst the public of the need for a concerted movement for peace.

HEREBY RESOLVE

- * To re-commit ourselves personally and collectively to peace; and undertake effective action, jointly and severally, leading to the eradication of violence and the attainment of peace;
- * To express our sincerest condolences to the families, friends and colleagues of all South Africans who have recently died, irrespective of race, political affiliations or religious beliefs;
- * To instil a sense of all pervasive urgency in the negotiating process;
- * To call on our followers and members to desist from any form of violence or intimidation and to give the negotiations a real chance to bring our country through a peaceful transition to a non-racial and democratic dispensation;
- * To do everything in our power to strengthen the National Peace Accord and its structures.

RECOMMENDATION BY THE PLANNING COMMITTEE

1. It should be emphasised that it is the recommendation by the Planning Committee that the issue of violence will at all times receive priority attention by inter alia;
 - * ensuring that it is constantly on the agenda of the Negotiating Process;
 - * that all parties are invited to make submissions on an ongoing basis regarding the causes of violence and steps and mechanisms to deal with it.

2. A Technical Sub-Committee on violence of this Negotiating Council should be established immediately in line with paragraph 3.2.2 of the Proposal on Violence before the Negotiating Council.

3. The IFP should table the document, be noted by the Negotiating Council, and immediately be considered together with other inputs by the Technical Sub-Committee with a view to:
 - * analyse the causes of violence; and
 - * establish further steps and mechanisms to deal with these causes;
 - * interact with the Negotiating Council to deal with the problem of violence in the most effective and constructive way and make reports and recommendations to the Negotiating Council on an ongoing basis.

**RESOLUTION ON ATTACKS OF JOURNALISTS
30 APRIL 1993 TO THE NEGOTIATING COUNCIL**

- * Noting the disturbing and unwarranted increase in the violent attacks on journalists and thereby on freedom of the media and on the right of the public to know the facts;

- * Hereby resolve to embark upon an extensive programme of mass education on the importance and relevance of the media and to strive as far as possible to offer journalists protection against violent attacks.

DECLARATION OF INTENT ON THE NEGOTIATING PROCESS

This meeting of the Negotiating Council, held on 30 April 1993 at the World Trade Centre

1. **Noting That There Is An Urgent Need To:**

- * Inspire confidence in the negotiating process and our ability to resolve our problems peacefully;
- * Offer a clear vision of the major milestones in the negotiating and transition process;
- * Create conditions which eliminate violence in South Africa;

2. **And recognising wide acceptance of the need for democratic elections in South Africa;**

3. **Therefore Commit Ourselves:**

- * To reach agreements on binding constitutional principles, the constitutional framework and the constitution-making process within which an election will be held;
- * To provide for an adequate time-frame for the implementation of decisions on these matters and procedures for elections; and
- * To ensure that the negotiating process moves forward over the next five weeks to set the exact date for an election that should take place not later than the end of April 1994.

RESOLUTION ON INTOLERANCE AND ASSASSINATIONS

This Negotiating Council, meeting at the World Trade Centre on 18 May 1993:

1. **Notes with outrage:**

- 1.1 The rising tide of political intolerance in South Africa;
- 1.2 The recent increase in actual and threatened political assassinations and violence; and is

2. **Profoundly disturbed:**

By the threats to the lives of certain political leaders, including the recently uncovered plan to assassinate the leader of a delegation in the Negotiating Council;

3. **Believing:**

That a political climate in which there is no violence, assassinations and intolerance is essential to the success of the negotiation process;

4. **Therefore resolves to:**

- 4.1 Express our sincere solidarity with and concern for the safety of all members of delegations;
- 4.2 Condemn the use of assassinations and other forms of political violence to resolve political differences;
- 4.3 Call on all to create the conditions which discourage violent attacks on political opponents and to ensure suitable legal action is taken against those contemplating assassination and similar violent acts.

DECLARATION OF INTENT ON THE NEGOTIATING PROCESS

This meeting of the Negotiating Council, held on 7 May 1993 at the World Trade Centre

1. **Noting That There Is An Urgent Need To:**
 - 1.1 Inspire confidence in the negotiating process and our ability to resolve our problems peacefully;
 - 1.2 Offer a clear vision of the major milestones in the negotiating and transition process;
 - 1.3 Create conditions which eliminate violence in South Africa;
2. **And recognising wide acceptance of the need for democratic elections in South Africa;**
3. **Therefore Commit Ourselves:**
 - 3.1 To reach agreements on binding constitutional principles, the constitutional framework and the constitution-making process in terms of which elections will be held;
 - 3.2 To provide for an adequate time-frame for the implementation of decisions on these matters and procedures for elections; and
 - 3.3 To ensure that the negotiating process moves forward sufficiently over the next four weeks at which stage to set the exact date for an election that should take place not later than the end of April 1994, subject to 3.1 and 3.2.

**DRAFT RESOLUTION ON VIOLENCE PUT TO THE NEGOTIATING
COUNCIL MEETING ON 18 JUNE 1993**

This meeting of the Negotiating Council:

Notes that the Technical Committee on Violence has submitted its report on the conditions that should be created to eliminate violence in accordance with the "Declaration of Intent on the Negotiating Process" adopted on 7 May 1993;

Commends the Technical Committee for the comprehensive manner in which it has sought to address this question and the concrete proposals contained in its recommendations;

And hereby resolves that:

1. The National Peace Committee finalise proposed amendments to the Peace Accord as a matter of urgency so as to strengthen the Accord and increase its effectiveness;
2. The signatories to the Peace Accord meet as a matter of urgency to reaffirm their commitment to the Accord and to approve the proposed amendments to it;
3. Non-signatories sign the Peace Accord immediately;
4. Appropriate compulsory sanctions be developed by the Technical Committee on the Independent Election Commission for dealing with parties/administrations/organisations which transgress the Code of Conduct for Political Parties, but refuse to sign the Peace Accord;
5. Any party organising a public demonstration or any other form of mass action must comply with the guidelines set out in paragraph 6.2 of the Fourth Report of the Technical Committee on Violence;
6. The National Peace Committee submit proposed amendments to the Regulation of Gatherings Bill as a matter of urgency;

7. A series of phased confidence-building measures be adopted leading to the creation of impartial, legitimate and effective security forces. A distinction be drawn between statutory and non-statutory armies on the one hand and police forces on the other hand. The Technical Committee on the TEC and its Sub-Councils propose the precise mechanisms to be adopted;
8. Parties between whom conflicts exist, which have contributed to violence, in addition to participating in the MPNP, meet bi-laterally to seek joint solutions to the conflicts between them;
9. An independent peacekeeping force with a multi-party composition be established and placed under the control of the Independent Electoral Commission or under multi-party executive control;
10. Every party to the MPNP commit itself without reservation to the holding of a free and fair election and to do everything possible to ensure that the electorate and the leaders and candidates of political parties are able to conduct their election campaigns and other political activities freely without being intimidated or obstructed and without fear of being killed;
11. The Technical Committee on Violence prepare detailed proposals on the desirability, financing, establishment and composition of a Peace/Youth Services Corps.

**DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES.
ARMED STRUGGLE AND VIOLENCE**

Put to the Negotiating Council on Thursday 17 June 1993

1. Recognising:

That our country and people urgently require stability and peace in order to progress to a democratic and harmonious future;

2. Mindful:

- * That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;
- * That political violence still persists in the resolution of political differences;

3. Believing:

- * That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;
- * That political rivalry and competition does not require the use of violence;
- * That it is necessary for all participants to categorically eschew violence in all forms;
- * There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;

4. Aware:

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. Now Therefore Declare:

That as from this 18th day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves to cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political differences.

**DRAFT FURTHER RESOLUTION TO THAT ON
CESSATION/SUSPENSION OF HOSTILITIES PUT TO THE
NEGOTIATING COUNCIL ON 18 JUNE 1993**

This Negotiating Council meeting at the World Trade Centre on Thursday 17 June 1993:

Noting:

1. The Resolution passed after the special Negotiating Council meeting of 27 May 1993;
2. The Joint Statement by the South African Government and the Pan Africanist Congress of Azania dated 28 May 1993;
3. The Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence tabled at the meeting of the Negotiating Council on 18 June 1993;
4. Noting that provision is made for dealing with armed formations in both the Reports of the Technical Committees on Violence and the TEC and its Sub-Councils;

Therefore Resolves That:

1. Matters which remain unresolved in relation to paragraph 1 and 2 above should be attended to immediately.

**DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES,
ARMED STRUGGLE AND VIOLENCE**

Put to the Negotiating Council on Friday 18 June 1993

1. **Recognising:**

That our country and people urgently require stability and peace in order to progress to a democratic and harmonious future;

2. **Mindful:**

- * That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;
- * That **many forms** of political violence still persist in the resolution of political differences;

3. **Believing:**

- * That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;
- * That political rivalry and competition does not require the use of violence;
- * That it is necessary for all participants to categorically eschew violence in all forms;
- * There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;
- * **That Governments, Administrations, Political Organisations and the security forces must do everything possible to create harmony, peace and a conciliatory climate for the Negotiation Process.**

4. **Aware:**

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. **Now Therefore Declare:**

That as from this 18th day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves to **peaceful resolution of conflict and, where applicable, cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political differences and further ensure that the conduct and utterances of all are consistent with this declaration.**

11

**DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES,
ARMED STRUGGLE AND VIOLENCE**

Put to the Negotiating Council on Tuesday 22 June 1993

1. Recognising:

That our country and people urgently require stability and peace in order to progress to a democratic and harmonious future;

2. Mindful:

- * That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;
- * That many forms of political violence still persist in the resolution of political differences;

3. Believing:

- * That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;
- * That political rivalry and competition does not require the use of violence;
- * That it is necessary for all participants to categorically eschew violence in all forms;
- * There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;
- * That Governments, Administrations, Political Organisations and the security forces must do everything possible to create harmony, peace and a conciliatory climate for the Negotiation Process.

4. Aware:

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. Now Therefore Declare:

That as from this 22nd day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves to peaceful resolution of conflict and, where applicable, cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political differences and further ensure that the conduct and utterances of all are consistent with this declaration.

**FURTHER RESOLUTION TO THAT ON
CESSATION/SUSPENSION OF HOSTILITIES ACCEPTED BY THE
NEGOTIATING COUNCIL ON 22 JUNE 1993**

This Negotiating Council meeting at the World Trade Centre on Tuesday 22 June 1993:

Noting:

1. The Resolution passed after the special Negotiating Council meeting of 27 May 1993;
2. The Joint Statement by the South African Government and the Pan Africanist Congress of Azania dated 28 May 1993;
3. The Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence tabled at the meeting of the Negotiating Council on 18 June 1993;
4. Noting that provision is made for dealing with armed formations in both the Reports of the Technical Committees on Violence and the TEC and its Sub-Councils;

Therefore Resolves That:

1. Matters which remain unresolved in relation to paragraph 1 and 2 above shall be implemented immediately and a written report thereon be placed before the Negotiating Council not later than Thursday 24 June 1993.

**RESOLUTION ON CONDITIONS THAT SHOULD BE CREATED
TO ELIMINATE VIOLENCE**

ACCEPTED BY THE NEGOTIATING COUNCIL MEETING ON 22 JUNE 1993

This meeting of the Negotiating Council:

Noting that:

The Technical Committee on Violence has submitted four reports (including its report on the conditions that should be created to eliminate violence in accordance with the " Declaration of Intent on the Negotiating Process" adopted on 7 May 1993); and

Further noting:

That these recommendations should be read in conjunction with these reports;

Hereby resolves that:

1. The National Peace Committee finalise proposed amendments to the Peace Accord as a matter of urgency so as to strengthen the Accord, empower the Peace Structures and increase their effectiveness;
2. The Negotiating Council recommends that the signatories to the Peace Accord meet as a matter of urgency to reaffirm their commitment to the Accord and to approve the proposed amendments to it;
3. Non-signatories should give urgent and immediate attention to signing the Peace Accord, after consultation with the National Peace Committee.
4. That the Technical Committee on the Independent Electoral Commission develops:
 - 4.1 A code of conduct for all parties, organisations, administrations and governments taking into account the code of conduct of the Peace Accord; and
 - 4.2 Appropriate compulsory sanctions/punitive measures against those who transgress the code.
5. Any party organising a public demonstration or any other form of mass action must comply with the guidelines set out in paragraph 6.2 of the Fourth Report of the Technical Committee on Violence;

6. The National Peace Committee submit proposed amendments to the Regulation of Gatherings Bill as a matter of urgency;
7. A series of phased confidence-building measures which would include the future of all armed formations, their personnel and arsenals, be adopted leading to the creation of impartial, legitimate and effective security forces with the consequent dissolution of all other armed formations. A distinction be drawn between statutory and non-statutory armies on the one hand and police forces on the other hand. The Technical Committee on the TEC and its sub-councils to make proposals on precise mechanisms to be adopted;
8. Parties between whom conflicts exist, which have contributed to violence, in addition to participating in the MPNP, meet bi-laterally to seek joint solutions to the conflicts between them;
9. The principle of an independent peacekeeping force and its practical implementation should be considered by the Technical Committee on Violence in consultation with the Technical Committee on the TEC.
10. Every party to the MPNP commits itself without reservation to a holding of a free and fair election and to do everything possible to ensure that the electorate and the leaders and candidates of political parties are able to conduct their election campaigns and other political activities freely without being intimidated or obstructed and without fear of being injured or killed;
- 11.1 The Technical Committee on Violence prepare detailed proposals on the desirability, financing, establishment and composition of a Peace/Youth Services Corps.
- 11.2 The National Peace Committee and the members of the Technical Committee on Violence be entrusted with the initial drawing up of structures for a Peace Corps.

5.9.2 It was agreed that the issue of violence remains on the agenda as an ongoing item.

Addendum E

RESOLUTION ON INTOLERANCE AND ASSASSINATIONS

This Negotiating Council, meeting at the World Trade Centre on 18 May 1993:

1. **Notes with outrage:**

1.1 The rising tide of political intolerance in South Africa;

1.2 The recent increase in actual and threatened political assassinations and violence; and is

2. **Profoundly disturbed:**

By the threats to the lives of certain political leaders, including the recently uncovered plan to assassinate the leader of a delegation in the Negotiating Council;

3. **Believing:**

That a political climate in which there is no violence, assassinations and intolerance is essential to the success of the negotiation process;

4. **Therefore resolves to:**

4.1 Express our sincere solidarity with and concern for the safety of all members of delegations;

4.2 Condemn the use of assassinations and other forms of political violence to resolve political differences;

4.3 Call on all to create the conditions which discourage violent attacks on political opponents and to ensure suitable legal action is taken against those contemplating assassination and similar violent acts.23/6/nc

5.1 **Clarification by the PAC concerning the signing of the Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence**

5.1.1 The PAC delegation read out their clarificatory statement (see Addendum B).

5.1.2 The PAC stated that they were not prepared to answer any further questions.

5.1.3 The KP again noted that no statement could be made on applauding the PAC for their decision to subscribe to the Declaration by the Chairperson on behalf of the KP or on behalf of the whole meeting.

5.1.4 The National Party gave notice that under Procedural Issues it would move a motion on how this issue could be clarified in the Negotiating Council.

We will have a bi-lateral meeting with the regime on 24 June 1993 to:

1. Agree on the outstanding matters that need to be resolved in relation to the Resolution of 27 May 1993;

2. Agree on the implementation of the Declaration on Cessation/Suspension in accordance with paragraph 7 of the Resolution on Conditions that should be Created to Eliminate Violence of 22 June 1993, which states:

"A series of phased confidence-building measures which would include the future of all armed formations, their personnel and arsenals, be adopted leading to the creation of impartial, legitimate and effective security forces with the consequent dissolution of all other armed formations. A distinction be drawn between statutory and non-statutory armies on the one hand and police forces on the other hand. The Technical Committee on the TEC and its sub-councils to make proposals on precise mechanisms to be adopted."

27/5/nc

- 4.6 The Planning Committee proposed a draft resolution for consideration by the Negotiating Council (see Addendum B).

- 4.7 It was agreed to adopt the resolution as is. In this regard the following concerns to be addressed in the bilateral between the PAC and the SA Government on Friday 28 May 1993 were noted:

- 4.7.1 From the side of the PAC:

- * That those members who have been arrested and not charged, be released immediately;
- * That equipment and goods confiscated and not needed for prosecution actions, be returned as soon as possible.

- 4.7.2 From the side of the SA Government:

- * That the PAC's continuous commitment to violence and their lack of compliance with the resolutions of the Negotiating Forum of 1 April 1993 and any other resolutions on violence passed by the Negotiating Council be addressed immediately.

- 4.8 It was noted that the AVU and the KP objected to the resolution.

28/5/nc

- 7.1.1 **Technical Committee on Violence:**

- 7.1.1.1 The members of the Technical Committee on Violence were welcomed.

7.1.1.2 The Technical Committee presented an overview of their report, including issues to be highlighted or requiring decision/guidance from the Negotiating Council.

7.1.1.3 It was noted that due to time constraints, the Technical Committee had not yet addressed all issues.

7.1.1.4 Questions of clarity were addressed to the Technical Committee. Discussion and debate followed.

7.1.2.5 After discussion it was agreed that:

- * The Technical Committee on Violence be instructed to report to the next meeting of the Negotiating Council on the Conditions that should be Created to Eliminate Violence in accordance with the Resolution on the "Declaration of Intent on the Negotiating Process" adopted by the Negotiating Council on 7 May 1993. In doing so, the Technical Committee should address all issues identified on a comprehensive and holistic basis.

- * Furthermore, that all participants be encouraged to make additional submissions to the Technical Committee in this regard by 12h00 on Monday 31 May 1993.

5.1.2 Technical Committee on Violence:

It was noted that the first report from the Technical Committee on Violence was not substantive but that the second report would be. It was agreed that the Sub-Committee, in consultation with the Technical Committee, establish a date as to when a substantive report will be received. **pc.14/5**

5.1.2 **Technical Committee on Violence:**

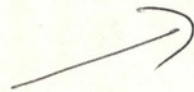
5.1.2.1 After discussion it was agreed to put forward the following recommendations of the Technical Committee to the meeting of the Negotiating Council on Tuesday 25 May 1993:

- * All parties at the Multi-Party Negotiating Process should sign the National Peace Accord;
- * Participants should be requested to make submissions with regard to the proposed Peace Corps;

5.1.2.2 It was further agreed to recommend that the Negotiating Council instructs the Technical Committee to prepare a preliminary report and recommendations on the issues as identified for the next meeting of the Negotiating Council on Friday 28 May 1993. This would ensure that the third report from the Technical Committee was of a substantive nature.

5.1.2.3 The Sub-Committee was mandated to offer guidance to the Technical Committee.

24/5/pc



5.1 **Technical Committee on Violence:**

5.1.1 It was agreed that the Sub-Committee convey the following to the Technical Committee on behalf of the Planning Committee:

5.1.1.1 That the Technical Committee is to prepare a preliminary report and recommendations on the issues as identified for the next meeting of the Negotiating Council on Friday 28 May 1993.

5.1.1.2 This report should be finalised by Thursday 27 May 1993 at 15h00. 25/5/pc

5.1.1 **Technical Committee on Violence:**

It was agreed that the Report from the Technical Committee on Violence be discussed at the next meeting of the Negotiating Council on Thursday 3 June 1993, (1/6/pc)

5.3.2 **Technical Committee on Violence:**

5.3.2.1 It was noted that the Report from the Technical Committee provided a structured way in which to discuss each item identified.

5.3.2.2 It was suggested that the Planning Committee assist the Chairperson to work towards a resolution that could be tabled at the meeting and to assess at which point of the meeting the resolution could be tabled.

5.3.2.3 It was suggested that there is a need to conclude the debate on violence with decisions emerging out of the Negotiating Council.

5.3.2.4 It was suggested that participants who support the minority report should deal with it in the context of the main report where the issues arise.

5.3.2.5 It was agreed that as no participant had read the report, the Negotiating Council at some point should be given the time to read the report. The Planning Committee should meet briefly afterwards and then decide on a recommendation to the Negotiating Council as to how the meeting should proceed. 3/6/pc

5.2 **Structuring and order of the discussion of Report from Technical Committees in the Negotiating Council:**
(14/6/pc)

5.2.1 The Sub-Committee gave a reportback on the progress of the Technical Committees.

5.2.2 After discussion the following was noted:

5.2.2.1 That under "Constitutional Issues", the

Constitutional Principles relating to regions and the outstanding General Constitutional Principles be dealt with; Other Constitutional Issues would then be dealt with later on in the week;

- 5.2.2.2 That the completion of this discussion could facilitate the further discussion on the Election Date;
- 5.2.2.3 That under "Violence" the proposed draft resolution be dealt with;
- 5.2.2.4 That the Technical Committees on the Independent Electoral Commission, the Independent Media Commission and TEC and its Sub-Councils require feedback from the Negotiating Council to proceed with their work;
- 5.2.2.5 That if the Negotiating Council did agree in principle on the need for the IEC, IMC and the TEC, a discussion on the powers could follow;
- 5.2.2.6 That a request by the Technical Committee on the Independent Media Commission for more time to be allowed for submissions on and the drafting of the Broadcast Authority Bill was agreed to.

Addendum A

DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES, ARMED STRUGGLE AND VIOLENCE Put to the Negotiating Council on Thursday 17 June 1993

1. Recognising:

That our country and people urgently require stability and peace in order to progress to a democratic and harmonious future;

2. Mindful:

* That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;

* That political violence still persist in the resolution of political differences;

3. Believing:

- * That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;
- * That political rivalry and competition does not require the use of violence;
- * That it is necessary for all participants to categorically eschew violence in all forms;
- * There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;

4. **Aware:**

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. **Now Therefore Declare:**

That as from this day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves to cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political differences.

2. **Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence 15/6/pc**

2.1 A draft declaration was put before the meeting (see Addendum A). Discussion followed.

2.2 Due to time constraints, it was agreed that this issue be revisited at the next meeting of the Planning Committee.

2. **Draft Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence 17/6/pc**

- 2.1 It was agreed that P de Lille attend the meeting on behalf of the PAC.
- 2.2 The PAC delegation notified the Planning Committee that they were still caucusing and requested that the Planning Committee meet at 14h00 to take this issue further. This was agreed to.
- 2.3 P de Lille suggested several amendments to the draft declaration which the Planning Committee would be unable to recommend to the Negotiating Council.
- 2.4 After a brief discussion and due to time constraints, it was agreed to revisit this issue later.

The meeting adjourned at 14h15 to join the meeting of the Negotiating Council.

The meeting reconvened at 16h30.

- 2.5 More discussion ensued about the suggested amendments from the PAC. The following was noted:
 - 2.5.1 That, with regard to the PAC's claims that the Government had not complied with the terms of the Resolution as adopted by the Negotiating Council on 27 May, the draft further resolution to be put to the Negotiating Council does address those concerns (see Addendum A);
 - 2.5.2 It was suggested that the issue raised by the PAC concerning soldiers and armed formations could be dealt with under the implementation of the Third Report of the Technical Committee on Violence and by the TEC and its Sub-Councils and that this could be minuted in the Negotiating Council meeting.
 - 2.5.3 That the PAC would have to report back to the Negotiating Council in this regard.
- 2.6 It was agreed that the draft declaration should be put before the Negotiating Council as is (see Addendum B);

Addendum A

**DRAFT FURTHER RESOLUTION TO THAT ON
CESSATION/SUSPENSION OF HOSTILITIES PUT TO THE
NEGOTIATING COUNCIL ON 17 JUNE 1993**

This Negotiating Council meeting at the World Trade Centre on Thursday 17 June 1993:

Noting:

1. The Resolution passed after the special Negotiating Council meeting of 27 May 1993;
2. The Joint Statement by the South African Government and the Pan Africanist Congress of Azania dated 28 May 1993;
3. The Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence tabled at the meeting of the Negotiating Council on 18 June 1993;
4. Noting that provision is made for dealing with armed formations in both the Reports of the Technical Committees on Violence and the TEC and its Sub-Councils;

Therefore Resolves That:

1. Matters which remain unresolved in relation to paragraph 1 and 2 above should be attended to immediately.

**DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES,
ARMED STRUGGLE AND VIOLENCE**
Put to the Negotiating Council on Thursday 17 June 1993

1. **Recognising:**

That our country and people urgently require stability and peace in order to progress to a democratic and harmonious future;

2. **Mindful:**

* That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;

* That political violence still persist in the resolution of political differences;

3. **Believing:**

* That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;

* That political rivalry and competition does not require the use of violence;

* That it is necessary for all participants to categorically eschew violence in all forms;

* There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;

4. **Aware:**

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. **Now Therefore Declare:**

That as from this day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves to cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political difference

4. **Draft Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence 18/6pc**

4.1 P de Lille and J Seroke from the PAC joined the meeting.

4.2 Various amendments as suggested in the meeting of the Negotiating Council were submitted to the Planning Committee for possible incorporation in the draft declaration. The declaration was amended (see

Addendum D).

- 4.3 It was again suggested that the issue raised by the PAC concerning soldiers and armed formations could be dealt with under the implementation of the Third Report of the Technical Committee on Violence and by the TEC and its Sub-Councils and that this could be minuted in the Negotiating Council meeting.
- 4.4 The PAC requested more time to consult with their principals and notified the Planning Committee that they would be ready by 14h00. This request was agreed to and it was further agreed that the amended draft declaration would only be distributed to the meeting after the PAC had concluded their consultations.
- 4.5 It was noted that R Meyer, W Seriti, the current Planning Committee Chairperson (as mediator) and the relevant SAP General would meet on Tuesday 22 June 1993 to attempt to resolve the outstanding issues.

The meeting adjourned at 12h30 for lunch, which coincided with the lunch period of the Negotiating Council.

The meeting reconvened at 15h45.

- 4.6 A media conference that the PAC had held in the interim was referred to.
- 4.7 In light of the above, the fact that the PAC did not attend this stage of the meeting and that the Negotiating Council was awaiting a report on this issue, it was agreed to proceed to table the draft declaration in the Negotiating Council. Participants who felt that they could not sign the declaration today, would be given until Tuesday 22 June 1993 to do so. It was further agreed that the Negotiating Council would have to decide on what to do about participants who did not sign the draft declaration.
- 4.8 R Meyer gave notice that if the PAC did not sign the draft declaration, the SA Government would move that the participation of the PAC in the Negotiating Council be formally suspended.

Addendum D

**DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES,
ARMED STRUGGLE AND VIOLENCE**

Put to the Negotiating Council on Friday 18 June 1993

1. Recognising:

That our country and people urgently require stability and

peace in order to progress to a democratic and harmonious future;

2. **Mindful:**

- * That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;
- * That **many forms of** political violence still persist in the resolution of political differences;

3. **Believing:**

- * That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;
- * That political rivalry and competition does not require the use of violence;
- * That it is necessary for all participants to categorically eschew violence in all forms;
- * There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;
- * **That Governments, Administrations, Political Organisations and the security forces must do everything possible to create harmony, peace and a conciliatory climate for the Negotiation Process.**

4. **Aware:**

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. **Now Therefore Declare:**

That as from this 18th day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves **to peaceful resolution of conflict and, where applicable, cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political differences and further ensure that the conduct and utterances of all are consistent with this declaration.**

5.2 **Structuring and order of the discussion of Report from Technical Committees in the Negotiating Council:**

14/6/pc

5.2.1 The Sub-Committee gave a reportback on the progress of the Technical Committees.

5.2.2 After discussion the following was noted:

5.2.2.1 That under "Constitutional Issues", the Constitutional Principles relating to regions and the outstanding General Constitutional Principles be dealt with; Other Constitutional Issues would then be dealt with later on in

the week;

- 5.2.2.2 That the completion of this discussion could facilitate the further discussion on the Election Date;
- 5.2.2.3 That under "Violence" the proposed draft resolution be dealt with;
- 5.2.2.4 That the Technical Committees on the Independent Electoral Commission, the Independent Media Commission and TEC and its Sub-Councils require feedback from the Negotiating Council to proceed with their work;
- 5.2.2.5 That if the Negotiating Council did agree in principle on the need for the IEC, IMC and the TEC, a discussion on the powers could follow;
- 5.2.2.6 That a request by the Technical Committee on the Independent Media Commission for more time to be allowed for submissions on and the drafting of the Broadcast Authority Bill was agreed to.

5. **Substantive Issues** 21/6/pc

5.1 **SA Government/PAC Reportback:**

- 5.1.1 R Meyer had nothing further to report on this issue to the Planning Committee and the status quo remained.
- 5.1.2 Discussion and debate then followed around the possible non-adoption of the Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence by the PAC.
- 5.1.3 It was agreed that the SA Government/PAC Reportback should be dealt with separately from the Declaration.
- 5.1.4 It was suggested that the Declaration be dealt with after the discussion of the Third Report of the Technical Committee on Violence.
- 5.1.5 A Press Release from the PAC was referred to in which it stated conditions under which it would abandon the armed struggle. It was agreed to call J Seroke of the PAC into the meeting and have a discussion on this issue, during which:

- * The media reports stating that the PAC would not adopt the Draft Declaration should be referred to;
- * The Statement by the President of the PAC giving three conditions for the suspension of the armed struggle should be referred to, it should be pointed out that item c was obtainable in terms of the Draft Declaration;
- * The PAC should be requested to clarify its position.

5.1.6 J Seroke was welcomed to the meeting. The above points were put to him. After discussion and debate the following was agreed upon by J Seroke with the Planning Committee:

- * That the agenda for the meeting of the Negotiating Council on 22 June would be structured to ensure that the Report of the Technical Committee on Violence would be dealt with before the Draft Resolution. In this way certain concerns and requirements of the PAC with regard to implementation would be met;
- * The Draft Declaration would then be dealt with and should therefore be acceptable to all parties in the Negotiating Council;
- * Thirdly, the Draft Resolution which embodies in its resolving part the elements of "unfinished business" between the SA Government and the PAC would be dealt with by the meeting.

5.1.7 A plea was made to the meeting to not make this information public.

5.1.8 It was suggested that if any participant does not adopt the Draft Declaration, this issue should be dealt with separately as a matter of procedure. The Chairperson of the Negotiating Council should advise that this item should be added under procedural issues should this arise.

5.1.9 It was suggested that a written report on the bi-lateral meetings and any unfinished business should be prepared by the SA Government as a reportback for the Negotiating Council meeting of 22 June 1993.

5.1 SA Government/PAC Reportback:

5.1.1 R Meyer had nothing further to report on this issue to the Planning Committee and the status quo remained.

- 5.1.2 Discussion and debate then followed around the possible non-adoption of the Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence by the PAC.
- 5.1.3 It was agreed that the SA Government/PAC Reportback should be dealt with separately from the Declaration.
- 5.1.4 It was suggested that the Declaration be dealt with after the discussion of the Third Report of the Technical Committee on Violence.
- 5.1.5 A Press Release from the PAC was referred to in which it stated conditions under which it would abandon the armed struggle. It was agreed to call J Seroke of the PAC into the meeting and have a discussion on this issue, during which:
- * The media reports stating that the PAC would not adopt the Draft Declaration should be referred to;
 - * The Statement by the President of the PAC giving three conditions for the suspension of the armed struggle should be referred to, it should be pointed out that item c was obtainable in terms of the Draft Declaration;
 - * The PAC should be requested to clarify its position.
- 5.1.6 J Seroke was welcomed to the meeting. The above points were put to him. After discussion and debate the following was agreed upon by J Seroke with the Planning Committee:
- * That the agenda for the meeting of the Negotiating Council on 22 June would be structured to ensure that the Report of the Technical Committee on Violence would be dealt with before the Draft Resolution. In this way certain concerns and requirements of the PAC with regard to implementation would be met;
 - * The Draft Declaration would then be dealt with and should therefore be acceptable to all parties in the Negotiating Council;
 - * Thirdly, the Draft Resolution which embodies in its resolving part the elements of "unfinished business" between the SA Government and the PAC would be dealt with by the meeting.
- 5.1.7 A plea was made to the meeting to not make this information public.

- 5.1.8 It was suggested that if any participant does not adopt the Draft Declaration, this issue should be dealt with separately as a matter of procedure. The Chairperson of the Negotiating Council should advise that this item should be added under procedural issues should this arise.
- 5.1.9 It was suggested that a written report on the bi-lateral meetings and any unfinished business should be prepared by the SA Government as a reportback for the Negotiating Council meeting of 22 June 1993.

19/7/pc

Violence : first meeting scheduled for committee only 26 July, IFP withdrawn from that committee as well - not appearing on draft programme as dont know what is happening there. Agreed that tech comm should go on working even though one of its members have withdrawn. Convenor of the Technical Committee should be made aware of the views of the Planning Committee in this regard and submit recommendations in this regard to the Planning Committee. The Sub-Committee was requested to deal with this.

Meetings Schedule

It was agreed that the meetings schedule remain as is.

It was agreed that a draft programme be made available to the Negotiating Council for the next two weeks - it should be noted that this is flexible.

6.2 Committee on disc leg met with TEC, IEC and FHR meeting with violence later on - process of consultation already set in motion.

26/7pc

Problems in tech comm on violence - may recommend work to be suspended until problems solved

Sub-comm very overloaded - maybe a member of the pc deal with the violence tech comm

Repeal discrim : not identified the issues - clear brief needed to be given to this tech comm to identify the laws
Higher code overlaps with the bill of rights

Sub-comm try and sort out problems with violence tech comm.

Need to political leaders to followers to stop this violence, to all South Africans to stop this violence.

3/6/pc

5.3.5 Due to time constraints, it was noted that the agenda would not be completed. The following was proposed by the Planning Committee and agreed to by the meeting:

- * That Items 5.2.2 (Violence), 5.2.3 (Independent Election Commission), 5.2.5 (Independent Media Commission, 5.4 (Election Date) and finally the report back from the SA Government/PAC meeting be dealt with.

5.4 Violence - Report from Technical Committee:

5.4.1 The members of the Technical Committee were welcomed. Present were P Hatty, P Oosthuizen, V Ntsubane, M Phillips, A Seegers, S Vos and H Vilakazi. Apologies were noted from G Myburg. It was agreed that the Technical Committee take the report as read.

5.4.2 The Technical Committee tabled and presented their report, highlighting issues that require guidance and/or decision from the Negotiating Council. The concrete proposals as recommended by the Technical Committee were noted. The Technical Committee was complimented on their report. Discussion followed.

5.4.3 A draft resolution on violence, as submitted by the Planning Committee, was put to the meeting (see Addendum B). More discussion followed. It was agreed that further discussion and debate on the issue of violence and the resolution stand over until the next meeting of the Negotiating Council on 15 June 1993.

5.4.4 It was noted that the Planning Committee consider the problem of the composition of the Technical Committee and submit a recommendation to the Negotiating Council.

5.4.5 The Technical Committee on Violence was excused and thanked for their work so far completed.

This Negotiating Council meeting on Thursday 3 June 1993 at the World Trade Centre:

Noting:

1. The Declaration of Intent on the Negotiating Process adopted on 7 May 1993;

2. The expectation of all South Africans that the Negotiating Process is concluded constructively, urgently and peacefully;

Further Noting:

1. That the Resolution on Constitutional Issues adopted on 1 June 1993 provides a facilitating framework for discussion on these issues;
2. The progress made by -
 - 2.1 the tabling of generally acceptable proposals emanating from the Technical Committee on Violence;
 - 2.2 agreeing to a substantial number of general constitutional principles;
 - 2.3 establishing the commission on boundaries of regions which will commence its work shortly;
 - 2.4 receiving proposals on the powers, functions and structures of regions in the transition;
 - 2.5 the acceptance in principle of the Fundamental Rights mentioned in paragraph 5.1 and 5.2 of the Second Report of the Technical Committee on Fundamental Rights during the Transition;

Believing:

1. That the setting of a date for the elections will send a ray of hope and optimism throughout the country;
2. That it is vital to inject confidence in the negotiating process;

Therefore resolves that:

1. The Negotiating Council recommends to the Negotiating Forum of 25 June 1993 that the date of the election shall be 27 April 1994; however, should a final settlement be reached at an earlier date to enable an election to be held earlier, the Negotiating Council should set an earlier date; while the period over which the election is to be held will have to be decided upon in co-operation on with the Independent Electoral Commission;
2. Participants wishing to consult with their principals on this matter may do so and report to the Negotiating Forum meeting of 25 June 1993 on their position;

We further resolve:

1. To move towards finality in our negotiations on the constitutional issues referred to in the resolution of 1 June 1993 before the meeting of the Negotiating Forum on 25 June 1993;

2. To work towards the achievement of those goals that will allow for an adequate time-frame for the implementation of decisions on binding constitutional principles, the constitutional framework and the constitution making process and procedures for elections, for the election to take place on that date; and
3. To work towards the creation of conditions conducive to free and fair and peaceful elections;

We Commit Ourselves -

1. To refrain from the use of violence against anyone as a means of attaining political objectives;
2. To reject actions like the above and pronouncements designed or likely to be conducive to a climate of violence;
3. To take effective steps against anyone within our organisations who transgresses in these respects; and
4. To actively and visibly promote a climate conducive to peace, harmony and goodwill among all.

18/6/nc

4.4 Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence:

- 4.4.1 The amended draft declaration was distributed to participants (see Addendum B).
- 4.4.2 After discussion and debate it was agreed to finalise this issue at the meeting of the Negotiating Council on Tuesday 22 June 1993. It was agreed no debate will then be allowed, but only a decision taken.

Substantive Issues

22/6/nc

4.1 Report from the Technical Committee on Violence:

- 4.1.1 The Draft Resolution on Conditions that should be created to eliminate violence as distributed was debated, discussed and adopted by sufficient consensus as amended (see Addendum B).
- 4.1.2 It was noted that the Resolution was drafted on the basis of the Reports and recommendations from the Violence Technical Committee.
- 4.1.3 Members of the Technical Committee on

Violence joined the meeting of the Negotiating Council approximately an hour after the debate on the Draft Resolution had commenced. Present were PR Hatty, P Oosthuizen, M Phillips, VS Ntsubane, A Seegers and S Vos. Apologies were noted from GB Myburgh and H Vilikazi.

4.1.4 With regard to the adopted Resolution on Conditions that should be created to eliminate violence the following reservations, objections and rejections were noted:

- * The AVU reserved its position with regard to Clause 1.
- * The KP reserved its position with regard to Clause 1, objected to Clause 3, rejected Clause 7 and objected to the adoption of the motion as a whole. It was noted with regard to Item 10 the KP were not in total support of the Item as it could refer to a unitary state, which they are not in support of.
- * The AVU abstained with regard to Clause 3.
- * The KP noted concerns with regard to the financial implications of the strengthening of the Peace Accord.
- * The PAC objected to Clauses 3, 4, 6 and 7.
- * The Bophuthatswana Government noted that with regard to Item 5 they were still involved in discussions on this item with the National Peace Committee. It was noted that Bophuthatswana were not in total agreement with Item 5, 6, and 9 of the Resolution. Furthermore, that Bophuthatswana reserved their position with regard to Item 7 until the Technical Committee on the TEC and its Sub-Councils have presented their report.
- * The Kwazulu Government registered their reservation with regard to Item 7.
- * Ciskei reserved their position with regard to Item 7 and stated that they are not in support of a TEC.

4.1.5 It was agreed that Item 4 of the adopted Resolution should be brought to the attention of the Technical Committee on the Independent Electoral Commission. It was agreed that the Technical Committee on the IEC should take the code of conduct for

parties, administrations and organisations as set out in the Peace Accord into account when drafting the code of conduct. The Technical Committee was mandated to liaise with the National Peace Committee in this regard and report back to the Negotiating Council. Furthermore, the code should be placed before the Negotiating Council for ratification. It was noted that the IFP expressed concerns with regard to the establishment of a further code when a code already exists under the peace structures.

4.1.6 With regard to Item 4 the PAC noted that the International Community should be involved in developing the code of conduct, that the Transitional Authority should be responsible for implementing, monitoring, supervising and determining who is the transgressor and that the SAP, SADF and all armed formations are to be accountable to the Transitional Authority for implementation.

4.1.7 It was suggested that the Technical Committee should advise on the issue of disbandment (in relation to Item 7).

4.1.8 Items to be brought to the attention of or to be dealt with by the National Peace Committee:

4.1.8.1 It was proposed that non-signatories should also be invited to participate in the discussions at a meeting of signatories in order to enable them to make a decision on signing the Peace Accord and to present their case as to why they cannot as yet sign the Peace Accord.

4.1.8.2 Non-signatories should be put in touch with the Peace Accord Structures to create an opportunity for them to engage in serious discussion with the Peace Committee or Secretariat with regard to their concerns and problems with the Peace Accord.

4.1.9 Issues relating to the Technical Committee on Violence:

4.1.9.1 It was noted that the Technical Committee should give serious consideration to multi-party control over private armies and security forces.

4.1.9.2 Paragraph 6.2.8 of the Fourth Report of

the Technical Committee refers. No reference was made to the carrying of unlawful weapons in a march, demonstration, etc. It was suggested that the sentence should read "all reasonable steps have been taken to make sure that no unlawful weapons are carried and no weapons are carried with unlawful intent". The Technical Committee was requested to redraft the paragraph taking into account the views expressed.

- 4.1.9.3 Paragraph 6.2.10 of the Fourth Report refers. It was suggested that the following be inserted "Parties must plan the route of any demonstration so as to best implement the provisions of this paragraph and must provide for a specific place where it is to start, etc." It was stated that the incorporation of relevant issues in the planning of the route of such a march is important and the following wording was suggested "best implement the provisions of this paragraph and must" to be inserted after "so as to" (end of first line). It was referred to the Technical Committee for further consideration.
- 4.1.9.4 It was noted that submissions dealing with amendments to paragraph 6.2 of the Fourth Report were submitted to the Technical Committee. A response to these amendments was requested and should form part of the Fifth Report.
- 4.1.9.5 A suggestion that there should be moratorium on mass action prior to the election was referred to the Technical Committee for their consideration. It was suggested that mass action should be defined by the Technical Committee.
- 4.1.9.6 It was agreed that the Technical Committee consult with various youth organisations on the desirability of a Peace Corps/Youth Services Corp before taking this issue further. Furthermore, it was agreed that all participants make submissions, if they so wish, on this issue to the Technical Committee.
- 4.1.9.7 It was noted that a proposed resolution by the AVU would be submitted to the Technical Committee for consideration.

The KP stated that they supported this as a proposed resolution and suggested that the content be incorporated in a resolution at a later stage.

- 4.1.9.8 It was noted that the Technical Committee should re-examine point 11.13 of the Fourth Report taking into account views expressed.
- 4.1.9.9 It was agreed that the Technical Committee should look into violence as it affects women and submit recommendations to the Negotiating Council. All participants were requested to make submissions on this issue to the Technical Committee.
- 4.1.9.10 The Technical Committee were thanked for their work so far completed.
- 4.1.9.11 The Technical Committee was requested to submit recommendations dealing with the responsibility of the Government to address violence.
- 4.1.9.12 It was agreed that the Technical Committee should continue with the work as envisaged in their Third Report and produce a Fifth Report building on this.

The meeting adjourned for lunch at 13h00.

The meeting reconvened after 14h10.

4.2 Declaration on the Cessation/Suspension of Hostilities:

- 4.2.1 The declaration was put to the meeting (see Addendum C).
- 4.2.2 It was noted that all participants with the exception of the PAC agreed/subscribed to the declaration.
- 4.2.3 The SA Government gave notice that it would be proposing that the Negotiating Council should, as a matter of priority, discuss the implications of the PAC not committing itself to the Declaration and that the Council should decide what steps should be taken in this regard.
- 4.2.4 Reference was made to the Resolution adopted

on 27 May 1993 after the special session of the Negotiating Council. The SA Government noted that it would be able to immediately comply completely with the Resolution.

- 4.2.5 The further draft resolution was adopted (see Addendum D). The PAC indicated that if the outstanding matters were attended to immediately, they would be in a position to sign the declaration.
- 4.2.6 It was agreed that during the tea break, the current Chairperson of the Negotiating Council, D de Villiers and the current Planning Committee Chairperson, PJ Gordhan meet with PAC in an attempt resolve the issues that the PAC felt were preventing them from being party to the declaration.
- 4.2.7 After tea the PAC agreed to subscribe to the Declaration on the understanding that their statement formed part of the minutes (see Addendum E). It was noted that this statement was not for discussion. The Declaration, therefore, was subscribed to by all 26 participants in the Negotiating Council.
- 4.2.8 The KP noted that no statement could be made on applauding the PAC for their decision to subscribe to the declaration by the Chairperson on behalf of the KP or on behalf of the whole meeting.

**RESOLUTION ON CONDITIONS THAT SHOULD BE CREATED
TO ELIMINATE VIOLENCE**

ACCEPTED BY THE NEGOTIATING COUNCIL MEETING ON 22 JUNE 1993

This meeting of the Negotiating Council:

Noting that:

The Technical Committee on Violence has submitted four reports (including its report on the conditions that should be created to eliminate violence in accordance with the " Declaration of Intent on the Negotiating Process" adopted on 7 May 1993); and

Further noting:

That these recommendations should be read in conjunction with these reports;

Hereby resolves that:

1. The National Peace Committee finalise proposed amendments to the Peace Accord as a matter of urgency so as to

- strengthen the Accord, empower the Peace Structures and increase their effectiveness;
2. The Negotiating Council recommends that the signatories to the Peace Accord meet as a matter of urgency to reaffirm their commitment to the Accord and to approve the proposed amendments to it;
 3. Non-signatories should give urgent and immediate attention to signing the Peace Accord, after consultation with the National Peace Committee.
 4. That the Technical Committee on the Independent Electoral Commission develops:
 - 4.1 A code of conduct for all parties, organisations, administrations and governments taking into account the code of conduct of the Peace Accord; and
 - 4.2 Appropriate compulsory sanctions/punitive measures against those who transgress the code.
 5. Any party organising a public demonstration or any other form of mass action must comply with the guidelines set out in paragraph 6.2 of the Fourth Report of the Technical Committee on Violence;
 6. The National Peace Committee submit proposed amendments to the Regulation of Gatherings Bill as a matter of urgency;
 7. A series of phased confidence-building measures which would include the future of all armed formations, their personnel and arsenals, be adopted leading to the creation of impartial, legitimate and effective security forces with the consequent dissolution of all other armed formations. A distinction be drawn between statutory and non-statutory armies on the one hand and police forces on the other hand. The Technical Committee on the TEC and its sub-councils to make proposals on precise mechanisms to be adopted;
 8. Parties between whom conflicts exist, which have contributed to violence, in addition to participating in the MPNP, meet bi-laterally to seek joint solutions to the conflicts between them;
 9. The principle of an independent peacekeeping force and its practical implementation should be considered by the Technical Committee on Violence in consultation with the Technical Committee on the TEC.
 10. Every party to the MPNP commits itself without reservation to a holding of a free and fair election and to do everything possible to ensure that the electorate and the leaders and candidates of political parties are able to conduct their election campaigns and other political activities freely without being intimidated or obstructed and without fear of being injured or killed;

- 11.1 The Technical Committee on Violence prepare detailed proposals on the desirability, financing, establishment and composition of a Peace/Youth Services Corps.
- 11.2 The National Peace Committee and the members of the Technical Committee on Violence be entrusted with the initial drawing up of structures for a Peace Corps.

**DECLARATION ON CESSATION/SUSPENSION OF HOSTILITIES,
ARMED STRUGGLE AND VIOLENCE**

Put to the Negotiating Council on Tuesday 22 June 1993

1. **Recognising:**

That our country and people urgently require stability and peace in order to progress to a democratic and harmonious future;

2. **Mindful:**

- * That we are all products of a conflict ridden society and emerging from a long period of tension and hostilities;
- * That many forms of political violence still persist in the resolution of political differences;

3. **Believing:**

- * That participants in the Negotiating Process have a responsibility to inculcate a new spirit of tolerance;
- * That political rivalry and competition does not require the use of violence;
- * That it is necessary for all participants to categorically eschew violence in all forms;
- * There is a need for cessation/suspension of hostilities/armed struggle/violence for peaceful negotiations to move forward;
- * That Governments, Administrations, Political Organisations and the security forces must do everything possible to create harmony, peace and a conciliatory climate for the Negotiation Process.

4. **Aware:**

That an invaluable opportunity now exists to decide on our future through a process of peaceful negotiations;

5. **Now Therefore Declare:**

That as from this 22nd day of June 1993 we, the parties subscribing to this declaration, commit/recommit ourselves to peaceful resolution of conflict and, where applicable, cease/suspend any form of hostilities/armed struggle/violence in pursuance of political objectives and in the resolution of political differences and further ensure that the conduct and utterances of all are consistent with this declaration.

**FURTHER RESOLUTION TO THAT ON
CESSATION/SUSPENSION OF HOSTILITIES ACCEPTED BY THE
NEGOTIATING COUNCIL ON 22 JUNE 1993**

This Negotiating Council meeting at the World Trade Centre on Tuesday 22 June 1993:

Noting:

1. The Resolution passed after the special Negotiating Council meeting of 27 May 1993;
2. The Joint Statement by the South African Government and the Pan Africanist Congress of Azania dated 28 May 1993;
3. The Declaration on Cessation/Suspension of Hostilities, Armed Struggle and Violence tabled at the meeting of the Negotiating Council on 18 June 1993;
4. Noting that provision is made for dealing with armed formations in both the Reports of the Technical Committees on Violence and the TEC and its Sub-Councils;

Therefore Resolves That:

1. Matters which remain unresolved in relation to paragraph 1 and 2 above shall be implemented immediately and a written report thereon be placed before the Negotiating Council not later than Thursday 24 June 1993.

STATEMENT BY THE PAC

The PAC is willing to accept the Declaration on Cessation/Suspension of Hostilities in principle and subscribes to it. It is our understanding that this Declaration satisfies our requirement for a mutual cessation of hostilities between the PAC and the Regime.

We will have a bi-lateral meeting with the regime on 24 June 1993 to:

1. Agree on the outstanding matters that need to be resolved in relation to the Resolution of 27 May 1993;
2. Agree on the implementation of the Declaration on Cessation/Suspension in accordance with paragraph 7 of the Resolution on Conditions that should be Created to Eliminate Violence of 22 June 1993, which states:

"A series of phased confidence-building measures which would include the future of all armed formations, their personnel and arsenals, be adopted leading to the creation of impartial, legitimate and effective security forces with the consequent dissolution of all other armed formations. A distinction be drawn between statutory and non-statutory armies on the one hand and police forces on the other hand. The Technical Committee on the TEC and its sub-councils to make proposals on precise mechanisms to be adopted."

We wish to clarify that the PAC advocates a Transitional Authority and not a Transitional Executive Council.

24/6/nc

7.3.2

The Technical Committee on Violence had extended the deadline for submissions on the issue of the Youth Corps until Wednesday 30 June at 12h00. This deadline also applies to submissions against on the issue of violence against women.

7/5/nc

* The Technical Committee on Violence (consisting of 4 individuals) will be assisted by 4 persons nominated by the Executive of the National Peace Committee.

5.2.4

It was further noted that the Afrikaner Volksunie only supported the Declaration on the following conditions:

- * That within the stated period a decision is reached on the accommodation of the Afrikaners reasonable demand for self determination and a strong regional dispensation;
- * That no election is to be held before violence is curbed;
- * That all forms of intimidation be eliminated in order to have free and fair elections;
- * That private armies be disbanded;
- * That any election be postponed should the aforementioned conditions not be adhered to.

Addendum B

THE COMPOSITION OF THE TECHNICAL COMMITTEES

NB. Each of the Technical Committees should be mandated to consult with experts on any issue they might consider necessary.

1. Violence

In addition to four representatives from the National Peace Committee the following:

- * Mr V Ntsubane
- * Prof P Oosthuisen
- * Prof A Seegers

* Prof H Vilakazi

2. Constitutional Matters:

* Mr F Cachalia
* Adv A Chaskalson
* Prof GE Devenish
* Adv E Moseneke
* Adv B Ngoepe
* Prof W Olivier
* Dr F Venter
* Prof M Wiechers

3. Fundamental Rights During the Transition

* Prof H Corder
* Prof LM du Plessis
* Mr G Grovè
* Ms D Nene
* Adv Z Yacoob

4. Transitional Executive Council

* Ms Z du Toit
* Prof F Haysom
* Dr JC Heunis
* Mr ME Mapheto
* Adv J Renene
* Prof D van Wyk

5. Independent Media Commission and Independent Telecommunications Authority

* Ms A Armstrong
* Dr B de Villiers
* Adv D Dison
* Mr EJ Mabuza
* Adv P Pretorius

6. Independent Electoral Commission

* Prof D Davis
* Adv HR Laubscher
* Mr SK Ndlovu

* Mr RB Rosenthal

7. Repeal of Discriminatory Legislation

- * Prof J Dugard
- * Prof MG Erasmus
- * Adv P Langa
- * Adv P Moroka-Motlana
- * Adv J de Bruyn (ex officio, Department of Justice)

5.2 Technical Committee on Violence:18/5/nc

- 5.2.1 The members of the Technical Committee on Violence were welcomed.
- 5.2.2 An overview and issues to be highlighted in the report was presented by a spokesperson of the Technical Committee. Discussion followed.
- 5.2.3 It was suggested that the Technical Committee examine more background documents such as the Human Rights Commission report on Violence.
- 5.2.4 The Technical Committee was requested to take into account the concerns and views of delegates in formulating its second report.
- 5.2.5 The report was noted and the Technical Committee requested to carry on with their work and to submit a more substantial report to the next meeting of the Negotiating Council on 25 May 1993.
- 5.2.6 The members of the Technical Committee were thanked for the work so far completed.

5.9 Resolution on Intolerance and Assassinations:

- 5.9.1 A Draft Resolution as submitted to the Negotiating Council by the Planning Committee was agreed to as a