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POSITION PAPER OF THE VENDA GOVERNMENT

FORM OF STATE

1. Venda opts for a Unitary State with Central, Regional and Local Governments. This will ensure that there will be a single nationality, a single citizenship, a single loyalty and a single sense of belonging. The Unitary State will give equal rights and freedoms for all throughout the Country.

There will be devolution of power from the Central Government to regional and Local Governments. Regional and Local Structures should not be demarcated on racial or ethnicity. It will be essential that regions must be economic viable. Venda will be opposed to Federalism because it will create ethnicity which is apartheid related. In a Federal Structures some states which are not economic viable will be worse-off. This will also give an opportunity for dividing the country into so-called White areas, Bantustans and homelands; as well as the polarisation of the people of the Country not to share the same symbols, owe allegiance to the same institutions. Peace and stability will prevail if we have one Unitary State.

Venda believes that the Constitution should lay down what the powers of the regions and Local Structures should be.

The Constitution will spell out with some precision what the tasks of National, Regional and Local Governments would be. The regions will be the basis of active development.

However, Venda proposes that the form of State should be the prerogative of the elected members of the Constituent Assembly who will have better Legitimacy because they will have been elected by the people in terms of democratic process.

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2. The Venda Government subscribes to the following Constitutional principles as provisionally agreed upon at CODESA.
 - 2.1 South Africa will be a United, democratic, non-racial, non-sexist Sovereign State.
 - 2.2 The Constitution shall be the Supreme law.
 - 2.3 The diversity of Languages, culture and religion will be acknowledged.
 - 2.4 All will enjoy Universally accepted human rights, freedoms of Civil liberties including freedom of religions, speech and Assembly.
 - 2.5 There will be separation of powers between the Legislature, the Executive and the Judiciary with appropriate checks and balances.
 - 2.6 The legislature branch of Government will embrace Multi-party democracy, regular elections, Universal adult suffrage, a common voters roll and in general proportional representation.
 - 2.7 The judicial branch of Government will include:
 - 2.7.1 A judiciary that will be independent, non-racial and impartial.
 - 2.7.2 An entrenched and justiciable Bill/Charter of Fundamental rights.
 - 2.7.3 A legal System that guarantees the equality of all before the law.
 - 2.8 All will be entitled to enjoy common South African Citizenship.
 - 2.9 A New-Constitution should provide for the effective participation of minority political parties consistent with democracy.

This principle does not imply or reject
 Constitutional prescription for the participation of
 minority political parties in any executive structure of
 Government;

..... Simple majoritarianism.

..... Veto powers by minority political parties on any issue.

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- 2.10 Common principles regarding the balance between central, regional and Local Governments are as follows:
- 2.10.1 Government shall be structured at National, regional and Local levels:
 - 2.10.2. At each level there shall be democratic representation.
 - 2.10.3 Each level of Government shall have appropriate and adequate legislative and executive powers, duties and functions that will enable it to function effectively.
 - 2.10.4 Each level of Government may delegate powers, duties and functions to the lower level of Government.
 - 2.10.5 The General principles of the Constitution, including the terms of Bill Charter of Fundamental Rights shall apply to each level of Government.

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- 1.1 All discriminatory legislation impeding the creation of a climate for free political activities must be repealed.
 - 1.2 Discriminatory legislation emanating from the nature of the tricameral constitution, homeland and independent homelands should be repealed.
 - 1.3 Discriminatory legislation in terms of sexes should be removed.
 - 1.4 Discriminatory legislation infringing upon the Bill of Rights must be repealed.
 - 1.5 Discriminatory legislation which infringe in the democratisation process must be repealed.

All discriminatory laws should receive attention in South Africa and TBVC States.

VENDA GOVERNMENT

INDEPENDENT MEDIA COMMISSION AND INDEPENDENT TELECOMMUNICATIONS AUTHORITY.

1. Venda reconfirms the establishment of an independent Media Commission and Independent Telecommunications Authority which will be neutral to regulate telecommunications sector. Amongst its functions will be to regulate the utilization of the electromagnetic spectrum, including the allocation of licences and the determination of licences conditions according to some sets of standard which will be agreed upon. It will be the function of the body to appoint suitable structures to monitor the proper exercise of licences conditions.
2. The powers of the Postmaster-General should be trans-

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Some of the powers of this body will include regulating telecommunication services, broadcasting programmes, to ensure fair and effective competition in the provision of related services, to ensure free expression of views, impartial control of broadcasting.

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