

DIKWANKWETLA

[7]

"A"

A7

CONSTITUTION-MAKING PROCESS
(Based on CODESA Report)

1. MPF must agree on Constitutional Principles which must form the basis of first non-racial (Interim/Transition) Constitution and any subsequent amendments thereto
2. MPF must draw up first non-racial (I/T) constitution based on above Constitutional Principles and incorporating the concept of an interim/transitional government of national unity.
3. MPF must agree on
 - 3.1 procedures and percentages whereby a new parliament shall amend the first constitution to produce a final constitution
 - 3.2 the independent body which will adjudicate whether any amendments referred to in 3.1 above are in line with the constitutional principles agreed to in 1.
 - 3.3 a time-scale and mechanisms to ensure that parliament will produce a final constitution.
4. While the MPF is doing the above it must agree upon a Transitional Executive Council (TEC) which will 'level the playing fields' and ensure free and fair elections for the new parliament which will function in terms of the first non-racial constitution.
5. Once the MPF has completed 1. and 4. above a TEC can be brought into being.
6. Once the MPF has completed 1,2,3,4,and 5 a firm election date will be proclaimed and the formal election process will commence.
7. Once the election has been held :
 - 7.1 the new parliament will be installed
 - 7.2 the new multi-party interim government will be structured
 - 7.3 the new structures at regional and local government level will be phased in.
8. When parliament amends the first constitution to produce a final constitution, the new structures of such final constitution could also be subject to a phasing in process.

560113

121