



**AFRICAN  
NATIONAL CONGRESS**

**STATEMENT OF THE AFRICAN NATIONAL CONGRESS ON PROPOSALS OF  
THE NP GOVERNMENT ON TRANSITIONAL ARRANGEMENTS**

The proposals on interim arrangements presented by the NP/Government at the sitting of Working Group III of CODESA on 23 March 1992 have raised serious questions about the Government's conduct in negotiations.

While the ANC welcomes the acceptance on the part of the NP/Government of the notion of an elected constitution-making body, their proposals for the two phases on the transition are objectionable in many fundamental respects.

Firstly, the pre-election transitional arrangements, i.e. the Transitional Councils, have the effect of leaving all powers in the hands of the present Government, thereby allowing it to act both as referee and player. We are alarmed that the NP/Government proposals ignore altogether the agreement reached in the Working Group a fortnight ago that one of the most important elements of transitional arrangements is "the creation of a transitional executive structure" which will be appointed according to procedures agreed upon by CODESA.

Secondly, the Government's proposal implies that the present constitution will stay unamended until an elected constitution-making body is in place. This is at variance with an earlier agreement reached in Working Group III that Codesa decisions will be given legal effect, among others, "through amendments to the existing constitution".

The proposed Transitional Councils contained in the NP/Government's submission are totally unacceptable for the following reasons:

- \* Their functions have nothing or very little to do with the basic objectives of Phase I of the transition, which is to level the political playing field and ensure free and fair elections under conditions of free political activity. Rather they are, in the main, meant to investigate matters that are otherwise the domain of a constitution-making body.
- \* These councils will not have any executive powers to carry out the CODESA mandate. The present Government will retain powers to:
  - veto recommendations of the councils;
  - control and run all aspects of the executive and executive including security and public media;
  - formulate and implement legislation, departmental policies and other measures on all matters including those pertaining to the terrain of free



political activity.

By these means the Government wants to act both as the referee and player. It is particularly outrageous that in making their proposals, the NP/Government has elected to retreat to the old and discredited approach of consultative and advisory "toy telephones".

In so far as Phase II is concerned, the ANC finds it strange in the extreme that the Government should even entertain the view that the present racist parliament should co-exist with a democratically elected constitution-making body, and have powers of veto over decision of such an elected body.

The Government's proposals against the background of the earlier agreement in Working Group III raises question about their commitment to CODESA agreements. The ANC initiated the CODESA process. We will ensure that nothing derails this process and that negotiations continue on a genuine basis.

Issued by: Department of Information and Publicity  
PO Box 61884  
2107 Marshalltown

23 March 1992