

STATEMENT BY PRESIDENT MBEKI TO THE NATIONAL HOUSES OF PARLIAMENT
AND THE NATION, AT THE TABLING OF THE REPORT OF THE TRUTH AND
RECONCILIATION COMMISSION

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Madame Speaker and Deputy Speaker;
Chairperson and Deputy Chairperson of the Council of Provinces;
Deputy President;
Chief Justice and Members of the Judiciary;
Former Members of the Truth and Reconciliation Commission;
Ministers and Deputy Ministers;
Distinguished Premiers;
Honoured Traditional Leaders;
Leaders of the Chapter Nine Institutions;
Honourable Leaders of our Political Parties;
Your Excellencies, Ambassadors and High Commissioners;
Honourable Members;
Distinguished Guests;
Fellow South Africans:

We have convened today as the elected representatives of the people of South Africa to reflect on the work of the Truth and Reconciliation Commission, to examine its Recommendations and to find answers, in practical terms, to the question - where to from here!

We wish to acknowledge the presence of Commissioners of the erstwhile TRC, who took time off their busy schedules to join us in commending the Report to our national parliament.

I am confident that I speak on behalf of all Honourable Members when I say to these Commissioners, and through them, to Archbishop Desmond Tutu and the other Commissioners not present here today, that South Africa sincerely appreciates the work that they have done. Our thanks also go to the staff of the Commission and all who contributed to the success of the work of the TRC, which we are justified to celebrate today.

They did everything humanly possible to realise the objectives of a process novel in its conception, harrowing in its execution and, in many respects, thankless in balancing expectation and reality.

Our assessment of the TRC's success cannot therefore be based on whether it has brought contrition and forgiveness, or whether at the end of its work, it handed us a united and reconciled society. For this was not its mandate. What the TRC set out to do, and has undoubtedly achieved, is to offer us the signposts in the Long March to these ideals.

What it was required to do and has accomplished, was to flag the dangers that can beset a state not premised on popular legitimacy

and the confidence of its citizens, and the ills that would befall any society founded on prejudice and a belief in a "master race".

The extent to which the TRC could identify and pursue priority cases; its ability to bring to its hearings all relevant actors; the attention that it could pay to civil society's role in buttressing an illegitimate and illegal state; and the TRC's investigative capacity to pursue difficult issues with regard to which the actors had decided to spurn its call for co-operation -all these weaknesses were those of society and not the TRC as such.

And, we make bold to say that all these complexities make the product of the work of the TRC that much more outstanding and impressive.

The pain and the agony that characterised the conflict among South Africans over the decades, so vividly relived in many hearings of the Commission, planted the seed of hope - of a future bright in its humanity and its sense of caring.

It is a future whose realisation gave life to the passion for the liberation of our people, of Oliver Tambo and Chris Hani, the tenth anniversary of whose passing away we mark this month. This includes others such as Robert Mangaliso Sobukwe and Steve Bantu Biko, who passed away 25 years ago this year and last year respectively. They joined and have since been joined by many other patriots to whom freedom meant life itself.

We are indebted to all of them; and we shall work to ensure that their memory lives on in the minds of generations to come, inspired by our common determination that never again should one South African oppress another!

At a critical moment in our history, as a people, we came to the conclusion that we must, together, end the killing. We took a deliberate decision that a violent conflict was neither in the interest of our country nor would it solve our problems.

Together, we decided that in the search for a solution to our problems, nobody should be demonised or excluded. We agreed that everybody should become part of the solution, whatever they might have done and represented in the past. This related both to negotiating the future of our country and working to build the new South Africa we had all negotiated.

We agreed that we would not have any war crimes tribunals or take to the road of revenge and retribution.

When Chris Hani, a great hero of our people was murdered, even

as our country was still governed by a white minority regime, we who represented the oppressed majority, said let those who remained in positions of authority in our country carry out their responsibility to bring those who had murdered him to book. We called on our people neither to take the law into their hands nor to mete out blind vengeance against those they knew as the beneficiaries of apartheid oppression.

We imposed a heavy burden particularly on the millions who had been the victims of this oppression to let bygones be bygones. We said to them - do not covet the material wealth of those who benefited from your oppression and exploitation, even as you remain poor.

We walked among their ranks saying that none among them should predicate a better future for themselves on the basis of the impoverishment of those who had prospered at their expense. We said to them that on the day of liberation, there would be no looting. There would be celebrations and no chaos.

We said that as the majority, we had a responsibility to make our day of liberation an unforgettable moment of joy, with none condemned to remember it forever as a day of bitter tears.

We said to our people that they should honour the traditions they had built and entrenched over centuries, never to hate people because of their colour or race, always to value all human beings, and never to turn their backs on the deeply-entrenched sentiment informed by the spirit of ubuntu, to forgive, understanding that the harm done yesterday cannot be undone today by a resolve to harm another.

We reminded the masses of our people of the values their movement for national liberation had upheld throughout a turbulent century, of everything they had done to defend both this movement and its values, of their obligation never to betray this noble heritage. Our people heeded all these calls.

By reason of the generosity and the big hearts of the masses of our people, all of us have been able to sleep in peace, knowing that there will be no riots in our streets. Because these conscious masses know what they are about, the Truth and Reconciliation Commission was able to do its work enjoying the cooperation of those who for ages had upheld the vision of a united humanity, in which each would be one's brother and sister. These are an heroic people whose greatest reward is the liberation of their country.

Of them, the TRC says: "Others did not wish to be portrayed as a 'victim'. Indeed, many said expressly that they regarded themselves instead as soldiers who had voluntarily paid the price of their

struggle...Many have expressed reservations about the very notion of a 'victim', a term which is felt to denote a certain passivity and helplessness...Military operatives of the liberation movements generally did not report violations they experienced to the Commission, although many who were arrested experienced severe torture. This is in all likelihood a result of their reluctance to be seen as 'victims', as opposed to combatants fighting for a moral cause for which they were prepared to suffer such violations. The same can be said for most prominent political activists and leadership figures...The Commission did not, for example, receive a single Human Rights Violation statement from any of the Rivonia trialists."

Some of these, who had to go through the torture chambers of the apartheid regime to bring us our liberty, are with us in this chamber today. There are others who sit on the balcony as visitors, who lost their loved ones whom they pride as liberators, and others who also suffered from repression.

Surely, all of us must feel a sense of humility in the face of such selfless heroism and attachment to principle and morality, the assertion of the nobility of the human spirit that would be demeaned, denied and degraded by any suggestion that these heroes and heroines are but mere 'victims', who must receive a cash reward for being simply and deeply human.

I know there are some in this House who do not understand the meaning of what I have just said. They think I have said what I have said to avoid the payment of reparations to those whom the TRC has identified as 'victims', within the meaning of the law.

Indeed, the TRC itself makes the gratuitous comment (para 16, p 163, Vol 6) that: "Today, when the government is spending so substantial a portion of its budget on submarines and other military equipment, it is unconvincing to argue that it is too financially strapped to meet this minimal (reparations) commitment."

Apart from anything else, the government has never presented such an argument. It is difficult to understand why the Commission decided to make such a statement.

Elsewhere in Vol 6, the Rev Frank Chikane, Director General in the Presidency and former General Secretary of the South African Council of Churches, is falsely reported as having made a presentation to the Amnesty Committee, which he never did.

He is then said to have told this Committee that he had participated in killing people. We do not understand how this grave and insulting falsification found its way into the Report of the

TRC. We are pleased to report that Archbishop Tutu has written to Rev Chikane to apologise for this inexplicable account.

The poet, Mongane Wally Serote teaches us: 'to every birth its blood'. And so, today we acknowledge the pain that attended the struggle to give birth to the new life that South Africa has started to enjoy.

In this era of increased geopolitical tension, we dare celebrate as South Africans that we found home-grown solutions that set us on a course of reconstruction and development, nation-building, reconciliation and peace among ourselves.

At this time, when great uncertainty about the future of our common world envelops the globe, we dare stand on mountain-tops to proclaim our humble contribution to the efforts of humanity to build a stable, humane and safer South Africa, and by extension, a more stable, more humane and safer world.

Honourable Members;

If we should find correct answers to the question, where to from here, we will need to remind ourselves of the objectives of the TRC from its very inception, so aptly captured in the preamble to the Promotion of National Unity and Reconciliation Act:

"...the Constitution of the Republic of South Africa, 1993 provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future founded on the recognition of human rights, democracy and peaceful co-existence for all South Africans, irrespective of colour, race, class, belief or sex;

"...the Constitution states that the pursuit of national unity, the well-being of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society;

"...it is deemed necessary to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations of human rights have occurred, and to make the findings known in order to prevent a repetition of such acts in future;

"...the Constitution states that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimisation".

I am certain that we are all at one that the pursuit of national unity, the well-being of all South African citizens and peace,

require reconciliation among the people of South Africa and the reconstruction of our society.

These are the larger and fundamental objectives that should inform all of us as we work to give birth to the new South Africa. The occasion of the receipt of the Report of the TRC should give us an opportunity to reflect on these matters.

Both singly and collectively, we should answer the question how far we have progressed in the last nine years towards the achievement of the goals of national unity, national reconciliation and national reconstruction. Both singly and collectively, we have to answer the question, what have we contributed to the realisation of these goals.

These larger questions, which stand at the heart of what our country will be, did not fall within the mandate of the Truth and Reconciliation Commission. The TRC was therefore but an important contributor to the achievement of the larger whole, occupying an important sector within the larger process of the building of a new South Africa.

As stated in the Act, the TRC had to help us to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations of human rights occurred, and to make the findings known in order to prevent a repetition of such acts in future.

It had to help us to promote understanding and avoid vengeance, to extend reparation to those who had been harmed and discourage retaliation, to rely on the spirit of ubuntu as a deterrent against victimisation.

The TRC has done its work as was required. As stipulated in the TRC Act, we are here to make various recommendations to our national parliament, arising out of the work of the TRC.

As the Honourable Members are aware, there is a specific requirement in the law that parliament should consider and take decisions on matters relating particularly to reparations. It would then be the task of the Executive to implement these decisions.

The law also provides that the national legislature may also make recommendations to the Executive on other matters arising out of the TRC process, as it may deem fit.

Let us now turn to some of the major specific details that the TRC enjoins us to address.

The first of these is the matter of reparations.

First of all, an integrated and comprehensive response to the TRC Report should be about the continuing challenge of reconstruction and development: deepening democracy and the culture of human rights, ensuring good governance and transparency, intensifying economic growth and social programmes, improving citizens' safety and security and contributing to the building of a humane and just world order.

The TRC also argues for systematic programmes to project the symbolism of struggle and the ideal of freedom. This relates to such matters as academic and informal records of history, remaking of cultural and art forms, erecting symbols and monuments that exalt the freedom struggle, including new geographic and place names. The government accepts these recommendations.

Special emphasis will continue to be paid to rehabilitation of communities that were subjected to intense acts of violence and destruction. Experience gained with the projects in Katorus in Gauteng and Mpumalanga in KwaZulu/Natal demonstrates that great progress can be made in partnership between communities and government.

Further, with regard to specific cases of individual victims identified by the TRC Act, government has put in place and will intensify programmes pertaining to medical benefits, educational assistance and provision of housing and so on. From time to time, Ministers have elaborated and will continue to expatiate on the implementation of these and other related programmes.

The TRC has reported that about 22 000 individuals or surviving families appeared before the Commission. Of these, about 19 000 required urgent reparations, and virtually all of them, where the necessary information was available, were attended to as proposed by the TRC with regard to interim reparations.

With regard to final reparations, government will provide a once-off grant of R30 000 to those individuals or survivors designated by the TRC. This is over and above other material commitments that we have already mentioned.

We intend to process these payments as a matter of urgency, during the current financial year. Combined with community reparations, and assistance through opportunities and services we have referred to earlier, we hope that these disbursements will help acknowledge the suffering that these individuals experienced, and offer some relief.

We do so with some apprehension, for as the TRC itself has underlined, no one can attach monetary value to life and suffering.

Nor can an argument be sustained that the efforts of millions of South Africans to liberate themselves, were for monetary gain. We are convinced that, to the millions who spared neither life nor limb in struggle, there is no bigger prize than freedom itself, and a continuing struggle to build a better life for all.

The second of the specific details in the TRC recommendations pertains to the issue of amnesty.

A critical trade-off contained in the TRC process was between "normal" judicial processes on the one hand, and establishment of the truth, reparations and amnesty on the other.

Besides the imperatives of managing the transition, an important consideration that had to be addressed when the TRC was set up, was the extent to which the new democratic state could pursue legal cases against perpetrators of human rights violations, given the resources that would have to be allocated to this, the complexities of establishing the facts beyond reasonable doubt, the time it would take to deal with all the cases, as well as the bitterness and instability that such a process would wreak on society.

The balance that the TRC Act struck among these competing demands was reflected in the national consensus around provision of amnesty - in instances where perpetrators had provided the true facts about particular incidents - and restorative justice which would be effected in the form of reparations.

Given that a significant number of people did not apply for amnesty, what approach does government place before the national legislature and the nation on this matter?

Let us start off by reiterating that there shall be no general amnesty. Any such approach, whether applied to specific categories of people or regions of the country, would fly in the face of the TRC process and subtract from the principle of accountability which is vital not only in dealing with the past, but also in the creation of a new ethos within our society.

Yet we also have to deal with the reality that many of the participants in the conflict of the past did not take part in the TRC process. Among these are individuals who were misled by their leadership to treat the process with disdain. Others themselves calculated that they would not be found out, either due to poor TRC investigations or what they believed and still believe is too complex a web of concealment for anyone to unravel. Yet other operatives expected the political leadership of the state institutions to which they belonged to provide the overall context against which they could present their cases: and this was not to be.

This reality cannot be avoided.

Government is of the firm conviction that we cannot resolve this matter by setting up yet another amnesty process, which in effect would mean suspending constitutional rights of those who were at the receiving end of gross human right violations.

We have therefore left this matter in the hands of the National Directorate of Public Prosecutions, for it to pursue any cases that, as is normal practice, it believes deserve prosecution and can be prosecuted. This work is continuing.

However, as part of this process and in the national interest, the National Directorate of Public Prosecutions, working with our intelligence agencies, will leave its doors open for those who are prepared to divulge information at their disposal and to co-operate in unearthing the truth, for them to enter into arrangements that are standard in the normal execution of justice, and which are accommodated in our legislation.

This is not a desire for vengeance; nor would it compromise the rights of citizens who may wish to seek justice in our courts.

It is critically important that, as a government, we should continue to establish the truth about networks that operated against the people. This is an obligation that attaches to the nation's security today; for, some of these networks still pose a real or latent danger against our democracy. In some instances, caches of arms have been retained which lend themselves to employment in criminal activity.

This approach leaves open the possibility for individual citizens to take up any grievance related to human rights violations with the courts.

Thirdly, in each instance where any legal arrangements are entered into between the NDPP and particular perpetrators as proposed above, the involvement of the victims will be crucial in determining the appropriate course of action.

Relevant Departments are examining the practical modalities of dealing with this matter; and they will also establish whether specific legislation is required in this regard.

We shall also endeavour to explain South Africa's approach on these matters to sister-governments across the world. Our response to any judicial matters from these countries will be handled in this spirit and through the legal system. In this regard, we wish to reiterate our call to governments that continue to do so, that

the maltreatment of former anti-apartheid fighters, based on the legal definitions of an illegal regime characterised by the United Nations as a crime against humanity, should cease.

In the recent past, the issue of litigation and civil suits against corporations that benefited from the apartheid system has sharply arisen. In this regard, we wish to reiterate that the South African Government is not and will not be party to such litigation.

In addition, we consider it completely unacceptable that matters that are central to the future of our country should be adjudicated in foreign courts which bear no responsibility for the well-being of our country and the observance of the perspective contained in our constitution of the promotion of national reconciliation.

While Government recognises the right of citizens to institute legal action, its own approach is informed by the desire to involve all South Africans, including corporate citizens, in a co-operative and voluntary partnership to reconstruct and develop South African society. Accordingly, we do not believe that it would be correct for us to impose the once-off wealth tax on corporations proposed by the TRC.

Consultations are continuing with the business community to examine additional ways in which they can contribute to the task of the reconstruction and development of our society, proceeding from the premise that this is in their own self-interest. In addition to intensifying work with regard to such tasks as poverty eradication, and programmes such as Black Economic Empowerment, encouraging better individual corporate social responsibility projects, implementation of equity legislation and the Skills Training Levy, we intend to improve the work of the Business Trust.

In this context, we must emphasise that our response to the TRC has to be integrated within the totality of the enormous effort in which we are engaged, to ensure the fundamental social transformation of our country. This requires that at all times, we attain the necessary balance among the various goals we have to pursue.

The TRC also recommends that what it describes as the beneficiaries of apartheid should also make contributions to a reparation fund. The government believes that all South Africans should make such contributions. In the pursuit of the goal of a non-racial society, in which all South Africans would be inspired by a common patriotism, we believe that we should begin to learn to work together, uniting to address the common national challenges, such as responding to the consequences of the gross violations of human rights of which the TRC was seized.

In this regard, I am certain that members of our government will be among the first to make their contributions to the reparation fund, despite the fact that they stood on one side of the barricades as we engaged in struggle to end the apartheid system.

Many in our country have called for a National Day of Prayer and Traditional Sacrifice to pay tribute to those who sacrificed their lives and suffered during the difficult period of oppression and repression whose legacy remains with us. The government accepts this suggestion and will consult as widely as possible to determine the date and form of such prayer and traditional sacrifice. This is consistent with and would be an appropriate response to the proposals made by the TRC for conferences to heal the memory and honour those who were executed.

We shall also continue to work in partnership with countries of the sub-continent, jointly to take part in the massive reconstruction and development effort that SADC has identified as critical to building a better life for all. The peoples of Southern Africa, including the majority in South Africa endured untold privations and were subjected to destabilisation and destruction of property and infrastructure. They all deserve the speeding up of programmes of integration, reconstruction and development that governments of the region have agreed upon.

Madame Speaker;

The Truth and Reconciliation Commission has made many detailed observations and recommendations on structures and systems, which will be dealt with by relevant Ministers and Departments.

For the purpose of reparations, the government has already established the President's Fund, which is now operational, and has, as we earlier indicated, successfully dealt with the matter of urgent reparations. Like the TRC, we do hope that citizens from all sectors will find it within themselves to make a contribution to this Fund. Most of the resources that have been allocated for individual and community reparations that we referred to above will be sourced from this Fund, over and above the normal work of the relevant Departments.

We concur with the TRC that intensive work should be undertaken on the matter of monuments as well as geographic and place names. A Trust with the requisite infrastructure, headed by Mongane Wally Serote has been set up to implement the main project in this regard, which is the construction of the Freedom Park whose constituent parts are the Memorial, the Garden of Remembrance and the Museum. This should start by the tenth anniversary of freedom in 2004.

The National Directorate of Public Prosecutions and relevant Departments will be requested to deal with matters relating to people who were unaccounted for, post mortem records and policy with regard to burials of unidentified persons. We would like to encourage all persons who might have any knowledge of people still unaccounted for to approach the National Directorate of Public Prosecutions, the South African Police Service and other relevant departments.

The Department of Justice and Constitutional Development will monitor the implementation of all these programmes, and it will report to Cabinet on an on-going basis.

What we have identified today, arising out of the report of the TRC, forms part of the panoply of programmes that define the first steps in a journey that has truly begun. South African society is changing for the better. The tide has turned and the people's contract for a better tomorrow is taking shape.

The goals we defined for ourselves a decade ago, as we adopted the Interim Constitution, to pursue national unity, to secure peace and the well-being of all South African citizens, to achieve national reconciliation and the reconstruction of our society, have not fully been realised, despite the progress we have made.

The situation we face demands that none of us should succumb to the false comfort that now we live in a normal society that has overcome the legacy of the past, and which permits us to consider our social tasks as mere business as usual.

Rather, it demands that we continue to be inspired by the determination and vision that enabled us to achieve the transition from apartheid rule to a democratic order in the manner that we did. It demands that we act together as one people to address what are truly national tasks.

We have to ask ourselves and honestly answer simple questions.

Have we succeeded to create a non-racial society! The answer to this question is no!

Have we succeeded to build a non-sexist society! The answer to that question is no!

Have we succeeded to eradicate poverty! Once more the answer to that question is no!

Have we succeeded fully to address the needs of the most vulnerable in our society, the children, the youth, people with disabilities and the elderly! Once again the answer to this

question is no!

Without all this, it is impossible for us to claim that we have met our goals of national reconciliation and reconstruction and development. It is not possible for us to make the assertion that we have secured the well-being of all South African citizens.

The road we have travelled and the advances we have made convey the firm message that we are moving towards the accomplishment of the objectives we set ourselves. They tell us that, in the end, however long the road we still have to travel, we will win.

In the larger sense, we were all victims of the system of apartheid, both black and white. Some among us suffered because of oppression, exploitation, repression and exclusion. Others among us suffered because we were imprisoned behind prison walls of fear, paralysed by inhuman beliefs in our racial superiority, and called upon to despise and abuse other human beings. Those who do such things cannot but diminish their own humanity.

To be true to ourselves as human beings demands that we act together to overcome the legacy of this common and terrible past. It demands that we do indeed enter into a people's contract for a better tomorrow.

Together we must confront the challenge of steering through a complex transition that demands that we manage the historical fault-lines, without papering over the cracks, moved by a new and common patriotism.

It says to all of us that we must honour those who shed their blood so that we can sit together in this Chamber by doing all the things that will make it possible for us to say, this South Africa that we have rebuilt together, truly belongs to all who live in it.

I am honoured to commend the Report of the Truth and Reconciliation Commission to our National Houses of Parliament and the nation.

Thank you.

PARLIAMENT April 15 2003 Sapa

APARTHEID VICTIMS TO GET R30,000 EACH: MBEKI

President Thabo Mbeki on Wednesday announced a once-off final reparations payment for anti-apartheid victims and ruled out any general amnesty for human rights violations perpetrators who did not apply to the TRC for amnesty.

Introducing debate on the Truth and Reconciliation Commission's final report during a joint sitting of Parliament, he said the commission had reported that about 22,000 individuals or surviving families appeared before it.

Of these about 19,000 required urgent reparations and virtually all of them, where the necessary information was available, were attended to as proposed by the TRC for interim reparations.

"With regard to final reparations, government will provide a once-off grant of R30,000 to those individuals or survivors designated by the TRC."

These payments would be processed as a matter of urgency, during the current financial year.

"We do so with some apprehension, for as the TRC itself has underlined, no one can attach monetary value to life and suffering."

Nor could an argument be sustained that the efforts of millions of South Africans to liberate themselves were for monetary gain.

"We are convinced that to the millions who spared neither life nor limb in struggle there is no bigger prize than freedom itself, and a continuing struggle to build a better life for all," Mbeki said.

Turning to the amnesty issue, he said a general amnesty, whether applied to specific categories of people or regions of the country, would fly in the face of the TRC process.

It would also subtract from the principle of accountability, which was vital not only in dealing with the past but also in the creation of a new ethos within South African society.

"Yet we also have to deal with the reality that many of the participants in the conflict of the past did not take part in the TRC process," he said.

These included individuals misled by their leadership to treat the process with disdain, and others who calculated they would not be found out, either due to poor TRC investigations or what they believed and still believed was too "complex a web of concealment for anyone to unravel".

This reality could not be avoided, and could not be resolved through another amnesty process, which would effectively suspend constitutional rights of gross human right violations victims.

Therefore, this matter would be left in the hands of the National Directorate of Public Prosecutions (NDPP) to, as normal, pursue any cases it believed deserved prosecution and could be prosecuted.

However, in the national interest, the NDPP, working with the intelligence agencies, would leave its doors open for those who were prepared to divulge information at their disposal and to co-operate in unearthing the truth.

Such people could enter with the NDPP into arrangements that were standard in the normal execution of justice, and which were accommodated in legislation.

"Relevant departments are examining the practical modalities of dealing with this matter; and they will also establish whether specific legislation is required in this regard," he said.

Mbeki said government would not be party to any litigation and civil suits against companies that benefited from apartheid, adding that government would also not impose a once-off wealth tax on corporations, as proposed by the TRC.

Referring to proposed law suits against local companies in the United States, he said it was unacceptable that matters central to the future of this country could be adjudicated in foreign courts.

"While government recognises the right of citizens to institute legal action, its own approach is informed by the desire to involve all South Africans, including corporate citizens, in a co-operative and voluntary partnership to reconstruct and develop South African society."

Consultations would continue with business to examine ways in which they could contribute to the reconstruction and development of the country, Mbeki said.

@ ZIM-INFLATION

HARARE April 15 2003 Sapa-AFP

ZIMBABWE INFLATION RATE CONTINUES TO SKYROCKET TO 228 PERCENT

The average annual inflation rate in Zimbabwe continued its dizzying upward trend, hitting 228 percent in March, the government's statistics office said Tuesday.

The March figure marked a 7.1 percentage point gain from February, which was attributed to hikes in the prices of fruits,

vegetables, meat, clothing and public transport, according to the Central Statistical Office (CSO).

"This means that prices as measured by all the items (in the) consumer price index increased by an average 228 percent between March 2002 and March 2003," the CSO said in its latest prices bulletin issued Tuesday.

It said food inflation was highest, at 247.9 percent.

Famine, price controls and a chaotic government land reform scheme have been blamed for critical food shortages which have led to skyrocketing prices in the southern African country, once a regional breadbasket.

Economists say the official inflation figure is an understatement because it is measured according to state-controlled prices while food is sold on the parallel market at several times the official price.

"I think the real inflation figure should be about 260 percent," said economist Eric Bloch, who forecast that it will probably reach the 300 percent mark by year end.

Zimbabwe's average annual inflation was 22.6 percent in 1995.

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PAYMENT OF REPARATION GRANT WELCOME FIRST STEP: LEON

The payment of a financial grant to identified victims of apartheid is a welcome first step, Democratic Alliance leader Tony Leon said on Tuesday.

"We welcome the fact that, at long last, the victims are going to receive a once-off financial grant as required by the constitution and as compelled by our national conscience," he told a joint sitting of Parliament.

"But the devil will be in the detail and in the delivery."

Leon was speaking during a special debate on the final report of the Truth and Reconciliation Commission (TRC).

President Thabo Mbeki earlier announced that victims who appeared before the TRC would be given a once-off final reparations grant of R30,000.

The opposition leader said that in light of the careful framing

of the TRC Act and the dreadful suffering of victims, it would be wrong to alter or widen the notion of "reparations", so as to include any real or imagined misfortune.

Referring to a call for companies to pay reparations, he said: "The idea that companies operating under apartheid should pay reparations because their workers were treated less well than workers in some ideal system is both misguided and an insult to the people who were tortured and killed."

Companies operating under apartheid would have made bigger profits without the system, where they would have enjoyed a free market, an unrestricted flow of labour and opportunity to make all appointments on merit.

Business in South Africa was at the forefront of a massive programme of redistribution, through black economic empowerment, employment equity, the skills levy and social investment.

"Government must not try to palm off its responsibilities onto business. Business is doing enough. It is time that government joined the party," he said.

Mbeki said government would not impose a once-off wealth tax on corporations, as proposed by the TRC, but would encourage corporations and individuals to voluntarily contribute to the reconstruction and development of the country.

Leon said the TRC deserved congratulations.

"The TRC has done a magnificent job in exposing atrocities of the apartheid era.

"We must never forget them; we must work to ensure that their like never happen again. For the work it has done, we give the TRC our heartfelt thanks."

While forgiveness was a private matter for victims or their families, it would be a dishonour for South Africans to forget the atrocities.

"We must never forget. We must not forget one single murder nor one single act of torture.

"Every police assassination, every illegal abduction, every burning to death and every explosion that killed innocent people must be remembered forever," he said.

ALL SHOULD CONTRIBUTE TO REPARATIONS FUND: MBEKI

Government believed all South Africans should contribute to a reparations fund, and not just those whom the Truth and Reconciliation Commission described as the "beneficiaries of apartheid", President Thabo Mbeki said on Wednesday.

Introducing a special debate on the TRC's final report during a joint sitting of Parliament, he said all South Africans should respond to the consequences of the gross violations of human rights.

"In this regard, I am certain that members of our government will be among the first to make their contributions to the reparation fund, despite the fact that they stood on one side of the barricades as we engaged in struggle to end the apartheid system."

For the purpose of reparations, the government had already established the President's Fund, which had successfully dealt with the matter of urgent reparations.

"Like the TRC, we do hope that citizens from all sectors will find it within themselves to make a contribution to this fund."

Most of the resources allocated for individual and community reparations would come from this fund, over and above the normal work of the relevant departments, he said.

Government also agreed with the TRC that intensive work should be undertaken on the matter of monuments, as well as geographic and place names.

Regarding the many calls for a National Day of Prayer and Traditional Sacrifice to pay tribute to those who lost their lives and suffered under apartheid, Mbeki said government accepted this suggestion.

It would consult widely to determine the date and form of such prayer and traditional sacrifice.

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NO GENERAL TRC AMNESTY, SAYS MBEKI

President Thabo Mbeki on Tuesday ruled out any possibility of a general amnesty for perpetrators of human rights violations under apartheid who did not apply to the Truth and Reconciliation

Commission.

Speaking during a special debate on the TRC's final report at a joint sitting of Parliament, Mbeki said a general amnesty, whether applied to specific categories of people or regions of the country, would fly in the face of the TRC process.

It would also subtract from the principle of accountability, which was vital not only in dealing with the past but also in the creation of a new ethos within South African society.

"Yet we also have to deal with the reality that many of the participants in the conflict of the past did not take part in the TRC process," he said.

Among these were individuals who were misled by their leadership to treat the process with disdain.

Others themselves calculated that they would not be found out, either due to poor TRC investigations or what they believed and still believed was too "complex a web of concealment for anyone to unravel".

Yet other operatives expected the political leadership of the state institutions to which they belonged to provide the overall context against which they could present their cases: and this was not to be.

This reality could not be avoided, and government believed the matter could not be resolved by setting up yet another amnesty process, which in effect would mean suspending constitutional rights of those who were at the receiving end of gross human right violations.

"We have therefore left this matter in the hands of the National Directorate of Public Prosecutions (NDPP), for it to pursue any cases that, as is normal practice, it believes deserve prosecution and can be prosecuted. This work is continuing," Mbeki said.

However as part of this process and in the national interest, the NDPP, working with the intelligence agencies, would leave its doors open for those who were prepared to divulge information at their disposal and to co-operate in unearthing the truth.

Such people could enter with the NDPP into arrangements that were standard in the normal execution of justice, and which were accommodated in legislation.

"This is not a desire for vengeance; nor would it compromise the rights of citizens who may wish to seek justice in our courts.

"It is critically important that, as a government, we should continue to establish the truth about networks that operated against the people.

"This is an obligation that attaches to the nation's security today; for some of these networks still pose a real or latent danger against our democracy. In some instances, caches of arms have been retained which lend themselves to employment in criminal activity."

This approach left open the possibility for individual citizens to take up any grievance related to human rights violations with the courts.

In each instance where any legal arrangements were entered into between the NDPP and particular perpetrators, the involvement of the victims would be crucial in determining the appropriate course of action.

"Relevant departments are examining the practical modalities of dealing with this matter; and they will also establish whether specific legislation is required in this regard," Mbeki said.

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TRC REPORT NOT LAST WORD ON APARTHEID ABUSES: HOLOMISA

The final report of the Truth and Reconciliation Commission (TRC) is not the last word on human rights abuses under apartheid, United Democratic Movement President Bantu Holomisa said on Tuesday.

Speaking during a special debate on the report in the National Assembly, he said there were people who had refused to testify, while others had applied for blanket amnesty and failed.

"The whole truth has not been revealed."

However, the commission had helped shed light on the scale of the human suffering perpetrated upon the people of South Africa by the apartheid regime.

Those who bared their souls before the commission and had been proved to be victims of gross human rights violations, must, as speedily as possible, receive reparations.

Holomisa said that with hindsight, the terms of reference of the TRC should have been more specific on the role of business during

apartheid.

The victims of apartheid had a legitimate expectation that their quality of life would be improved, either through the payment of reparations or the creation of job opportunities.

"However, the victims of apartheid are disappointed that some South African firms have moved billions of rands abroad since 1994, under the guise of foreign expansion.

"In some cases, this appears to reflect a lack of faith in the new democratic dispensation."

He suggested government meet business representatives, as well as victims' representatives and lawyers - who had recently filed lawsuits against certain companies for allegedly benefiting from apartheid - to help resolve the claims.

The country now had to address the backlogs and imbalances of the past, Holomisa said.

"We need to find a solution for the high rate of unemployment because if the people of South Africa have jobs, homes, and can afford to educate their children, their dignity will be restored."

On the former National Party government, the UDM leader said South Africans owed the TRC a debt of gratitude for exposing the hypocrisy of its leaders.

"Despite all the positive gestures by the former NP leadership, it is a sad fact that they largely avoided the TRC process, whilst their juniors went to testify.

"The people who took orders went to face their victims, but those who issued the orders ran away."

The NP government unbanned organisations, but months later were still planning military action against the same organisations and their sympathisers, Holomisa said.

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ALL MUST HELP TO ADDRESS APARTHEID LEGACY: SHILOWA

The work of removing the apartheid legacy and building a better South Africa could not be left to government alone, Gauteng premier Mbhazima Shilowa told MPs on Tuesday.

Speaking during a special debate on the final report of the

Truth and Reconciliation Commission (TRC), he called on all "historically privileged" South Africans, including business, to help address inequalities and backlogs from apartheid.

It would take considerable time and a lot more resources to wipe the legacy of centuries of colonialism and apartheid neglect and injustice.

"The scars that were inflicted upon our people as a result of the implementation of apartheid policies are still there for all to see.

"We need to do more to change that reality."

South Africa continued to be seen as a country of two nations; one extremely wealthy and skilled and the other living in conditions of abject poverty.

"The overwhelming majority of black people still participate in the economy as no more than labourers and consumers of goods and services," he said.

Earlier in the debate, President Thabo Mbeki said identified apartheid victims who had approached the TRC, would receive a once-off financial payment of R30,000.

He also ruled out imposing a wealth tax on corporations, as proposed by the TRC, but encouraged corporations and individuals to voluntarily contribute to the reconstruction and development of the country.

Shilowa said a new commitment was required from government, business, professionals and other stakeholders to work together to overcome problems of inequality and underdevelopment.

The premier said it was strange no-one was prepared to acknowledged they had benefited, or supported, apartheid.

The system would not have survived if this was true.

"We must acknowledged that the fact that apartheid existed for so long, was because it had supporters," he said.

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REPARATIONS MAINLY SYMBOLIC: NNP

In the post-Truth and Reconciliation Commission period, what South Africa needs most urgently is a true reparation of the spirit, New National Party leader Marthinus van Schalkwyk said on Tuesday.

Speaking during a special debate on the TRC's final report during a joint sitting of Parliament, he said the NNP agreed with

the sentiment that reparations could only ever be symbolic.

It could never be in proportion to the extent of the suffering and sacrifice of so many South Africans.

"At the same time though, it is of great importance for final reparations to specific victims to be paid."

However, the process of paying monetary reparations to individuals did not nullify the need for a wider process of addressing the inequalities created by the past.

"At the most basic level, the NNP believes that what South Africa needs most urgently in the post-TRC period, is a true reparation of the spirit," he said.

The restoration of real human dignity would be the only lasting solution to the legacy of racial discrimination.

"How best can we correct the imbalances of our past? Particularly for those victims of discrimination who were not part of the TRC process? By ensuring that the real reparations are ongoing - almost on a daily basis."

The most important means of achieving this goal was by rooting out poverty and creating jobs, by empowering future generations through better quality education, and by expanding the ownership of the economy, Van Schalkwyk said.

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ACDP, FF CALL FOR GENERAL AMNESTY

Various parties said they supported a general amnesty for past human rights violations perpetrators, despite President Thabo Mbeki's rejection of the idea during a joint sitting of Parliament on Tuesday.

During a special debate on the final report of the Truth and Reconciliation Commission, Mbeki ruled out any possibility of a general amnesty for perpetrators who had not applied to the TRC.

A general amnesty, whether applied to specific categories of people or regions of the country, would fly in the face of the TRC process.

It would also subtract from the principle of accountability, which was vital not only in dealing with the past, but also in the creation of a new ethos within South African society, he said.

African Christian Democratic Party leader Kenneth Meshoe said:
"Violations of human rights that were committed by some parties were repeatedly exposed, while others were not."

"We should either support the prosecution of all those who are guilty of human rights violations, or we should not support the prosecution of a few unfortunate ones who do not belong to the same party," Meshoe said.

Freedom Front leader Dr Pieter Mulder said a collective amnesty was required to deal with outstanding cases.

"How will the FF espouse reconciliation for the next ten years, while selective court cases of members from one side only take place?"

"Naturally, ANC leaders without amnesty will not be prosecuted."

Mbeki had missed the opportunity to bury the perception of black South Africans as victors and whites as permanent losers, Mulder said.

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GOVT RULES OUT WEALTH TAX, CONDEMNS US APARTHEID LAW SUIT

The government has ruled out imposing a once-off wealth tax on companies to help address the legacy of apartheid, saying such a tax is neither necessary, nor wise.

"The existing tax level can provide for social needs whilst not acting as a disincentive for saving, investment or enterprise development," Trade and Industry Minister Alec Erwin told a joint sitting of Parliament.

He was speaking during a special debate on the final report of the Truth and Reconciliation Commission (TRC).

Earlier in the debate, President Thabo Mbeki announced government had not taken up a TRC recommendation to impose a wealth tax on corporations.

Instead, the state would encourage corporations and individuals to voluntarily contribute to the reconstruction and development of the country.

Government has committed to pay apartheid victims who had approached the TRC a once-off financial payment of R30,000.

The announcement was welcomed by the country's largest business

body, the SA Chamber of Business (Sacob), who said Mbeki had adopted a "pragmatic approach" to the final TRC report.

"Sacob therefore welcomes the announcement that government does not support the proposal by the TRC of a once-off wealth tax to corporate companies as a contribution to a reparation fund," it said.

Erwin said any form of reparation should be lasting and extensive.

"From an economic and fiscal point of view it is not prudent or even necessary to try and finance such lasting programmes from a once-off tax."

In order to normalise asset holdings, government was to introduce an amnesty on illegally-transferred funds and use proceeds from an associated levy to fund black economic empowerment.

Proposed mining royalties were also a form of redress.

Therefore, a further levy of any form was not considered necessary or wise.

"If the purpose is to be recompense or penance, then the government does not believe this is a move that will enhance reconciliation at this time in our democracy.

"We must now close this past as we build a future."

Such a levy could also negatively impact on efforts to lift growth and investment levels, he said.

Erwin said he was sure the business community would accept the challenge of working together to erase the divisions of the past.

He also echoed Mbeki's condemnation of proposed law suits in the United States against local companies that benefited from apartheid.

The president said it was unacceptable that matters central to the future of this country could be adjudicated in foreign courts.

A number of South African-based companies, including Anglo American and Sasol, have been named in a reparations claim being brought by controversial US lawyer Ed Fagan.

Erwin added it was abuse to use the "unsound" law of another country to undermine South Africa's sovereign right to settle its

past and build a future as it saw fit.

"The government rejects the actions of legal practitioners in the USA to exploit our history and will not allow any judgement made in the USA or elsewhere to be carried out in South Africa," he said.

In his reaction, Chamber of Mines CEO Mzolisi Diliza said the president's approach was heartening and would inspire confidence in the investor community.

He commended government for choosing the route of co-operation with business on the question of reparations, rather than imposing a wealth tax, and its opposition to litigation.

"In this context we welcome government's firm stance against law suits conducted in foreign countries against South African business institutions," Diliza said.

PARLIAMENT April 15 2003 Sapa MADUNA DENIES IFP ASSASSINATION CLAIMS

Justice Minister Penuell Maduna denied on Tuesday Inkatha Freedom Party MP Albert Mncwango's claim that the ANC leadership had conspired to assassinate IFP leader Mangosuthu Buthelezi during the apartheid years.

During a special debate on the Truth and Reconciliation Commission's final report at a joint sitting of Parliament, Mncwango said President Thabo Mbeki had told the TRC of the assassination plot.

"It is also significant that President Thabo Mbeki admitted before the TRC that the ANC leadership had been involved in plotting the assassination of Buthelezi," he said.

Replying at the end of the debate, Maduna challenged him to produce evidence to back up his claim.

What Mbeki had said was that the African National Congress leadership had intervened once it became aware that an Umkhonto we Sizwe (MK) cell was considering such a move.

"Therefore nothing was done to harm (Buthelezi)... we never conspired to kill him," Maduna said.

In his speech earlier, Mncwango said the TRC had been a "sensationalist circus of horrors presided over by a weeping clown craving the centre-stage spotlight".

He called on the House not to "contaminate itself" by lending credibility to the document.

"The TRC report is a flawed product of a flawed process, conducted with flawed motives," Mncwango said.

The commission had been mandated to do only three things, namely undertake a truth-finding exercise, administer amnesty and provide reparations.

However, it had "failed abysmally" to achieve its goal of promoting reconciliation, and its final report was, in fact, a "major setback on the path to reconciliation".

On Archbishop Desmond Tutu's chairmanship of the TRC, Mncwango said Tutu had been inherently biased because of his patronage of the United Democratic Front, one of the "major participants in the conflicts of the past".

Maduna also rejected this claim, saying all the TRC commissioners had been appointed by the president at the time, and had included members from various political backgrounds.

On the TRC process itself, Mncwango said the commission had collected its information from self-confessed murderers, who were motivated by a "desperate need" for amnesty.

He further said the liberation of South Africans would not have occurred without the "relentless political on-the-ground-work of Inkatha, and the efforts of its leader, Prince Mangosuthu Buthelezi".