

**KEEP UP PRESSURE UNTIL CHANGES ARE PROFOUND AND IRREVERSIBLE**

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**Report of a South African delegation to Europe  
October 11 - 22, 1990**



AWEPAA is grateful for the support by its German co-organisers:

- . The Protestant Commission for Southern Africa (EKSA)
- . The German Commission JUSTITIA ET PAX,

and by:

- . The Friedrich Ebert Foundation which held its own Seminar with the delegation,
- . The UN Special Commission against Apartheid



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## PROGRAM AND COMPOSITION OF THE DELEGATION

From October 11 through 22, 1990 AWEPAAs organised an extensive visit to various European capitals by a broad South African delegation, which was composed by the South African Council of Churches (SACC). The delegation presented its analysis of

- . The process of negotiations on the transition to a united, democratic and non-racial South Africa;
- . The current violence in South Africa and the role of the government, elements in the administration and Inkatha;
- . The policies of the international community.

The delegation had a three-day programme in Italy (the current EC President) and the Vatican, then visited Madrid, Paris, London, Dublin, The Hague, Brussels, Luxembourg and finally paid an extensive visit to Bonn several other German cities. In all countries, the delegation met with Governments, the European Commission, Parliaments, church representatives, anti-apartheid movements, other non-governmental organisations and the press. The delegation was led by Dr. Chr. Beyers Naudé of the South African Council of Churches (SACC) and by Brother Jude Pieterse, General Secretary of the Southern African Catholic Bishops' Conference (SACBC) and moreover included:

- . Mrs. Mary Burton, Black Sash, Vice President
- . Dr. Max Coleman, Human Rights Commission
- . Rev. Blessings Finca, SACC Executive Committee
- . Br. Laurence Kaufmann, Institute for Contextual Theology
- . Mrs. Patricia de Lille Pan Africanist Congress (PAC),  
International Secretary
- . Mr. Paul Mashatila United Democratic (UDF),  
Southern Transvaal General Secretary,
- . Mr. Chris Mathabe, African National Congress (ANC)  
International Relations Department
- . Mrs. Karen Miedzinski Human Rights Commission
- . Prof. Itumeleng Mosala President Azanian People's Organisation  
(AZAPO)  
Professor of Old Testament Studies  
University of Cape Town
- . Sister Bernard Ncube, Institute for Contextual Theology



## SUMMARY

The delegation acknowledged the important changes in South Africa, but stressed that the Population Registration Act and other key pillars of Apartheid are fully intact. The implementation of the government's commitment to abolish apartheid and to enter into negotiations about a new constitution is far from completed. The delegation stressed that relaxing the pressure on the South African government would be counter-productive in the present situation, as the process of dismantling apartheid has thus far not yet resulted in "Profound and irreversible changes" as they are clearly defined in the Declaration of the UN General Assembly adopted unanimously in December 1989 and reaffirmed in September 1990 [Full texts, see Documents G and H]

This will only be the case once:

- a. A Constituent Assembly has been constituted,
- b. Sovereign power has been removed from existing apartheid legislative structures;
- c. The white minority cannot legally veto the process.

The delegation explained in detail the complex background of the current violence in South Africa:

- . The role of "securocratic" elements within government and administration and of "agents provocateurs";
- . Role and aspirations of Inkatha and its leader Buthelezi;
- . The unclarity of the real following of any group, as long as no free and fair elections have been held;

## RESULTS OF THE MISSION

In meetings with a broad variety of European politicians, it was appreciated that the delegation presented detailed arguments and background documentation on the internal situation in South Africa. The complexity of the background of the violence and of the reality behind media headlines on the abolition of apartheid and the negotiation process was extensively explained and illustrated by the delegation.



It was generally accepted that so many issues must be solved and earlier agreements are far from being fully implemented, that "profound and irreversible changes" in South Africa are yet to come.

Notably, the representative of the British government mainly gave the delegation his own views on developments in South Africa, rather than listening to the delegation's views, and he questioned the readiness of the ANC to enter into such negotiations faithfully.

From most governments and parliamentarians the delegation received assurances that the time for lifting sanctions had not yet come as the real negotiations about the transition to a new constitutional setting had not even started.

Apparently, a main point of consideration among EC member states is the partial lifting of the joint EC sanctions package once these negotiations do start. For instance the ban on new investments was frequently mentioned in this respect.

In addition to the demands listed in the UN Declaration, resolution of the climate of violence is another pre-condition for this process. The negative role of Inkatha and its leader Buthelezi was generally acknowledged.

The need for more support to the victims of apartheid and for processes of democratisation was recognised, but direct governmental support to political parties and organisations was generally ruled out. Non-governmental organisations have less limitations in that respect.

The delegation expressed its strong objection against the upgrading of political relations between the European Community and the South African Government, which might result from the opening of a liaison office by the European Commission in Pretoria.

From the European side, the delegation received the firm assurance that this effect should be avoided and that such a liaison office, if established at all, would only serve to coordinate and improve the implementation of the EC Special program to support the victims of apartheid.



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Max COLEMAN (HRC): PRESSURE CAUSED CHANGES

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I thank AWEPA for making this meeting possible, for making the trips to the capitals of Europe possible in this very important time in the history of South Africa, and for giving us the opportunity to address the people of Europe on the present state of affairs in South Africa today.

Some of us were here in Bonn in June last year, sixteen months ago, at another meeting organised by AWEPA on the issue of human rights in South Africa [Report available from the AWEPA Office, ed.]. At that particular time we examined the situation, and it had become clear that due to various pressures upon the government of South Africa a negotiated settlement was now becoming a real possibility. These pressures were, basically, the political pressures of the resistance of the people of South Africa, and also the political and economic pressures exerted by the international community. The government of South Africa was finding it more and more difficult to resist these pressures without, in fact, addressing them in some political manner.

#### HARARE DECLARATION

We said at the time that a negotiation process was becoming a real possibility. During the course of last year the international community recognised that negotiations were a possibility, and there were two important declarations made by international bodies. The first was the Harare declaration of the Organisation of African Unity in which a process was set out for a peaceful negotiated settlement in South Africa [Document F]. The declaration of the OAU was endorsed by many other groupings, and in December of last year the United Nations special session on apartheid adopted by consensus the declaration that was put before them. 'By consensus' I would stress, because this was the first time, in fact, that a declaration or a resolution on the apartheid system in South Africa had been adopted without any dissent whatsoever. These two declarations are very similar to



one another. They differ in some detail but the general impact of these declarations was to urge the people of South Africa, the government of South Africa, to meet with the people of South Africa, and work out a peaceful negotiated settlement. They enunciated the principles upon which a new democratic South Africa could arise, and they also outlined a process stressing, of course, all the time that the purpose of this was not simply negotiation, as negotiation was not to be an end in itself, but the real end was the dismantling of apartheid and its replacement by a democratic order in South Africa. We must not lose sight of that. To think that negotiation is an end in itself is a mistake.

#### CLIMATE FOR NEGOTIATIONS

The process for a political settlement involved a first stage in which a climate for negotiations had to be created. One cannot expect, for example, that the liberation movements come to the negotiating table on an unequal basis because many of their leaders are in jail or in exile. There was no freedom of assembly or expression in South Africa so that for the liberation movement to discuss, debate, consult, and get a mandate from its constituency would be impossible under the circumstances which prevailed at the time. What they were saying, in effect, is that without that happening it would be like a boxer coming into the boxing ring with one arm strapped behind his back.

The talks and the process that have taken place in this year, so far, have been about just that: the creation of a suitable climate. There have not been negotiations. There have been talks. The year has had a very promising start. Through W.F. de Klerk it became apparent that the government was willing to involve itself in a negotiation process and on February 2nd State President W.F. de Klerk announced the unbanning of all organisations as a first step in this process. So, we thought that it would not be very long before all the other repressive measures which actually constituted the obstacles would be removed. Important meetings have taken place between the ANC and the government to discuss the various obstacles and how they should be removed. These obstacles, basically, were the following, as formulated in the Harare document:



- the release of the political prisoners and detainees;
- the unbanning of organisations and people;
- the removing of troops from the townships;
- the lifting of the state of emergency and the repeal of all politically repressive laws, and
- the cessation of political trials and executions.

These were stated to be the minimum requirements. It was not intended to be a comprehensive list but it indicated a spirit of removal of obstacles to free political expression.

#### PROMISING START NOT MAINTAINED

In the light of the promising start by the removal of one of these obstacles, that is the unbanning of organisations and people, we should look at what has been happening since then, and just how far along the road we are in removing these obstacles, so that real negotiations can begin.

Unfortunately, the promising start has not been maintained. It is quite clear from what has happened since the beginning of the year that there has been a great deal of dragging of feet on the part of the authorities. I would like, briefly, to go through the various aspects of the obstacles which have been removed and those which have not been removed. The document "Current Status Report on Repression" summarises in one page what the current situation is [Document A].

First of all on the issue of legislation. The Internal Security Act has been on the statute books for the last thirty years, in one form or another. That is still totally intact. There have been undertakings by the government to, continually, review this legislation, and they even undertook in August to give immediate attention to the removal of certain of the clauses. Nothing has happened and that is two months ago; the Act is still there and functioning.

The Public Safety Act is the act under which the State of Emergency can be declared. The State of Emergency was lifted in June. However, it was immediately reimposed in the area of Natal and subsequently we have had "unrest areas" declared in August in



nineteen districts in the area of Johannesburg. So in effect of the Public Safety Act and the State of Emergency are still very much in place.

Detention without trial continues. It continues under the Internal Security Act on a daily basis. We have had during the course of the last thirty years 80,000 people detained without trial, that is totally removed from society without any access to the courts or to the lawyers or to their families. There are at the present time still about 200 people detained without trial.

#### POLITICAL TRIALS CONTINUE

Political trials and imprisonment are a cause of great concern. The government undertook to release political prisoners during the course of the negotiations that have taken place. Thusfar, up to a few days ago, 180 people have since the beginning of the year been released from political imprisonment. There are 3,000 people in political imprisonment. This gives one an idea of the slowness of the process. We have a long way to go before it can be said they have met their commitments in this regard. Whilst these releases were taking place, even at a slow rate, there are political trials continuing. We have had, this year, 400 political trials completed, and at the present time there are another 300 political trials ongoing. This is like a factory manufacturing new political prisoners. Whilst they are emerging from one gate they are going in at another gate. So, this process is not advancing.

Related to the issue of political prisoners is also the issue of exiles. There are more than 20,000 exiles who have left the country many years ago and who wish to return. The government has said that for them to return they would have to receive indemnity. In other words, if an exile were to appear at one of the borders tomorrow, and ask for admission, he or she runs the risk of being arrested for some offence which they may have committed 10 or 15 years ago. So, it is absolutely vital that they receive indemnification before they reappear. The hundred or so ANC and PAC people who are in South Africa at the moment are



there on temporary indemnity. If indemnity runs out it will either have to be renewed or they would have to leave.

As a start for the repatriation process the ANC recently, at the beginning of October, presented the names of 3,000 people who wish to return to South Africa. The government accepted that list of names but then said: "now for each of them tell us what were the offences which they have committed so that we can give them indemnification for it." This must be unique, that one has to establish one's guilt before you get attention, but this is what is happening right now. So the process of repatriation has not, in any sense, begun.

#### LIMITED RIGHT OF ASSEMBLY

Another issue of great concern is the question of the right of assembly. Under the permanent legislation of the Internal Security Act each year there is a rebanning of all political gatherings occurring out of doors. As from the 1st of April, as has happened for 17 years now, the Minister of Law and Order declared a ban on all outdoor political gatherings which is in effect today. If one wants to hold an outdoor political gathering you have to, specifically, request permission and give reasons. Last year for the first time permission began to be granted but reluctantly. More recently that permission has become more difficult to obtain. The meetings, the gatherings, the protest marches, and so on continue anyway. The police act in a very brutal manner to break up these meetings. This year, over 250 people have died as a result of police action breaking up what they call illegal gatherings. This will give you a brief idea of the extent to which there is a free political process in South Africa.

Clearly, the very limited success that has been achieved in the removal of obstacles which, basically, is the unbanning of organisations is totally overwhelmed by all of those things which still need to be done.



## GOVERNMENT DRAGS ITS FEET

To sum up, there has been a great dragging of feet on the part of the authorities in removing these obstacles. If one had asked 4, 5 months ago what were the prospects for the total removal of repression and obstacles one would have said that it should be completed by the end of 1990 but now matters are very different, and one wonders why there is such dragging of feet, why the delay, why the reluctance. Has there been a change in attitude on the part of the government or are there elements within the government which are putting up resistance?

## VIOLENCE AND DESTABILISATION

Just to round off I would like to add another area of concern that has come up, and about which you will hear more in due course. That is the question of destabilisation which has emerged over the last two months. We have seen violence erupt in townships around Johannesburg which, clearly, has been orchestrated by three components, or has been orchestrated by someone and some organisation but is involving three components:

- . One of those is the security forces, the army and the police.
- . Another component are the vigilantes, with INKATHA elements.
- . The third component are death squads of whose existence we have been aware for some time, operating within the ranks of the security forces. There is plenty of evidence of 'agents provocateurs', and committing acts of extreme violence, to terrorise the township dwellers.

This is what we have seen in the last two months: destabilisation, which has a familiar ring to it. We have seen destabilisation of South Africa's neighbours occur over the last five or six years, and the techniques used are rather familiar in what has happened in the last two months. Again we ask the question: who is orchestrating this destabilisation, who will benefit from it? Again one must suspect elements within the government, the old security establishment, which for the last five years reigned supreme. The question is: how high up do these elements go within government circles.



## Patricia de LILLE (PAC): TOO EARLY FOR NEGOTIATIONS

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The Pan Africanist Congress had barely existed for one year as a formal body when it was banned in 1960 as a direct result of its countrywide anti-pass campaign. In the week of the PAC's action the ANC was also banned, and the first State of Emergency was declared. It is therefore necessary now to restate our position.

. First, I would like to touch on the purpose of our visit. We are here to inform the members of the European Community of what we would consider as "irreversible change".

. Secondly, we urge the European Community to maintain pressure on the South African regime.

. Thirdly, we seek material support for all the liberation movements to rebuild their structures within the country. We believe that only when a political party or movement has proper structures, we will be able to have control over our members. Then there is room for debate and for discussions.

## NO SUBSTANTIAL NEGOTIATIONS WITH ILLEGITIMATE REGIME

The PAC is very clear about the status of the regime. We believe that the South African government is illegitimate. Therefore, the constitution of the country is illegitimate. The PAC received an invitation from the South African government to participate in what they call "exploratory talks", or talks about talks. When we received this invitation from De Klerk, the president of my organisation, Mr. Zephania Matopeng, referred the invitation to our grassroot structures to be discussed and to give a mandate what to do.

I am happy to inform you about the decision of our grassroot structures and of the affiliates of the Pan Africanist Congress. (We have a youth movement, a woman's movement, and also a student movement). The National Executive of the Pan Africanist Congress, following considerations of the feedback from our internal and external branches, as well as consultation with governments supporting our party and ideology, has decided as follows:



1. There is no principle or tactic or policy which prevents us from seeking a democratic solution to our country's problems.

2. There will be no negotiations by the PAC unless preceded by a Constituent Assembly election on the basis of one-person-one-vote in a unitary state.

3. We wish to affirm we have no mandate to negotiate with the government. We are prepared to subject ourselves to an election for a mandate to draft a new constitution for the country in a Constituent Assembly. There is no basis for negotiating apartheid which is evil and which has to go in its entirety.

4. We are prepared to negotiate the modalities of the Constituent Assembly elections only: the date, who will be allowed to vote, how are we going to vote and who will supervise the election. We further restate our commitment to the Pan Africanist policy on the return of the land and all other resources to the toiling and dispossessed African masses. Finally, talks on the Constituent Assembly should occur in a neutral venue, preferably in Africa. That is the PAC's response to the government, and we are still awaiting a reply from them.

#### VIOLENCE: LIBERATION MOVEMENTS TRY TO KEEP THE PEACE

I will briefly touch the PAC's position on the issue of violence. We are convinced that we know who are the perpetrators of the violence. We are convinced that a third force is involved, and that the violence is done deliberately. The PAC is saying that as a liberation movement it should take the lead in trying to resolve the violence amongst the African people. We see it as a starting point that we all meet and do not point fingers as to who has done what in the past. We say that the violence must stop, and we must continue from there onwards to find a solution to the violence in our country. At the end of the day all liberation movements are kept busy. We are trying to keep peace amongst the African people. It is really diverting the attention of the liberation movement away from the cause of the problems in our country.



Chris MATHABE (ANC): DON'T LET GOVERNMENT DETERMINE THE PACE

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Firstly, I would also like to thank AWEPA and the church organisations which have contributed to make this venture possible. Mr. Coleman said that you were here last year. I imagine that what brought you here, today, is not only to be briefed but also to assess what progress has been made from resolutions and decisions that were taken last year.

#### GOVERNMENT DOES NOT CHANGE WILLINGLY

The position of the African National Congress is well-known to everyone. It is common knowledge to everyone in the House that after organisations were unbanned, the African National Congress through its Deputy President, comrade Nelson Mandela, initiated discussions about the problems that are seen as obstacles to a climate conducive to negotiations. Following that we had the Grote Schuur minutes, and then we had the Pretoria minutes. Our position is that we feel, just like everyone, that the government is not willingly changing its positions but it does it as a result of pressure. We have had several forms of pressure: mass democratic struggles within the country, rent boycotts, international campaigns, demonstrations in the major capitals of the world. Of course, the most effective ones were the sanctions in the economic field and the arms embargo against South Africa. That pushed the government where it is now.

Then we realised that we cannot leave it to the government to determine the pace at which it is going to remove the obstacles, to determine even, for instance, the content of the obstacles and how it will be removing these obstacles. In that spirit we have engaged the government as another form of pressurising them to try and get them to move as fast as they can, because they are not even prepared to move fast enough. Our position is that we are going to talk with the government - to talk about talks - as soon as we are satisfied that all the repressive measures in the country and the political field have been leveled.



Dr. Coleman spoke at length about, for instance, the political problems we still have all over the country: the repressive laws are still in the statute book, and in the outlying areas of South Africa we have had brutal suppression of political expression. We really need to engage the government as to remove all these obstacles so that everybody can participate from, more or less, equal footing. The government has had 40 years to accumulate their resources and their mechanisms and to structure itself, and we are just eight months old as a legal political organisation. That in itself has its own problems.

What compounds the issue is the tactic at the moment. We are beginning to doubt if the question of violence is not government policy also. The way the violence erupted in the country has much to say of the whole strategy of so-called "counter-revolutionary action": attacking organisations, striking them first, rendering them politically impotent and then dragging them to the negotiating table.

#### PEACE IN THIS WORLD, NOT PEACE OF THE GRAVE

We are saying that negotiations have not yet begun in the country. What is going on is the exerting of pressure. Our talking to the government is one form of exerting pressure on it to move as fast as it can. We realise from the situation on the ground that if we are not going to move as quick as we can we are definitely not going to have peace in South Africa, and the only peace we can have, maybe, will be a peace of the grave. We do not want to have a peace of the grave but we want to have peace in this world. As such, we believe we can get the government to move by engaging them and not leaving it to them to determine the pace. I would like to call on you to support us in this position.

I would not like to go much in detail into the question of the Constituent Assembly. That is the only way, we feel, to determine the representatives of the people, who will then be able to draw up a new constitution.



## HOW TO KNOW WHO HAS SUPPORT OF THE PEOPLE?

One other problem in South Africa is the game of numbers. I will contest if Patricia de Lille would say: "PAC has supporters". Then I say: "You don't; we have support". And I'll contest Buthelezi and say: "You don't have support; we have support", and I would maybe bring some surveys that are going to prove that. The CP will contest the blacks' position and say: "You have no support; we as the Conservative Party have support". How do you get to a situation whereby you actually know who has support? From the point of view of the African National Congress the only mechanism to determine that is to have free and fair elections based on the universal suffrage 'one-person-one-vote'. Only then can we say who has and who has not got support, and a new constitution can be drafted. We believe that elections for a Constituent Assembly will also enable the people of South Africa to participate in the transitional phase towards a new South Africa. They will have, at least, contributed in the drafting of a new constitution for a new country.

Looking through history, we see that an election for a Constituent Assembly is the only democratic mechanism, especially for conditions like those of South Africa. Our difficulty is that the government and certain quarters in the international community do not hold the same view. Their view is that the existing parliament is the vehicle for constitutional change. President De Klerk has made it clear that he will have to take the proposals, resulting from negotiations back to his constituency to have some kind of a referendum. He has even gone on record to say that if his constituency rejects that, he will have to go back to the drawing room.

We have a problem with that: until we reach a situation where the sovereignty of parliament is removed from the white minority we will not have a democratic South Africa. Any negotiation process must result in the establishment of a democratic constitution. Our opinion is that the only mechanism would be and still is an election for a Constituent Assembly. Of course, that can only take place when everybody has equal opportunity in the political field and can start from the same base.



Itumeleng MOSALA (AZAPO): LIBERATION MOVEMENTS MUST COOPERATE

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The common starting point for our delegation has, of necessity, been the developments that have taken place this year in the country, in particular the process that has been set in motion by Mr. F.W. de Klerk since February this year. It has been necessary for us to make that a starting point because we are assessing a new era in the history of our country. It has been necessary because the developments since February have had an effect not only internally on the consciousness of the people of South Africa but also on the opinions of people throughout the world, and in particular in Western Europe.

ENCOURAGING, NOT REWARDING DE KLERK

We want to make it clear to the world that we recognise what has happened in the country. All democratic organisations and liberation movements have in different ways recognised this. The Black Consciousness Movement, and specifically the Azanian People's Organisation of which I am President, has responded in a particular way to the manner in which things have unfolded inside South Africa. We have been aware as, indeed, the rest of the delegation has been of the confusion with regard to the question how to respond to Mr. De Klerk that has arisen. In particular we have been aware of the confusion revolving around the issue of whether or not Mr. De Klerk should be rewarded for what he has done.

We think it is important to make a comment on this issue because it could affect the way in which the European Council, the European Parliament, the European Community, the anti-apartheid organisations, and democratic and freedom loving people in the world eventually respond to developments. Our view is that there is nothing fundamentally wrong with encouraging Mr. De Klerk but it does worry us when the world talks of rewarding Mr. De Klerk. We think that that distinction is very important.



## GOD - GIVEN RIGHTS, NOT DE KLERK'S FAVOURS

Speaking as a religious person, and forgive my religiosity, I would say that the rights which we are gradually getting now are God-given. The right not to be in prison is not a favour for which Mr. De Klerk must be rewarded. It is a right that black people like any other people in the world have from God, not from another person. The right to associate freely, particularly politically, is not a favour that Mr. De Klerk can make to black people. It is a right that belongs to the people of South Africa as a whole, and Mr. De Klerk does not deserve to be rewarded for that.

The right for exiles who fled from the brutalities of apartheid to return to the land of their birth is not a favour that Mr. De Klerk is making to those returnees. It is a God-given right. South Africa is their land and they should be allowed to go back without any permission from anybody without any indemnification or de-indemnification. They should simply return home. A government which says that it has now changed its mind, a government which says that it is now prepared for peaceful change, and for a peaceful future should simply allow South African returnees to return home. They do not need to fill any forms. They do not need to apply for returning home. They know where their homes are. They know where their brothers and sisters are. They will simply return to their parents and to their brothers and sisters. Mr. De Klerk should not be rewarded for that. He may be encouraged to do more of that but he cannot be rewarded for that.

## SOLIDARITY BETWEEN LIBERATION MOVEMENTS

The position of the Azanian People's Organisation with regard to the question of negotiations, and in the light of this particular issue, is that now that Mr. De Klerk and his government have opened up for political organisations to operate inside the country the most important negotiations are negotiations between the liberation movements themselves. The most important first step in the process of peaceful transformation is the need to



establish solidarity relationships between the struggling masses themselves. For this purpose the Azanian People's Organisation has called upon its central committee to initiate a consultative conference of the liberation movements which will discuss the issue of the future of the country. I am talking about the main liberation movements: the African National Congress, the Pan Africanist Congress, the Azanian People's Organisation, the New Unity Movement and the Workers Organisation for Socialist Action in South Africa. Those discussions have already begun to take place. All the organisations have agreed, in principle, to hold a consultative conference at which an attempt will be made to arrive at a programme of minimum demands that the people of South Africa can put together at the table for negotiations.

The Azanian People's Organisation, together with the other liberation movements in the country feel that the process of negotiations must be a democratic process. If it is not a democratic process it cannot be expected to deliver democratic goods. For that purpose we have asked, like the ANC and like the PAC, for the establishment of a Constituent Assembly elected on the basis of one-person-one-vote.

#### ECONOMIC LIBERATION

Finally, for AZAPO the issue of the economic liberation of the oppressed masses of South Africa is of paramount importance. Mr. De Klerk has gone public on the issue of the land in South Africa. He has made it clear that there will be no redistribution of land, that the government will find a way of giving black people some land, presumably in those areas of the country that are unoccupied at the moment. That matter worries us tremendously. Landlessness is at the heart of the economic exploitation of our people. There can be no freedom, no liberation, no justice without repossession of land. Mr. De Klerk has also gone on record to say that the negotiations themselves have to guarantee beforehand that the system of free enterprise will be kept intact. There is no discussion on the issue of free enterprise, as far as Mr. De Klerk is concerned. He has also gone on record to say that the basic right of one-person-one-vote is



not going to be acceptable to him and his government because it represents simple majority. He is talking about complex majority as opposed to simple majority. Recently, the British embassy in South Africa has been sending me books on different models of one-person-one-vote. We think that if there is going to be no land reform in South Africa, if there is going to be no economic redistribution in South Africa, if there is going to be no one-person-one-vote, there is, in fact, nothing to negotiate because those are the key issues around which negotiations take place.

So, who is refusing to negotiate? Is it the liberation movement or is it Mr. De Klerk? In our view, Mr. De Klerk and his organisation have not yet at this point committed themselves substantially to these negotiations. They have said they are, but from all their statements it looks to us like they are not talking about real negotiations. AZAPO will participate in the constitutional talks that are aimed at producing a new constitution.

We could talk about violence but I leave that to other people. AZAPO has twice in the last months called a peace summit. On 20th September, in the midst of the violence that was consuming the country, we called a peace summit of all liberation movements to find an internal solution within the oppressed community to the issue of violence in the country. We have called another meeting last week, on 10th October, to look at the issue. Organisations like the ANC, AZAPO, and other liberation movements have been involved and are participating in this programme for finding peace in the country.



CHR. BEYERS NAUDÉ (SACC): PROCESS MUST LEAD TO REAL LIBERATION

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I am asked, dear friends, to do an impossible task, that is to try and summarise what has been said, debated and questioned this morning. I'll try my best.

The central issues with which we are grappling in South Africa have been raised in our discussions. The majority of the basic problems and concerns that are in, especially, Germany at the present moment, in the ranks of our groups here, have been answered as best as we could in the short period of time. I will summarise what are, to my mind, the crucial issues which you have asked, and which also are confronting us.

#### DE KLERK'S MOTIVES FOR CHANGE

The first question which was raised and adequately answered was: why is De Klerk introducing the steps of reform? What is his deepest motive? The answer was, clearly, that he is to be commended for his courage, for his willingness to take the risk to go ahead with these reforms which have been announced, and which have been initiated up to now. But I must also emphasise that the major force behind the process was not one of a deep conviction that this fundamental change is needed regardless of any other forces. The major pressures were pressures from outside through sanctions, and from inside, because of the fact that the vast majority of our people in South Africa, despite all the oppression, the detentions, the bannings and all the imprisonments, have said: we are not prepared to leave the situation as it is.

The government was confronted at a specific moment in time with the expert analysis which was given behind the scenes to President De Klerk by key people in the political and economic field who simply said to him: "Whether you like this or not, the solution to our economic and other problems in South Africa is, basically, a political one, and except if you remove apartheid we will not have peace, we will not have security, we will not have prosperity. De Klerk was wise enough to realise it and to move ahead despite the serious problems facing him and the govern-



ment. I am not saying that State President De Klerk does not have a moral concern. I am not saying that he is not a man of integrity. I have said time and again that I believe -and that is the impression that I have from discussions in May- that he is a person of integrity. I am, however, saying that the real test for his integrity seems to me in two points.

#### TESTS TO DE KLERK'S INTEGRITY

First of all, there must be on his part at some stage a clear statement that apartheid is morally indefensible. Let me say, as a Christian and as a church person, that I deeply regret that the first body which should have stated this, long before De Klerk, should have been the Dutch Reformed Church, because the Dutch Reformed Church has been mainly responsible for many of the steps which were taken, and the acts which were eventually passed in order to promote apartheid. But if then the church has not got the guts and the courage to say so then, at least, we look at the State President to say: this is definitely not acceptable. He will be gladly and warmly responded to by all our people. The second question was: is this process profound and irreversible? Have we already come to that point in time? I think the answer has largely been given. One could add a number of other points of which some have been stated and some not. I think it is important on the one hand to state clearly, and to acknowledge that certain changes have taken place, such as the lifting of the State of Emergency in all areas except Natal, the unbanning of the organisations, and the release of key leaders. That is true and we recognise that. On the other hand it is just as important to emphasise what has not been changed.

#### WHAT HAS NOT CHANGED

The Population Registration Act has not been recalled. The State President says it requires a new constitution because the present constitution must be changed. I am asking: why does it require that period of delay until, eventually, in possibly three or four years time we will have a new constitution. Why cannot the government at this point in time say: we want it totally and



utterly removed; we are going to initiate and put before parliament an Act of State how this is going to be done. Then everybody knows that there is the sincerity and the willingness on the part of the government to take it up. Because as long as the Population Registration Act remains standing, basically, apartheid remains. All the other laws are still based on the Population Registration Act. This is a crucial issue. It is a test for the integrity of the State President and of the government.

A number of other matters could be stated also with regard to what has not yet been done, and why the process is not, from our viewpoint, profound and irreversible. People have constantly, when we raised the subject, said: "it seems to us that you people who oppose apartheid are obstinate; you are not acknowledging what is being done by the government". I reject that. It is simply not true, but one has to be very clear in one's own mind: the moment that the liberation movement and the churches against apartheid come to the point to say 'this process is profound and irreversible', step number one will be to say: "Okay, if that is the case, away with sanctions. Immediately. Now." And if the process is not irreversible what other peaceful means do the liberation movements have to apply pressure on the government? Then we must restart this process all over again with all the agony, the pain, and the conflict involved.

#### MILLIONS WAIT FOR REAL, MEANINGFUL CHANGE

In addition to that, do we realise how serious the implications could be if, for instance, the liberation movements in South Africa announced tomorrow 'this process is profound and irreversible', and if the millions of our people in the townships experienced just the opposite? Do we realise the tremendous problem that will be confronting the ANC, the PAC, AZAPO and all the others? Millions of young, frustrated, angry, unemployed, and totally inadequately educated people are waiting for the signs of real, meaningful change, and are seeing very little. Let us, please, be aware of that.



## CAUSES OF THE VIOLENCE

The issue of violence has been raised and discussed. Could I just add one or two points there? Two days ago the Institute for Contextual Theology published a little document called "Violence, the new Kairos". [Document B] I think it is of vital importance that this document is read. I want to draw your attention to the accusation by Mr. Vlok and Mr. Malan who constantly say to the SACC, to the ANC, to the other movements: "Where is your evidence?" If the government is sincere in this respect they can only simply look at the massive evidence which has been placed before the government by the ANC, by the UDF, by COSATU, possibly by the PAC, and by the other organisations, to which there has been no answer with regard to the causes of the violence concerned. I do not think it is necessary that we discuss that issue but it is of vital importance that it is known in Germany and in the rest of Europe that one of the main causes of the violence is that there is a secret third force operating in and behind and through what is happening. These, at least, should be exposed for what they are. Yesterday I read that three white leaders of the AWB were arrested in Natal because of the bus accident in which people were killed. That gives you some indication of what is happening with respect to violence.

## THE LAND QUESTION

Another point which was raised here and which was not fully answered, because there was no time, was the one of the land issue. If you are asking us whether we have the full answer of what should be done with regard to the land issue, I do not think anybody will be willing to present that picture and give a final answer. But we do know that the present situation cannot remain. It is vital and just that it has to be addressed to deeply and meaningfully. There must be a broad discussion and debate in South Africa with people from the liberation movements, people from the different organisations, how this question should be handled. If we do not pay much more attention to the old problem of the inequities and of the injustice of the present Land Act and the land situation we will not have peace in South Africa.



## TOO MUCH AT STAKE TO LIFT SANCTIONS NOW

Constantly, people are asking whether the time has not arrived for sanctions to be lifted. The summary has been clearly given. Please, let the situation remain as it is until we have a clear and definite answer. It seems to me the best way to test it is when the two main negotiating parties - or, possibly, one could add one or two others like the government, the ANC and the other liberation movements - come forward and say they consider that the process is profound and irreversible. Then we have got the answer. The problem is that many people want the answer to be only from the one side, so that the overseas countries can go ahead to invest. And we want that money. South Africa needs it. There is no doubt about it. Nobody contests that. But there is too much at stake to act before it is clear that we have come to a point where the process leads us into real liberation.

There is a feeling of dissatisfaction and impatience in the world that the ANC and the other liberation movements are not moving faster, and that they are not handling the situation well enough. I can only state on the basis of my own experience that certainly mistakes have been made. It has been acknowledged by the ANC, and by the PAC, and I think it will be acknowledged by AZAPO. Nobody is saying that mistakes are not being made. Could I, however, put just one image before you? From the viewpoint of at least 25 to 28 million people in South Africa there is an organisation which is sitting in a building with two floors in Sauer Street. It is regarded as an alternative government by at least 20 million people of South Africa, and it is having to handle all these problems successfully. If they do not do it immediately and successfully there are those who sit around outside and say: 'Look at that. These people are simply not able to handle the situation and to form a new government.' With the acknowledgement of all the mistakes made --and I would be the one who could list to you very clearly many of those mistakes-- I wish to end by saying: I believe that it is a miracle that the liberation movements did what they have been doing in such a short space of time, with such limited facilities at their disposal, and with so many problems they have to face.



Having said that, I believe that more than ever we have got to take the stand and say: the process is there; we are grateful, but let us give the necessary opportunities to those involved to prove that they are not only committed, but that they are able to do what needs to be done.

In addition to the demands listed in the UN Declaration, resolution of the climate of violence is another pre-condition for this process. The negative role of Inkatha and its leader Buthelezi was generally acknowledged.

The need for more support to the victims of apartheid and for processes of democratisation was recognised, but direct governmental support to political parties and organisations was generally ruled out. Non-governmental organisations have less limitations in that respect.

The delegation expressed its strong objection against the upgrading of political relations between the European Community and the South African Government, which might result from the opening of a liaison office by the European Commission in Pretoria.

From the European side, the delegation received the firm assurance that this effect should be avoided and that such a liaison office, if established at all, would only serve to coordinate and improve the implementation of the EC Special program to support the victims of apartheid.



# FRIEDRICH EBERT STIFTUNG

Betr.: Südafrika-Veranstaltung

Eine südafrikanische Delegation, bestehend aus Vertretern des Südafrikanischen Kirchenrates und der Katholischen Bischofskonferenz im Südlichen Afrika, sowie Repräsentanten der Befreiungsbewegungen ANC (Afrikanischer Nationalkongreß), PAC (Pan Africanist Congress) und AZAPO (Azanian Peoples Organization) und Vertretern von Menschenrechtsorganisationen wurde von der Friedrich-Ebert-Stiftung in Zusammenarbeit mit der Assoziation Westeuropäischer Parlamentarier für Aktion gegen die Apartheid (AWEPA) zu einem zehntägigen Aufenthalt in verschiedene europäische Hauptstädte und in der Bundesrepublik Deutschland eingeladen.

Während des Aufenthaltes in Bonn fanden Gespräche mit Vertretern der Bundestagsfraktionen, den politischen Parteien, darunter auch mit dem SPD-Vorsitzenden Vogel, sowie den politischen Stiftungen statt. Außerdem wurde die Delegation von Staatsminister Schäfer im Auswärtigen Amt empfangen.

Die Präsenz dieser Delegation, die erstmals den gemeinsamen Auftritt von Vertretern der drei voneinander differierenden Befreiungsorganisationen in der Bundesrepublik Deutschland ermöglichte, wurde seitens der Friedrich-Ebert-Stiftung außerdem dazu benutzt, gemeinsam mit dem Nord-Süd-Forum zu einer öffentlichen Podiumsdiskussion in das Scandic Crown Hotel einzuladen. In dieser Veranstaltung konnten in präziser Form die abweichenden Positionen und Einschätzungen von ANC, PAC und AZAPO dargestellt und diskutiert werden, wobei deutlich wurde, daß alle, auch PAC und AZAPO, die in Einzelfragen radikalere Positionen formulierten, sich grundsätzlich einer friedlichen Überwindung der Apartheid in Südafrika nicht entziehen wollen. Der auch in der schwarzen Bevölkerung anerkannte und auf seiten des ANC an den bisherigen Gesprächen beteiligte Vertreter der Evangelischen Kirchen, der frühere Generalsekretär des SACC, Beyers-Naudé, betonte die Ernsthaftigkeit der Initiative von Präsident De Klerk, sah aber Gefährdungen durch



das Entstehen einer "dritten Kraft" auf der Rechten, die den gesamten Prozeß zum Scheitern zu bringen beabsichtigt und hielt zum derzeitigen Zeitpunkt die Aufgabe des Drucks von außen über Sanktionen noch nicht für gekommen. Noch skeptischer bewertete der Generalsekretär der Katholischen Bischofskonferenz, Pieterse, die Bereitschaft der Regierung, den begonnenen Weg faktisch auf allen Politikebenen umzusetzen. Er schloß eine Strategie des Zeitgewinns und der Zersplitterung und Schwächung der schwarzen Oppositionsbewegung nicht aus.

Als deutscher Parlamentarier und Sprecher der SPD betonte Günter Verheugen die Notwendigkeit zu einem verstärkten politischen Engagement in Unterstützung eines friedlichen Wandels in Südafrika und verwies auf die Notwendigkeit, sich auf eine verstärkte Entwicklungs- und Wirtschaftskooperation mit einem Nach-Apartheids-Staat bereits heute vorzubereiten, da erhebliche Ressourcen bereits längerfristig gegenüber dem Osten gebunden sein dürften. Die Friedrich-Ebert-Stiftung, deren Leiter der Abteilung für Internationale Entwicklungszusammenarbeit, Dr. Kerbusch, die Diskussionsveranstaltung programmatisch eröffnete, erklärte sich zur Fortführung ähnlicher Veranstaltungen bereit, betonte ihre Unterstützung gegenüber der schwarzen Opposition in Südafrika, verwies aber auch auf ihre Bereitschaft und die bereits geleisteten Beiträge zur Unterstützung des Dialogs zwischen den verschiedenen Gruppen im Blick auf eine friedliche Überwindung der Apartheid und den Aufbau einer neuen, nicht-rassistischen, demokratischen und wirtschaftlich erfolgreichen Gesellschaft in Südafrika.

Dr. Erfried Adam  
Referat Afrika



## SELECTION FROM STATEMENTS IN VARIOUS EUROPEAN CITIES

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### UN GUIDELINES

The UN Declaration [Document G] gives clear guidelines for assessment whether the obstacles for negotiations have been removed and whether these negotiations are bearing fruit. The process will only be ultimately irreversible once:

- a. A Constituent Assembly, elected on the basis of universal suffrage (1 person, 1 vote), has been constituted;
- b. Sovereign power has been removed from existing apartheid legislative structures and invested either in the Constituent Assembly or another agreed interim structure;
- c. A white minority is no longer able legally to reverse or to veto the process through the present unrepresentative legislative structures: "The government cannot be one of the players and the referee at the same time."

Thus far, President de Klerk or the National Party have not yet unequivocally and publicly accepted the principle of equal voting rights for all South Africans. The influential Afrikaner "Broederbond" accepts the need for fundamental change, but still thinks in terms of separate groupings when it speaks of the need for "the survival of the Afrikaners" [Document E]. The fears and worries of whites for their future have to be acknowledged and a Bill of Rights, based on the Universal Declaration of Human Rights will have to be included in the new constitution. But the inclusion of group rights so that the whites keep their privileged position, is unacceptable.

Since February, 1990 commitments have been made by the government abolish apartheid and to enter into negotiations about a new constitution. But after the initial optimism and euphoria there has been much backtracking and delay by the government. The main pillars of the old apartheid structure remain fully intact and agreements with the ANC have been far from implemented by the government:



- . The Population Registration Act, crucially determining the life of all South Africans from birth to death, is still in place;
  - . Repressive legislation has only been partially suspended, not removed, while the Public Safety Act and the Internal Security Act are still fully intact. The government can declare "unrest areas", thus creating a "mini State of Emergency". The repressive apparatus keeps many of the extensive powers it had under the State of Emergency.
  - . Outdoor political meetings and demonstrations are still subject to licence and local authorities, especially in the countryside, often simply prohibit indoor gatherings which are fully legal;
  - . People are still detained without trial; only 156 political prisoners out of between 2,000 and 3,000 have been released; political trials continue; new arrests are being made and capital punishment has not been abolished.
- [See Human Rights Commission status report for full overview, Document A].

Abolition of key apartheid and repressive legislation (the State of Emergency, the Internal Security Act, Group Areas Act, Land Act, Separate Amenities Act) is necessary, but in itself not sufficient. Other measures are needed to make the abolition of apartheid legislation substantial and meaningful, such as:

- . a program to make land actually available for blacks;
- . prevention of evasion, for instance if a library in a predominantly white city introduces high membership fees for (mostly black) "non-residents" or if entrance fees are levied for public parks, which many black people cannot afford;
- . acceptance by the government of all political prisoners as such, including those convicted under criminal law;
- . speeding up the repatriation of exiles: part of the exiles still have to incriminate themselves by stating when, how and why they left the country and the government will decide on these cases individually;
- . proper access by the liberation movements to the electronic media (TV, radio), as the majority of the South African population are virtually illiterate.



The slow and insufficient implementation of agreements undermines the credibility and the authority of the ANC and Nelson Mandela. Abolition of sanctions in this stage would cause the further erosion of Mr. Mandela's position and deprives the international community of a means of pressure which has proven to be effective thus far.

#### REWARDS TO DE KLERK?

On "rewarding" President de Klerk the delegation pointed out that the clearest "reward" or "reassurance" which the S.A. government and many whites in general have demanded has been given by the ANC: unilateral suspension of the armed struggle. In return, too little has been acquired by the majority of South Africans in terms of basic security, full political liberties and improvement of their daily lives (work, education, health, housing). As an additional reward, President de Klerk is finally received all over the world, which enhances his credibility and status among his own constituency.

The delegation considered "rewarding" or "encouraging" the South African government by easing pressure as premature. They are worried that outsiders (such as the British Prime Minister and the US President) have already declared developments in South Africa "irreversible". Even if one accepts that de Klerk can not easily undo what has been achieved thus far, only initial steps have been taken and there is still a long way to go before all obstacles for real negotiations have been removed and substantial results have been achieved in these negotiations.

The delegation urged that changes in the present EC (and general Western) policy should not be made as long as those opposing apartheid within South Africa do not state that such "encouragement" of the negotiation process is appropriate. [For an overview of current Western economic sanctions against South Africa, see Document K]



## ELECTIONS PROVIDE CLARITY

Tensions with Inkatha and between various liberation movements and anti-apartheid groups are partly explained by the uncertainty about the real following of each organisation. Therefore the question of democratic elections for a Constitutional Assembly and the violence are directly linked: after such elections, on the condition that they have been free and fair, organisations have less need for rallying and demonstrating their support by other means.

The delegation called on increased European support to enable liberation movements to achieve their first priority, i.e. to establish themselves as an organisation and transform themselves into political parties, which is made even more difficult by the violence.

It is an open question what role the international community and the United Nations should play in the transition period. The South African situation is different from Namibia, where an existing UN plan had to be implemented. Neither the Harare agreement nor the Declaration of the UN General Assembly of December 1989 mention an active involvement of the UN. But a supervisory role for the UN and/or other international bodies during elections is not excluded and has to be agreed on during the negotiating process.

## THE CURRENT VIOLENCE

A serious obstacle to the negotiations is the current violence in South Africa. While formal repression has not yet been abolished, it is increasingly accompanied by informal, semi-legal and non-legal repression.

First of all, "securocratic" elements within the government and administration apparently play a role in order to sabotage the negotiation process. They prop up Inkatha and do everything to weaken the liberation movements. The violence may not be in the interest of Mr. de Klerk, but the government is insufficiently taking its responsibility to prevent such sabotage from within its own ranks, by vigilantes and by Inkatha-related forces.



Police officers, whose involvement in incidents has been proven, are not removed from their posts. These undermining forces in the state apparatus are a much more severe threat to the negotiating process than extreme right wing groups. These are quite divided and not very well organised and they mainly create incident without having much organisational strength.

In Sebokeng (where the violence in the Johannesburg area first broke out) the government was warned by the liberation movements that tensions were growing and violent Inkatha action should be expected, but the authorities never took appropriate preventive measures.

Until recently, Inkatha leader Chief Buthelezi was the government's favourite partner in discussions with black organisations about the future of South Africa. By giving a higher priority to reaching an agreement with the ANC and the other Liberation Movements, President de Klerk and the National Party destroyed his aspirations for power and his dream to become the first black President of South Africa. By stimulating tensions and conflicts he makes himself a "nuisance value" and tries to ensure that peace can only be established with his consent and on his conditions.

In Natal, Buthelezi and his Inkatha movement feel threatened by the increasing popularity of the UDF, ANC and COSATU in the last few years. Buthelezi is personally responsible for much of the violence: on grassroot level liberation movements and Inkatha often reached an agreement on joint measures to prevent violence, which was subsequently vetoed by Buthelezi.

In townships like Soweto, with a very mixed population which increasingly does not define itself primarily on "tribal" criteria, it is unthinkable that Inkatha would have a sufficient infrastructure for its activities without outside support. It is remarkable that the violence in the Johannesburg area started immediately after the ANC had suspended the armed struggle and Inkatha had declared itself a political party. Vigilantes and hit-squads have played a dominant role in the recent township violence and have often served as agents



provocateurs. "Faceless people" provoked residents with pamphlets and the police only tackled ANC-UDF people, not Inkatha supporters. Inkatha strongholds in the hostels were never searched for arms.

The turmoil, thus created, then also gave opportunities for criminal elements, which are difficult to control by any organisation or authority.

On another level, many children, both black and white, are growing up in violent circumstances and are getting used to resorting to violence as a normal way of settling differences. This will be very difficult to unlearn and has serious consequences for the future of South Africa.

Pressure on the South African government should be exerted to become more active and efficient in preventing the violence and in countering the sabotage from within its own ranks.

Once Inkatha gets less support, also from Europe, it will have less means to instigate violence.

#### COOPERATION AND DIFFERENCES

The broadness of this delegation to Europe and the many similar positions of all members illustrates their cooperative attitude on key issues. The delegation stressed its unanimous demand, that a new constitutional framework for South Africa should be discussed and decided by a freely elected Constitutional Assembly. The ANC has suspended the armed struggle and is engaged in talks with the South African government in order to remove the obstacles for the real negotiations.

The PAC and AZAPO do not participate in these preliminary meetings and will only discuss with the government the modalities of democratical elections for a Constitutional Assembly.

Meanwhile, the PAC has not suspended the armed struggle.

The ANC, AZAPO and the PAC are all represented in the National Repatriation Committee and have formed joint liaison committees at grassroots level to try and prevent the outbreak of violence between themselves and Inkatha-linked groups.



STATEMENT BY A DELEGATION OF SOUTH AFRICANS VISITING VARIOUS EUROPEAN  
COUNTRIES UNDER THE AUSPICES OF AWEPA  
OCTOBER 11 - 22 1990.

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The membership of the delegation is drawn from the following organisations:  
the South African Council of Churches, the Southern African Catholic Bishops  
Conference, the Black Sash, the Human Rights Commission, the Institute for  
Contextual Theology, the United Democratic Front, the African National Congress;  
the Azanian People's Organization and the Pan Africanist Congress of Azania.

We regard the purpose of our visit as being:

- to inform members of the European Community on present developments in South Africa
- to urge continuing pressure for profound and irreversible change; and to define what we would consider as "irreversible";
- to emphasise the need for a clear understanding of the obstacles which still lie in the path towards negotiations;
- to seek material support to enable recently unbanned political movements to strengthen their organisational structures; and therefore their ability to contribute to the peaceful transformation of the South African society.

We acknowledge that certain changes have taken place: for example, the lifting of the state of emergency in all areas except in Natal, the unbanning of organisations, and the release of key leaders of those organisations from prison.

In addition, the Separate Amenities Act has been repealed, and the repeal of the Group Areas Act and other legislation is to be considered.

However, before we begin to reward the South African government for these "reforms" we need to be aware of what has not changed. The Population Registration Act racially classifies every South African from birth. It then determines through a series of subsidiary laws whether and how a person may own land and housing, and receive state services such as education; health and social welfare.

No repressive legislation has, in fact, been removed or even modified. Only the implementation of certain measures has been suspended. The Public Safety Act is fully intact: In terms of its powers, a state of emergency still exists in Natal, and 19 "unrest areas" have been declared in the Transvaal.

The Internal Security Act remains on the statute book in spite of the government's undertaking to review it. Detention without trial under this Act continues on a daily basis: During September 253 people were detained in South Africa (including the self-governing "homelands").

Only 156 political prisoners have been released out of between 2 and 3 thousand. Political trials have not been halted and continue to create more political prisoners. Over 400 such trials have been completed this year and another 300 are in progress.



Capital punishment has not been abolished. There are over 300 people on death row, 55 of them for politically related offences. Their position remains precarious as their lives depend on the retrial of their individual cases.

A so-called Consolidated list contains the names of over 300 persons who may not be quoted.

There is a blanket ban on all outdoor gatherings unless special permission has been granted.

Formal repression as described above is accompanied by its ever-present and more sinister accomplice - informal repression, the extension of repression into the realms of the semi-legal and the non-legal.

Vigilantes and hit-squads have played a dominant role in the recent township violence. Vigilante actions have caused the deaths of more than 800 people over the last 3 months, while hit squads have played the role of agents provocateurs. It is in this area of informal repression that there are strong suspicions of the old securocratic elements within the government taking a hand in order to sabotage the negotiation initiatives.

In our meetings so far we have been received with courteous attention, and have been assured of an on-going commitment to maintaining the present position on sanctions. However, we are aware that there are moves in some quarters in the European Community to ease the situation in order to "encourage" or "reward" the moves towards the negotiation process. We urge that no changes in the present policy should be made unless clear direction is given from within South Africa that such encouragement is appropriate.

We have stressed the necessity of listening to the voices of the disenfranchised majority when attempting to define the irreversibility of the change process. The dismantling of apartheid will only be irreversible when

- (a) a constituent assembly, elected on the basis of universal suffrage, has been constituted;
- (b) sovereign power has been removed from existing apartheid legislative structures and invested either in the constituent assembly or another agreed interim structure; and
- (c) when a white minority cannot legally reverse or veto the process through the present unrepresentative legislative structures.

We conclude that the continuing support and encouragement of the international community has been and will be essential to the efforts to ensure that apartheid is irrevocably set aside in South Africa and replaced with a system of government which is truly peaceful and just because it is based on democratic processes and enjoys the support of the majority of the people.

Rome. 13.10.90.



DOCUMENTS:

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**CURRENT STATUS REPORT  
ON REPRESSION  
as at 30.08.90  
1. FORMAL REPRESSION**

FORM	POWERS	USE
<b>LEGISLATION</b> Internal Security Act Public Safety Act  State of Emergency  "Unrest Areas"	Intact } under Intact } "review"  Lifted 9.6.90 except in Natal Invoked 24.8.90	See below See below  In Natal  In 19 districts of Transvaal
<b>PERSONS</b> Detention without Trial  Banning  Restriction of Movement  Political Trials  Political Imprisonment  Political Executions  Listing	Intact under ISA Intact under SoE Now in "Unrest Areas"  Intact under ISA  SoE & Unrest Area Regs.  Intact – wide powers  Release programme agreed Under review  Under "consideration"	Continues daily; 120 in detention In Natal only In Witwatersrand/Vaal Triangle  Not used for several years  Not yet invoked  Over 200 trials in progress  3 000 prisoners  58 political prisoners on death row  Over 300 people cannot be quoted
<b>ORGANISATIONS</b> Banning  Foreign Funding Ban	Intact under ISA  Intact	No organisations banned  UDF and NUSAS are "Affected Organisations"
<b>GATHERINGS</b> Banning	Intact under ISA and SoE in Natal and Unrest Areas in Witwatersrand/ Vaal Triangle	Blanket ban on all outdoor gatherings without permission. Numerous gatherings broken up by force. Over 200 deaths in police action in 1990, and continuing.
<b>PUBLICATIONS</b> Banning  Restriction	Intact under ISA  Numerous other laws	No restrictions on Media under SoE in Natal or under Unrest Areas in Witwaters- rand/Vaal Triangle
<b>POLITICAL ACTIONS</b> Criminalisation	Intact under SoE	Prosecutions for subversion, banned publications, unlawful gatherings, incite- ment, etc. Contradiction, between of- fence of promoting communism and the unbanning of the SACP, now under "Consideration".



## 2. INFORMAL REPRESSION

### SECURITY MANAGEMENT

The former National Security Management System (NSMS) has been downgraded and renamed the National Coordinating Mechanism (NCM). The welfare role of the NCM has been emphasised and the security role de-emphasised; nevertheless the State Security Council (SSC) remains as its essential component.

### VIGILANTES

Along with police violence, vigilantism presently constitutes the most serious form of repression and the greatest threat towards peaceful negotiation. Statistics for July 1990 reveal 72 vigilante attacks resulting in 111 deaths (69 in Natal and 37 in PWV) while August deaths in vigilante-related violence have topped the 500 mark.

### HIT SQUADS

Despite commissions of enquiry, and the announced disbanding of the CCB, hit squads continue to act with seeming impunity. In July, 10 actions were recorded resulting in 4 deaths.

In addition 20 incidents of right-wing terrorism were recorded in July, resulting in 9 deaths and 59 injured.