



THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF THE CHAIRPERSON OF THE WORKING GROUP SUB-GROUP AND TO RATIFICATION BY THE WORKING GROUP SUB-GROUP AT ITS NEXT MEETING.

MINUTES OF THE MEETING OF WORKING GROUP 1 SUBGROUP 1 HELD AT THE WORLD TRADE CENTRE ON MONDAY 24 FEBRUARY 1992 AT 08H00.

PRESENT : SEE ADDENDUM A

- D Dalling (Chair)
- A Schoeman (minute taker)
- T Motumi (secretary)

1. Convenor's opening remarks

1.1 The Bophuthatswana government submitted a document registering its reservations about its participation in CODESA. Same was noted (See ADDENDUM C)

2. Ratification of Minutes

2.1 Point 5.1 was amended to state that: A number of delegates objected to the material distributed by an IFP delegate (Dr Benard) attacking the ANC, arguing that the procedure of CODESA was abused and disrupted by an individual member distributing the documentation in question without consulting his organisation.

2.2 Point 4.3.2 was amended so that the last sentence reads as follows: This however does not prevent the sub-group from discussing an Interim Bill of Rights as a possible alternative to the method of repeal of remaining Apartheid laws.

3. Matters arising from the minutes

3.1 The South African government responded to the Venda submission on refugees. The matter was discussed and the meeting agreed that the parties involved should bring recommendations to the next meeting, the sub-group would then engage in discussion on this issue.

4. Continuation of Discussion

4.1 Repeal of remaining apartheid laws

4.1.1 The subgroup discussed the repeal of laws still militating against free political activity. Submissions were made dealing with the existing emergency legislation and powers available to the South African government and TBVC states.

Discussion was also held on the principles that should be accepted as guidelines in

evaluating laws or measures inhibiting free political activity. These principles include the possibility of the use of an Interim Bill of Rights to deal with the above mentioned legislation.

- 4.1.2 It was agreed that the next meeting would discuss and try to come to an agreement on the general principles which would serve as guidelines for deciding whether specific laws should be amended, repealed or left unaltered.
- 4.1.2 The meeting further agreed that the South African Government and the ANC would report back on progress made in the bilateral meeting between the two parties re political prisoners and exiles.

ADDENDUM A

People who signed the attendance register

AFRICAN NATIONAL CONGRESS	K Asmal (D)
BOPHUTHATSWANA GOVERNMENT	P Maduna (A)
CISKEI GOVERNMENT	J Esterhuizen
DEMOCRATIC PARTY	MB Webb
DIKWANKWETLA PARTY	M Nozondo
INKATA FREEDOM PARTY	J van Eck (D)
INTANDO YESISWE PARTY	H Bester (A)
INYANDZA NATIONAL MOVEMENT	JSS Phatang
NIC/TIC	MH Cunukelo
NATIONAL PARTY	Dr. Benard
NATIONAL PEOPLES PARTY	I Mars
SOLIDARITY PARTY	SL Mthimunye(D)
SOUTH AFRICAN COMMUNIST PARTY	DP Mahlangu
SOUTH AFRICAN GOVERNMENT	MS Gininda (D)
TRANSKEI GOVERNMENT	MJ Mahlalela (A)
UNITED PEOPLE'S FRONT	D Patel
VENDA GOVERNMENT	M Moolla
XIMOKO PROGRESSIVE PARTY	GB Myburgh (D)
	LH Fick (A)
	R Garrib
	SM Govender
	P Naidoo (D)
	CF Thandroyen (A)
	E Pahad (D)
	M Scott (A)
	HJ Coetsee (D)
	D Swanepoel (A)
	MA Ntshinga
	SP Kakudi
	MI Moroamoche
	S Maja
	NE Mulaudzi
	ME Ramulondi
	BM Tlakula (D)
	E Mathe (A)

ADDENDUM B

Submissions were made to Sub-group 1 by:

ANC
ANC (a LHR paper)
Bophuthatswana Government
Democratic Party
South African Government
Venda Government (later withdrawn)
Ximoko Progressive Party

ADDENDUM C

Bophuthatswana Government submission.

RESERVATIONSRECORDED AND TABLED BY THE GOVERNMENT OF BOPHUTHATSWANA
REGARDING ITS PARTICIPATION IN CODESA

1. Pursuant to its sovereignty and its refusal on or since 20 December 1991, to accede to the Declaration of Intent of CODESA, it is hereby expressly and categorically declared for the information of all signatories and others involved in CODESA, that the presence and participation of representatives of the Government of Bophuthatswana in the proceedings of any of the working groups of CODESA, or any plenary sessions thereof since 20 December 1991, or in the future does not imply any departure from the said refusal. Furthermore, that participation by the said Government in the operations and functioning of CODESA does not expressly, impliedly or tacitly mean or can be construed to mean that the said Government has consented to the said Declaration of Intent.

2. Concerning any ruling at any session or meeting of CODESA or its working groups, to the effect that "sufficient consensus" is the appropriate measure required for proper decision making in any particular case, the Bophuthatswana Government places on record that, it specifically reserves the right to disassociate itself from decisions of CODESA taken by "sufficient consensus", where such decisions affect Bophuthatswana.

3. We, the Government of Bophuthatswana declare ourselves, subject to the proviso and reservation stipulated herein, to be bound by agreements we conclude or reach together with other participants in CODESA in accordance with the standing rules, and hereby commit ourselves to the implementation thereof within our capacity, powers and authority: Provided that we shall not be bound by, nor shall we be obliged to implement any decision of CODESA, if such decision directly or indirectly conflicts with, affects or impinges on the sovereign independent status or autonomy of Bophuthatswana, or in any way pertains to the incorporation of its territory, or any part thereof, in South Africa or any other State whether federal, confederal, federation or confederation or of any other constitutional nature whatsoever, unless the Government of Bophuthatswana acting within its powers and capacity aforesaid has expressly consented to any such decision, or has signified its approval thereto.



URGENT NOTICE TO ALL DELEGATES AND ADVISERS OF CODESA WORKING GROUP 1: 25 FEBRUARY 1992

The Steering Committee of Working Group 1 resolved at a meeting held on the 24 February 1992 that, due to the pressures of the forthcoming referendum on certain of the organisations participating in Working Group 1, the WG1 Sub-Groups would meet only on Mondays for the next three weeks. This means that each Sub-Group will meet on two occasions over the next three weeks.

The revised schedule of meetings is, therefore, as follows:

MON	02 MAR	WGSG 3	08h00 - 12h30
		WGSG 2	13H30 - 18H00
		WGSC1	12H30 -13H30

[No meetings on Tues 03 March]

MON	09 MAR	WGSG 2	08h00 - 12h30
		WGSG 1	13h30 - 18h00

[No meetings on Tues 10 March]

MON	16 MAR	WGSG 1	08h00 - 12h30
		WGSG 3	13h30 - 18h00

* FROM MONDAY THE 23rd OF MARCH THE SCHEDULE WILL REVERT TO ITS ORIGINAL FORM.

* PLEASE TAKE NOTE OF YOUR NEW MEETING TIMES FOR THE NEXT THREE WEEKS.