

T%E DRAFT MINUTES ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE PLANNING COMMITTEE AND THE NEGOTIATING COUNCIL. THE MINUTES ARE STILL TO BE RATIFIED AT THE NEXT MEETING OF THE PLANNING COMMITTEE.

DRAFT MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD
AT 08H30 ON WEDNESDAY 13 OCTOBER 1993 AT THE WORLD TRADE CENTRE

PRESENT : B Alexander
PJ Gordhan (Chairperson by rotation)
C Kruger
RP Meyer
MC Ramaphosa
S Sigcau
J Slovo
Z Titus

M Mabharaj (Sub-Committee)
SS van der Merwe (Sub-Committee)

T Eloff (Administration)
G Hutchings (Minutes)
Moment of Prayer/Meditation

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

Welcome and Attendance

2.1 All members were welcomed.

2.2 Apologies were noted for non-attendance by C Eglin.

2.3 Absent from the meeting were R Cronje, FT Mdlalose, B Ngubane (sub-committee) and M Webb.

Ratification of the Agenda

The agenda was ratified with no amendments.

Minutes

It was noted that the minutes of the meetings of 23 August through to 26 August, 30

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. August, 31 August, 1 September, 6 September to 7 September, 13 September', '14 September, 24 September and 28 September would be dealt with as per the decision of the Planning Committee on 7 October 1993.

Substantive Issues

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Lebowa Government Request:

R Meyer distributed a document on behalf of the South African Government (see Addendum A) in response to the memorandum from the Lebowa Government (see Addendum C of the agenda documentation). Participants requested an opportunity to study the document before discussion proceeded on this issue. A submission from the United People's Front on the crisis in Lebowa was also distributed in the meeting (see Addendum B).

The establishment of the Transition Structures, i.e. the TEC, the IEC, the IMC and the IBA:

It was noted that the report of the Sub-Committee would be ready during the course of the day.

Commissions:

5.3.1 Regional demarcation/delimitation:

= [It was noted that the Report of the Task Group would be ready for tabling and presentation on Friday 15 October 1993 in the Negotiating Council.

It was noted that when the report was tabled only questions of clarity would be directed at the Co-Chairpersons and members of the Task Group. Debate would occur at a future meeting of the Negotiating Council.

5. 3.3 After discussion, it was agreed to recommend to the Negotiating Council that the debate on the report should take place on Monday 18 October 1993.

5.3.2 National Symbols:

It was noted that the deadline for submissions was 14 October 1993

and that the work of the Commission was on schedule with regard to time frames. No further comments were noted.

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Technical Committee on Fundamental Rights during the Transition:

5.4.1 The Sub-Committee gave a progress report to the meeting. It was noted that the Ad-Hoc Committee was still busy with its work. It was agreed that Fundamental Rights would not be discussed at the Negotiating Council meeting of 13 October 1993.

It was noted that, although the Technical Committee had prepared a report on Customary Law, the said report would not be dealt with by the Negotiating Council as the Ad-Hoc Committee had not completed its work on the said clause.

Constitutional Issues referred to bilateral meetings:

It was noted that constructive and positive progress was being made in the bilateral meetings.

Procedural Issues

6.1 PAC of Azania : Attack on PAC Members in Transkei by the SADF:

Discussion proceeded around the request of the PAC (see Addendum G of the agenda documentation). After discussion it was agreed in principle that the issue should appear on the agenda of Negotiating Council. Z Titus, B Alexander and any other members who wished to do so, were requested to supply the Planning Committee with a concrete proposal/proposals in writing on what should be achieved from such a debate in the Negotiating Council. The in-principle decision would be reviewed after the receipt of the proposal/proposals.

The meeting adjourned at 09h45.

The meeting reconvened at 13h05.

Substantive Issues

7.1 Constitutional Issues referred to the Planning Committee:

7.1.1 Independent non-partisan statutory body on rationalisation of existing administrations (plus recommendations by the Planning Committee at the appropriate time):

It was agreed that this issue should be deferred until a future meeting of the Planning Committee.

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7.1.2 Technical group on financial and fiscal matters with regard to SPRâ\200\231s:

It was noted that the South African Government was to arrange for a representative from the Department of Finance to address the Planning Committee on this issue.

7.1.3 Local Government:

i e 18 It was noted that a further report was awaited from the LGNF. Furthermore, the issue of the processing of the LGNF Draft Bill could only be taken further once feedback was obtained from the LGNF.

T.1:32 It was agreed that the Technical Committee on Constitutional Issues should meet with a delegation of the LGNF to discuss their report on Chapter 10 of the Draft Constitution for the Transition.

7.1.4 National Electrification Forum:

It was noted that the meeting scheduled to take place on 13 October 1993 had been postponed because of the Planning Committee meeting and would be rescheduled, relevant members being informed accordingly.

Task Group on the Repeal or Amendment of Discriminatory Legislation:

7.2.1 A second progress report was distributed to members (see Addendum 0.

7.2.2 It was agreed that the process of identification should continue in spite of the withdrawal of the Bophuthatswana Government and the Ciskei Government from the Multi-Party Negotiating Process.

Technical Committee on Violence:

It was noted that there was nothing further to report at this stage.

Effective co-ordination of overlapping areas between the Draft Constitution and the Draft Electoral Bill:

It was agreed to defer this issue to a future meeting of the Planning Committee.

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Processing of the Draft Bills through Parliament:

It was noted that there was nothing to report at this stage.

Voter Education:

It was noted that C Eglin and PJ Gordhan had considered this issue. A written report with recommendations would be submitted to members at a future meeting of the Planning Committee.

Telecommunications/Cellular Telephones:

It was noted that there was nothing further to report at this stage.

Traditional Leaders:

It was noted that this issue was still receiving attention. Members were requested to read the memoranda (see Addendum D and Addendum E of the agenda documentation) and submit any comments, to Z Titus.

Issuing of Election Documents:

The Sub-Committee was requested to consider this issue and report back to the Planning Committee at a future meeting.

Programme for the Negotiating Council:

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It was agreed to recommend to the Negotiating Council that the meeting of 14 October should be cancelled and utilised for bilateral meetings.

After discussion, the programme as amended was approved of and would be submitted to the Negotiating Council for approval (see Addendum D).

Schedule of Meetings:

The schedule of meetings as amended was approved of and would be submitted to the Negotiating Council for its approval (see Addendum E).

PAC of Azania : Attack on PAC Members in Transkei by the SADF

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Proposals on behalf of B Alexander and Z Titus were distributed to participants (see Addendum F and Addendum G). Furthermore, draft resolutions on behalf of B Alexander and Z Titus were distributed to participants (see Addendum H and Addendum I).

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. 10.2 Discussion proceeded. Before a proposal could be put to the meeting, the

Planning Committee briefly adjourned to allow B Alexander to attend to a demonstration by PAC members at the front gate of the World Trade Centre. When the meeting reconvened the following was noted:

= That an extensive debate on the issue would not be possible in the Negotiating Council meeting of today as the relevant Ministers were not available;

That such a discussion should be arranged in the Negotiating Council as soon as possible dependant on the availability of the relevant Minister(s);

That the above should be conveyed to the Negotiating Council meeting of today, indicating that the Planning Committee would arrange an appropriate time in the next few days when the relevant Minister(s) were available for the issue to be discussed;

That in respect of the principle of a discussion in the Negotiating Council there was broad agreement.

After further discussion, it was tentatively agreed that, subject to the availability of the relevant Minister(s), the issue should appear on the agenda of the Negotiating Council on Friday 15 October 1993. It was noted that approximately two hours would be allotted for the debate. This should be reported to the Negotiating Council.

It was noted that Planning Committee members should give attention to the draft resolutions and attempt to find common ground. It was noted that the South African Government would be submitting a draft resolution as well. All Planning Committee members were encouraged to ensure that the draft resolutions did not find their way to the media at this stage.

The meeting adjourned at 14h45.

The meeting reconvened at 17h30. Also present in the meeting at this point was L Landers (current Negotiating Council Chairperson) and RJ Dombo (United People's Front).

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Lebowa Government Request

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An input was made to the meeting by RJ Dombo from the Lebowa Government and the United People's Front.

After discussion it was noted that this issue would be dealt with in two stages. The first stage would deal with the immediate issues to be resolved. The

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. second stage would deal with broader issues raised in the memoranda of the Lebowa and South African Governments.

11.3 The immediate issues to be addressed were noted as follows:

* The strike and the role of the SAP;

The continued delivery of services to the people of Lebowa;
The interdict and what could be done about it.

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11.4 It was noted that the relevant South African Government Minister would attend a Planning Committee meeting scheduled for Friday 15 October 1993 at 08h15. Present would also be representatives from the Lebowa Government.

11.5 The South African Government and the Lebowa Government were requested to come forward with more information that was relevant and specific proposals with regard to the above issues.

11.6 It was noted that a report would be given the Negotiating Council meeting on the basis of the outcome of the said Planning Committee meeting. This would ensure transparency.

11.7 It was further noted that an overall picture of the problem as a whole would emerge and could be addressed once the immediate issues had been dealt with.

12. Closure

The meeting adjourned at 18h05.

These minutes were ratified at the meeting of the Planning Committee of
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amended version signed by the Chairperson of the original meeting onooooe
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CHAIRPERSON

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: .;OUTH AFRICAN GOVERNMENT OFFICE
E - WORLD TRADE CENTRE -

13 October 1993
Head of the Administration

Multi-Party Negotiating Process
World Trade Centre

Dear Dr Eloff

SUBMISSION BY THE SOUTH AFRICAN GOVERNMENT FOR THE
ATTENTION OF THE PLANNING COMMITTEE

1. Attached is a submission by the South African Government entitled
MEMORANDUM FOR CONSIDERATION AND DISCUSSION BY THE
NEGOTIATING COUNCIL.
2. Kindly transmit the document for immediate attention to the Planning
Committee.

Yours sincerely

GOVERNMENT OFFICE: WORLD TRADE CENTRE

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@MEMORANDUM FOR CONSIDERATION AND DISCUSSION BY
~ FHE NEGOTIATING COUNCIL

In reference to the abovementioned memorandum it must be stated that it is a complete misrepresentation of facts. Fact is, the Department of Regional and Land Affairs is a new Department, established during November 1991, with the following major functions and Chief Directorates:

- (a) Registration of Deeds;
- (b) Land Surveying;
- (c) Regional Development;
- (d) Regional Industrial Development;
- (e) Regional Economic Development;
- (f) Physical Planning;
- (g) Land Reform;
- (h) Regional Systems.

Furthermore, of a total of 27 directorates, only one is in any way directly connected to the self-governing territories. This directorate's functions are further restricted in terms of the Self-governing Territories Constitution Act, 1971 (Act No 21 of 1971), in conjunction with other central line function departments, to the provision of advice to the State President, on legislation passed by the respective legislative authorities.

On 16 October 1991 it was decided by Cabinet that in future there would not be a single development-aid department, but that line function departments will perform their functions directly. Therefore in accordance with that decision the Department of Regional and Land Affairs endeavours to assist and give advice on its primary functionary disciplines. It should be noted that in the exercise of these functions, the Department of Regional and Land Affairs has never interfered with the powers, duties and functions of any self-governing territory.

From the above it is obvious that the contentions in the memorandum are based on an incorrect point of departure. It has been and still is the Government's contention that existing structures in the self-governing territories should remain until such time as new negotiated structures are in place. In the case of Lebowa, however the circumstances warranted

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"_astic measures which were taken in the interests of not only the people
of Lebowa, but also the people of South Africa. It should also be noted
that all central line function Government departments were and still are,
involved in this exercise. It will also be appreciated that only the Minister
of Regional and Land Affairs is authorised to act in terms of sections 25
and 25A of Act 21 of 1971. This was done, not as was averred in order
to concentrate the power, but rather in order to enhance administrative
efficiency.

Ad paragraph 6

It is strongly denied that the assumption of responsibility for the financial
administration of Lebowa has any connection with political differences
between the National Party and the United People's Front. The facts
speak for themselves.

The rest of the contentions are rejected with contempt.
As far as the proposals are concerned -
Ad paragraph 6.1

See paragraph 1.

Ad paragraph

No objection is raised to the suggestion that the financial administration of
Lebowa be placed under the direct control of the Ministers for Finance and
for State Expenditure. These Ministers and their Departments are however
already playing a major role in normalising the situation in Lebowa. It
should be noted that the idea is purely to normalise the situation and not to
take over the financial administration indefinitely. Can this proposal be
seen as a formal request in terms of the Revocation and Assignment of
Powers of Self-governing Territories Act, 1993 (Act No 107 of 1993), to
revoke - -

(a) the legislative powers of the Lebowa Legislative Assembly; and

o

(Ig') the executive authority of the Lebowa Cabinet, regarding financial matters?

From the 14 officials of the Department of Regional and Land Affairs who hold the rank of Chief Director or above only three had any connections with the defunct Department of Development Aid. Of the five officials of the Department of Regional and Land Affairs, who are at this moment assisting with the financial administration in Lebowa, not one has ever been a Commissioner, agricultural officer or magistrate.

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All the reports of the De Meyer Commission and the Auditor-general should be studied.

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The only reason for the SAP presence in Lebowa is the lack of co-operation received from the Cabinet of Lebowa and the obstacles which it has created for the designees of the Minister of Regional and Land Affairs in the performing of their duties. The SAP presence is sanctioned by an interdict of the Supreme Court.

5. BACKGROUND TO THE CRISIS

5.1 No comment.

5.2 No comment.

5.3 The Lebowa Finance Amendment Bill, extending the relevant period of five months to eight months, was only received in the Department of Regional and Land Affairs on 3 August 1993. It is common cause that the Bill will only come into operation after the State President has approved it and it has been published in the Official Gazette of Lebowa. Even if this could have been realised it must be

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emphasized that the Minister of Regional and Land Affairs did not act in terms of section 25 of the Self-governing Territories Constitution Act, 1971 (Act No 21 of 1971) because of the failure to pass on Appropriation Bill, but to ensure the continuation of administration in Lebowa.

In order to ensure this the State President has also made a proclamation authorising the withdrawal of moneys from the Lebowa Revenue Fund. Therefore at this stage no urgency surrounds the signing of the Lebowa Finance Amendment Bill by the State President.

This is a complete misrepresentation of facts. The budget proposals as recommended by SAPRO amounted to R3 622 080 000. This figure represents an increase of nearly R600 million on the 1992/93 budget of R3 034 834 000. From the above it is quite evident that the contention made that "at first an amount of R1,2 Billion was allocated" is an glaring misrepresentation.

No comment other than, as it is so eloquently stated in paragraph 5.3 of the memorandum: "It is common course (sic) that it usually takes some months before the Appropriation Bill is assented to by the State President.".

No comment.

ALLEGED REASONS FOR THE TAKE-OVER
See paragraph 5.4 above.

It should again be emphasized that the reason for the Minister of Regional and Land Affairs' actions was to ensure the continuation of administration in Lebowa. The request for additional funds was only a factor pointing to the fact that the administration was in the process of collapse. The main factor being that the Standard Bâ\200\230amk was concerned and was about to dishonour cheques issued by the Government Service of Lebowa.

No comment.

The causes set out by the SAPRO Chairman are not peculiar to Lebowa but are applicable to all of the self-governing territories and central departments. By re-organising priorities and especially by making arrangements for the non-filling of vacant posts and other personnel standstill arrangements these problems were, however, addressed in the Public Service of South Africa.

Why the word "alleged" is used, is not understood., It is a fact that promotions were back-dated. It is further thought to be highly irresponsible to promote people knowing that no money was available with which to pay their salaries on the promoted ranks.

The non-revision of organograms/structures over such an extended period only underscores the fact that the administration in Lebowa was inadequate.

The non-assessment of officers also accentuates the state of the administration of Lebowa.

6.3.3 10 6.3.5 Again the circumstances alluded to in these paragraphs are not peculiar to Lebowa. To promote each and every official, even if this is disastrous not only to the Lebowa Revenue Fund but even to the country's economy as a whole, is highly irresponsible.

6.4.1 To overdraw an overdraft facility of R185 million by R60 million must clearly be cause for serious concern. The statement: "This is not a problem that is insurmountable" is indicative of the attitude concerning financial control which necessitated the take-over the financial control of Lebowa.

6.4.2 The secondment of officials can only be effected if requested by a self-governing territory. If a self-governing territory is of the

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opinion that it has no need for such officials, the posts are filled by its own officials.

It should further be stressed that since March 1992 the secondment of officials were not handled by the Minister of Regional and Land Affairs or his department, but by all line function departments. In this regard it should be pointed out that all the officials seconded to the departments of finance in the self-governing territories have been so seconded by either the Department of Finance or the Department of State Expenditure.

The allegation and the statement that Lebowa is investigating fraudulent behaviour by an individual, should be referred to the Police for further investigation.

It is not denied that norms are prescribed for use nationally by all relevant Departments. To create new posts, fill them and then ask somebody else to make money available, however, gives an indication as to how the administration of Lebowa was handled. In a letter addressed to the former Minister of Regional and Land Affairs dated 30 March 1993, the Minister of National Education made the point that it is unfortunately so that because of the economic situation in the Republic the total amount made available for education is totally inadequate. He also mentioned that the pupil-teacher ratio in Lebowa, even before the new posts were created, was better than that of the Department of Education and Training as well as four of the other departments of education in self-governing territories.

CONSEQUENCES OF THE TAKE-OVER

The incidents referred to occurred not because of the so-called take-over but as a result of the failure of the Chief Minister, his Cabinet and the officials of Lebowa to give their co-operation. In this regard it should again be stressed that the necessary cheques could only be issued after a Court interdict had been obtained.

7f1 to 7.3 No comment.

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No cheques issued for August 1993 were stopped by the Minister of Regional and Land Affairs or officials acting on his behalf. If these cheques were not honoured by the Bank and this has nothing to do with actions taken by the Minister or officials assisting him.

If cheques so earmarked were not paid, it is not because payment was stopped by the Minister or officials assisting him but because the cheques were not honoured by the Bank.

Considering the unbearable financial obligation that had been placed on the Revenue fund of Lebowa, this step was unavoidable.

No payments from such accounts were stopped by the Minister or his officials. The only reason why cheques issued by these institutions were not honoured, was because of the financial difficulty of the Lebowa Government.

The Department is not responsible for nor aware of any such acts which occurred as a result of its involvement.

The task team was refused entrance to the computer centre and was not allowed to control the issuing of cheques. Since control could therefore not be exercised, the task team had no other option than to request Standard Bank not to honour such cheques which were issued during September 1993 by the officials of Lebowa.

It cannot be denied that the economy in the Northern Transvaal has been effected. The economy of the whole region would however have suffered badly if all cheques issued by the Government Service of Lebowa were dishonoured. It is further denied that any of the members of the "task teams" were previously withdrawn from Lebowa on the ground of incompetence. -

This is not true. Consultation has taken place right from the start. The following serve as examples:

All departmental accountants took part in a workshop where a
modus operandi was mutually agreed upon.

Ongoing deliberations between the task team and Heads of
Departments are taking place as well as bilateral consultation
with Heads of Departments and individual officials in the
Departments of the Lebowa Government Service.

Despite this consultation process, Lebowa Government officials
refuse to give effect to the execution of actions such as the ordering
of stock and supplies.

It has already been stated that the Minister of Regional and Land
Affairs did not act because of political reasons. If this had been his
motive, he could have taken over all the functions of the Cabinet of
Lebowa. From the word go it has been the Minister of Regional and
Land Affairs' stated position that the Government of Lebowa should
remain in power and that the executive powers, accountability and
authority regarding the government of the territory should remain
vested in the Cabinet of Lebowa.

The Minister of Regional and Land Affairs acted in the interest of the
people of Lebowa as well as the region as a whole. Existing
structures remained in place, while efforts were only directed at
establishing sound financial management and discipline.

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T. UNITED PEOPLE'S FRONT SUBMISSION TO THE MULTI-PARTY
NEGOTIATION PROCESS ON THE CRISIS IN LEBOWA

The gidsis in Lebowa has led to the disruption of delivery of essential goods and services to the public. The UPF requests the Negotiating Council to intervene on the ongoing stand-off between the Lebowa Administration and the South African Government. To this end, the UPF suggests that the following steps be taken by the Council :

1. that the South African Government withdraw the interim interdict obtained against the Lebowa Administration;

2 that the SA Government withdraw forthwith from Lebowa;
< that the SA Government and the Lebowa Administration be encouraged to enter into constructive arrangements with a view to normalise the delivery of goods and services as well as the maintenance of good government;
and

4, that the Multi-Party Negotiation Process be kept abreast regarding the resolution of the conflict between the two parties.

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SECOND PROGRESS REPORT

TO THE PLANNING COMMITTEE OF THE TASK GROUP
ON THE REPEAL OF LEGISLATION IMPEDING FREE
POLITICAL ACTIVITY AS WELL AS DISCRIMINATORY
LEGISLATION - 12 October 1993

On 4 October 1993 a First Progress Report was submitted to the Planning Committee. In addition to the information furnished in the first report, the following is submitted:

The overall Task Group is supposed to consist of a representative of the Ministry of Justice and myself. Mr Jaap Du Bruyn, who was seconded by the Ministry of Justice, is out of the country between 8 and 23 October 1993. Mr Du Bruyn suggested that we contact Mr Flip Jacobs at the Ministry of Justice in his absence. Before his departure, law student Danie Brandt, who is assisting the Task Group, interviewed Mr Du Bruyn in order to obtain the necessary information which should allow the Task Group to proceed in his absence.

As far as representatives of the TBVC territories are concerned, it was mentioned in the first progress report that the following names had been put forward:

Mr SN Mahada for Venda; Mr M Bulube for Ciskei; Mr SG Mothibe for Bophuthatswana. Thereafter I spoke to Mr Mothibe, who nominated Mr N Jagga, a state law advisor, as the representative of the Bophuthatswana administration. As far as Transkei is concerned, the name of Mrs LT Booie has since been given to the Task Group. All these persons have been contacted. In the first progress report, we requested the name of a representative of the administration of KwaZulu. Apparently this request met with appeal, but we have not received a name yet.

On behalf of the overall Task Group I approached a number of persons to serve on the sub-groups for the TBVC territories and KwaZulu, from the side of the Task Group: Mr Dumisani Thabatha, a practising attorney in the Ciskei; Mrs Annette Kirk-Cohen and Mr Adriaan Haupt of the law faculty of the University of Venda; Mr Howard Varney, a lawyer working for the Legal Resources Centre in Durban, who has considerable knowledge of the situation in KwaZulu.

As far as Bophuthatswana is concerned, Prof Christof Heyns started working, but had to go to the United States for two weeks. He is expected to return on the 18th or 19th of October. I approached Prof Johan van der Vyver of the law school of Wits University, who has been actively involved in Bophuthatswana, amongst other things as the legal representative of the Bophuthatswana Government, but also the legal representative of its opponents, in several cases dealing with constitutional and human rights matters in the area. Prof van der Vyver would visit the area on Tuesday 12 and Wednesday 13 October, in order to cooperate with representatives of the Department of Justice and to find the necessary material.

Concerning Transkei I approached Mr Dumisa Ntsebeza, a practising attorney in Umtata. According to Mr Ntsebeza, he has done some work on this issue since May, but fees have to be negotiated. I am in the process of liaising with him.

Research is being done, more or less along the lines of the approach explained in the first progress report. We are still hoping to have something substantial ready by Friday 22nd October. If necessary, meetings between myself and the members of the different sub-groups may have to take place in the week 18 to 22 October.

The Task Group would like to know, however, how the recent developments, and particularly the withdrawal of Ciskei and Bophuthatswana from the Negotiating Council, affect the instruction and objectives of the Task Group, if at all.

Johann van der Westhuizen
CO-CONVENOR : TASK GROUP

12 October 1993

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. DRAFT PROGRAMME FOR MEETINGS

13 OCTOBER 1993

Wednesday 13 October 1993 Discussion: * Fundamental Rights
(14h00-14h45)
a Constitutional Issues

15th Report on the Civil
Service and Commission
of Administration (14h45-
16h00)

Â¥ PAC (16h00-18h30)

Thursday 14 October 1993 Bilateral Meetings
Distributed & Draft Electoral Bill

Friday 15 October 1993 Distributed & * Report from the Co-
Presented Chairpersons on the
Delimitation/Demarcation
of Regions

Discussion: Â» Draft Electoral Bill

Monday 18 October 1993 Discussion: * Delimitation/Demarcation
of Regions

Tuesday 19 October 1993 Discussion: * Constitutional Issues (16th
Report on the Election of
the President & 17th
Report on Finances)

Wednesday 20 October 1993 Discussion: i Constitutional Issues
Distributed: . Report of Commission on
National Symbols

Thursday 21 October 1993 Discussion: it Constitutional Issues
(morning)

- Report of the Commission
on National Symbols
(afternoon)

Friday 22 October 1993 Discussion: * Report of the Commission

on National Symbols
Â» Draft Electoral Bill

PLANCOMM/DOCUMENT/SCHED
13 October 1993

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REVISED PROPOSED SCHEDULE OF MEETINGS

Planning Committee
Negotiating Council
Bilateral Meetings

Negotiating Council

Planning Committee
Negotiating Council
Planning Committee
Negotiating Council
Negotiating Council
Negotiating Council
Negotiating Council

Please note :

13 OCTOBER 1993

Wednesday 13 October 1993
Wednesday 13 October 1993
Thursday 14 October 1993
Friday 15 October 1993

Monday 18 October 1993
Monday 18 October 1993
Tuesday 19 October 1993
Tuesday 19 October 1993
Wednesday 20 October 1993
Thursday 21 October 1993
Friday 22 October 1993

08h30-13h00
13h00-20h00

08h30-14h00

11h30-14h00
14h00-20h00
09h00-10h30
10h30-20h00
13h00-20h00
09h00-20h00
08h30-14h00

The adjournment times of the Negotiating Council meetings as stated are target times, which will only apply if the agenda has been completed, subject to the final decision of the meeting.

PLANCOMM/DOCUMENT/SCHED
13 October 1993

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MISSION TO THE PLANNING COMMITTEE ON WHY THE NEGOTIATING
COUNCIL SHOULD BE ALLOWED TO DEBATE THE RECENT S.A.D.F. RAID IN
TRANSKEI:

When we assembled as negotiators at the World Trade Centre our coming together symbolised the resolve of all concerned to bring about a peaceful settlement to the problems besetting South Africa.

Many innocent people died in the past in raids conducted by the S.A.D.F. across the country's borders. As a result of our concern about the violation of human rights in the past and also about the violence sweeping the country we resolved as negotiators that a chapter on fundamental human rights be included in the Constitution for the Transitional Period, that a technical committee on violence should be established and that a Subcouncil on Defence should also be established. The connection between the effect of the raid and the issues enumerated herein is clear.

The raid on the alleged APLA base constitutes an act of provocation. The non-aggression pact between Transkei and South Africa and all bilateral arrangements were violated. The South African Government has always sought to destabilise Transkei and has harboured people seeking to overthrow the Transkei Government within South Africa.

In a Supreme Court case heard recently in Transkei, evidence was led of the involvement of South African security men in an attempted coup and in plans to assassinate Transkeian leaders. Any reasonable requests and suggestions put forward by Transkei on the Apla issue have been ignored by the South African Government - the reason being that the South African Government has a double agenda.

Transkei is relatively peaceful. Its territory is strategically placed and the South African Government, from a security point of view, sees Transkei as an area which should be placed under its control as a matter of urgency. This raid, therefore, must be seen in that light and, judging from the defiant manner in which the S.A.D.F. released its report about the raid, even before the people in Umtata became aware of it, it is clear that further raids may be conducted and are in the offing.

Regarding the issue at hand, viz. the results sought to be gleaned from a debate within the Negotiating Council on this, it must be pointed out that it is in the best interests of South Africa to maintain peace in all its component parts. The S.A.D.F. has wreaked havoc in the past and, therefore, it is the duty of all to ensure that they do not repeat their dastardly acts of the past and that justice is done at all times.

The Transkeian Government, therefore, wants this issue debated for the following reasons:

- * This cruel act committed in cold blood has no place in the present situation;
- * The Government cannot be allowed to act unilaterally on matters falling within the ambit of matters being discussed by the Negotiating Council;

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We have to promote peace and calm in order to ensure a peaceful resolution of our problems; and

The raid in Transkei, according to intelligence reports, is the symptom of a wedge within the liberal and conservative ranks within the South African Government and is an attempt to derail negotiations by those in favour of the Freedom Alliance.

The Transkei Government, therefore, proposes that the Negotiating Council resolves as follows:

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In order to show solidarity with the bereaved, the PAC and the people of Transkei, that it condemns the violation of Transkei's territory and the violent and cruel manner in which the deceased were killed;

That the South African Government should not conduct any such raids and that such problems be referred to the authorities of the territory concerned and the Multi-Party Negotiating Process;

That the murderers and those who authorised the murder should be charged criminally and that the South African Government should not block the extradition of anyone;

That Minister Coetsee be relieved of his posts as Justice and Defence Minister;

That the troops involved be charged in terms of the military discipline code for failure to heed the order that they should not use maximum force;

That the South African Government compensates the relatives of the deceased and the Mpendulo family; and

That the South African Government tenders a public apology for what has happened.

I trust that this will suffice. It must be remembered also that APLA attacks had diminished when the raid occurred and that the raid was conducted shortly before a meeting between the South African Government and APLA was to have taken place. Transkeians have committed themselves to this process and our positive act in this regard will ensure their continued support for the process.

This is crucial, not only for the people of Transkei, but also for the people of South Africa and liberation movements in particular.

Z TITUS
PLANNING COMMITTEE
13 October 1993

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(N DRAFT RESOLUTION - PAC

This Negotiating Council meeting on Friday 15 October 1993 at the World Trade Centre:
Shocked:

By the senseless and brutal killing of innocent children by the S.A.D.F.;

Deeply Concerned:

By the increased possibility of violence and inter-community tension and conflict as a result
of this attack;

Believing That:

Urgent measures must be taken to restore calm, restrain the S.A.D.F. and the South African Government;

Therefore Resolves:

- L. To unreservedly condemn this callous killing of children;
- 2, Convey our sympathy and condolences to the families concerned;

That the South African Government should pay adequate compensation to the families;

To encourage all bilateral measures to resolve conflicts and disputes between the PAC and the South African Government;

That unilateral decisions and acts by the S.A.D.F. and the South African Government must stop forthwith, and the Planning Committee is asked to suggest measures to be taken in this regard.

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. DRAFT RESOLUTION - TRANSKEI GOVERNMENT

This Negotiating Council meeting on Friday 15 October 1993 at the World Trade Centre:

Angered:

By the recent violation by the South African Defence Force of the territorial integrity of Transkei and the non-aggression pact between the South African and Transkeian Governments;

Shocked:

By the callous murder of children whose ages range from 12 to 17 years;

Believing:

That the South African Government is seeking to destabilise Transkei and that this attack constitutes part of a sinister plot which has serious implications for the maintenance of peace and also for the negotiations process generally;

Further Believing:

That Transkei is a relatively peaceful area and that there should be no interference from the South African Government in the internal affairs of Transkei which has clearly indicated its willingness, firstly, to be reincorporated into South Africa at an appropriate time and also

to co-operate with the South African Government on security matters.

Therefore Resolves:

1. To call on the South African Government and all other parties, to promote peace and calm to ensure a peaceful resolution of our problems in Southern Africa;

2 To condemn the violation of Transkei's territory and the violent, cruel and callous manner in which the children were killed;

3. That Minister Coetsee should be relieved of his positions in the Cabinet;

4. That the South African Government must abide by all bilateral agreements and understandings between it and the Transkei Government on these matters.

31 That the South African Government co-operates with the Transkeian officials conducting criminal investigations into the murders;

6. That the South African Government should tender a public apology on this incident.

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29 October 1993