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THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE PLANNING COMMITTEE AND THE NEGOTIATING COUNCIL.

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON
TUESDAY 1 JUNE 1993 AT 10H30 AT THE WORLD TRADE CENTRE**

PRESENT: B Alexander
R Cronje
C Eglin
PJ Gordhan
FT Mdlalose
RP Meyer
MC Ramaphosa
J Slovo
Z Titus
M Webb (Chairperson by rotation)

T Eloff (Administration)
G Hutchings (Minutes)

1. Moment of Prayer/Meditation

A moment of prayer/meditation was observed by all members.

2. Welcome and Attendance

2.1 All members were welcomed.

2.2 As four members following alphabetically on FT Mdlalose (the last Chairperson) asked to be excused from this function, it was agreed that M Webb chair this meeting.

3. Ratification of Agenda

3.1 Before ratification of the agenda, B Alexander requested to be excused from the meeting of the Planning Committee. This need arose as a result of the bi-lateral meeting between the SA Government and the PAC and the need for the PAC to consult before the bi-lateral meeting resumed at 13h00. B Alexander therefore tendered his apologies to the meeting.

3.2 Reference was made to the placards that demonstrators in support of the PAC

were brandishing outside the gates of the World Trade Centre and appeal was made to B Alexander that PAC members should avoid statements that create deep emotions.

3.3 The agenda was ratified with no amendments.

4. Minutes

4.1 Minutes of the meeting of 24 May 1993:

4.1.1 The minutes were adopted, with the following amendment, noting that Item 5.1.3.1 had been amended in line with views expressed at the previous meeting of the Planning Committee:

- * Item 5.1.2.1 refers, replace the word "must" with the word "should".

4.1.2 Matters arising out of the minutes:

- * Item 6.1.2 refers. It was noted that participants in the Negotiating Council should be made aware of the suggestion of the Planning Committee that no discussion should be entered into with the Technical Committees and only questions of clarity and information should be addressed to the Technical Committee. This should be done before the Technical Committees presented their reports to the Negotiating Council.

5. Substantive Issues

5.1 Reports from the Technical Committees:

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,

5.1.2 Technical Committee on Constitutional Issues:

5.1.2.1 It was suggested that an in principle decision had to be taken on the transition process for the Technical Committee to be able to proceed with their work.

5.1.2.2 It was suggested that in the meeting of the Negotiating Council a draft resolution on a transition process be put

forward. This should be a result of discussion in the Negotiating Council. This would provide a framework for further discussion.

5.1.2.3 As the Constitutional Principles and process were linked, the former should be discussed first and this would lead to discussion on the process.

5.1.2.4 With regard to the reports of the Technical Committee, the following process was agreed upon:

- * To refer the Negotiating Council to the three reports of the Technical Committee;
- * To have the Negotiating Council note that there is a link between the decision to be taken on the Constitutional Principles (including Constitutional Principles on regional powers) on the one hand, and the decision on the constitution-making process on the other hand;
- * To encourage the Negotiating Council to discuss these issues in this way; through which areas of difference will begin to emerge and appropriate mechanisms would have to be sought in the course of the debate to resolve the differences.

5.1.2.5 In this way the key issues will begin to be negotiated at the meeting of the Negotiating Council. The suggested framework leaves room for differences to be resolved and on the other hand creates the space for consensus to be reached. This would lay a constructive foundation for the debate in the Negotiating Council.

5.1.3 Technical Committee on Fundamental Human Rights During the Transition:

It was noted that although the report from the Technical Committee would be distributed at the meeting of the Negotiating Council in the afternoon, the report itself would not be discussed in that meeting but at the next meeting of the Negotiating Council on 3 June 1993.

5.1.4 Technical Committee on the Independent Election Commission:

It was agreed that A Tredoux from the Department of Home Affairs replaces L Laubscher in this Technical Committee.

5.1.5 Technical Committee on the Independent Media Commission:

- 5.1.5.1 It was noted that the Planning Committee agrees in principle with the establishment of the Independent Media Commission.
- 5.1.5.2 The issue of the passing of the draft legislation was raised and discussed.
- 5.1.5.3 It was suggested there should be an attempt to get the first clause of the Draft Bill accepted in principle by the Negotiating Council, so that the principle of the IMC is established. Furthermore, a progress report should be obtained from the Technical Committee as to whether it would be possible to consider the second draft of the IMC Bill at the meeting of the Negotiating Council on Thursday 3 June 1993. Enquiries should also be made as to how far the drafting of the second Draft Bill (IBA) had progressed.
- 5.1.5.4 It was agreed that the report be tabled and dealt with holistically at the meeting of the Negotiating Council on Thursday 3 June 1993. It was suggested that a resolution be drafted to deal with this issue in the Negotiating Council.
- 5.1.5.5 It was agreed that this issue be revisited at the next meeting of the Planning Committee on Thursday 3 June 1993.

5.2 Commission on Regions:

5.2.1 Possible addition of a woman to the Commission on the Delimitation of Regions/Provinces/States:

A brief report was presented by the Sub-Committee to the Planning Committee. After discussion it was agreed to report to the Negotiating Council that this issue is still under consideration and would be dealt with at the next meeting of the Planning Committee on Thursday 3 June 1993.

5.2.2 Logistical Arrangements:

- 5.2.2.1 It was noted that a letter was sent out to all Commission Members requesting them to formally accept their appointments.

5.2.2.2 It was noted that their first meeting would take place in the week commencing 7 June 1993.

5.2.2.3 It was agreed to mandate the Sub-Committee to liaise with the Administration on this issue (for example on the arrangements with regard to staffing, equipment, etc.)

5.3 Election Date:

It was noted that this item remain on the agenda until dealt with.

6. Procedural Issues

6.1 Structuring of the discussion of Reports from Technical Committees in the meeting of the Negotiating Council:

6.1.1 It was agreed to recommend that the Negotiating Council meeting of 1 June 1993 adjourn at 19h00 (as long as the debate on Constitutional Issues was completed) and not at 22h00 as scheduled.

6.1.2 It was agreed that participants should spend time debating amongst themselves and not with members of the Technical Committees.

6.1.3 The debate should be structured in such a way that the Negotiating Council will give guidance to the Technical Committees at the end of the relevant debate.

6.2 Media Arrangements:

It was noted that the arrangements for the media at this stage remained the same as previously reported.

6.3 New Participants:

6.3.1 A report on this issue was presented by the Sub-Committee and agreed to as amended (see Addendum A). The recommendations would be submitted to the Negotiating Council for decision.

6.3.2 It was suggested that any new Participants should be notified of the decision of the Negotiating Council to prepare for the Negotiating Forum.

6.3.3 It was agreed that the Sub-Committee interview representatives of Avstig and the African Democratic Movement and submit a recommendation to the Planning Committee.

6.3.4 The Administration was requested to prepare a report on the issue of decisions taken around the participation of Traditional Leaders.

7. Administrative and Financial Matters

7.1 A financial report as submitted was noted (see Addendum B).

7.2 It was agreed that members from the Peace Committee participating on the Violence Technical Committee should be remunerated from the Peace Committee and not by this process.

7.3 It was agreed that leaders of delegations should receive documentation packs.

8. Report to and Agenda of the Negotiating Council

The agenda as amended was agreed to (see Addendum C).

9. Meetings Schedule

9.1 It was agreed to recommend to the Negotiating Council that the Negotiating Forum be cancelled and replaced with a Negotiating Council meeting.

9.2 The meetings schedule was accepted as amended (see Addendum D). It was noted that if it was possible to have a Negotiating Forum before 25 June 1993 the date will be brought forward.

10. Closure

The meeting adjourned at 13h10.

These minutes were ratified at the meeting of the Planning Committee of 14 June 1993 and the amended versions signed by the Chairperson of this meeting on 18/6/ 1993.



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CHAIRPERSON

**REPORT OF THE PLANNING COMMITTEE TO THE MEETING OF
THE NEGOTIATING COUNCIL OF 3 JUNE 1993**

1. Background

The Negotiating Council, in its meeting of 7 May 1993, agreed to the following recommendation of the Planning Committee:

1.1 "Recommended Criteria and Process for New Participants"

Political parties or Organisations to qualify, must show:

1.1.1 Political Parties or Organisations to qualify must show:

1.1.1.1 That it is indeed a political party or organisation intending to participate as such (in the political party or organisation's own name) in the first election under a transitional/new constitution;

1.1.1.2 That it has proven substantial support in a national context;

1.1.1.3 That its admission will enhance the peaceful negotiating process.

1.1.2 Traditional Leaders

The principle of provincial representation should be maintained for the time being, but the problems around the representivity of existing delegations should be addressed in consultation with and a manner acceptable to all concerned. This issue should be discussed in the meeting of the Negotiating Council and, if necessary, be referred back to the Planning Committee.

1.1.3 Other Applicants

It is proposed that applications of organisations who are not political parties or organisations, be refused.

1.1.4 The problem of both the Administrations and political parties in one region participating in the Negotiating Process, has not been resolved and will require further attention.

1.2 Process

The following process for dealing with applications of political parties or organisations is proposed:

- 1.1.2 Applicants should be informed of the criteria and requested to submit whatever facts and arguments they wish to, but they should be required to at least respond to the questionnaire annexed to this report (Annexure A);
- 1.2.2 Administration should cause a newspaper survey over the preceding year to be conducted to establish the type of press coverage every applicant has received;
- 1.2.3 As soon as all the information is at hand in respect of a particular application, it is put to the Negotiating Council for a decision."

(cf. Minutes of the Negotiating Council Meeting of 7 May, 1993, Item 1.)

The Administration therefore embarked on the agreed process and concentrated on those applicants which professed to be political parties or organisations.

2. The Process so far

- 2.1 Fifteen organisations applied to join the Multi-Party Process.
- 2.2 All applicants were requested in writing to supply particulars in support of their applications. These particulars were specified by the Negotiating Council on 7 May, 1993 and forwarded to the applicants on 11 May, 1993.
- 2.3. As at 1 June, 1993, six of those who had applied had not responded to the questionnaire. They are:
 - 2.3.1 People's Democratic Christian Party
 - 2.3.2 United Federal Party
 - 2.3.3 Sindawonye Progressive Party
 - 2.3.4 Reform Party of South Africa
 - 2.3.5 Insika National Party
 - 2.3.6 National Forum

A study of the press coverage for the past year shows no reports in the press about the above six parties in terms of reportage about their activities. There have been reports that the application of the Reform Party of South Africa and of the Insika National Party were rejected at Codesa.

In the light of the above we would **recommend** that their applications be

rejected.

- 2.4 The following applied and have responded in some measure to the questionnaire:

2.4.1 African Democratic Movement

2.4.2 Christian Democratic Party

2.4.3 People's Progressive Party

2.4.4 Merit People's Party

2.4.5 National Seoposengwe Party

2.4.6 Afrikaner Freedom Foundation

2.4.7 Volks Unity Committee

2.4.8 Third Force Nationalist Party

2.4.9 Green Party of South Africa

3. **Recommendations on applications received**

- 3.1 The **Volks Unity Committee** telephonically informed the Administration that it was withdrawing its application. Accordingly there is no need to take a decision on this matter.

3.2 **The Third Force Nationalist Party**

Its written response is a photostat copy. It is signed "T.F. Central Committee Collective Leadership". No individual name appears on it and it is not signed by any person. This document was received on 26 May, 1993 and there has been no further documentation received. A study of the press coverage shows no reports covering their activities or their existence. It is impossible to determine whether they really exist, where they are based, at what address they can be contacted, etc.

The Planning Committee **recommends** that their application be turned down.

3.3 **Green Party of South Africa**

Their response was received on 27 May, 1993. There has been no press coverage of their activities. They submit a copy of their constitution. But in their response to the questionnaire there is no information indicating when and

where they may have held a national congress to elect their current national executive as per their constitution. They claim a membership of 13,500 and that they have held a number of meetings. There is no indication of the existence of any of the organisational structures reflected in their constitution. In their response they say they only have offices in Cape Town.

The Planning Committee **recommends** that this application is turned down.

3.4 The Merit People's Party

No press coverage save that its application was turned down at Codesa. Its activities are confined to Lenasia. In its response it states that it has two members in the House of Delegates; and that in the 1989 elections the Party contested three seats in Lenasia and won all three. It should also be noted that in this regard, in its response to the Codesa questionnaire it replied somewhat differently; while repeating the statement that three candidates were returned in the 1989 election it went on to say "two members have since joined Solidarity. There is an understanding that independent members of the House of Delegates will be included in the Merit People's Party delegation to Codesa."

In its response to the present questionnaire it also states "estimated membership throughout South Africa (as no efforts are made to sign up members) is at least 10,000 persons." While its activities are Lenasia-based it also claims that it has membership throughout Natal and the Transvaal.

The Planning Committee **recommends** that its application should not be accepted.

3.5 Afrikaner Freedom Foundation (AVSTIG)

To date AVSTIG has claimed that it is not a political party. During Codesa it was recognised as an interest group and as such was enabled to make written submissions without enjoying participant status.

In its current response it motivates why it should be accepted as a political organisation intending to participate in the first election. We quote: "Ideally we would thus most certainly take part in elections at the first possible occasion: as a state founding body it would be on state level and in facilitating capacity. But whenever it seems possible to attain or substantially promote these objectives, we would consider positively to take part in elections in another capacity and on other levels" (Our emphasis).

It is **recommended** that the Planning Committee enters into a discussion with this organisation to acquire more information.

3.6 African Democratic Movement of the Ciskei, the Christian Democratic

Party of Bophuthatswana, the People's Progressive Party and the National Seoposengwe Party

All the abovementioned parties have submitted responses. The Planning Committee is aware that the Administrations of Ciskei and Bophuthatswana are participating in the process.

The ADM has supported its application with a comprehensive set of press cuttings.

The People's Progressive Party and the National Seoposengwe Party both of which claim to operate in Bophuthatswana and had their applications considered by Codesa. These two have responded to the questionnaire and have been publicly campaigning for inclusion.

It is **recommended** that the Planning Committee further explores the applications of these parties.

4. Conclusion

Due to the fact that the meeting of the Negotiating Forum has been postponed, there is adequate time to further investigate the applications of the abovementioned parties. Other applicants should be informed of these decisions.

MULTI-PARTY NEGOTIATING PROCESS

1 June 1993

FINANCIAL REPORT TO THE PLANNING COMMITTEE

1. The provisional estimated expenditure on the Multi-party Negotiating Process (Negotiating Council, Planning Committee, Administration and Security) for April 1993 is R3 million.
2. A detailed analysis of items of actual expenditure for April will only be available by 11 June and for May by middle July. Major accounts for a specific month are only available by the middle of the following month. These then have to be verified before actual expenditure can be determined. Many delegates also do not submit their claims immediately for a specific month.
4. Expenditure in April and May causing concern in a provisional analysis relates to telephones, courier services in respect of documents and the video relays of proceedings of the Negotiating Council.
3. The detailed analysis of expenditure for April will thus be made available to the Planning Committee on 11 June. The Financial Manager is available to reply to questions in this regard.

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**DRAFT AGENDA FOR THE MEETING OF THE NEGOTIATING COUNCIL
TO BE HELD ON TUESDAY 1 JUNE 1993 AT 14H00**

Chairpersonship - PJ Gordhan assisted by L Landers

- 1. Moment of Prayer/Meditation**
- 2. Welcome and Attendance**
- 3. Ratification of Agenda**
- 4. Meetings Schedule**
- 5. Minutes**
 - 5.1 Adoption of the minutes of the meeting of the Negotiating Council of:
 - 5.1.1 27 May 1993
 - 5.1.2 28 May 1993
 - 5.2 Matters arising out of the minutes of the meeting of the Negotiating Council of 27 May and 28 May 1993
- 6. Substantive Issues**
 - 6.1 SA Government/PAC Report Back
 - 6.2 Further Reports from the Technical Committees:
 - 6.2.1 Constitutional Issues
 - 6.2.2 TEC and its Sub-Councils
 - 6.2.3 Independent Election Commission
 - 6.2.4 Independent Media Commission
 - 6.3 Commission on the Delimitation of Regions/Provinces/States
 - 6.4 Election Date
- 7. Procedural Issues**
 - 7.1 Media Arrangements
 - 7.2 New Participants
- 8. Administrative Matters**
- 9. Closure**

PROPOSED SCHEDULE OF MEETINGS

| | | |
|---------------------|-----------------------|---------------|
| Planning Committee | Tuesday 1 June 1993 | 10h00 - 13h00 |
| Negotiating Council | Tuesday 1 June 1993 | 14h00 - 22h00 |
| Planning Committee | Wednesday 2 June 1993 | 18h00 - 21h00 |
| Negotiating Council | Thursday 3 June 1993 | 10h00 - 18h00 |
| Planning Committee | Thursday 3 June 1993 | 18h00 - 20h00 |

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| Technical Committees do detailed work | Monday 7 June 1993 to Friday 11 June 1993 | |
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|---------------------|-----------------------|---------------|
| Planning Committee | Monday 14 June 1993 | 08h30 - 13h00 |
| Negotiating Council | Monday 14 June 1993 | 14h00 - 20h00 |
| Negotiating Council | Tuesday 15 June 1993 | 10h00 - 18h00 |
| Planning Committee | Thursday 17 June 1993 | 08h30 - 13h00 |
| Negotiating Council | Thursday 17 June 1993 | 14h00 - 20h00 |
| Negotiating Council | Friday 18 June 1993 | 10h00 - 18h00 |

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|--------------------------|------------------------|---------------|
| Planning Committee | Monday 21 June 1993 | 10h00 - 18h00 |
| Negotiating Council | Tuesday 22 June 1993 | 11h00 - 20h00 |
| Negotiating Council | Wednesday 23 June 1993 | 11h00 - 19h00 |
| Planning Committee | Thursday 24 June 1993 | 08h30 - 11h00 |
| Negotiating Council | Thursday 24 June 1993 | 11h00 - 19h00 |
| NEGOTIATING FORUM | Friday 25 June 1993 | 10h00 - 18h00 |