

REPORT ON PARTICIPATION

1. Issue

We were asked to report on how the issue of participation was handled in the CODESA process

2. Before CODESA 1

2.1 In a series of bilateral and multilateral meetings between political parties and organisations, governments/administrations and others, agreement was reached on the parties asked to attend a Preparatory Meeting. In the process a whole range of criteria was considered, but eventually political reality was the deciding factor.

2.1.1 A set of political parties/organisations were agreed upon

2.1.2 In the case of the TBVC territories, the existing Administrations were agreed upon

2.1.3 The South African government as the governing authority was agreed to

2.1.4 Together the above constituted the list of parties invited to the Preparatory meeting. The same list was used for CODESA 1 (including those that were invited but did not attend the Preparatory Meeting) For the list of participants/invitees see Annexure A

3. CODESA 1

3.1 The first CODESA plenary meeting (CODESA 1) appointed a Management Committee representative of all participating parties. Concerning further participation, the Management Committee was instructed as follows:

3.1.1 That the present application by organisations to join CODESA, as well as other ways and means to expand CODESA, should be attended to by the Management Committee

- 3.1.2 That the Management Committee investigate appropriate mechanisms for adequate representation of women in the various structures created by CODESA.
- 3.1.3 That the Management Committee lay down principles and guidelines with regard to further participants for the interim and that these guidelines and principles will afterwards be submitted to CODESA 2 for confirmation.
- 3.1.4 That, in this regard, the Management Committee should consider three categories:
 - 3.1.4.1 The King of the Zulus
 - 3.1.4.2 Traditional leaders
 - 3.1.4.3 Other participants in terms of rule 1.1, namely political parties, political organisations and administrations.

4. **After CODESA 1**

- 4.1 Regarding the King of the Zulus and traditional leaders, the Management Committee summarised its report to CODESA as follows:

" To summarise, therefore, The Management Committee has agreed that Traditional leaders be represented at CODESA according to the provinces; it has further resolved that in dealing with this matter no distinction should be made between the King of the Zulus and the other traditional leaders; and, lastly, the Management Committee still has to finalise the recommendations regarding the form in which participation shall take place.

5. **Regarding the admission of other further participants, the Management Committee reported as follows:**

- 5.1 " It will be recalled that when CODESA 1 was held, a number of organisations had indicated that they, too, would like to be admitted as participants. A number of applications were also received after CODESA 1. It was agreed at CODESA that this matter had to be investigated first before the criteria for admission could be formalised. To this end a newspaper search to establish they type of coverage which each applicant had received over the preceding year, was conducted. A questionnaire was also formulated with a view to

establishing, amongst other things, the popularity of the relevant organisations, the level of their support and the extent of their activities in their sphere of operation. This was all done in an attempt to establish whether these parties could, strictly speaking, be referred to as political parties and also whether they could be regarded as having proven substantial support. Of the 19 parties which applied, eight had not responded to the questionnaire at the time the matter was discussed by the Management Committee and nine other parties had their applications turned down. One of the remaining two parties has withdrawn its application and the other application has been held over".

- 5.2 The questionnaire was sent to organisations applying to participate under cover of a letter informing them that only political parties, organisations and administrations are eligible as participants while interest groups can make written submissions to Working Groups. A copy of the questionnaire is attached (see page 87)

6 Conclusion

In summary the position during CODESA therefore, was as follows:

- 6.1 The political parties/organisations that were agreed to in launching the Preparatory Meeting were accepted as participants. Those on the list who did not attend, continued to be invited. A full list of the participants/invitees appears in Annexure A
- 6.2 Further political parties/organisations applying were processed in order to determine whether they had proven substantial support as reflected in paragraph 5, no new participants were accepted
- 6.3 The TBVC states were represented by existing Administrations
- 6.4 The South African Government was a participant
- 6.5 In the case of traditional leaders the Sub-Committee filed a report proposing that they participate in the form of 4 provincial delegations. The matter however was not resolved.
- 6.6 A gender Advisory Committee was set up composed of representatives of each of the participants
- 6.7 Interest groups (defined as organisations not regarded as political parties) were refused participant status. Provision was made for interest groups to make

submissions to Working Groups.

7. Recommendations

7.1 The Sub-Committee of the Facilitating Committee subsequently asked for a recommendation on how the issue of participation in the new Forum can be dealt with. We recommend as follows:

7.1.1 That the 26 parties represented by delegations at the Multi-Party Planning Conference on 5 & 6 March 1993, become participants in the new Forum and be invited to send delegations to the first meeting of 1 & 2 April 1993.

7.1.2 That applications from other parties to be admitted as participants, only be considered if the applicant parties fall within one of the categories of parties already participating. The categories are:

- 7.1.2.1 Government/Administrations
- 7.1.2.2 Political parties and organisations
- 7.1.2.3 Traditional leaders

7.1.3 That the following criteria be applied when applications from additional governments/administrations are considered:

To qualify for admission:

7.1.3.1 The applicant must be an elected regional government/administration

7.1.3.2 The government/administration must not already be effectively represented by a regionally based political party or organisation

7.1.3.3 The government/administration must be responsible for the implementation of agreements reached within the new Forum and must undertake to implement all such agreements

7.1.4 That the following criteria be applied when applications from additional political parties and organisations are considered:

To qualify for admission the applicant must show:

- 7.1.4.1 That it is indeed a political party or organisation intending to participate as such in the first election under a transitional/new constitution
 - 7.1.4.2 That it has proven substantial support in a national context
 - 7.1.4.3 That its admission will enhance the peaceful negotiating process
- 7.1.5 That to assist in the application of the criteria, the applicant political parties and organisations be free to submit whatever facts or arguments they would wish to, but that they be required to at least respond to the questionnaire annexed to this report. For this purpose it is proposed that in paragraph 6 of the questionnaire "Legislative Assembly" is added after "parliament" to the list of organisations.
- 7.1.6 That to further assist in the application of these criteria, a newspaper survey to establish the type of coverage the applicant has received over the preceding year is conducted. By using a reputable and efficient agency, this can be done without unduly delaying the consideration of an applicant.
- 7.1.7 Delegations of traditional leaders from the Transvaal, the Orange Free State and the Cape Province are presently participating. We have been told that representation on this basis creates a number of problems. It was suggested that this form of representation be substituted by one delegation each from the two main national organisations of traditional leaders. It is recommended that consideration be given to this proposal.