

TRADITIONAL  
LEADERS

This matter is being dealt with by a subcommittee of the Management Committee of Codesa. To date, the committee has interviewed over 70 traditional leaders which are representative of all traditional leaders. The committee has as yet not finalised its position and a report is due shortly.

ISSUES FOR  
DISCUSSION

Participation at Traditional Leaders at Codesa - There are four possible options. Traditional leaders could be either excluded completely, or accorded observer status, or full rights of participation, or allowed to participate with regard to particular matters which would be of relevance to them? Kindly let us hear your views on this.

GENERAL

With reference to the issues raised for discussion in the Negotiations Bulletin No. 7, it is rather disturbing that we have as yet not heard the views from any of the Regions thus far. It is important that these Bulletins be used as discussion documents. The views of branches and regions are of great importance. In this regard, please address all your views to:

The Secretariat  
Negotiations Commission,  
P O Box 61884  
Marshalltown  
2107.

15:;.

FPQH LtuHL chuurgc ,lâ\200\234

### WORKING GROUP 3

There has been only limited progress in Working Group 3 since the last meeting of the Negotiations Consultation Forum.

On 23rd March the government/national party delegations tabled their "proposals for transitional arrangements" in a document which will be made available at the meeting of the Forum. These proposals were roundly condemned by all the Other delegations who spoke (including Inkatha on the basis that they involved no transfer of power from the present government structures to the proposed "transitional councils". Also, the Councils were given functions relevant to preparations for the government's plans for a bi-cameral constitution making body in which the "senate" would be elected on a regional basis, and for restructuring of local government prior to elections. No provision was made for a media council.

Under the government/national party proposals effective power remains vested in existing government structures which would control all aspects of executive government, including the supervision of elections. The TBVC states are not included in their structures.

In response to the wide ranging condemnation of their proposals the government/national party said they had been misunderstood, and that they contemplated that the Councils would be vested with powers necessary to make them effective bodies.

The ANC's proposals were tabled at the next meeting of Working Group 3 which was on 6 April. These proposals will also be available at the meeting of the Forum. The ANC's proposals have support from the members of the Patriotic Front, and in significant respects, from all Other participants who spoke. Apart from Inkatha and the government/national party, suggested by the Democratic Party that if the government/national party were serious about transferring effective power to the "Councils" proposed by them, there was a basis for bringing the structure of the ANC proposals and those of the national party/government together. By treating the "Joint Preparatory Council" of their proposals as an overarching council, and the preparatory councils as its "sub-councils". The government/national party also, that they would be delegates indicated that this was a possibility. willing to consider a media council and to give real status and effective powers to the various councils. Their concern seems largely to be directed to the status of the cabinet and the legislative powers and functions of the interim Government Council proposed by the ANC and to the position of the TBVC states.

6.2.3.

The role of the international community (if it has not already been dealt with or with regard to aspects which arise later)

6.2.4.

The stages and steps by which these TVBC states are reincorporated.

In terms of the above, time frames must be set according to the content of the different phases. In the same way constitutional amendments and interim constitutional arrangements will have to be framed in terms of the phases. The life span of the transitional constitutional arrangements will thereby be defined by the each of the phases leading to the adoption of the new constitution by the constitution making body.

What tactics do we adopt if the above perspective is not realised at Codesa II? We are of the view that Codesa II should not be postponed; that it should be used to clearly set out our positions; isolate the regime for its refusal to measure up to its public commitments to help bring about a democratic system and its persistence in wanting to be both player and referee and imposing a white veto. We should do this in such a way as to insist that the negotiation process no longer resides under the control of the regime.

7.

8.

14th April. 1992.

The ANC briefly indicated  
the Patriotic  
participants  
CODESA  
started.

Front agreement  
at

the

also preparations for

that we were acting in the spirit of  
of  
supported  
of the P.F had

vast majority

and that the

the re-convening

Conference

Front

Patriotic

The ANC also informed the  
received a letter  
Comrade  
unity.

Mugabe was asked

meeting that the meeting that we had  
we were considering this.  
issue of  
seized with the

from PAC and that  
to remain

#### ASSESSMENT

1. The PAC position are at variance with the thinking

FLS and the OAU. This  
(appendix 1  
are distorting  
expose their ties and distortions.

) However they

continue to ignore reality and  
the situation. We must plan to effectively

is reflected in the communique (

of the

4. Some

key governments are desperately trying to find a faceâ\200\224  
PAC, that will allow them to join the

saving denice for the

CODESA. The Patriotic Front instrument to achieve this objective. The PAC announced that they April to review the important that we work out a strategy of tackling the whole question of unity.

would be having an extra-ordinary Conference in

South African situation. It is

is seem as an important

3. The FLSâ\200\231s specifically, but the OAU generally must be

in South Africa. DIA that at appropriate times we must send out attention

timeously briefed about developments is recommending delegations to brief African governments special must be paid to the Chairperson of the FLSâ\200\231s. We must not underestimate Africas sensitivity to our " indifference" to them.

perceived "

4. It is

urgent that we concretely work out the perceived role

for the OAU and the Front Line States

5. Once again we failed to make political propaganda from FLS

meeting. All efforts to organise a DIP failed. The consequence was that very little of the important

FLS were publicised in South

decisions of the

press conference through

5);

DRAFT

## PERSPECTIVES FOR CODESA 11

Codesa II is scheduled to take place in exactly one month's time. During the past week we have had to take stock of where the process stands and what prospects we can hold out for Codesa 11.

It is clear that by the time we reach Codesa 2, it will not be possible for all the substantive issues to be addressed in the Working Groups. It is therefore necessary that we ask ourselves what sort of expectations we hold for Codesa 11.

Two possibilities arise:

3.1.

3.2.

Either Codesa II agrees on a package of substantive agreements which unmistakably show that the process of removing white monopoly of political power and replacing it with a democratic order can be realised through those agreements; or

Codesa 11 simply records progress reports which isolate very clearly the nature of the blockages and where the responsibility for these blockages lies. On this basis Codesa II will have to address the prospects and future of the negotiation process.

With regard to the first option, we need a very clear understanding amongst ourselves as to what sort of package at Codesa II would constitute substantive progress. At this stage, the following elements belong to that package:

4.1 .

First and foremost, we need an agreement on the constitution making body. Agreement in this case must include:

4.1 .1 .

4.1 .2.

4.1.3.

4.1.4.

That it is an elected body based on one person one vote;

That its tasks include drafting and adopting a democratic constitution;

That it will be a single chamber body;

That its decisions will not be subject to any veto or overriding powers by any other structure.

1% 4%

current application form to this particular requirement.

As an organisation, we remain strong.  
that is reported or observed except in those areas that are  
Our capacity 11) grow even

afflicted tnr Inkatha Violence.  
This is manifest in the  
beyond the million target is great.  
huge mass rallies and other public manifestations that our  
some

There is no stagnation

tï-\202ue experience CH?

leaders address zuui

Also,

lead.

comrades

in

the

Organising

Department

testifies

to

the

immensity of this capacity.  
stranger in a lift, to a waiter/waitress in a hotel; â\200\235Have you  
the following  
already joined time ANC?" elicits either (H?

The simple question put to 21

responses:â\200\224

1. Yes

2. Where is it joined?

3.

4.

I donâ\200\231t have the joining fee  
I thought my membership to Cosatu of Civics took care of  
my actual membership to the ANC.

What all this means is that the ANC is a marketable "product"  
With

The people know it is there.

if we may use the term.

man

the ordinary  
introducing something strange, something that needs a lot of

Even in those regions, outside the  
explaining and convincing.

and

woman

in

the

street

you

are

not

low.

where membership is low,

Violence torn ones,  
question of hostility to the ANC that keeps that membership  
It is simply a question of lack of regional strategic  
lethargy,

recruitment  
bureaucracy, factionalism, powerâ\200\224mongering and a host of other  
weaknesses that impair the performance of the leadership in

politiCal

brought

drives

about

is not a

by

it

most of the regions.

The bulk of the African membership is drawn mainly from the  
This is understandable given the size and the

working class.

historical militancy of the class.

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AFRICAN NATIONAL CONGRESS

NATIONAL WORKING COMM]TTEE

DATE: Wednesday, 29 April, 1992

VENUE: Boardroom, 10th Floor

TIME: 10:00

DRAFT AGENDA

1. Opening
2. Adoption of Agenda
3. Apologies
4. Organising Department:
  - State of Organising
5. Negotiations Commissions:
  - Election Strategy
  - Report of Working Groups
6. Tripartite Alliance Summit before CODESA II
7. Patriotic Front Conference before CODESA II
8. Preparation for NEC on 6â\200\2247 May
9. Problems in Eastern Transvaal Schools

FOR INFORMATION

10. Report on Meeting of Front Line States
11. General



# ELECTION STRATEGY FOR A CONSTITUENT ASSEMBLY\

## INTERIM LEGISLATURE

1

### INTRODUCTION

1.1

1.2

It is urgent that we develop an election strategy. If we succeed in reaching agreement on an elected constituent assembly based on proportional representation and one person one vote, we shall have no more than a short space of a few months in which to mobilise people a) to vote and b) to vote for the ANC.

At the same time in order to win agreement at Codesa for an elected constituent assembly, we need to ensure that the Patriotic Front forces within Codesa are consolidated around our demands for a two phase interim government and for an elected constituent assembly. The key to getting agreement on these issues depends, firstly, on the degree to which we succeed in consolidating the Patriotic Front forces in Codesa. and the progress we make at the bilateral level with the government. We have to ensure that questions of regionalism, regional lists and a non-elected constitution making body are deprived of any potential to erode the cohesion of the Patriotic Front forces in Codesa.

1.3

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It is our view that a proper election strategy is capable of addressing both these problems simultaneously. In this regard it is necessary that we a) define the objectives of an election strategy; b) define the social forces which need to be mobilised into the camp of democracy; c) determine the form in the in which the democratic forces will elections; d) develop an approach for an election platform of the democratic forces; and e) develop a perspective for the conduct of the election campaign.

participate

### OBJECTIVES OF AN ELECTION STRATEGY

2.1

We focused the content of our struggle for liberation around the central demands for national democracy. In order to achieve this goal we have sought to mobilise our people in terms of two camps: the camp of the anti- apartheid forces, and the camp of those supporting apartheid. The centrality of the ANC and its allies was the bedrock of the anti apartheid

10.

1992,

On Mozambique,

the Summit welcomed the signing,  
of Protocol III on the Electoral  
on 12 March,  
Law between the Government of Mozambique and Renamo  
as a positive development in. the search for peace in  
the Summit reiterated

that  
its appeal to Renamo to respond positively to the genuine  
and

President Joachim Chissano

for peace

country.

regard,

In

this

efforts

of

stability in Mozambique.

11.

Movements

The Heads of State and Leaders of the Liberation  
appreciation

gratitude

and

their

expressed

to the Government and the people of Zimbabwe for the  
warm reception and hospitality extended to them during

their stay in Harare.

Working Groupz

Report:

April 3rd. 1982

Prior to adjournment for Referendum it had been to request  
remaining  
steering Committee  
begin

to prepare

drafts of

for the working group to

the

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nstitutional principles, and  
soussion of its second assisgnment.

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on  
2.  
question of the constltutioh making body and the process.

submissions

have. made

following

parties

The

the

ANC  
Ciskei Government  
Democratic Party  
?ihwankwetla Party  
Ihtahdo Yesizwe Party  
Inyandza National Movement  
Labour Party  
Solidarity Party  
South African Government  
Transkei Government  
United People's Front  
Venda Government  
Ximoko Progressive Party

The differences of principle centre around:

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(

not

Whether or

A.  
making body (CXB)  
IE? and Ciskei have opposed  
Ximoko & Dikwankwetla also do not favour elections.

we should

have an

elected constitution

main

arguments

put

forward are

that

the

they are entitled to formulate

Will

not permit elections.

The  
violence does  
parties. accept that  
that  
illegitimacy arising from  
the constitution.  
The SAG prefers an appointed body,  
an elected one provided sufficient safeguards.

should

there

blend

C58.

the

Further,

Codesa or other appointed body

but is prepared to

be no

situation of  
that since all  
principles  
of  
drafts

question

accept

â\200\2343692:

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4

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monitor the evolving situation in South Africa closely  
In this regard, it stated its readiness  
and effectively.  
to assist the negotiating process in the country in  
The Summit invited the liberation

every way possible.  
movement to inform the GAO Ad an Committee on Southern  
Africa at its next meeting to be held in Arusha on 28  
regard. to the

their' preference â\200\230with

on.

1992,

April,

composition,

mandate

and

location

of

a- monitoring

mechanism for this purpose.

The Frontline States considered the issue of the  
8.  
drought and its consequences on the economies and well-  
In this regard,  
being of the countries of the region.  
they recommended that a SADCC meeting be held as soon  
co-ordinate

as  
regional efforts to combat the drought and thereafter  
send a delegation of officials to South Africa to secure  
endeavour.

the  
They also welcomed the offer by the Republic of Zambia

co-operation

Ministerial

possible,

country

level,

that

this

to

at

of

in

to host the meeting.

9.

Having

listened to the report by President. Jose

of

Angola,

Santos

dos

Eduardo

progress being made in the implementation of the Bicesse  
Peace Accord and once again called upon the international  
community to provide the necessary support and assistance

the

Summit

noted

the

to ensure the successful implementation of that Accord.

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Discussion on the role of the international community still has to start. The ANC has to prepare its submission; it is suggested that the ANC's Department of International Affairs has to assist in this regard.



REPORT OF THE ORGANISING DEPARTMENT FOR THE CONSIDERATION OF THE  
April 23rd, 1992

NWC

1.

Introduction

This report is based on the data that we have received from  
It is also influenced by personal experiences of

our regions.

members of the Department who have visited some regions with  
a View to getting first hand experience of the state of  
affairs on the ground.

Due to pressure of work here at the

Head Office, we have not been able to go to all regions to  
We intend doing so in the near future because we firmly

date.

believe

that

time

task

(1f

building

21

powerful

IANC

infrastructure cannot be undertaken in any serious way from  
the Head office.

Up to now,

and not out of our own design, we have had to  
direct and lead from our Johannesburg office.

This approach

needs to be revised as a matter of urgency.

We hope the NWC,

after considering this report, will be a bit lenient in giving

leave to the members of our Department to visit or even stay  
Most of the regional leadership

for some days in the regions.

is inexperienced; thus self-confidence in administrative  
They therefore need the assistance of the officials

skills.

from the Head Office.

State of oygagigatigg

Accompanying this document is a chart which delineates the  
Because of immense

numerical strength of our organisation.

administrative weaknesses and an acute lack of resources, that  
chart cannot be an accurate reflection of what we have in  
Ideally we would have liked to  
terms of signed-up membership.

report accurately on not just the sum total of members, but

also to break that membership down to indicate statistical

data in respect of the various communities that are targeted.

Unfortunately it can't be done that way until such time as we

shall have overcome the problem of resources and adjusted the

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REPORT OF MEETING OF FRONT LINE  
STATES - ZAMBIA. 12TH MARCH 1992

ANC

The  
comrades T.Mbeki, J.Modise and A.Pahad.

delegation

was led

by

Comrade Sisulu

and included

The PAC delegation consisted of Makwethu, Ebrahim, and Mlambo.  
Zimbabwe,  
their respective  
by  
represented  
represented by their High Commissioner in Zambia.

represented by  
were  
was

and Mozambique  
Nigeria

Zambia, Botswana, and

State. Angola

Tanzania were

Ministers.

Heads of

Foreign

their

FLS has

been called after a

unprecedented

The meeting of the  
delay.

#### AGENDA

1. Elections of Chairperson
2. Situation in South Africa (a) Report by ANC  
(b) Report by PAC
3. Report on situation in Mozambique
4. Report on situation in Angola

#### PROCEEDINGS

1. President

Mugabe was unanimously elected as Chairpersn of

- 2.

the Front Line State.  
The ANC briefing were given by Comrade Sisulu and Mbeki. We  
concentrated  
referendum.

on developments at CODESA and the white

a

long

PAC made

the ANC  
for

The  
criticised  
agreements and  
camp.  
white supremacy" and that  
They  
struggle.

They argued

called

for

" they were happy to be out

all-round

assistance

inappropriate speech.

violated

disunity within

for having  
creating

that CODESA was an

Basically

the Patriotic

they  
Front  
democratic  
"instrument to maintain  
of it".  
the

intensify

the

to

ANC suggested that

The discussion=largely  
The  
with  
wanted to discuss the issue.

in South Africa.

the PACâ\200\231s  
However it

concentrated on the

question of unity.  
criticisms were best dealt  
the meeting  
was clear that



## OUTSTANDING CONSTITUTIONAL PRINCIPLES

WGZ has yet to agree on constitutional principles on the following issues: the economy; Bill of Rights; affirmative action; language; religion and culture; and traditional leaders.

The W62 Steering Committee has agreed to recommend the following formulations to the W6:

1

The constitution should provide for the promotion of the improvement in the quality of life of all South Africans by enabling economic growth, human development. social justice and equal opportunities for all.

There shall be a justiciable Bill/ Charter of Rights which shall ensure, inter alia:

2.1

2.2

2.3

universally accepted human rights and freedom;

civil liberties, including freedom of religion, speech and assembly;

property rights (provided that legislation may, in the public interest, authorise expropriation against payment of reasonable compensation which shall, in the event of a dispute, be determined by a court of law); and.

2.4

the equality of all before the law.

The constitution shall enable the implementation of measures to help address the racial and gender inequities caused by past discrimination.

The constitution, at II levels of government, shall accommodate and protect the rights of citizens to practice their religion, enjoy their culture and use their own language both as individuals and in association with others. This shall include the right of citizens, to establish educational institutions racial reflecting discrimination may not be practised.

culture and religion

language,

their

provided

that

The constitution shall define a suitable role for traditional leaders consistent with the objectives of a united, non-racial, non-sexist and democratic South

18;



6.

a

to

appoint

"technical

committee"

with

A decision was taken

representatives of the ANC and government and certain other participants.

to see whether the ANC proposals and government proposals can be

This committee will have its first meeting on Friday 10

brought together.

April, and a report will be made at the meeting of the Forum on the progress

(if any) that is made.

The positive features of the "progress" at Working Group 3 are

(a)

{0)

a substantial consensus (Inkatha excluded) on a two stage interim government, in which the first stage will involve Structures to be designed and appointed by Codesa, and a second Stage during which an elected constitution making body with sovereign powers will function both as a "constituent assembly" and a legislature through which an executive will be appointed.

A substantial consensus (government/national party dragging their heels) that the interim government structure of the first stage will consist of a Council and sub-councils with effective powers necessary for "levelling the playing fields" before an election.

The problem areas involve

(a)

(b)

to)

(d)

The precise powers and functions of the interim councils

The relationship of the interim councils to the Cabinet and to the legislature

Stages

both

in

of the TBVC States

The inclusion

government

The structure, powers and functioning of the constitution making

body/Legislature which will be the interim government Structure in

This is being dealt with in the first instance in Working

stage 2.

Group 2.

of

interim



a) ANCâ\200\231s proposals -

The Constitution be drafted and adopted by a body to be elected according to the principle of one person one vote.

This body shall be as inclusive as possible i.e. it would seek to involve as many of the political formations as possible.

All persons over the age of eighteen (18) living within the 1910 borders and regarded in international law as South Africans. shall be entitled to vote.

The system of proportional representation shall be used.

The Constituent Assembly shall consist of four hundred (400) delegates. The number 400 is not an arbitrary figure but arrived at by estimating that there should be one elected representative to approximately 50 000 voters.

The Constituent Assembly shall elect from its own ranks a representative drafting commission consisting of 40 persons to work under its direction.

Decisions at the Constituent Assembly shall be by a two thirds majority.

The Constituent Assembly shall be obliged to enshrine the principles agreed upon by Codesa in the new constitution and shall not contradict such principles.

The Constituent Assembly shall appoint an independent constitutional panel consisting of nine (9) respected. representative and competent persons to hear any disputes within the Constituent Assembly over the interpretation of the general constitutional principles agreed upon at Codesa.

Functioning within the above framework, the Constituent Assembly shall be legally entrusted with sovereign powers to draft and put into operation a new and binding constitution for South Africa.

b) The Regimeâ\200\231s proposals on the Constitution-making body:

The Constitution should be drafted by a two-chamber parliament;

The first chamber, called the National Assembly should be elected by proportional representation on the basis of one person one vote. Those living in the TVBC states will not be able to vote if re-incorporation has not taken place at the time of election.

The second chamber, called the Senate will be composed of the existing Tricameral parliament together with the homeland Legislative Assemblies. The Senate will have the power to veto any decision of the National Assembly.

There should be no time limit for the drafting of the constitution.

c) Inkathaâ\200\231s proposals on the Constitution-making body: The IFP is opposed to an elected constitution-making body. It proposes that the new constitution be drafted by a Constitutional Council which is appointed by Codesa and not elected on the basis of one person one vote.

d) Present position: There is no agreement as yet in Codesa about the constitution-making body.

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Dmnexwa, G H

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The meeting agreed on the dei-\201nmon of Polmcal Intmudauun as :

Any action or set of actions unmanned hy any mdividml, urgumsmiun, pnmtcal puny, govcmmm: represented a: CODESA. as well as the acâ\200\235 gOVcrmmg termones or any :gmcy or such government or self governing Lern'tory, that is designed by me use or the threat of use of force or violence to dnsmtpt or mterfcen: with. for inxumce the fnllnwmg legal nghts of an mdmdml :

4.2.!  
4.2.2  
4.2.3

Right to freedom of cxprcssion or opimnn  
nghl of freedom nf association  
Rxghl of ttecdom of movement.

in particular, the foi-\202owmg shall be consndenced forms of political intimidatinn, m :

4.2.3.! kiHJniUre. nppiy Holmes to .mtum'date or threaten my mhcr pcrsonâ\200\230s

pohlxcai-\201 bcheti.wÂ«)rd<, wnnngs or actmns:

rcmovc, dlsï-\201gurc. destroy. plaguarise or ozhcmisc misrepresent any symbol or nthcr malcnai of any other polmcai pony or mgamsation;

imerferc wuh. obsxruet or (mazen any other persnn or group travelling to or from or xmcad'mg to attend. any gamcrmg for polmcal purposes;

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4

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a .34 seek to compel. by force or threat of torcc, any person m jnin .my party m orgamsannn, mend my maeung, me'c any cnntnnutmn. resxgn from any post or omcc. boycott any occasion or comm: :al acuvuy or wuhhold his or bcr labour or fail to perform a iawful obhgauon; Or

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obstruct or interfere with am ofï-\201cial rcprcscctanve of any mher political puny or orgamsauon's mssage to contact or address any groun of pmppte;

to possesm carry or display dangerous weapons or i-\201rcarms by members of the general public when attendmg any political gunning, processnon or mocung.

## DEVELOPING AN ELECTION PLATFORM

assembly

Essential to having an ANC (PF) list is a clear perspective for developing a common platform which would unite the democratic forces. There is every likelihood that the elections would have a twofold character -

a) elections for the constituent would

simultaneously establish an interim legislature. At the same time, after a democratic constitution has been adopted, either fresh elections would have to be held in order to establish a parliament in conformity with such a constitution. or the constituent assembly! interim legislature would become the new parliament if it is not in contradiction with the terms of the new constitution.

elections

and

b)

such

The implications of the above are that the election platform in the first place would have to be built around the work of the constituent assembly. Accordingly concrete constitutional proposals would form the key element of our platform.

Secondly, on the basis of ANC initiatives, the democratic forces would have to be drawn into a process whereby the second aspect of an election platform dealing with the economic and social goals of an ANC (PF) government. In this regard, the forthcoming ANC policy conference could provide an important starting point in this process not only for the ANC structures, but also for the Organisations we shall be drawing into the camp of the democratic forces. In this way, we shall be initiating a process which will involve the elaboration of the election platform, the election strategy, as well as the campaigning strategy.

6.1

6.2

6.3

[21st April 1992]

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While noting the positive outcome of the referendum Y  
5.

and having considered the likely impact that it

Africa,

South

in

process

peace

the

on

the 23rd of September 1991

expressed the view that more remains to be done for

In particular,

the democratisation process to succeed.

the remaining obstacles to the creation of an atmosphere

be

constitutional negotiations

ought

to

conducive

to

the

Summit

removed.

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The Summit noted with grave concern the escalation

6.

of violence in South Africa resulting in loss of innocent

It called for

lives and the destruction of property.

an immediate end to this carnage.

its appeal to the parties to the 14th September, 1991

their

The Summit reiterated

by

abide

strictly

National



Peace

Accord

to

appealed

further

and

Accord

that

under

undertakings

to parties nonsignatory to that Accord to desist from  
the

actions and

atmosphere and incidence of violence in the country.

The Summit also emphasised the necessity of broadening  
the dialogue to include all parties in the country with

contribute

activities

could

that

to

a view to achieving this objective.

its

Reaffirming

7.

African liberation movements until victory is achieved,  
the Summit stressed its determination to continue to

continued

support

to

the

South

33

4/0....Â»

3. Points  
which there  
:hto the discussions

of

on  
is agreement on words but not on content, overflow

principle on

agreed, or

which we

have not

is a strong demand

i.

There

the future

3.  
only  
assembly.  
Party  
.Uhdemoeratic purposes.

Inyandza.

and

In

some cases

constitution, but

for regional representation, not  
also in the legislative  
Labour  
for

as with the

demand

this is genuine

this

using

are

Others

The issue

b.  
process as  
with regional representation.

well as

in the

of minority 'vetoes in the

future.

This is

constitution making  
often entangled

Preposals

are  
Essentially

original  
The Government  
G

an  
draft.  
elected  
However. the  
the  
assembly will  
take

Their final broposals will be submitted at the end

that the  
say  
together have  
and

Senate and  
to  
how it

4-  
Bloemfontein  
structure  
legislative  
constitution making  
decisions.  
of April.

decide what

body Should

based  
they

on their

should

focus

be

on

I

very

well

received.

proposals

were

The

ANC

Who did not

5.  
delegates. even those  
contents, called  
submitted to Codesa.  
The appreciation did not extend to  
press they found it,  
They told the  
in the  
and  
language however, uplifted our PF allies (and myself).

necessarily agree

best document

government circles however.  
" offensive and insultingâ\200\235,  
The hard  
working group.

that has

said the

so far

it the

later

same

Many  
with its  
been

PF

are  
8.  
:3 take account  
beginih: t3

Of them before they Spread.

regularly.  
Front. and we need

emerze in the

been held

911151235

meet; gs

have

are

regional

There  
what  
don't like

Government are

Hev do know about our Vieaai-\201

complaints

position

not clear.

and some

at them

that

ARC

the

eh

serious concern about the electoral system and how it  
There is

5 ggjng to affect the small parties

The

7.  
information  
has also  
principles.

Group  
on aspects of

own  
Working  
It  
prepared a briefing document on each of the remaining

its  
prepared  
electoral system and procedures.

documents for

Finally it has made the submission on the CNS.

## 2.2

As we move through the current and coming phase of the struggle we need to bring this same focus but centred this time around the question of democracy. On the basis of this heritage, it is important that this focus should be redirected towards the camp of democracy and the camp of anti-democratic forces. Such a refocus brings to the fore the need to win our demand for an elected constitution making body (Constituent Assembly) as well as win the forthcoming elections.

## 2.3

Thus, achieving a democratic system and realising democracy in practice becomes the central focus of our electoral strategy.

### THE SOCIAL FORCES FOR DEMOCRACY

#### 3.1

#### 3.2

#### 3.3

In order to maintain its power, the rulers of our country sought to divide our people on racial and ethnic lines. Along this path they created institutions aimed at enhancing such divisions.

For our part, we strove to build the unity of our people. In this process, we constantly sought to outflank the divisive tendencies that the regime tried to exploit. Accordingly, we encouraged a proliferation of organisations and structures on the basis that this would provide a range of vehicles which would enable us to reach out to our people at the grassroots level in both the urban and rural areas in order to draw them into active struggle. In other words, we saw the proliferation of these organisations as strengthening the mobilisation of the people and the leadership role of the ANC.

In terms of class forces, we recognised that the overwhelming majority of our people were the working people and those eking out a living in the rural areas. We also recognised that the system of racial rule placed objective constraints on the middle strata of our population whose rightful place was in the liberation struggle. We also moved from the premise that we needed to encourage and draw anti-apartheid forces within the white community into the struggle for national democracy.

intensification of the house's 200/224 to-house and house-meetings drive  
Department enmi other NEC

initiated knr the

that

tun; been

members.

#### CONCLUSION

We have attempted to give you a picture of the situation as we  
After

understand it. We desire your guidance and assistance.

all

the

work

stretches

far beyond

the

confines

of

this

Department.

## WORKING GROUP ONE

### SUB-GROUP ONE

No progress has been made as yet on the critical issues of the release of political prisoners and the return of all exiles. These matters are still being dealt with at the bilateral level by the ANC and the SAG. The Sub-Group noted that it had taken rather very long for the ANC and the SAG to conclude their deliberations, and agreed that at the next meeting the issues would be tabled for discussion with or without a progress report from the two parties.

These two issues are inextricably bound up with the issues referred to in Paragraph 3 of the Pretoria Minute and the DF Malan Airport Accord, according to the SAG. As a result, bilateral discussions on the latter matters too have continued, and it has been mutually agreed that the resolution thereof is crucial and extremely urgent. The latest SAG position in this regard is still being discussed by the ANC leadership in preparation for the next Paragraph 3 Bilateral meeting which is scheduled for the 20th April. Assuming that agreement is reached in this regard, it will be possible for us to get a general amnesty to be announced as part of the CODESA 2 package.

Though there has been a series of discussions with regard to the laws that inhibit free political activity, there has not as yet been any agreement as to how they are to be dealt with. The Sub-Group has in the meantime, however, reached preliminary consensus on the following principles regarding the need to amend the Public Safety Act, Number 3 of 1953:

A

1.

That the State President or the Minister of Justice, as the case may be, may declare a State of Emergency or an unrest area respectively only on the advice of the Interim Executive Authority / Cabinet ' / Government Council.

2.

3.

That the proclamation of a State of Emergency or unrest area respectively, in terms of the procedure laid down, will be objectively justiciable in a court of law.

Regulations issued in terms of the declaration of the State of Emergency or unrest area shall not be made retrospective but shall take effect from the time of such declaration.

2Â»



B.

1.

Delegations were requested to consult with their principals on their approaches to the powers conferred upon administrative authorities in terms of the Internal Security Act in respect of:

1.1

1.2

1.3

the banning of organisations;

detention without trial; and

the detention of witnesses.

reason,

We have to discuss how these laws are to be dealt with so that we can make appropriate recommendations to the Sub-Group. Our initial submission was that most of them have to be repealed or, as the case may be, amended. ' However, going through them one after the other will obviously be a the SAG cumbersome and time-consuming exercise. For this submitted that this objective could be achieved through an interim Bill of Rights. The ANC submitted that instead of an interim Bill of Rights, we should consider a two-Pronged approach: a general laws amendment statute that repeals/amends all of them at one fell swoop, as well as a general statute that protects and guarantees civil and political rights and freedoms in the interim. The latter could be part of a statute that will establish the envisaged Electoral Commission if we so decide. It could also stand on its own, especially because the Electoral Commission will lapse once the elections have been accepted as having been free and fair, whilst we will still need a statutory guarantee of our civil and political rights even beyond that, till there is a new Constitution with an entrenched and justiciable Bill of Rights.

#### SUB-GROUP 2

An agreement was reached on the 2nd March on a binding definition of intimidation. Among other things, it would seek to guarantee some of the civil and political rights that will form part of a general statute guaranteeing such rights. Refer to Annexure "A".

1K2?

(viii)

(ix)

3.3. Major-General Ike O. Nwachukwu. Minister  
the Federal Republic

Foreign Affairs

of

of

Nigeria.

of

Chairman of the Organisation of African Unity;

- Representative of- the

current

and,

Salim Ahmed

H.E.

of the Organisation of African Unity.

Salim,

Secretary

General

Also participating in the Summit were Mr Walter

3.  
Sisulu, Vice President of the African National Congress  
of South Africa (ANC) and Mr E.D. Moseneke, Second Deputy  
President of the Pan-Africanist Congress of Azania (PAC).

4.

The

Summit,

following

presentations made by

the

liberation

movements,

the ANC

and

the

PAC,

reviewed

general,

in

in

Southern Africa

developments

the

in particular the prospects for the early achievement  
of a non-racial democracy in ' South Africa in the light  
of the outcome of the referendum held on 17th March,  
The Summit reiterated its strong appeal for unity  
in

1992.

country,

the

and

forces

in

among

the

progressive

particular between the

two

liberation. movements,

in

the context of the Patriotic Front,  
this critical phase in preparation for the commencement  
the

especially during

of

future

on the

negotiations

constitutional

of

country.

A , special appeal was made to the liberation  
to recognise their common objective and to.

movements

unite in the face of the common enemy.

3%

3 ,

#### 4.3.3

#### 4.3.4

An ANC pact Est - This would involve putting together a number of bilateral or multilateral pacts. The very exercise would be fraught with all sorts of inbuilt tensions. instead of emphasis being place unity and the cohesion of the on national democratic forces, attention would fall more on the independence of the parties involved in such pacts. Along this path the constituent assembly and interim legislature would increasingly become sites of the sort of horse trading that goes on in the House of Delegates

An ANC (Democratic Front or Patriotic Front) Est - This approach could avoid the negative tendencies inherent in the idea of an ANC Pact list as outlined above. It has the potential for us to engage the entire spectrum of democratic forces into the process of developing an ANC (PF) list, as well as the election platform of the democratic forces organised under the overall leadership of the ANC. Such an approach should have the added i-\202exibility which would give us the capacity to draw in leading individuals from our society who belong to the patriotic and democratic camp. This approach enhances our strategy to fight the elections as well as win our positions in the negotiations process around the perception that both these exercises involve forces of democracy and the forces against democracy.

struggle between

the

a

#### GUIDELINES FOR A NATIONAL IJST

From the above it is clear that we recommend that our approach should centre around the concept of an ANC (democratic front or Patriotic Front) list. In this regard. it is important that we have a clear set of guidelines which determine the way in which we construct such a national list:

#### 5.1

#### 5.2

Through a process of consultation, together by the ANC.

the list will be put

Our alliance partners viz. the SACP and Cosatu would be enabled to bring forth their lists and suggestions.

47

â\200\234" â\200\235V"

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'7' \a'u

â\200\2300!

But there are indications that the attitude is thawing. More and more of them are beginning to relax and understand that we This is evident in the numerous meetings

do not have horns.

the

Department

that  
different issues ranging from sports, culture, business, etc.  
A steady trickle is taking up membership whilst some would  
openly state they would not join but would vote "for them" â\200\224

hosting with

various

sectors

is

on

meaning the ANC.

Our effective impact on this community will depend not only on what organising strategy the Department evolves but largely on how the Movement as a whole strives to improve its image in what we say about

terms of what we do and how we do it,

ourselves and how we say it.

This is one area in which we are

fundamentally  
Department has raised the matter of our public image and the  
weak.

representations

this

In

numerous

need to polish it.

Hardly nothing has been achieved.

We also need, in the immediate term , to formulate a strategy on how best we tackle the historical relationship between the  
The  
ANC and the Party without surrendering any principle.  
tripartite has not addressed the matter, nor has the NEC.

The Coloured and Indian Communities  
Again the image issue becomes central in respect f these two  
The mitigating factor would, in this particular  
communities.  
case, be the fact that we are dealing with a section of the  
oppressed.

The Department has had numerous meetings with "shakers and  
are

movers"  
continually reinforced by the President and other members of  
the NEC in many public and house meetings that have been  
communities.

efforts

within

These

these

organised.

The response is generally good. What is required now is the

W

3.4

3.5

In focusing on democracy, these same social forces remain the basis of our election strategy. It would be premature to think of reshaping the ANC at this stage along traditional class lines.

With regard to the proliferation of organisations which exist in our country today, our emphasis should remain a dynamic one. We should avoid a mechanical approach centred around questions which prematurely seek to determine whether an organisation should disband or continue to exist. This type of the course of question should evolve its answers in consolidation the democratic forces, building the democratic platform and establishing cohesion amongst the democratic forces in the work of the constituent assembly as well as the interim legislature. In this process some organisations may well disband or merge with the ANC; others may continue to exist by developing a closer identity with the camp of the democratic forces led by the ANC. The ANC should at all times be seen to be the force encouraging the process of national unity, lending unity to the diversity of our people, giving shape to the social compact of the diverse and contradictory social forces in our society, giving content to non-racialism and non-sexism and being the cementing agency of the democratic forces. Along this path we enhance and ensure the leadership role of the ANC.

4

IN WHAT FORM SHOULD THE DEMOCRATIC FORCES PARTICIPATE  
IN THE ELECTIONS?

4.1

In organisational terms, the democratic forces which we seek to mobilise under the umbrella of the ANC are spread across the structures of the ANC and its allies, viz the SACP and Cosatu. They are also to be found in the multiplicity of the organs of civil society, in trade unions that have not yet come within the fold of Cosatu. in professional organisations and business groupings, in parties which have come into existence through the bantustan and tricam system, in organisations and structures which exist amongst the traditional leaders and the religious organisations.

.7 .....



administrative

that most RECs are not Clear as to what their function is.  
of

Serious  
membership cards and in some cases disappearance of funds.  
These problems invariably lead to the impariment of the RECs  
national  
political leadership

again the

Time .and

lapses

role.

have

loss

led

the

to

leadership  
should have been attended to by the REC itself.

itself addressing

finds

regional

issues which

131

order-

to

remedy' this state

of

.affairs

the Organising

will

Department  
regions which are adversely affected by the problem in the  
Targeted for this king of attention are the

next four weeks.

induction courses

convening

be

in

those

Northern Cape,

both

Free

State

regions

and

the

Western

It is, of course, our intention to do likewise in Transvaal.

some of the regions where there is an apparent laxity in terms

We also ensure that the relevant

of exercising leadership.

comrades understand clearly what is expected of a regional leadership and how power is spread and delegated.

A start has already been made in those regions that we have

Visited and at the national workshop or organisers that we

The Political Education Section is also

convened in February

grappling with the matter and we

services of specialist agencies to help on the administrative

are also enlisting

the

side.

operational basis.

We believe that some of the problems can receive some fairly adequate attention once the sub-regions are placed in a fully

THA\200\234; subA\200\224regional office will make co-

It will facilitate the consolidation of

ordination easy»

branches and smoothen lines of communication between branches

For this to take off these subA\200\224regional offices

Most

and the REC.

need.equipment and personnel that shouldmwork full time.

regions have already started on this kind of demarcation.

as usual the problem of resources persist.

But

b

~A\200\224-A\200\224A\200\224<A\200\224 A\200\234wA\200\234wwA\200\224wA\200\230v V

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.. H- -w- .. ~-~\_-\_-

But this does not mean that our capacity to build and rally the vast electoral constituency behind our positions is not diminished by the bandit Violence. People are scared to take Lq>membership and attend.our rallies. This became evident when the President visited the Northern Natal region early this month.

Ordinary conventional methods of recruitment as applied in other areas cannot be applied mechanically in this type of a Whilst we cannot discard them altogether we war situation. would need to devise some other strategies to get to the vast The establishment of clandestine cells masses of our people. in the Village, compounds and workplaces appeals as a Viable This underground outfit, with its strong bases undertaking. in the Village communities and amongst the patriotic Chiefs intense jpropaganda network

require eul

'would

indunas,

and.

popularising

the

positions

of

our Movement and

exposing

Inkatha for what is national level, the ANC must begin to mount the biggest ever and

In addition.tx> that,

intimidation

and EH: the

repression,

iiÂ»

campaign

against

Inkatha

We have not done this.

Violence. systematic method, made full use of such structures as the National Peace Accord etc to highlight the plight of our people in that part of our country.

And we have not, with any

5.

Boghuthatswana

Anti-ANC repression is intense. Our branches find it difficult

The level of anti-ANC violence

to function in the normal way.

is, of course, not as high as we see it in Natal.

He also relies

uses his police to terrorise our structures.

on the method of sacking all those comrades who are working in

Mangope

his government.

A similar strategy as the one we are recommending for Northern

In due course the

Natal in particular is being considered.

Organising Department is going to convene a meeting of all

## 4.2.

The conditions under which the elections for the above mentioned constitution making body take place are such that no single political player serves as a referee. In particular, this means that interim governing arrangements have to centre around two phases:

### 4.2.1

### 4.2.2.

General amnesty for all exiles and political prisoners.

The first phase must remove the conduct and the holding of elections from the hands of the present regime. In a manner that satisfies all the parties that the elections shall be free and fair.

### 4.2.3.

There should be substantive agreements creating a climate of free political activity. This must cover:

#### 4.2.3.1.

#### 4.2.3.2.

#### 4.2.3.3.

#### 4.2.3.4.

The removal of all legislation circumscribing and impeding free political activity. This can be attended to by a general law asserting certain basic civil and political rights combined with an omnibus law repealing free political activity in general and by specific reference to particular acts.

legislation

impeding

all

Agreements confining the activities of the security forces in such a way that they cannot intervene or interfere with the right to free political activity and in the electoral process.

Agreements ensuring a moratorium by government on any unilateral restructuring at the socio-economic, political, security force and foreign policy levels.

Control  
impartial and fair coverage.

over

state

media

to

ensure

4.3.

Agreement on the second phase of the interim arrangements which would come into place on the basis of the elections for the constitution making body and which would enable the interim government to reflect the power relations that emerge in such an election while at the same time accommodating power sharing arrangements.

2%

REPORT ON THE FRONTLINE STATES HARARE 28 MARCH 1992

The ANC  
included J. Modise, S. Mafumadi and A Pahad.

delegation was led

by Comrade

Deputy President

and

The PAC delegation was led by Mr Moseneke  
The FLS were  
the OAU  
Nigeria was represented by its Foreign Minister.

of state,  
was represented by its secretary Salim Ahmed Salim and

represented by their

respective heads

AGENDA

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Q  
Q  
A  
J  
W  
U

Report by the ANC.  
Report by the PAC.  
Report by Mozambique.  
Report by Angola.  
The drought situation.

ANC presentations wasc made by

The  
dealt with our  
the latest developments at Codesa.

analysis of

the white

The PAC once  
see copy of speech).

again made a submission

DISCUSSIONS

Comrades Sisulu

and Pahad Aaat

referendum results

and

that was inappropriate (

1. All participants contributed to the discussion.

"criticised" the PACâ\200\231S analysis for the white  
and once again re-iterated support of the

that they  
region made it clear  
possibilities of destabilisation

Everybody  
referendum  
negotiations process. The  
could not contemplate any  
and conflict.

2. The issue

of unity between the ANC and PAC once again was a  
major issue.

As indicated in our report of the FLS Meeting  
cannot avoid an offensive on this issue.

in Lusaka, we

3. The drought

are alarming.

has affected all regions and the consequences

agreed that a ministerial meeting of SADCC should be

It was  
convened to co-ordinate regional initiatives.

5%



COMMUNIQUE

or

THE SUMMIT or FRONTLINE HEADS

OF STATE

HELD

AT THE HARARE INTERNATIONAL CONFERENCE CENTRE

HARARE

REPUBLIC OF ZIMBABWE

on

SATURDAY, 28TH MARCH. 1992

64

free and fair. As for privately owned media structures, is proposed that a code of ethics be adopted which would ensure free and fair coverage.

Thus far, there has been broad agreement that an Independent Communications Authority be appointed. It has been suggested that this body, which would be truly independent of party political representation and Independent influence.

Telecommunications Authority (SAITA). Discussions are however continuing and it is hoped that final agreements is reached in due course.

should be named the South African

INTERIM  
GOVERNMENT

a) ANC's proposals - The ANC proposes that there should be a two-phased Interim Government:

Phase I: In this phase a Codesa appointed Interim Government Council (IGC) should be established to oversee the activities of the present government. The IGC would establish Multiparty Committees which would take control of the key government functions like; law and order, defence, finance and foreign affairs. it would also establish an Independent Electoral Commission and

.

2

QV/O

an Independent Media Commission.

Phase II: In Phase II the elected Constituent Assembly would appoint an Interim Government which would replace the existing cabinet and the structures established in Phase I.

b) Government's proposals - On the 23rd March, 1992, and after weeks of delay, the regime proposed that a series of Transitional Councils around key government functions be established. These Transitional Councils would be multi-party in nature. The Transitional Councils would act as mere advisory structures to existing government ministers. The ANC rejected the regimes proposals out of hand and referred to the proposed Transitional Councils as 'toy telephones'. No other party at Codesa supported the regimes proposals. It was then decided to adjourn Working Group 3 (which is the Working Group dealing with this matter) for two weeks so that the regime is given an opportunity to review its position. Subsequently, on the 6th April, 1992 the regime tabled 'new' proposals. In essence the 'new' proposals did not differ from their original proposals.

In the new proposals they used the term 'Preparatory Councils' instead of 'Transitional Councils'.

Once again the regimes proposals were rejected.

c) Present Position - Some progress, however, was made on the 7th April, 1992 when the following was agreed in Working Group 3:-

1. It was agreed that an over-arching executive structure should be established;
2. It was agreed that Multiparty Committees/ Transitional Councils be established for key areas of government. These structures should have executive powers;
3. A technical subcommittee has been established in order to give flesh to '

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1  
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1. and 2. above.

## REPORT ON WORKING GROUP 4

I

### THE FUTURE OF THE TBVC STATES

This Working Group commenced its proceedings with a discussion on the desirability of reincorporation of the TBVC states into South Africa.

Most parties were in favour of reincorporation.

However, some of the parties linked the issue with that of testing of the will of the people.

After some discussion, it was agreed that four sub-groups be established to examine the following:

i)

The issue of testing the will of the people of the TBVC states;

ii)

Citizenship;

iii) Social,

economic

reincorporation;

iv)

The  
reincorporation.

legal

and

and

practical

implications

of

and

constitutional

implications

of

These four sub-groups have been meeting.  
two plenary sessions of Working Group 4 to receive reports.

There have also been

The various sub-committees obtained relevant information from the different parties in the form of documentation.  
Rapporteurs were also appointed.

The big stumbling block in the Working Group is the attitude  
Their attitude  
of the S.A. Government and the National Party.  
is as follows:

i)

ii)

The TBVC states are sovereign and independent states.

The  
citizens of South Africa and are foreigners.

inhabitants

territories

these

of

are

not

iii) Foreigners do not have the right to participate in the  
transitional

process

or

in

constitution-making  
arrangements.

iv)

On the issue of reincorporation, each of the TBVC  
states should first engage in an exercise of testing  
the will of the people of the territory to ascertain  
not.

whether

if such

Thereafter,

testing of the will is in favour of reincorporation,  
negotiate with the South African government for

the state concerned should,

reincorporation

desire

they

or

36

## 4.2

In addition, we need to be extremely mindful that the white community in general and the parties belonging to the white community will be undergoing an immense process of transformation, redefinition and realignment. Accordingly the constituency in this community will require from us a constant search for viable ways in which we can ideologically and organisationally impact upon it. Theoretically, we have always challenged the claim of white parliamentary parties to be the authentic and unique spokespersons of the white community. We are now in the phase where our assertion to be the leading force of democracy for the entire peoples of our country must find adequate organisational expression. We shall be doing so in the context where the ruling nationalist Party will be seeking to carry its white constituency and its image as the representative of the whites into a future which reaches into the black constituencies.

## 4.3

in practical terms four options stand out with regard to the form in which we should participate in the elections:

### 4.3.1

### 4.3.2

An ANC List - We could campaign in terms of a straight ANC list. Such a list would be drawn up by the leadership of the ANC in consultation with its regions. All those elected would act as a cohesive body acting in accordance with ANC decisions. All other organisations belonging to the democratic\ Patriotic Front forces as well as our alliance partners would then be expected to campaign on their own with the possibilities of pacts. The additional entering disadvantage of this approach is that it restricts our capacity to draw in the trade unions, civics, and other organs of civil society. Our base is narrowed and the possibilities of creating a public awareness that the elections involve two camps - the camp of democracy, and the anti democratic camp - is blurred.

election

into

An ANC alliance Est - This would widen our base but still exclude a number of forces. Furthermore, it would enable the anti-democratic forces to raise the issue of the ANC\200\224CP alliance to the forefront of this way, public the perception would be focused incorrectly.

campaign. in

election

â\200\230 4%

regions that are operating in Bop to devise an effective  
In this regard we  
strategy of dealing with that situation.  
shall rely to 21 certain extend on our experience from the  
Border campaign against quzoâ\200\231s intolerance and re ression.

P

#### Targetting the Farmers

The Organising Department is of the View that the farming  
community must either be won over'or neutralised. We are quite  
Clear in our mind that the former is not going to be easy  
given the strong conservative strain of this group of people.  
At the same time we cannot have the huge population of farm  
workers en; the mercy'cï-\201? their bosses, particularly iJi the  
light of the forthcoming elections.

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The Summit of the Heads of State of the Frontline

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Sir Ketumile Masire.

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Republic of Botswana;

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3.13. Mr Joaquim Chissano,

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(v)

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Working Group 1 Report

Working Group 2 Report

Working Group 3 Report

Working Group 4 Report

Negotiations Bulletin No. 8

Outstanding Constitutional Principles

Perspectives for Codesa 11

15

v)  
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reincorporation.

In response to the ANC demand for the immediate restoration of citizenship to the people of the TBVC states, the SA Government and National Party have Their attitude is that expressed total opposition.

such restoration of Citizenship can only follow the testing of the will of the people of each TBVC states separately and provided such testing of the will is in favour of reincorporation.

an asserts Bophuthatswana It reserves the right independent and sovereign state. to decide its own future through processes determined by itself.

arrogantly

that

it

is

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The ANC has during the proceedings insisted upon the immediate restoration of citizenship without any reference to testing the will of the people.

In sub-group 1 where the issue of testing of the will was there was some initial confusion but that has discussed,

cleared up and the ANC position has been clearly put, namely that it is totally opposed to any exercise of testing of the will of the people before reincorporation and that indeed the a

takes

will

testing

In any event, if any testing of the will Constituent Assembly.

is to take place at any time, the ANC is totally opposed to separate testing of wills and also separate counting.

elections

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of

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In the sub-group on citizenship, deadlock exists on the issue of testing of the will.

In sub-groups 3 and 4 no further progress is possible until the The ANC

issue of testing of the will has been resolved.

position is that whilst various issues need to be discussed to facilitate the process of reincorporation, the steps necessary to harmonise legislation and facilitate reincorporation without disruption, must not delay the decision on reincorporation and

should not be allowed to place obstacles in the way of the people of the TBVC states participating in the constitution-making process and transitional process.

Deadlock now exists. The central issue is the right of the people of the TBVC states to participate in the constitution-making process eg elections to Constituent Assembly, and in The implication of the transLtional processes and mechanisms.

South African government/NP proposals is that the people of the TBVC states as foreigners will not participate in Constituent Assembly elections or in the transitional processes.

10 APRIL 1992

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that the South  
Government's participation was vital, it was agreed

There was discussion on the participation of the South  
African Government. While it was acknowledged  
African  
that they should not be invited to the SADCC meeting.  
However a delegation of the SADCC will  
Africa.

be sent to South

#### ASSESSMENT

1. The final communique indicates that the FLS are firmly  
positions

committed to the negotiations process. The PAC's  
are at variance with everybody's thinking.  
The FLS and the OAU are seeking guidance as to  
in the negotiations process. The liberation  
once again criticized for  
decision on this matter.

We have  
held in Arusha on the 23rd  
OAU Ad-hoc Committee Meeting to be  
28th April. "9v's mete. w-eOrWA's Q~Q'su>8 23093 5... \b .

been requested to submit concrete proposals to the

failing to respond to the Abuja

movements were

their role

On the understanding that  
end of April, the OAU Ad-hoc was arranged for 28th April.

Codesa 2 would take place at the

In the light of the decision to convene Codesa 2 on  
15th and 16th May, we have recommended that the  
Ad hoc meeting be changed- hence q'n's as. » \$A'sAQQA.

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We must be sensitive to Africa's perception or our  
the absence  
attitudes to them. Concern was expressed about  
Mandela. In the meeting it was indicated that  
of President  
the  
the presence of comrade Mandela would be essential at  
Ad's hoc meeting, which will be attended by heads of States.

The Harare meeting confirmed our  
timeously brief Africa about developments in South Africa.

View that we must



1 April 1992

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Vb" Negotiations Bulletin  
9 April 1992

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#### INTRODUCTION

Since the referendum, the government has introduced into negotiations the concept of 200\230preconditions200\231. The preconditions are that MK must be disbanded before an Interim Government is established and that violence must come to an end. The primary objective of the government is to give the impression that it is MK that is responsible for the escalation of the present scourge of violence in our townships.

MK is neither a 200\230private army200\231; nor is it responsible for the violence. What however is evident, is that violence in our townships always seem to flare up before major events in our country. It is therefore not sinister to see a relationship between the present escalation of violence and Codesa II which it is hoped will announce the formation of an interim Government.

#### MEDIA

As in the past, the government has successfully used the media in the re-200\230 cent referendum to destroy the credibility of the Conservative Party. The state controlled media has consistently sought to undermine the ANC, and continues to do so. The coverage by these institutions have always been biased and little more than the ruling party's propaganda mouthpieces. The SABC and other forms of state controlled media would naturally be important mediums which the government hopes to have in its control during the run-up to an election. It is in this context that the ANC put its proposals to Codesa.

ANC's proposals - the ANC tabled its proposals for interim media structures on the 23rd March, 1992. The proposals argue that the Media has a central role to play in levelling the political playing field. It is therefore proposed that a Media Commission, be appointed by Codesa. The Commission would be composed of South Africans of high standing and representative of the widest possible spectrum of forces. The Commission would have the following tasks:

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Appoint an Independent Communications Authority;  
appoint Public Broadcasting Boards for the SABC TV and Radio and also for the WBC public broadcasters;

. oversee government departments dealing with media.  
These structures should be empowered to take the necessary steps to ensure that media coverage, especially during the run-up to an election, is

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We strongly urge that we seriously consider how to improve abroad, the our propaganda offensive. The Presidents trips recent OAU summit, the FLS are but some examples of our failure to use such events effectively to put across correct interpretations as well as ANC perspectives.

This is owe misunderstanding international work.

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#### 4.4.

Agreement restoring citizenship to all those who have been deprived of it as a result of the regime's bantustan policies. Such restoration must go together with their right to participate freely and fully in the elections for the constitution making body.

Paragraph 4 encapsulates a package catering for all the critical elements. Without all these elements any agreements reached on parts of the package will not hang together. At the same time, we must be realistic as to the form in which and the detail with which each of these elements need to be addressed at Codesa II.

In terms of the above:

#### 6.1.

We need to ensure that Codesa II has clear, in-principle and properly fleshed out agreements covering:

##### 6.1.1.

##### 6.1.2.

##### 6.1.3.

##### 6.1.4.

The constitution making body

The first phase of interim governing arrangements which would ensure the holding of the elections.

The repeal of legislation impeding free political activity

The restoration of citizenship of those in the TVBC states and their right to full and free participation in the elections.

##### 6.1.5.

Control over state media

#### 6.2.

This would leave a category of agreements which belong to the package but may not have been addressed in sufficient detail at Codesa II. These would require clear and tight in-principle agreements with the understanding at Codesa II that they belong to the package. This would relate to:

##### 6.2.1.

##### 6.2.2.

Phase 2 of the interim arrangements

The details and mechanisms ensuring that the security forces are held outside of the political processes

The REC showed some reluctance to run the sub-regional offices  
They tend  
on the current monthly allowance from Head Office.  
to see the installation of this structure as something that  
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We need assistance in this regard as a matter of urgency.  
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In certain areas there is even the potential of  
ground.

conflict actually manifesting itself between bā and RECSā\200\231.

Besides the political problems that arise as a result of this  
parallelism there is also the question of whether or not the  
ANC is in a financial position to maintain this cumbersome



the

structure.

The Natal Situation:

There is absolutely no doubt that the ANC remains the most

Our

dominant political force in the Province as a

support is so immense that even the Vicious terror campaign~

that Inkatha and its sponsors have unleashed against the

our

whole.

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has

The two regions of Southern Natal and

structured existence.

Midlands have stubbornly grown to outstrdj>a.number of regions

Northern

that are operating in situations of relative peace.

Natal, besieged and marooned by Inkatha vigilantes as it is,

becomes an outStanding fortress of courage and commitment.

NATIONAL WORKING COMMITTEE

â\200\230 29 APRIL 1992

DOCUMENTS

Another area from which our membership comes is the rural and peri-urban population.

It is, for instance, outside:

- Soweto
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regions that are operating in Bop to devise an effective strategy of dealing with that situation.

In this regard we

shall rely 11) a certain extend on our experience from the Border campaign against quzoâ\200\231s intolerance and re ression.

P

Targetting the Farmers

The Organising Department is of the View that the farming community must either be won over'or neutralised. We are quite clear in our mind that the former is not going to be easy given the strong conservative strain of this group of people. At the same time we cannot have the huge population of farm workers en; the mercy'cĩ-\201? their bosses, particularly iJi the light of the forthcoming elections.

The problem of entry into these farms remains a difficult one.

In order to circumvent it we are directing all regions to organise meetings with White Farmers in their own areas - meetings which would be addressed by members of the NEC who shall be deployed to do work in this sector.

One such meeting

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The outcome was a

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## 4.2

In addition. we need to be extremely mindful that the white community in general and the parties belonging to the white community will be under going an immense process of transformation, redefinition and realignment. Accordingly the constituency in this community will require from us a constant search for viable ways in which we can ideologically and organisationally impact upon it. Theoretically. we have always challenged the claim of white parliamentary parties to be the authentic and unique spokespersons of the white community. We are now in the phase where our assertion to be the leading force of democracy for the entire peoples of our country must find adequate organisational expression. We shall be doing so in the context where the ruling nationalist Party will be seeking to carry its white constituency and its image as the representative of the whites into a future which reaches into the black constituencies.

## 4.3

In practical terms four options stand out with regard to the form in which we should participate in the elections:

### 4.3.1

### 4.3.2

An ANC list - We could campaign in terms of a straight ANC list. Such a list would be drawn up by the leadership of the ANC in consultation with its regions. All those elected would act as a cohesive body acting in accordance with ANC decisions. All other organisations belonging to the democratic\Patriotic Front forces as well as our alliance partners would then be expected to campaign on their own with the possibilities of pacts. The additional entering disadvantage of this approach is that it restricts our capacity to draw in the trade unions, civics. and other organs of civil society. Our base is narrowed and the possibilities of creating a public awareness that the elections involve two camps - the camp of democracy, and the anti democratic camp - is blurred.

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An ANC alliance Est - This would widen our base but still exclude a number of forces. Furthermore, it would enable the anti-democratic forces to raise the issue of the ANC-CP alliance to the forefront of this way, public the perception would be focused incorrectly.

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NATIONAL WORKING COMMITTEE

DOCUMENTS

â\200\230 29 APRIL 1992

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There are serious

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and direction on  
the  
ground.

In certain areas there is enormous the potential of  
conflict actually manifesting itself between the REC's and the  
ANC. Besides the political problems that arise as a result of this  
parallelism there is also the question of whether or not the  
ANC is in a financial position to maintain this cumbersome  
structure.

The Natal Situation:

There is absolutely no doubt that the ANC remains the most  
dominant political force in the Province as a  
whole.

Our  
support is so immense that even the vicious terror campaign  
that Inkatha and its sponsors have unleashed against the  
democratic  
movement  
has  
not  
succeeded  
to  
blot  
out  
our  
structured existence.

The two regions of Southern Natal and  
Midlands have stubbornly grown to outnumber a number of regions  
that are operating in situations of relative peace.

Northern

Natal, besieged and marooned by Inkatha vigilantes as it is,  
becomes an outstanding fortress of courage and commitment.

4.4.

â\200\234

Agreement restoring citizenship to all those who have been deprived of it as a result of the regimeâ\200\231s bantustan policies. Such restoration must go together with their right to participate freely and fully in the elections for the constitution making body.

Paragraph 4 encapsulates a package catering for all the critical elements. Without all these elements any agreements reached on parts of the package will not hang together. At the same time, we must be realistic as to the form in which and the detail with which each of these elements need to be addressed at Codesa II.

In terms of the above:

6.1. We need to ensure that Codesa 11 has clear, in-principle and properly fleshed out agreements covering:

6.1.1.

The constitution making body

6.1.2.

6.1.3.

6.1.4.

The first phase of interim governing arrangements which would ensure the holding of the elections.

The repeal of legislation impeding free political activity

The restoration of citizenship of those in the TVBC states and their right to full and free participation in the elections.

6.1.5.

Control over state media

6.2.

This would leave a category of agreements which belong to the package but may not have been addressed in sufficient detail at Codesa 11. These would require clear and tight in-principle agreements with the understanding at Codesa II that they belong to the package. This would relate to:

6.2.1.

Phase 2 of the interim arrangements

6.2.2.

The details and mechanisms ensuring that the security forces are held outside of the political processes

3

4%

We strongly urge that we seriously consider how to improve  
our propaganda offensive.

The Presidents trips

abroad, the

recent OAU summit, the FLS  
failure to use such events  
correct interpretations as

are but some examples of our

effectively to put across

well as ANC perspectives.

This is owe

of the reason

misunderstanding

of

the

international work.

why even within our ranks there is a  
our  
importance

necessity

and

of

34.325332" .'.....

1Â§7 Negotiations Bulletinâ\200\234

ANC Number8

9April1992

## INTRODUCTION

Since the referendum, the government has introduced into negotiations the concept of â\200\230preconditionsâ\200\231. The preconditions are that MK must be dis-  
banded before an Interim Government is established and that violence must come to an end. The primary objective of the government is to give the impression that it is MK that is responsible for the escalation of the present scourge of violence in our townships.

MK is neither a â\200\230private armyâ\200\231; nor is it responsible for the violence. What however is evident, is that violence in our townships always seem to flare up before major events in our country. It is therefore not sinister to see a relationship between the present escalation of violence and Codesa ll which it is hoped will announce the formation of an interim Government.

## MEDIA

As in the past. the government has sumessfully used the media in the re- cent referendum to destroy the credibility of the Conservative Party. The state controlled media has consistently sought to undermine the ANC, and continues to do so. The coverage by these institutions have always been biased and little more than the ruling party's propaganda mouthpieces. The SABC and other forms of state controlled media would naturally be important mediums which the government hopes to have in its control during the run-up to an election. it is in this context that the ANC put its proposals to Codesa.

ANCâ\200\231s proposals - the ANC tabled itâ\200\231s proposals for interim media structures on the 23rd March, 1992. The proposals argue that the Media has a central role to play in levelling the political playing field. It is therefore proposed that a Media Commission, be appointed by Codesa. The Commission would be composed of South Africans of high standing and representative of the widest possible spectrum of forces. The Commission would have the following tasks:

- Appoint an Independent Communications Authority;
- . appoint Public Broadcasting Boards for the SABC TV and Radio and

. oversee government'departments dealing with media.

These structures should be empowered to take the necessary steps to ensure that media coverage, especially during the run-up to an election, is

also for the TVBC public broadcasters;





Mandela. In the meeting it was indicated that

5.

The Harare meeting confirmed our  
timeously brief Africa about developments in South Africa.

view that we must

1 April 1992

55'â\200\235

reincorporation.

v)  
â\200\230

In response to the ANC demand for the immediate restoration of citizenship to the people of the TBVC states, the SA Government and National Party have expressed total opposition.

Their attitude is that such restoration of Citizenship can only follow the testing of the will of the people of each TBVC states separately and provided such testing of the will is in favour of reincorporation.

an  
Bophuthatswana  
It reserves the right  
independent and sovereign state.  
to decide its own future through processes determined by  
itself.

arrogantly

asserts

that

it

is

,

The ANC has during the proceedings insisted upon the immediate restoration of citizenship without any reference to testing the will of the people.

In sub-group 1 where the issue of testing of the will was discussed,  
there was some initial confusion but that has  
cleared up and the ANC position has been clearly put, namely  
that it is totally opposed to any exercise of testing of the  
will of the people before reincorporation and that indeed the  
testing of  
the will  
takes place

a  
Constituent Assembly.

In any event, if any testing of the will  
is to take place at any time, the ANC is totally opposed to  
separate testing of wills and also separate counting.

elections to

through

In the sub-group on citizenship, deadlock exists on the issue  
of testing of the will.

In sub-groups 3 and 4 no further progress is possible until the  
issue of testing of the will has been resolved.

The ANC  
position is that whilst various issues need to be discussed to  
facilitate the process of reincorporation, the steps necessary  
to harmonise legislation and facilitate reincorporation without  
disruption, must not delay the decision on reincorporation and  
should not be allowed to place obstacles in the way of the  
people of the TBVC states participating in the constitution-  
making process and transitional process.

Deadlock now exists. The central issue is the right of the  
people of the TBVC states to participate in the constitution-



making process eg elections to Constituent Assembly, and in  
transitional processes and mechanismsâ\200\234

The implication of the

South African government/NP proposals is that the people of the  
TBVC states as foreigners will not participate in Constituent  
Assembly elections or in the transitional processes.

10 APRIL 1992

W

3.4

3.5

In focusing on democracy. these same social forces remain the basis of our election strategy. It would be premature to think of reshaping the ANC at this stage along traditional class lines.

With regard to the proliferation of organisations which exist in our country today, our emphasis should remain a dynamic one. We should avoid a mechanical approach centred around questions which prematurely seek to determine whether an organisation should disband or continue to exist. This type of question should evolve its answers in the course of consolidation the democratic forces, building the democratic platform and establishing cohesion amongst the democratic forces in the work of the constituent assembly as well as the interim legislature. In this process some organisations may well disband or merge with the ANC; others may continue to exist by developing a closer identity with the camp of the democratic forces led by the ANC. The ANC should at all times be seen to be the force encouraging the process of national unity, lending unity to the diversity of our people. giving shape to the social compact of the diverse and contradictory social forces in our society, giving content to non-racialism and non-sexism and being the cementing agency of the democratic forces. Along this path we enhance and ensure the leadership role of the ANC.

4

IN WHAT FORM SHOULD THE DEMOCRATIC FORCES PARTICIPATE  
IN THE ELECTIONS?

4.1

In organisational terms, the democratic forces which we seek to mobilise under the umbrella of the ANC are spread across the structures of the ANC and its allies, viz the SACP and Cosatu. They are also to be found in the multiplicity of the organs of civil society, in trade unions that have not yet come within the fold of Cosatu. in professional organisations and business groupings, in parties which have come into existence through the bantustan and tricam system, in organisations and structures which exist amongst the traditional leaders and the religious organisations.

7?

But there are indications that the attitude is thawing. More and more of them are beginning to relax and understand that we do not have horns.

This is evident in the numerous meetings

that

the

Department

is

hosting with

various

sectors

on

different issues ranging from sports, culture, business, etc.

A steady trickle is taking up membership whilst some would

openly state they would not join but would vote "for them" â\200\224

meaning the ANC.

Our effective impact on this community will depend not only on

what organising strategy the Department evolves but largely on

how the Movement as a whole strives to improve its image in

terms of what we do and how we do it,

what we say about

ourselves and how we say it.

This is one area in which we are

fundamentally

weak.

In

numerous

representations

this

Department has raised the matter of our public image and the

need to polish it.

Hardly nothing has been achieved.

We also need, in the immediate term , to formulate a strategy

on how best we tackle the historical relationship between the

ANC and the Party without surrendering any principle.

The

tripartite has not addressed the matter, nor has the NBC.

The Coloured and Indian Communities

Again the image issue becomes central in respect of these two communities.

The mitigating factor would, in this particular case, be the fact that we are dealing with a section of the oppressed.

The Department has had numerous meetings with "shakers and movers"

within

these

communities.

These

efforts

are

continually reinforced by the President and other members of the NEC in many public and house meetings that have been organised.

The response is generally good. What is required now is the

W

#### 4.3.3

#### 4.3.4

An ANC pact is the 1st - This would involve putting together a number of bilateral or multilateral pacts. The very exercise would be fraught with all sorts of inbuilt tensions. Instead of emphasis being placed on national unity and the cohesion of the democratic forces, attention would fall more on the independence of the parties involved in such pacts. Along this path the constituent assembly and interim legislature would increasingly become sites of the sort of horse trading that goes on in the House of Delegates

An ANC (Democratic Front or Patriotic Front) List - This approach could avoid the negative tendencies inherent in the idea of an ANC Pact list as outlined above. It has the potential for us to engage the entire spectrum of democratic forces into the process of developing an ANC (PF) list, as well as the election platform of the democratic forces organised under the overall leadership of the ANC. Such an approach should have the added flexibility which would give us the capacity to draw in leading individuals from our society who belong to the patriotic and democratic camp. This approach enhances our strategy to fight the elections as well as win our positions in the negotiations process around the perception that both these exercises involve forces of democracy and the forces against democracy.

struggle between the

a

#### GUIDELINES FOR A NATIONAL LIST

From the above it is clear that we recommend that our approach should centre around the concept of an ANC (democratic front or Patriotic Front) list. In this regard, it is important that we have a clear set of guidelines which determine the way in which we construct such a national list:

#### 5.1

#### 5.2

Through a process of consultation, together by the ANC.

the list will be put

Our alliance partners viz. the SACP and Cosatu would be enabled to bring forth their lists and suggestions.

(viii)

3.3. Major-General Ike O.8. Nwachukwu, Minister  
of  
Foreign Affairs  
of  
the Federal Republic  
of  
Nigeria.

- Representative of- the  
current  
Chairman of the Organisation of African Unity;  
and,

(ix)

H.E.  
Salim Ahmed  
Salim,  
Secretary  
General

of the Organisation of African Unity;

3.

Also participating in the Summit were Mr Walter  
Sisulu, Vice President of the African National Congress  
of South Africa (ANC) and Mr E.D. Moseneke, Second Deputy  
President of the Pan-Africanist Congress of Azania (PAC).

4.

The  
Summit,  
following presentations made by  
the  
liberation movements,  
the ANC and the  
PAC.  
reviewed  
the  
developments  
in

Southern Africa

in

general,

and

in particular the prospects for the early achievement  
of a non-racial democracy in ' South Africa in the light  
of the outcome of the referendum held on 17th March,  
1992.

The Summit reiterated its strong appeal for unity  
among

the

progressive

forces

in

the

country,

particular between the two

liberation. movements,

in

in

the context of the Patriotic Front, especially during  
this critical phase in preparation for the commencement  
of

constitutional

negotiations on the

future of

the

country.

A 3 special appeal was made to the liberation

movements to recognise their common objective and to.

unite in the face of the common enemy.

3g\200\234

3,....

B.

1.

Delegations were requested to consult with their principals on their approaches to the powers conferred upon administrative authorities in terms of the Internal Security Act in respect of:

1.1

the banning of organisations;

1.2

detention without trial; and

1.3

the detention of witnesses.

We have to discuss how these laws are to be dealt with so that we can make appropriate recommendations to the Subâ\200\224Group. Our initial submission was that most of them have to be repealed or, as the case may be, amended.

â\200\230 However, going through them one after the other will obviously be a the SAG

cumbersome and time-consuming exercise. For this reason, submitted that this objective could be achieved through an interim Bill of Rights. The ANC submitted that instead of an interim Bill of Rights, we should consider a two-pronged approach: a general laws amendment statute that repeals/amends all of them at one fell swoop, as well as a general statute that protects and guarantees civil and political rights and freedoms in the interim. The latter could be part of a statute that will establish the envisaged Electoral Commission if we so decide. It could also stand on its own, especially because the Electoral Commission will lapse once the elections have been accepted as having been free and fair, whilst we will still need a statutory guarantee of our civil and political rights even beyond that, till there is a new Constitution with an entrenched and justiciable Bill of Rights.

## SUB-GROUP 2

An agreement was reached on the 2nd March on a binding definition of intimidation. Among other things, it would seek to guarantee some of the civil and political rights that will form part of a general statute guaranteeing such rights. Refer to Annexure "A".

1&2?



## WORKING GROUP ONE

### SUB-GROUP ONE

No progress has been made as yet on the critical issues of the release of political prisoners and the return of all exiles. These matters are still being dealt with at the bilateral level by the ANC and the SAG. The Sub-Group noted that it had taken rather very long for the ANC and the SAG to conclude their deliberations, and agreed that at the next meeting the issues would be tabled for discussion with or without a progress report from the two parties.

These two issues are inextricably bound up with the issues referred to in Paragraph 3 of the Pretoria Minute and the DF Malan Airport Accord, according to the SAG. As a result, bilateral discussions on the latter matters too have continued, and it has been mutually agreed that the resolution thereof is crucial and extremely urgent. The latest SAG position in this regard is still being discussed by the ANC leadership in preparation for the next Paragraph 3 Bilateral meeting which is scheduled for the 20th April. Assuming that agreement is reached in this regard, it will be possible for us to get a general amnesty to be announced as part of the CODESA 2 package.

Though there has been a series of discussions with regard to the laws that inhibit free political activity, there has not as yet been any agreement as to how they are to be dealt with. The Sub-Group has in the meantime, however, reached preliminary consensus on the following principles regarding the need to amend the Public Safety Act, Number 3 of 1953:

A

1.

That the State President or the Minister of Justice, as the case may be, may declare a State of Emergency or an unrest area respectively only on the advice of the Interim Executive Authority / Cabinet ' / Government Council.

2.

3.

That the proclamation of a State of Emergency or unrest area respectively, in terms of the procedure laid down, will be objectively justiciable in a court of law.

Regulations issued in terms of the declaration of the State of Emergency or unrest area shall not be made retrospective but shall take effect from the time of such declaration.

2Â»

## REPORT ON WORKING GROUP 4

### THE FUTURE OF THE TBVC STATES

This Working Group commenced its proceedings with a discussion on the desirability of reincorporation of the TBVC states into South Africa.

Most parties were in favour of reincorporation.

However, some of the parties linked the issue with that of testing of the will of the people.

After some discussion, it was agreed that four sub-groups be established to examine the following:

i)

The issue of testing the will of the people of the TBVC states;

ii)

Citizenship;

iii) Social,

economic

and

practical

implications

of

reincorporation;

and

iv)

The  
reincorporation.

legal

and

constitutional

implications

of

These four sub-groups have been meeting.  
two plenary sessions of Working Group 4 to receive reports.

There have also been

The various sub-committees obtained relevant information from the different parties in the form of documentation.  
Rapporteurs were also appointed.

The big stumbling block in the Working Group is the attitude of the S.A. Government and the National Party.  
Their attitude  
is as follows:

i)

The TBVC states are sovereign and independent states.

ii)

The  
citizens of South Africa and are foreigners.

inhabitants

territories

these

of

are

not

iii) Foreigners do not have the right to participate in the  
transitional

process

or

constitution-making  
arrangements.

in

iv)

On the issue of reincorporation, each of the TBVC  
states should first engage in an exercise of testing  
the will of the people of the territory to ascertain  
whether  
not.

Thereafter,  
if such  
testing of the will is in favour of reincorporation,  
negotiate with the South African government for

the state concerned should,

reincorporation

desire

they

or

36»

free and fair. As for privately owned media structures, is proposed that a code of ethics be adopted which would ensure free and fair coverage.

Thus far, there has been broad agreement that an Independent Communications Authority be appointed. It has been suggested that this body, which would be truly independent of party political representation and influence.

Independent

Telecommunications Authority (SAITA). Discussions are however continuing and it is hoped that final agreements is reached in due course.

should be named the South African

#### INTERIM GOVERNMENT

a) ANC's proposals - The ANC proposes that there should be a two-phased Interim Government:

Phase I: In this phase a Codesa appointed Interim Government Council (IGC) should be established to oversee the activities of the present government. The IGC would establish Multiparty Committees which would take control of the key government functions like; law and order defence, finance and foreign affairs.

It would also establish an Independent Electoral Commission and

an Independent Media Commission.

Phase II: In Phase II the elected Constituent Assembly would appoint an Interim Government which would replace the existing cabinet and the structures established in Phase I.

b) Government's proposals - On the 23rd March, 1992, and after weeks of delay, the regime proposed that a series of Transitional Councils around key government functions be established. These Transitional Councils would be multi-party in nature. The Transitional Councils would act as mere advisory structures to existing government ministers.

The ANC rejected the regimes proposals out of hand and referred to the proposed Transitional Councils as 'toy telephones'. No other party at Codesa supported the regimes proposals. It was then decided to adjourn Working Group 3 (which is the Working Group dealing with this matter) for two weeks so that the regime is given an opportunity to review its position. Subsequently, on the 6th April, 1992 the regime tabled 'new' proposals. In essence the 'new' proposals did not differ from their original proposals.

In the new proposals they used the term 'Preparatory Councils' instead of 'Transitional Councils'.

Once again the regimes proposals were rejected.

0) Present Position - Some progress, however, was made on the 7th April, 1992 when the following was agreed in Working Group 3:-

1. It was agreed that an over-arching executive structure should be established;

2. It was agreed that Multiparty Committees/ Transitional Councils be established for key areas of government. These structures should have executive powers;

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3. A technical sub-committee has been established in order to give iñ\202esh to '  
1. and 2. above.

2

QV/O

COMMUNIQUE

or

THE SUMMIT or FRONTLINE HEADS

or STATE

HELD

AT THE HARARE INTERNATIONAL CONFERENCE CENTRE

HARARE

REPUBLIC or ZIMBABWE

ON

SATURDAY, 28TH MARCH, 1992

\$4

# REPORT ON THE FRONTLINE STATES HARARE 28 MARCH 1992

The ANC

delegation was led

by Comrade

Deputy President

and

included J. Modise, S. Mafumadi and A Pahad.

The PAC delegation was led by Mr Moseneke

The FLS were

represented by their

respective heads

of state,

the OAU

was represented by its secretary Salim Ahmed Salim and

Nigeria was represented by its Foreign Minister.

## AGENDA

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Report by the ANC.

Report by the PAC.

Report by Mozambique.

Report by Angola.

The drought situation.

The

ANC presentation was made by

Comrades Sisulu

and Pahad Quao»

dealt with our

analysis of

the white

referendum results

and

the latest developments at Codesa.

The PAC once

again made a submission

that was inappropriate

(see copy of speech).

#### DISCUSSIONS

1. All participants contributed to the discussion.

Everybody

"criticised" the PAC's analysis for the white referendum

and once again re-iterated support of the

negotiations process. The

region made it clear

that they

could not contemplate any  
and conflict.

possibilities of destabilisation

2. The issue

of unity between the ANC and PAC once again was a  
major issue.

As indicated in our report of the FLS Meeting  
in Lusaka, we

cannot avoid an offensive on this issue.

3. The drought

has affected all regions and the consequences  
are alarming.

It was

agreed that a ministerial meeting of SADCC should be  
convened to coordinate regional initiatives.

3%



#### 4.2.

The conditions under which the elections for the above mentioned constitution making body take place are such that no single political player serves as a referee. In particular, this means that interim governing arrangements have to centre around two phases:

##### 4.2.1

General amnesty for all exiles and political prisoners.

##### 4.2.2.

The first phase must remove the conduct and the holding of elections from the hands of the present regime. In a manner that satisfies all the parties that the elections shall be free and fair.

##### 4.2.3.

There should be substantive agreements creating a climate of free political activity. This must cover:

###### 4.2.3.1.

###### 4.2.3.2.

###### 4.2.3.3.

###### 4.2.3.4.

The removal of all legislation circumscribing and impeding free political activity. This can be attended to by a general law asserting certain basic civil and political rights combined with an omnibus law repealing free political activity in general and by specific reference to particular acts.

legislation

impeding

all

Agreements confining the activities of the security forces in such a way that they cannot intervene or interfere with the right to free political activity and in the electoral process.

Agreements ensuring a moratorium by government on any unilateral restructuring at the socio-economic, political, security force and foreign policy levels.

Control  
impartial and fair coverage.

state

over

media

to

ensure

4.3.

Agreement on the second phase of the interim arrangements which would come into place on the basis of the elections for the constitution making body and which would enable the interim government to reflect the power relations that emerge in such an election while at the same time accommodating power sharing arrangements.

2%

But this does not mean that our capacity to build and rally the vast electoral constituency behind our positions is not diminished by the bandit Violence. People are scared to take Luamembership and attend.our rallies. This became evident when the President visited the Northern Natal region early this month.

Ordinary conventional methods of recruitment as applied in other areas cannot be applied mechanically in this type of a war situation.

Whilst we cannot discard them altogether we would need to devise some other strategies to get to the vast masses of our people.

The establishment of clandestine cells in the Village, compounds and workplaces appeals as a Viable undertaking.

This underground outfit, with its strong bases in the Village communities and amongst the patriotic Chiefs and.

indunas,

'would

require EU]

intense jpropaganda network

popularising the positions

of

our Movement and

exposing

Inkatha for what is

jig

In addition.tx> that,

and em: the

national level, the ANC must begin to mount the biggest ever campaign

against

Inkatha

repression,

intimidation

and

Violence.

We have not done this.

And we have not, with any

systematic method, made full use of such structures as the

National Peace Accord etc to highlight the plight of our

people in that part of our country.

Bophuthatswana

Anti-ANC repression is intense. Our branches find it difficult

to function in the normal way.

The level of anti-ANC violence

is, of course, not as high as we see it in Natal.

Mangope

uses his police to terrorise our structures.

He also relies

on the method of sacking all those comrades who are working in

his government.

A similar strategy as the one we are recommending for Northern

Natal in particular is being considered.

In due course the

Organising Department is going to convene a meeting of all

that most RECs are not clear as to what their function is.

Serious

administrative

lapses

have

led

to

the

loss

of

membership cards and in some cases disappearance of funds.

These problems invariably lead to the impairment of the RECs

political leadership

role.

Time and again the national

leadership

finds

itself addressing

regional

issues which

should have been attended to by the REC itself.

131

order'

to

remedy' this state

of .affairs the Organising

Department will

be

convening

induction courses

in

those

regions which are adversely affected by the problem in the

next four weeks.

Targeted for this kind of attention are the

Northern Cape,

both  
Free  
State  
regions  
and  
the  
Western  
Transvaal.

It is, of course, our intention to do likewise in  
some of the regions where there is an apparent laxity in terms  
of exercising leadership.

We also ensure that the relevant  
comrades understand clearly what is expected of a regional  
leadership and how power is spread and delegated.

A start has already been made in those regions that we have  
visited and at the national workshop or organisers that we  
convened in February;

'The Political Education Section is also  
grappling with the matter and we  
are also enlisting the  
services of specialist agencies to help on the administrative  
side.

We believe that some of the problems can receive some fairly  
adequate attention once the sub-regions are placed in a fully  
operational basis.

Each sub-regional office will make co-  
ordination easy»

It will facilitate the consolidation of  
branches and smoothen lines of communication between branches  
and the REC.

For this to take off these sub-regional offices  
need equipment and personnel that should work full time.

Most  
regions have already started on this kind of demarcation.  
But

as usual the problem of resources persist.

b

a) ANCâ\200\231s proposals -

The Constitution be drafted and adopted by a body to be elected according to the principle of one person one vote.

This body shall be as inclusive as possible i.e. it would seek to involve as many of the political formations as possible.

All persons over the age of eighteen (18) living within the 1910 borders and regarded in international law as South Africans. shall be entitled to vote.

The system of proportional representation shall be used.

The Constituent Assembly shall consist of four hundred (400) delegates. The number 400 is not an arbitrary figure but arrived at by estimating that there should be one elected representative to approximately 50 000 voters.

The Constituent Assembly shall elect from its own ranks a representative drafting commission consisting of 40 persons to work under its direction.

Decisions at the Constituent Assembly shall be by a two thirds majority.

The Constituent Assembly shall be obliged to enshrine the principles agreed upon by Codesa in the new constitution and shall not contradict such principles.

The Constituent Assembly shall appoint an independent constitutional panel consisting of nine (9) respected. representative and competent persons to hear any disputes within the Constituent Assembly over the interpretation of the general constitutional principles agreed upon at Codesa.

Functioning within the above framework, the Constituent Assembly shall be legally entrusted with sovereign powers to draft and put into operation a new and binding constitution for South Africa.

b) The Regimeâ\200\231s proposals on the Constitution-making body:

The Constitution should be drafted by a two-chamber parliament;

The first chamber, called the National Assembly should be elected by proportional representation on the basis of one person one vote. Those living in the TVBC states will not be able to vote if re-incorporation has not taken place at the time of election.

The second chamber, called the Senate will be composed of the existing Tricameral parliament together with the homeland Legislative Assemblies. The Senate will have the power to veto any decision of the National Assembly.

There should be no time limit for the drafting of the constitution.

c) Inkathaâ\200\231s proposals on the Constitution-making body: The IFP is opposed to an elected constitution-making body. It proposes that the new constitution be drafted by a Constitutional Council which is appointed by Codesa and not elected on the basis of one person one vote.

d) Present position: There is no agreement as yet in Codesa about the constitution-making body.



6.

to

appoint

a

with

A decision was taken  
representatives of the ANC and government and certain Other participants.  
to see whether the ANC proposals and government proposals can be  
brought together. This committee will have its first meeting on Friday 10  
April. and a report will be made at the meeting of the Forum on the progress  
(if any) that is made.

committee"

"technical

The positive features of the "progress" at Working Group 3 are

1a)

(0)

a substantial consensus (llnkatha excluded) on a two stage interim  
government, in which the first stage will involve Structures to be  
designed and appointed by Codesa, and a second Stage during which  
an elected constitution making body with sovereign powers will  
function both as a "constituent assembly" and a legislature through  
which an executive will be appointed.

A substantial consensus (government/national party dragging their  
heels) that the interim government structure of the first stage will  
consist of a Council and sub-councils with effective powers necessary  
for "levelling the playing fields" before an election.

The problem areas involve

(a)

(b)

The precise powers and functions of the interim councils

The relationship of the interim councils to the Cabinet and to the  
legislature

The inclusion  
government.

of the TBVC states

in both Stages of

interim

The structure, powers and functioning of the constitution making  
body/legislature which will be the interim government Structure in  
This is being dealt with in the first instance in Working  
stage 2.  
Group 2.



## OUTSTANDING CONSTITUTIONAL PRINCIPLES

W62 has yet to agree on constitutional principles on the following issues: the economy; Bill of Rights; affirmative action; language; religion and culture; and traditional leaders.

The WGZ Steering Committee has agreed to recommend the following formulations to the W6:

1

The constitution should provide for the promotion of the improvement in the quality of life of all South Africans by enabling economic growth, human development. social justice and equal opportunities for all.

There shall be a justiciable Bill/ Charter of Rights which shall ensure, inter alia:

2.1

2.2

2.3

universally accepted human rights and freedom;

civil liberties, including freedom of religion, speech and assembly;

property rights (provided that legislation may, in the public interest, authorise expropriation against payment of reasonable compensation which shall, in the event of a dispute, be determined by a court of law); and.

2.4

the equality of all before the law.

The constitution shall enable the implementation of measures to help address the racial and gender inequities caused by past discrimination.

The constitution, at all levels of government, shall accommodate and protect the rights of citizens to practice their religion, enjoy their culture and use their own language both as individuals and in association with others. This shall include the right of citizens, to establish educational institutions racial reflecting discrimination may not be practised.

culture and religion

provided that

their

language,

The constitution shall define a suitable role for traditional leaders consistent with the objectives of a united, non-racial, non-sexist and democratic South

18;

REPORT OF MEETING OF FRONT LINE  
STATES - ZAMBIA. 12TH MARCH 1992

The

ANC

delegation

was led

by

Comrade Sisulu

and included

comrades T.Mbeki, J.Modise and A.Pahad.

The PAC delegation consisted of Makwethu, Ebrahim, and Mlambo.

Zimbabwe,  
their respective

Zambia, Botswana, and

Tanzania were

Heads of

State. Angola

and Mozambique

represented by  
were

represented  
represented by their High Commissioner in Zambia.

Ministers.

Foreign

their

by

Nigeria

was

The meeting of the

FLS has

been called after a

unprecedented

delay.

#### AGENDA

1. Elections of Chairperson
2. Situation in South Africa (a) Report by ANC  
(b) Report by PAC
3. Report on situation in Mozambique
4. Report on situation in Angola

## PROCEEDINGS

### 1. President

Mugabe was unanimously elected as Chairpersn of  
the Front Line State.

### 2.

The ANC briefing were given by Comrade Sisulu and Mbeki. We  
concentrated  
referendum.

on developments at CODESA and the white

a

long

PAC made

the ANC  
for

The  
criticised  
agreements and  
camp.  
white supremacy" and that  
They

They argued

called

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inappropriate speech.

violated

disunity within

for having  
creating

that CODESA was an

Basically

the Patriotic

they  
Front  
democratic  
"instrument to maintain  
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the

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" they were happy to be out

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assistance

struggle.

ANC suggested that

The discussion=largely

The

with

wanted to discuss the issue.

in South Africa.

the PACâ\200\231s

However it

concentrated on the

question of unity.

criticisms were best dealt

the meeting

was clear that

REPORT OF THE ORGANISING DEPARTMENT FOR THE CONSIDERATION OF THE  
NWC

April 23rd, 1992

Introduction

This report is based on the data that we have received from  
our regions.

It is also influenced by personal experiences of  
members of the Department who have visited some regions with  
a View to getting first hand experience of the state of  
affairs on the ground.

Due to pressure of work here at the  
Head Office, we have not been able to go to all regions to  
date.

We intend doing so in the near future because we firmly  
believe

that

time

task

(xf

building

ea

powerful

IANC

infrastructure cannot be undertaken in any serious way from  
the Head office.

Up to now,

and not out of our own design, we have had to  
direct and lead from our Johannesburg office.

This approach

needs to be revised as a matte of urgency.

We hope the NWC,

after'oonsidering this report, will be a bit lenient in giving  
leave to the members of our Department to visit or even stay  
for some days in the regions.

Most of the regional leadership

is inexperienced; lacks self-confidenoe euui administrative

skills.

They therefore need the assistance of the officials  
from the Head Office.

State of organisation

Accompanying this document is a chart which delineates the  
numerical strength of our organisation.

Because of immense  
administrative weaknesses and an acute lack of resources, that  
chart cannot be an accurate reflection of what we have in  
terms of signed-up membership.

Ideally we would have liked to  
report accurately on not just the sum total of members, but  
also to break that membership down to indicate statistical  
data in respect of the various communities that are targeted.

Unfortunately it can't be done that way until such time as we  
shall have overcome the problem of resources and adjusted the

?





intensification of the house-to-house and house-meetings drive  
that I have been  
initiated into the Department and other NEC  
members.

#### CONCLUSION

We have attempted to give you a picture of the situation as we  
understand it. We desire your guidance and assistance.

After

all

the work stretches

far beyond

the

confines

of

this

Department.

## 2.2

As we move through the current and coming phase of the struggle we need to bring this same focus but centred this time around the question of democracy. On the basis of this heritage, it is important that this focus should be redirected towards the camp of democracy and the camp of anti-democratic forces. Such a refocus brings to the fore the need to win our demand for an elected constitution making body (Constituent Assembly) as well as win the forthcoming elections.

## 2.3

Thus, achieving a democratic system and realising democracy in practice becomes the central focus of our electoral strategy.

### THE SOCIAL FORCES FOR DEMOCRACY

#### 3.1

#### 3.2

#### 3.3

In order to maintain its power, the rulers of our country sought to divide our people on racial and ethnic lines. Along this path they created institutions aimed at enhancing such divisions.

For our part, we strove to build the unity of our people. In this process, we constantly sought to outflank the divisive tendencies that the regime tried to exploit. Accordingly, we encouraged a proliferation of organisations and structures on the basis that this would provide a range of vehicles which would enable us to reach out to our people at the grassroots level in both the urban and rural areas in order to draw them into active struggle. In other words, we saw the proliferation of these organisations as strengthening the mobilisation of the people and the leadership role of the ANC.

In terms of class forces, we recognised that the overwhelming majority of our people were the working people and those eking out a living in the rural areas. We also recognised that the system of race rule placed objective constraints on the middle strata of our population whose rightful place was in the liberation struggle. We also moved from the premise that we needed to encourage and draw anti apartheid forces within the white community into the struggle for national democracy.

8. Points  
which there  
into the discussions

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is agreement on words but not on content, overflow

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have not

is a strong demand

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also in the legislative  
Labour  
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this is genuine

Others

The issue

b.  
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with regional representation.

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of minority 'vetoes in the

future.

This is

constitution making  
often entangled

proposals

4.  
Bloemfontein  
structure.  
legislative  
constitution making  
decisio.s.  
of April.

The Government  
draft.  
However. the  
assembly will

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Their final proposals will be submitt ed at the end

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coontehts,

submitted to Codesa.

The appreciation did not extend to

press they found itl

They told the

and

in the

language however, Uplifted our PF allies (and myself).

necessarily agree

best document

said the

that has

it the

later

same

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government circles however.

â\200\235 offensive and insultingâ\200\235,

working group.

The hard

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There is

:5 gQIDE to affect,the small partiesl

senious concern about the electoral system and how

The

7.  
informtion  
has also  
prihoiples.

Working

Group  
on aspects of

own  
It  
Prepared a briefing document on each of the remaining

prepared  
electoral system and procedures.

documents for

its

6

Flnally it has made the submission on the CH8.

5.

While noting the positive outcome of the referendum 4â\200\231  
â\200\235JQâ\200\230Mâ\200\230 swpuvm/Aâ\200\230HMKWWâ\200\230

and having considered the . likely impact 0

that r sult

on

the

peace

process

in

South

Africa.

the

Summit

Â«(AMA M Q J

expressed the view that more remains to be done for

the democratisation process to succeed.

In particular,

the remaining obstacles to the creation of an atmosphere

conducive to constitutional negotiations ought to be

remove .

Â«Y ml. :42 @â\200\230Muj CM-Ã©rci.I/koÂ¢râ\200\2347~7â\200\230/" MICYUVWM

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6.

The Summit noted with grave concern the escalation

of violence in South Africa resulting in loss of innocent

lives and the destruction of property.

It called for

an immediate end to this carnage.

The Summit reiterated

its appeal to the parties to the 14th September, 1991

National



Peace  
Accord  
to  
strictly  
abide  
by  
their  
undertakings  
under  
that  
Accord  
and  
further  
appealed  
to parties nonsignatory to that Accord to desist from  
actions and activities  
that could contribute to  
the  
atmosphere and incidence of violence in the country.  
The Summit also emphasised the necessity of broadening  
the dialogue to include all parties in the country with  
a view to achieving this objective.

7.

Reaffirming  
its  
continued  
support  
to  
the  
South  
African liberation movements until victory is achieved,  
the Summit stressed its determination to continue to

\$ 3

4/0....Â»

## DEVELOPING AN ELECTION PLATFORM

6.1

6.2

6.3

[21st April 1 992]

assembly

Essential to having an ANC (PF) list is a clear perspective for developing a common platform which would unite the democratic forces. There is every likelihood that the elections would have a twofold character -

8) elections for the constituent

would

simultaneously establish an interim legislature. At the same time, after a democratic constitution has been adopted, either fresh elections would have to be held in order to establish a parliament in conformity with such a constitution, or the constituent assembly! interim legislature would become the new parliament if it is not in contradiction with the terms of the new constitution.

elections

and

D)

such

The implications of the above are that the election platform in the first place would have to be built around the work of the constituent assembly. Accordingly concrete constitutional proposals would form the key element of our platform.

Secondly, on the basis of ANC initiatives, the democratic forces would have to be drawn into a process whereby the second aspect of an election platform dealing with the economic and social goals of an ANC (PF) government. In this regard, the forthcoming ANC policy conference could provide an important starting point in this process not only for the ANC structures, but also for the Organisations we shall be drawing into the camp of the democratic forces. In this way, we shall be initiating a process which will involve the elaboration of the election platform, the election strategy as well as the campaigning strategy.

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Dmnexwa, G H

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L

The meeting agreed on the dei-\201nmon of Polmcal Intmudauun as :

Any action or set of actions unmanned hy any mdividml, urgumsmiun, pnmtcal puny, govcmmm: represented a: CODESA. as well as the acâ\200\235 gOVcrmmg termones or any :gmcy or such government or self governing Lern'tory, that is designed by me use or the threat of use of force or violence to dnsmpt or mterfcen: with. for inxumce the fnllnwmg legal nghts of an mdmdml :

4.2.1  
4.2.2  
4.2.3

Right to freedom of cxprcssion or opimnn  
nghl of freedom nf association  
Rxghl of ttecdom of movement.

in particular, the foi-\202owmg shall be consndenced forms of political intimidatinn, m :

4.2.3.1 kiHJniUre. nppiy Holmes to .mtum'date or threaten my mhcr pcrsonâ\200\230s

pohlxcai-\201 bcheti.wÂ«)rd<, wnnngs or actmns:

rcmovc, dlsï-\201gurc. destroy. plaguarise or ozhcmisc misrepresent any symbol or nthcr malcnai of any other polmcai pony or mgamsation;

imerferc wuh. obsxruet or (mazen any other persnn or group travelling to or from or xmcad'mg to attend. any gamcrmg for polmcal purposes;

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a .34 seek to compel. by force or threat of torcc, any person m jnin .my party m orgamsannn, mend my maeung, me'c any cnntnnutmn. resxgn from any post or omcc. boycott any occasion or comm: :al acuvuy or wuhhold his or bcr labour or fail to perform a iawful obhgauon; Or

\

obstruct or interfere with am ofï-\201cial rcprcscctanve of any mher political puny or orgamsauon's mssage to contact or address any groun of pmppte;

to possesm carry or display dangerous weapons or i-\201rcarms by members of the general public when attendmg any political gunning, processnon or mocung.

AFRICAN NATIONAL CONGRESS

NATIONAL WORKING COMMITTEE

DATE: Wednesday, 29 April, 1992

VENUE: Boardroom, 10th Floor

TIME: 10:00

DRAFT AGENDA

1. Opening
2. Adoption of Agenda
3. Apologies
4. Organising Department:
  - State of Organising
5. Negotiations Commissions:
  - Election Strategy
  - Report of Working Groups
6. Tripartite Alliance Summit before CODESA II
7. Patriotic Front Conference before CODESA II
8. Preparation for NEC on 6-7 May
9. Problems in Eastern Transvaal Schools

FOR INFORMATION

10. Report on Meeting of Front Line States
11. General

current application form to this particular requirement.

As an organisation, we remain strong.

There is no stagnation

that is reported or observed except in those areas that are afflicted Eur Inkatha Violence.

Our capacity ix) grow even

beyond the million target is great.

This is manifest in the

huge mass rallies and other public manifestations that our leaders address zuui

lead.

Also,

time experience (H?

some

comrades

in

the

Organising

Department

testifies

to

the

immensity of this capacity.

The simple question put to Â£1

stranger in a lift, to a waiter/waitress in a hotel; â\200\235Have you

already joined 13K: ANC?" elicits either (H?

the following

responses:â\200\224

1. Yes

2. Where is it joined?

3.

4.

I donâ\200\231t have the joining fee

I thought my membership to Cosatu of Civics took care of

my actual membership to the ANC.

What all this means is that the ANC is a marketable "product"

if we may use the term.

The people know it is there.

With

the ordinary man

and

woman

in

the

street

you

are

not

introducing something strange, something that needs a lot of

explaining and convincing.

Even in those regions, outside the

violence torn ones,

where membership is low,

it

is not a

question of hostility to the ANC that keeps that membership

low.

It is simply a question of lack of regional strategic

recruitment

drives

brought

about

by

politiCal

lethargy,

bureaucracy, factionalism, powerâ\200\224mongering and a host of other

weaknesses that impair the performance of the leadership in

most of the regions.

The bulk of the African membership is drawn mainly from the

working class.

This is understandable given the size and the

historical militancy of the class.

A

DRAFT

## PERSPECTIVES FOR CODESA 11

Codesa II is scheduled to take place in exactly one month's time. During the past week we have had to take stock of where the process stands and what prospects we can hold out for Codesa 11.

It is clear that by the time we reach Codesa 2, it will not be possible for all the substantive issues to be addressed in the Working Groups. It is therefore necessary that we ask ourselves what sort of expectations we hold for Codesa 11.

Two possibilities arise:

3.1.

3.2.

Either Codesa 11 agrees on a package of substantive agreements which unmistakably show that the process of removing white monopoly of political power and replacing it with a democratic order can be realised through those agreements; or

Codesa 11 simply records progress reports which isolate very clearly the nature of the blockages and where the responsibility for these blockages lies. On this basis Codesa II will have to address the prospects and future of the negotiation process.

With regard to the first option, we need a very clear understanding amongst ourselves as to what sort of package at Codesa 11 would constitute substantive progress. At this stage, the following elements belong to that package:

4.1 .

First and foremost, we need an agreement on the constitution making body. Agreement in this case must include:

4.1 .1 .

That it is an elected body based on one person one vote:

4.1 .2.

That its tasks include drafting and adorning a democratic constitution;

4.1.3.

That it will be a single chamber body;

4.1.4.

That its decisions will not be subject to any veto or overriding powers by any other structure.

1W



-2...

The ANC briefly indicated  
that we were acting in the spirit of  
the Patriotic  
Front agreement  
and that the  
vast majority  
of  
participants  
at  
the  
Patriotic  
Front  
Conference  
supported  
CODESA  
also preparations for  
the re-convening  
of the P.F had  
started.

The ANC also informed the  
meeting that the meeting that we had  
received a letter  
Comrade  
Mugabe was asked  
from PAC and that  
to remain  
we were considering this.  
seized with the  
issue of  
unity.

#### ASSESSMENT

1. The PAC position are at variance with the thinking  
of the  
FLS and the OAU. This  
is reflected in the communique (  
(appendix 1  
are distorting

) However they

continue to ignore reality and the situation. We must plan to effectively

expose their ties and distortions.

4. Some

key governments are desperately trying to find a faCeâ\200\224

saving denice for the

PAC, that will allow them to join the

CODESA. The Patriotic Front

is seem as an important

instrument to achieve this objective. The PAC announced

that they

would be having an extra-ordinary Conference in

April to review the

South African situation. It is

important that we work out a strategy of tackling the

whole question of unity.

3. The FLSâ\200\231s specifically, but the OAU generally must be

timeously briefed about developments

in South Africa. DIA

is recommending

that at appropriate times we must send out

delegations to brief African governments special

attention

must be paid to the Chairperson of the FLSâ\200\231s. We must not underestimate Africas sensitivity to our

" indifference" to them.

perceived "

4. It is

urgent that we concretely work out the perceived role

for the OAU and the Front Line States

5. Once again we failed to make political propaganda from FLS

meeting. All efforts to organise a

DIP failed. The consequence was that very little of the

press conference through

important

decisions of the

FLS were publicised in South

g2,

6.2.3.

The role of the international community (if it has not already been dealt with or with regard to aspects which arise later)

6.2.4.

The stages and steps by which these TVBC states are reincorporated.

In terms of the above, time frames must be set according to the content of the different phases. In the same way constitutional amendments and interim constitutional arrangements will have to be framed in terms of the phases. The life span of the transitional constitutional arrangements will thereby be defined by the each of the phases leading to the adoption of the new constitution by the constitution making body.

What tactics do we adopt if the above perspective is not realised at Codesa II? We are of the view that Codesa II should not be postponed; that it should be used to clearly set out our positions; isolate the regime for its refusal to measure up to its public commitments to help bring about a democratic system and its persistence in wanting to be both player and referee and imposing a white veto. We should do this in such a way as to insist that the negotiation process no longer resides under the control of the regime.

7.

8.

14th April, 1992.

2:31; .

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'--r'.

### WORKING GROUP 3

There has been only limited progress in Working Group 3 since the last meeting of the Negoï-\202ations Consuitation Forum.

On 23rd March the government/national party delegations tabled their "proposals for transitional arrangements" in a dOCumeht which will be made avaiiabile at the meeting of the Forum. These proposals were roundiy condemned by all the other delegations who spoke (inciudihg inkatha) on the basis that they invoived no transfer of power from the present government StruCtures to the proposed "transitional councils". Aiso. the Councils were given funCtions reievant to preoarations for the governments plans for a bi-cameral constitution making body in which the "senate" would be elected on a regional basis, and for restructuring of local government prior to elections. No provision was made for a media counoii.

Under the government/national party proposais effeCtive power remains vested in existing government structures which would control aii aspects of executive government, including the supervision of eieCtions. The TBVC states are not included in their structures.

in response to the wide ranging condemnation of their proposals the government/national party said they had been misunderstood, and that they contemplated that the Councils would be veSted with powers necessary to make them effeCtive bodies.

The ANCâ\200\231s proposals were tabied at the next meeting of Working Group 3 which was on 6 April. These proposals will also be available at the meeting of the Forum. The ANCâ\200\231s proposals have support from the members of the PatriOtic Front, and in significant respects, from all Other participants who sooke. apart from inkatha and the government/hetionel party.

it was

suggeSIed by the Democratic Party that if the government/natiohai party were serious about transferring etteCtive power to the "Councils" proposed by them. there was a basis for bringing the structure of the ANC proposais and those of the national party/govemmment together. by treating the "Joint Preparatory Council" of their proposals as an overarching council. and the preparatory counciis as its "sub-counciis". The government/national party delegates indictated that this was a possibility.

Also, that they would be

wiiling to consider a media council and to give reai Status and effeCtive powers to the various councils. Their concern seems largely to be directed to the status of the cabinet and the legislative powers and funcrions of the interim Government Council proposed by the ANC and to the position of the TBVC states.

TRADITIONAL  
LEADERS

This matter is being dealt with by a sub-committee of the Management Committee of Codesa. To date, the committee has interviewed over 70 traditional leaders which are representative of all traditional leaders. The committee has as yet not finalised its position and a report is due shortly.

ISSUES FOR  
DISCUSSION

Participation of Traditional Leaders at Codesa - There are four possible options. Traditional leaders could be either excluded completely, or accorded observer status, or full rights of participation, or allowed to participate with regard to particular matters which would be of relevance to them? Kindly let us hear your views on this.

GENERAL

With reference to the issues raised for discussion in the Negotiations Bulletin No. 7, it is rather disturbing that we have as yet not heard the views from any of the Regions thus far. It is important that these Bulletins be used as discussion documents. The views of branches and regions are of great importance. In this regard, please address all your views to:

The Secretariat  
Negotiations Commission,  
P O Box 61884  
Marshalltown  
2107.

Discussion on the role of the international community still has to start. The ANC has to prepare its submission; it is suggested that the ANC's Department of International Affairs has to assist in this regard.





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4

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monitor the evolving situation in South Africa closely and effectively.

In this regard, it stated its readiness to assist the negotiating process in the country in every way possible.

The Summit invited the liberation movement to inform the CAD Ad Hoc Committee on Southern Africa at its next meeting to be held in Arusha on 28 April,

1992, on their preference with regard to the composition,

mandate

and

location

of

a- monitoring

mechanism for this purpose.

8.

The Frontline States considered the issue of the drought and its consequences on the economies and well-being of the countries of the region.

In this regard, they recommended that a SADCC meeting be held as soon as

possible,

at Ministerial

level,

to

co-ordinate

regional efforts to combat the drought and thereafter send a delegation of officials to South Africa to secure the

co-operation

of

that country in

this

endeavour.

They also welcomed the offer by the Republic of Zambia

to host the meeting.

9.

Having listened to the report by'

President. Jose

Eduardo

dos

Santos

of

Angola,

the Summit noted the

progress being made in the implementation of the Bicesse

Peace Accord and once again called upon the international

community to provide the necessary support and assistance

to ensure the successful implementation of that Accord.

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5/.....

Working Groupz

Report:

April 3rd. 1992

e

Prior to adjournment for Referendum it had been to request  
remaining  
steering Committee  
begin

for the working group to

to prepare

drafts of

the

onstitutional principles, and  
lscussion of its second assisgnment.

2.  
questzoh of the constitution making body and the process.

submissions

have. made

following

parties

The

on

the

ANC  
Ciskei Government  
Democratic Party  
?ikwahkwetla Party  
Intahdo Yesizwe Party  
Ihyahdza National Movement  
Labour Party  
Solidarity Party  
South African Government  
Transkei Government  
United People's Front  
Venda Government  
Ximoko Progressive Party

0

(

The differences of principle centre around:

A.  
maklhg body (ChB)

Whether or

not

we should

have an

elected constitution

IF? and Ciskei have opposed  
Ximoko & Dikwankwetla also do not favour elections.

put

forward are

that

the

not permit elections.

Further,

main

arguments

The  
violence does  
parties accept that  
that  
illegitimaoy arising lf  
the constitution.

will

bind

they are entitled to formulate

the

Che,

there

should

be no

Codesa or other appointed body

situation of  
that since all  
principles  
of  
drafts

question

The SAG prefers an  
an elected one provided sufficient safeguards.

appointed body,

but is prepared to

accept

W5:

10.

011 Mozambique,  
the Summit welcomed the signing,  
on 12 March,  
1992,  
of Protocol III on the Electoral  
Law between the Government of Mozambique and Renamo  
as a positive development in, the search for peace in  
that country.

In this regard,  
the Summit reiterated  
its appeal to Renamo to respond positively to the genuine  
efforts  
of  
President Joachim Chissano  
for peace and  
stability in Mozambique.

11 .

The Heads of State and Leaders of the Liberation  
Movements  
expressed  
their  
gratitude  
and  
appreciation  
to the Government and the people of Zimbabwe for the  
warm reception and hospitality extended to them during  
their stay in Harare.

# ELECTION STRATEGY FOR A CONSTITUENT ASSEMBLY\

## INTERIM LEGISLATURE

1

### INTRODUCTION

1.1

1.2

It is urgent that we develop an election strategy. If we succeed in reaching agreement on an elected constituent assembly based on proportional representation and one person one vote, we shall have no more than a short space of a few months in which to mobilise people a) to vote and b) to vote for the ANC.

At the same time in order to win agreement at Codesa for an elected constituent assembly, we need to ensure that the Patriotic Front forces within Codesa are consolidated around our demands for a two phase interim government and for an elected constituent assembly. The key to getting agreement on these issues depends, firstly, on the degree to which we succeed in consolidating the Patriotic Front forces in Codesa. and the progress we make at the bilateral level with the government. We have to ensure that questions of regionalism, regional lists and a non-elected constitution making body are deprived of any potential to erode the cohesion of the Patriotic Front forces in Codesa.

1.3

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it is our view that a proper election strategy is capable of addressing both these problems simultaneously. In this regard it is necessary that we a) define the objectives of an election strategy; b) define the social forces which need to be mobilised into the camp of democracy; c) determine the form in which the democratic forces will participate in the elections; d) develop an approach for an election platform of the democratic forces; and e) develop a perspective for the conduct of the election campaign.

### OBJECTIVES OF AN ELECTION STRATEGY

2.1

We focused the content of our struggle for liberation around the central demands for national democracy. In order to achieve this goal we have sought to mobilise our people in terms of two camps: the camp of the anti- apartheid forces. and the camp of those supporting apartheid. The centrality of the ANC and its allies was the bedrock of the anti apartheid

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