



MANCOM\MINUTES\FEB10.MM (2)

DATE: 12 February 1992
FAX TO: All members of the Management Committee
FROM: The CODESA Secretariat
RE: Minutes of the last MC meeting

Attached, please find the draft minutes of the last meeting of the MC for your attention.

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

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MANAGEMENT COMMITTEE

J Zuma	African National Congress
R Cronje	Bophuthatswana Gvt
H Kayser	Ciskei Gvt
C Eglin	Democratic Pty
TJ Mohapi	Dikwankwetla Pty
FT Mdlalose	Inkatha Freedom Pty
NJ Mahlangu	Intando Yesizwe Pty
SS Ripinga	Inyandza National Movement
P Hendrickse	Labour Pty
P Gordhan	NIC/TIC
R Meyer	National Party
A Rajbansi	National People's Pty
JN Reddy	Solidarity Pty
J Slovo	SA Communist Pty
G v N Viljoen	SA Government
Z Titus	Transkei Gvt
MJ Mahlangu	United People's Front
S Makhuva	Venda Gvt
EPP Mhinga	Ximoko Progress. Pty

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE MANAGEMENT COMMITTEE AT ITS NEXT MEETING

MINUTES OF THE MEETING OF THE MANAGEMENT COMMITTEE HELD AT THE WORLD TRADE CENTRE ON MONDAY 10 FEBRUARY AT 09H00

PRESENT: (Addendum A)

APOLOGIES: HJ Coetsee

1. Chairperson's opening remarks

- 1.1 A moment's silence was observed in sympathy with the victims of the recent outbreaks of violence in Natal and in the PWV.
- 1.2 An apology was tendered for the tabling of documentation without prior circulation to committee members. It was noted that the delay was caused by the fact that the DMC had last met on 6 February 1992.
- 1.3 Noting that the rule of "1+1" should continue to be observed, it was agreed that the IFP would be allowed two advisers for the meeting with Item 6 of the agenda in mind. The Government of Bophuthatswana's request for an extra delegate as an observer at the meeting was declined.

2. Adoption of agenda

- 2.1 It was noted that:
 - 2.1.1 Strong objections were raised to the tabling of documentation without prior circulation to MC members.
 - 2.1.2 Said tabling of documentation would be condoned, as an exception, for the purposes of continuing with the meeting and on the basis of the explanation detailed under Item 1.2 above.
 - 2.1.3 More realistic management of the DMC/MC programme could help to ensure timeous distribution of documentation.
 - 2.1.4 Bearing in mind the workload of the Secretariat, its composition should be revisited by the DMC.
 - 2.1.5 DMC minutes should, in future, be circulated to MC members.
- 2.2 The agenda was adopted subject to the following amendments:
 - 2.2.1 That Item 5.1.2 should be addressed immediately following the ratification of the minutes in order to accommodate the early departure of Mr TJ Mohapi.

2.1.2 That Item 5.5 should read, "Financial assistance".

3. **Ratification of the minutes of the previous meeting of 13 January 1992**

The minutes were adopted subject to the following amendments:

- 3.1 Item 2.3 should read, " It was agreed that the chairperson of the Management Committee (MC) will be chosen by the DMC from amongst its members on a rotating basis."
- 3.2 Item 4.1 should read, "The meeting agreed that the existing two-person Secretariat should remain in place, subject to review by the DMC at its next meeting."
- 3.3 Item 5.2.4 should read as follows:

5.2.4 **Financial Assistance**

The following recommendations, as contained in the Secretariat Report to the MC meeting of 13 January 1992 and approved at that meeting, were noted:

- 5.2.4.1 That CODESA should provide each participating organisation with office space at the WTC; that such premises should be equipped with two telephone terminals; that each participating organisation should have to shoulder its own telephone/fax bills and that staff, equipment and running expenses for such offices shall have to be provided for by each participating organisation at its own cost.
- 5.2.4.2 That travel, hotel accommodation and meals for delegates and advisers will be provided.

It was noted that the question of financial assistance in addition to that outlined above will be investigated by the DMC.

- 3.4 The final sentence of Item 6.1.1 should read, " Mr NJ Mahlangu registered his objection to the manner in which the Subcommittee was structured, after it had been made clear that only serving members of the MC could serve on it."
- 3.5 Item 7.1 should read, "It was agreed that provision should be made for women's groups as indicated in Item 6.3.1 above, but that women's participation in CODESA as a whole should not be separate."
- 3.6 Item 8.4.1 should read as follows:

In response to an enquiry by Mr Z Titus into the position of the IFP and

the Bophuthatswana Government with regard to the signing of the Declaration of Intent, the following was noted:

8.4.1.1 That Dr F Mdlalose undertook to ensure that the IFP addresses issues pertaining to its decision not to endorse the Declaration of Intent.

8.4.1.2 That the Bophuthatswana Government will not sign the Declaration of Intent in its present form.

4. Subcommittee on the King of the Zulus and Other Traditional Leaders

4.1 It was agreed that the report of the abovementioned Subcommittee should be examined in the light of:

4.1.1 The process followed.

4.1.2 Evidence presented (oral and written).

4.1.3 The time-frame allowed for submissions.

4.1.4 The execution of the Subcommittee's Terms of Reference and its injunctions.

4.2 On the basis of the above, and bearing in mind the need for a report containing informed, principled and representative recommendations, it was agreed that:

4.2.1 The Terms of Reference should be redrafted, noting that:

4.2.1.1 CODESA is a body of political organisations.

4.2.1.2 There may be a need to address the rural/urban balance.

4.2.2 The existing Subcommittee should be extended and should be asked to continue with its work on the basis of the new Terms of Reference.

4.2.3 The report tabled should be regarded as an interim progress report.

4.2.4 Henceforth, the procedure of the original Subcommittee should take into consideration:

4.2.4.1 Item 4.1.3 above.

4.2.4.2 Opportunities for oral presentations.

4.2.4.3 Evidence, within the South African context, in support of recommendations made.

4.2.4.4 The experience of other countries.

4.2.5 The final report should:

4.2.5.1 Recommend specific options for the role of the King of the Zulus and other traditional leaders in the negotiations process.

4.2.5.2 Indicate the motivation behind recommendations made on these and other substantive issues.

4.2.6 A time-frame for the work of the Subcommittee should be determined.

4.3 It was agreed that:

4.3.1 The Subcommittee to redraft the Terms of Reference of the original Subcommittee should comprise:

C Eglin
PJ Gordhan
Z Titus
G Viljoen

and that this Subcommittee should attend to its task during the lunch recess.

4.3.2 The original Subcommittee should be extended to include the following MC members, noting the need to broaden representation beyond the self-governing territories:

C Eglin
TT Matanzima
J Slovo
J Zuma

4.3.3 Noting the reasons for Mr MJ Mahlangu's decision to appoint an alternate for the first meeting of the original Subcommittee, nevertheless no alternates to members serving on the Subcommittee referred to under Item 4.3.2 above will be permitted.

4.3.4 This Subcommittee will be convened by Mr TJ Mohapi, as previously.

4.4 It was noted that the kings and chiefs of the Transkei did not apply to participate in the CODESA process, but instead requested a meeting to address the issue of the role of traditional leaders in the negotiations process.

5. Report from the DMC

The report was approved, with the following provisos:

5.1 Regarding Item 1.3 of the report it was noted that, notwithstanding the role of the media conference in publicising the procedure for submissions to Working Groups,

the question of placing advertisements in the media is still being considered by the DMC.

- 5.2 The recommendations contained in the first two sentences of Item 2 of the report, and pertaining to the chairpersonship of the MC and DMC until CODESA 2, were approved. It was agreed that the last two sentences should be omitted.
- 5.3 Regarding Item 3 of the report:
 - 5.3.1 It was agreed that the DMC should investigate the merits of a more uniform rotation mechanism for Working Group chairpersonship, noting the autonomous nature of the Working Groups.
 - 5.3.2 Referring to Item 3.3, it was noted that:
 - 5.3.2.1 The Working Groups should circulate their final reports to all CODESA delegates (and, possibly, to the media) well in advance of CODESA 2.
 - 5.3.2.2 Arrangements for CODESA 2 should allow for WGSCs to be readily available to attend to questions concerning their reports.
 - 5.3.2.3 Mechanisms for the formal presentation of reports at CODESA 2 will be revisited nearer the time.
- 5.4 Concerning Item 5 of the report:
 - 5.4.1 It was agreed that the heading should read, "Financial assistance".
 - 5.4.2 Delegates were referred to Item 9 of the DMC minutes of 6 February for more detail in this regard.
- 5.5 Regarding Item 7 of the report, the question of members of the Secretariat not serving on other CODESA structures as political representatives was referred to the DMC.
- 5.6 Regarding Item 8 of the report:
 - 5.6.1 The question of an appropriate role for representatives made available to CODESA Security, bearing in mind their particular expertise, was referred to the Secretariat.
 - 5.6.2 It was noted that, currently, only two representatives per party/organisation are being utilised by CODESA Security from the five per party/organisation originally invited to participate, and that this will be reviewed according to need.

6. **Report from the Subcommittee formed to redraft the Terms of Reference of the Subcommittee on the King of the Zulus and Other Traditional Leaders**

6.1 It was agreed that a distinction should be made between the King of the Zulus and other traditional leaders, wherever reference is made to traditional leaders per se.

6.2 The Terms of Reference as outlined in Addendum B were approved.

6.3 The Subcommittee on the King of the Zulus and Other Traditional Leaders was requested:

6.3.1 To submit regular interim reports to the DMC and MC.

6.3.2 To take into consideration possible implications regarding the present composition of CODESA when formulating its recommendations.

7. **Declaration of Intent**

7.1 It was agreed that:

7.1.1 A Subcommittee should be established to investigate amendments proposed by the IFP to the Declaration of Intent.

7.1.2 This Subcommittee should comprise the following MC members:

R Cronje
C Eglin (convenor)
F Mdlalose
J Slovo
G Viljoen
J Zuma

7.1.3 Each member of the Subcommittee may appoint one adviser if necessary.

7.1.4 The Terms of Reference of the Subcommittee should be as contained in Addendum C.

7.1.5 The Subcommittee should address its task with a view to presenting a report to the MC at its next meeting.

7.2 Regarding the decision of the Bophuthatswana Government not to endorse the Declaration of Intent:

7.2.1 It was noted that the constitution and parliament of Bophuthatswana, as a sovereign state, prohibit the endorsement of the existing Declaration of Intent by the Bophuthatswana Government, but that Bophuthatswana is willing to consider signing a separate commitment.

7.2.2 Mr R Cronje was requested to prepare a written submission of proposals from the Bophuthatswana Government regarding the Declaration of Intent.

8. **Press conference**

It was agreed that:

- 8.1 Mr PJ Gordhan, as chairperson of the MC, should preside at the conference.
- 8.2 His introductory remarks and report on the MC meeting should be made with a view to presenting an overview of the CODESA process to date.
- 8.3 He should field all questions from the media, including those on the progress of the Working Groups, with Item 8.2 above in mind.
- 8.4 His comments on the Subcommittees formed at the MC meeting should be made with the need to avoid unnecessary media speculation in mind.
- 8.5 Emphasis should be given to issue of submissions to Working Groups.

9. **Date of the next meeting**

The next meeting of the Management Committee will take place at the World Trade Centre on Monday 24 February at 17h00.

Representatives of the Bophuthatswana Government were requested to make the necessary arrangements in order to be available on Tuesdays for future MC meetings.

10. The meeting closed.

Addendum A

The following delegates and advisers signed the attendance register:

Party/Organisation/ Administration	Delegate	Adviser
ANC	J Zuma	M Maharaj
Bophuthatswana Government	R Cronje	SG Mothibe
		DW Schoeman
Ciskei Government	HJS Kayser	V Notshe
Dikwankwetla Party	TJ Mohapi	SOM Moji
DP	CW Eglin	J Selfe
IFP	F Mdlalose	BS Ngubane
INM	SS Ripinga	TJ Ndaba
IYP	NJ Mahlangu	Mrs B Ntuli
Labour Party	PAC Hendrickse	E Samuels
National Party	R Meyer	DJ de Villiers
NIC/TIC	Z Yacoob	S Patel
NPP	A Rajbansi	E Joosab
SACP	J Slovo	Ms GF Moleketi
SA Government	G Viljoen	SS van der Merwe
Solidarity	JN Reddy	I Omar
Transkei Government	Z Titus	TT Matanzima
UPF	MI Moroamoche	S Bambo
Venda Government	S Makhuvha	
XPP	EPP Mhinga	JC Ackron

Also present were:

Chair	PJ Gordhan
	T Eloff (Committee Secretary)
	P Saxby (minutes)



Addendum B

TERMS OF REFERENCE: THE SUB-COMMITTEE INVESTIGATING POSSIBLE PARTICIPATION IN CODESA BY THE KING OF THE ZULUS AND OTHER TRADITIONAL LEADERS

- 1.1 Whereas CODESA has been convened for purposes of transforming South Africa into a real and true democracy;
- 1.2 Whereas it is accepted that all the people of South Africa ought to be accorded the right to contribute to the negotiating process of CODESA on a meaningful basis;
- 1.3 Whereas CODESA is a body made up of political parties, political organisations and administrations;
- 1.4 And whereas it is necessary to consider, report on and recommend on whether the King of the Zulus and other traditional leaders should be given the opportunity of participating in the negotiating process of CODESA in whatever manner;

2. NOW, THEREFORE:

- 2.1 The Management Committee hereby resolves that a sub-committee constituted as follows:

TJ Mohapi (convenor)
FT Mdlalose
NJ Mahlangu
MJ Mahlangu
J Zuma
J Slovo
CW Eglin
TT Matanzima

be mandated to deliberate on this and, in particular, to report on the following:

2.1.1 Whether

- (a) the King of the Zulu's, and
- (b) other traditional leaders,

should be given the opportunity of participating in the negotiating process of CODESA; and

- 2.1.2 If so, the appropriate form of such participation, including any other options within which they may be accorded the right to participate on a meaningful basis.

- 2.2 In the execution of its mandate, the sub-committee shall take into account, and give effect to, the following principles and guidelines adopted by the Management Committee on 10 February 1992. These are:

- 2.2.1 All participants in CODESA, including any other interested parties,

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should, on the invitation of the sub-committee, be given a full and fair opportunity to present written memoranda and also to testify before, and make oral representations to, the sub-committee on this subject;

- 2.2.2 The Management Committee shall be presented with interim reports on progress made with regard to the investigation;
- 2.2.3 The practical situation presently found in South Africa with regard to traditional leadership, as well as the position in other African countries, shall be looked at and considered;
- 2.2.4 The possible effect the sub-committee's recommendations will or may have on the present composition and constitution of CODESA should be looked at and reported upon;
- 2.2.5 The need to motivate fully any recommendation, proposal or conclusion which the sub-committee may make in this regard; and
- 2.2.6 The need to provide the Management Committee with a comprehensive report prior to the next plenary session of CODESA.



MANCOM\DOCUMENT\DECINT.MCD (2)

Addendum C

**RESOLUTION BY THE CODESA MANAGEMENT COMMITTEE REGARDING THE
SUBCOMMITTEE APPOINTED TO EXAMINE PROPOSED AMENDMENTS TO THE
DECLARATION OF INTENT**

At the meeting of the CODESA Management Committee on Monday 10 February 1992, it was resolved:

That a subcommittee be appointed to examine the amendments of the Inkatha Freedom Party to the Declaration of Intent with a view to making recommendations to the Management Committee concerning interpretations of the Declaration of Intent which would, if necessary, provide a greater degree of neutrality of wording and assurance that the wording of the Declaration of Intent is not prescriptive, and thereby create confidence and trust by all parties in the CODESA process.

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TO: MEMBERS OF THE MANAGMENT COMMITTEE
FROM: CODESA ADMINISTRATION
DATE: 13 FEBRUARY 1992

Please find attached a fax which requests the assistance of qualified minute-takers for subgroups of the Working Groups.

Kindly forward this request to the relevant people within your organisation.

Thank you.