

MCH 91-66-1-5



TO : MEMBERS OF WORKING GROUP 2,
COORDINATORS OF WORKING GROUP 2

FROM : CODESA ADMINISTRATION

QUERIES : LOVEDALIA

RE : DRAFT MINUTES - 24 FEBRUARY 1992
DRAFT AGENDA - 2 MARCH 1992

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WORKING GROUP 2

ANC
Negotiation Comm (011) 333-9090
C Ramaphosa (011) 29-0097
M V Moosa (011) 333-9090
F Ginwala (011) 333-7739
A Sachs (021) 22-2626

BOPHUTHATSWANA GOVERNMENT
D Schoeman (0140) 84-2943
S G Mothibe (0140) 84-2406
R Cronje (0140) 84-2733
T E Scheepers (0140) 24618
I Findlay (0140) 84-2733

CISKEI GOVERNMENT
H J S Kayser (0401) 91189
M C Kashe (0401) 95-1165
I J Smuts (0461) 29664
J Labuschagne (04634) 31902
V R Zietsman

DEMOCRATIC PARTY
C W Eglin (021) 461-0092
D Worrall (021) 461-0092
A J Leon (021) 461-0092
D Welsh (021) 461-0092

DIKWANKWETLA PARTY
S O M Moji (01438) 31218
M M Makhalemele
S K Mopeli
M Mopeli (01438) 36306

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

PO Box 307, Isando, 1600, South Africa.
Telephone (011) 597-1198/99. Fax (011) 597-2211

MCH91-06-1-5

**FAX MESSAGE**

TO : ALL MEMBERS OF WORKING GROUP 2
FROM : CODESA ADMIN - DIANNE
DATE : 27 FEBRUARY 1992
RE : DRAFT MINUTES - 24/25 FEBRUARY
DRAFT AGENDA - 2 MARCH

Attached please find the following :

1. Draft minutes for the Working Group 2 meeting held on 24/25 February 1992
2. Draft agenda for the Working Group 2 meeting to be held on 2 March 1992

Should you have any queries, please do not hesitate to contact me.

Regards.

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

PO Box 307, Isando, 1600, South Africa.
Telephone (011) 397-1198/99. Fax (011) 397-2211

MCH91-00-1-5

IFP

S Felgate (0358) 20-2167
 A P Blaustein (091) 609-757-6487
 S H Gumede (0358) 20-2430
 M Alachouzos
 B S Ngubane (0358) 20-2469

INTANDO YESIZWE PARTY

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 N Haysom (031) 403-1764

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 J A Rabie (021) 45-3706
 S Camerer (021) 461-5329 or (011) 838-6262
 I M Rautenbach (011) 489-2049

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 S Ismail (011) 331-2970
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 H M Meerahoo (0331) 91-2015

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 B Nzimande (0331) 95-5741
 J Slovo (011) 836-8366
 N Hoosain (041) 54-4233
 E Daniels (021) 761-8515

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TRANSKEI GOVERNMENT

Z Titus (0471) 23876
S P Holomisa (0471) 31-0437 or 23876
D S Koyana (0471) 26820
P Z Ndamase
R Nogumla

UNITED PEOPLE'S FRONT

c/o Chief PR Min (0156) 35244
M J Mahlangu (0156) 37149
M C Ramusi (01521) 91-2528
J S Maake
R J Dombo (01521) 68-9111 Ext 2253

VENDA GOVERNMENT

C Neluvhalani
Chief Gov Liaison
Officer (0159) 23172
M P Nthabalala (0159) 31195
N A Budeli (01521) 67-1049
M J Mushasha

XIMOKO PROGRESSIVE PARTY

J C Ackron (01526) 23140
E E Ngobeni See Above
K R Myakayaka See Above
F Cloete See Above

OTHER PARTIES TO RECEIVE DOCUMENTATION :

WG2 SECRETARY
Mark Phillips (011) 403-1764



WORKING GROUP 2\AGENDA\2 MARCH

**DRAFT AGENDA FOR THE SIXTH MEETING OF
WORKING GROUP 2 (CONSTITUTIONAL PRINCIPLES)
ON 2 MARCH 1992 AT THE WORLD TRADE CENTRE**

1. **Apologies**
2. **Ratification of Agenda**
3. **Ratification of Minutes**
4. **Draft document prepared by the Steering Committee on the balance between central, regional and local government dated 25.2.92**
5. **Meaningful Participation of Political Minorities**
 - 5.1 Draft document prepared by the Steering Committee on a common principle regarding the participation of minority parties
 - 5.2 Further submissions on the participation of minority parties
6. **Key Issues to be Addressed:**
 - 6.1 Economic Freedom, Governmental Intervention and Economic Systems
 - 6.2 Accommodation of the Diversity of Languages, Cultures and Religions
 - 6.3 The Bill/Charter of Fundamental Rights including:
 - 6.3.1 Its Nature and Scope
 - 6.3.2 Affirmative Action
 - 6.3.3 Second Generation Rights
 - 6.4 Role of Traditional Leaders
 - 6.5 Self Determination

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WORKING GROUP 2\MINUTES\24&25 FEBRUARY

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 SUBJECT TO RATIFICATION BY THE WORKING GROUP STEERING COMMITTEE AT ITS NEXT MEETING.

MINUTES OF THE FIFTH MEETING OF WORKING GROUP 2
(CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON
MONDAY 24 AND TUESDAY 25 FEBRUARY 1992

PRESENT:

Delegates and Advisors (See Addendum A)
J Slovo (Chair)
M Phillips (Secretary)
R Hartley (Minutes)

DOCUMENTS DISTRIBUTED ON 24.2.92:

1. Draft agenda
2. 24.2.92: Draft document on common principles regarding the balance between central, regional and local government prepared by the Steering Committee of Working Group 2
3. Ratified minutes of the third meeting of Working Group 2 held on 11.2.92
4. Draft minutes of the fourth meeting of Working Group 2 held on 17.2.92
5. Delegate factsheet No 1
6. Solidarity Party: Working Group 2 - Constitutional principles
7. Codesa Working Group 2: Key issues to be addressed (Venda Government)
8. The balance between central, regional and local government (Venda Government)
9. Inyandza National Movement: Proposals for central, regional and local government
10. National Peoples Party: Position paper on the balance of power between central, regional and local government
11. United People's Front proposals on the balance of power between central, regional and local government
12. Reservations recorded and tabled by the government of Bophuthatswana regarding its participation in Codesa
13. ANC Working Group 2: What is meant by general principles

MINS2402.WP (5)

WORKING GROUP 2\MINUTES\24.2.92 FEBRUARY

DOCUMENTS DISTRIBUTED ON 25.2.92

14. Dikwankwetla Party: The balance between central, regional and local government
15. 25.2.92 Draft document on common principles regarding the balance between central, regional and local government prepared by the Steering Committee of Working Group 2
16. National Party submission to Working Group 2, 25.2.92: The meaningful participation of political minorities.
17. Ximoko Progressive Party, 25.2.92: The meaningful participation of political minorities

1. Apologies for 24.2.92

Z Yacoob	Natal and Transvaal Indian Congresses (Alternate: IC Meer)
M Hendrickse	Labour Party (Alternate: Prof Devenish)
D Worrall	Democratic Party (Alternate: T Leon)
Prof Cloete	Ximoko (Alternate: EPP Mhinga)
J Slovo	SA Communist Party (in the chair) (Alternate: E Daniels)
MM Makhalemele	Dikwankwetla Party (Alternate: Mopeli)
M Alachouzoz	Inkatha Freedom Party
TM Krishna	Solidarity (Alternate: K Reddy)
H M Neerahoo	National People's Party
G H Grove	SA Government (Alternate JHE Basson)

Apologies for 25.2.92

R Cronje	Bophuthatswana Government (Alternate: TE Scheepers)
SG Mothibe	Bophuthatswana Government
J Rabie	National Party (Alternate: S Camerer)
T Leon	Democratic Party (Alternate: D Welsh)
S Ismail	National People's Party (Alternate: A Rajbansi)
J Slovo	SA Communist Party (in the chair) (Alternate: E Daniels)

MINS2402.WP (5)

WORKING GROUP 2\MINUTES\24&25 FEBRUARY

2. Ratification of Agenda

2.1 The agenda was ratified with the following addition:

2.1.1 Item 2A: Bophuthatswana Government Information Item.

2A. Bophuthatswana Government Information Item

2A.1 The Bophuthatswana Government read a document entitled "Reservations recorded and tabled by the Government of Bophuthatswana regarding its participation in Codesa". The document was noted and not discussed.

3. Adoption of Minutes

3.1 The minutes were ratified with the following change:

3.1.1 The last line of item 6.1.3.1.3 was amended to read: "each shall be set out and enshrined in the constitution".

4. Key Issues to be Addressed**4.1 The Balance Between Central, Regional and Local Government**

4.1.1 The following parties spoke to written submissions:

4.1.1.1 United People's Front

4.1.1.2 Solidarity Party

4.1.1.3 National People's Party

4.1.1.4 Inyandza National Movement

4.1.1.5 Venda Government

4.1.2 Steering Committee Proposal

4.1.2.1 Mr Eglin spoke to the document entitled "Draft document on common principles regarding the balance between central, regional and local government" on behalf of the Steering Committee.

4.1.2.1.1 The document was amended at the suggestion of Mr Eglin as follows:



TO : MEMBERS OF WORKING GROUP 2,
COORDINATORS OF WORKING GROUP 2

FROM : CODESA ADMINISTRATION

QUERIES : LOVEDALIA

RE : DRAFT MINUTES - 2 MARCH 1992
DRAFT AGENDA - 9 MARCH 1992
DELEGATE FACT SHEET NO 2

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E E Ngobeni See Above
K R Myakayaka See Above
F Cloete See Above

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WG2 SECRETARY
Mark Phillips (011) 403-1764

**F A X M E S S A G E**

TO : MEMBERS OF WORKING GROUP 2
FROM : CODESA ADMIN - DIANNE
DATE : 4 MARCH 1992
RE : DRAFT MINUTES - 2 MARCH
DRAFT AGENDA - 9 MARCH
DELEGATE FACT SHEET NO 2

Attached please find the following :

1. Draft minutes of the meeting of Working Group 2 held on 2 March 1992.
2. Draft agenda of the meeting of Working Group 2 to be held on 9 March 1992.
2. Delegate Fact Sheet No 2.

Should you have any queries, please do not hesitate to contact us.

Regards.



ADMINISTRATION/FACTSHEET/2 MARCH

DELEGATE FACT SHEET NO 2 2 MARCH 1992

I. ADMINISTRATIVE ARRANGEMENTS/FACILITIES

The main aim of the Administration is to:

- * Ensure accurate records of all meetings
- * To provide documentation in the hands of delegates on time
- * to provide facilities for the functioning of all CODESA structures.

There are, however, a few practical problems. The main issue revolves around the programming of CODESA's activities, so as to enable the Administration to achieve this aim.

The following pattern has emerged in CODESA's activities:

- * Mondays and Tuesdays are used for meetings of WGs, WGSCs, Subgroups, Sub-committees and the DMC/MC. These meetings have increased considerably. For instance, on Monday 2 March, 22 meetings are scheduled. Immediately after these meetings, secretaries and minute takers have to start writing the minutes.
- * The deadline for the draft of the minutes, approved by the relevant chairperson, of all the above-mentioned meetings is Wednesday 12h00. This means that in the case of some minutes, less than 24 hours are allowed for a draft of the minutes of any meeting. The Secretariat has initiated a meeting with the five secretaries of the Working Groups to be held regularly on Tuesday evenings, with the following aims:
 - + To raise and discuss all administrative problems
 - + To monitor the functioning of the Working Groups
 - + To enable the Secretariat to compile a report to the DMC and
 - + To enable the Secretariat to compile the DMC/MC Agenda.

The process of faxing the draft minutes, approved by the different chairpersons, to the WG and WGSC members, is then initiated on Wednesday afternoon and takes two and a half days to complete (with 4 technically-advanced fax machines working 24 hours a day). Any problems with regard to not receiving faxed minutes, or late reception of minutes, should please be communicated to the Administration.

Against this background, it is important to also note that before CODESA 1, parties/organisations/administrations have been requested to submit the names of suitable administrative staff. This same request was made again on 12 February. As work increases, CODESA Administration is able to take on more staff. The sole test in this regard is competence.

It must be pointed out, however, that so far, parties/organisations/administrations have responded primarily to requests at the level of Security. Staff requirements for CODESA have now moved into specific areas, requiring specific competence, for example, minute taking. At present, the secretarial and administrative staff component is adequate. It is also important to note that before CODESA 1, it was approved by the Steering Committee to appoint the Consultative Business Movement (CBM) as an independent body to provide the core of the staff for the CODESA Administration. All staff appointments are therefore made under the aegis of CBM.

DELEGATE FACT SHEET NO 2

II. FINANCIAL ASSISTANCE TO PARTIES/ORGANISATIONS IN CODESA

In pursuance of decisions by the Management Committee of **CODESA** on 13 January 1992 and on 24 February 1992, the following is brought to your attention:

OFFICE ACCOMMODATION AND MEALS

- 1.1 Office accommodation is provided by **CODESA** for each party, organisation or administration in the *World Trade Centre*. Basic furniture (tables and chairs) will also be supplied. Any other furniture required will, however, have to be rented from **CODESA**. Please notify us immediately, should you wish to make use of this facility. Under no circumstances will you be allowed to bring in your own furniture.
- It is suggested that parties, organisations or administrations make use of this opportunity to facilitate preparations for **CODESA II**.
- 1.2 A maximum monthly subsidy of R2 000 per party/organisation/administration will be paid in respect of expenses for **CODESA** and offices at the *World Trade Centre*. These will include the following: telephone calls, fax costs, photocopying costs, rental of equipment and secretarial services. PLEASE NOTE THAT THE SUBSIDY IS PAYABLE ON RECEIPT OF DOCUMENTED PROOF OF ACTUAL EXPENSES AND THAT IT COMES INTO EFFECT RETROSPECTIVELY FROM 13 JANUARY 1992.
- 1.3 **CODESA** cannot supply telephone and/or fax lines. Should these be required, they will be supplied by *Telkom* for the account of each party, organisation or administration. Application forms are available at our offices and must be returned to **CODESA** to facilitate the installation thereof.
- 1.4 Please note that **CODESA** cannot provide any equipment such as word processors, fax machines or photocopiers *or render any of these services for or on behalf of parties, organisations or administrations* or their representatives on working groups. These must be provided for by each party, organisation or administration. One photocopier has been made available for the service of party offices. It is controlled by Aaron Tshehla, and is situated underneath the escalator. At present requests for copying should be given to him in writing (forms obtainable at the machine). These will be attended to on a first-come, first-served basis. PLEASE NOTE THAT ALL COPIES MADE ON THIS MACHINE WILL BE CHARGED TO THE ORGANISATION AT 15C PER COPY.
- 1.5 **CODESA** *only supplies meals to members of and advisers to members of working groups*. **CODESA** can make no provision in respect of meals for support staff to members of working groups, their bodyguards, private secretaries or drivers or the support staff of parties, organisations or administrations occupying offices in the *World Trade Centre*. A tuck shop is available on the premises and all such support staff, private secretaries, drivers and bodyguards can make use of it on a cash basis.
- 1.6 PLEASE NOTE THAT AS FROM 3 MARCH 1992 ALL LIQUOR AT MEALS WILL BE ON A CASH BASIS.

Please turn over

PER DIEM ALLOWANCES TO DELEGATES AND OFFICIAL ADVISERS

- 1.1 A per diem allowance of R200 per delegate or official adviser for the days on which meetings of **CODESA** are attended may now be claimed. This will only apply to persons not receiving remuneration from State sources. It, however, excludes state/administration officials who have been granted leave without pay to attend meetings of **CODESA**. Documented proof of this will be required.
- 1.2 Income tax will have to be deducted from per diem allowance payments. Delegates claiming per diem allowances must please complete a registration form (available from our Financial office and a separate claim form for allowances.
- 1.3 Allowance may be claimed retrospectively from 13 January 1992.

CLAIMS FOR TRANSPORT AND SUBSISTENCE

- 1.1 Claims for transport and subsistence must please be completed and submitted individually for each separate meeting by every representative and adviser. Only claim forms bearing the printed date for the specific meeting can be accepted.
- 1.2 Faxed copies of claims, flight tickets and hotel bills are unfortunately unacceptable. All claims must please be original and accompanied by original proof of expenditure.
- 1.3 **CODESA** does not refund telephone calls, valet services, bar charges, cigarettes or any claims for meals taken at hotels in stead of those offered at the *World Trade Centre* on the days of meetings.
- 1.4 When claiming for cost of travelling by car, please note that the car registration number must please be supplied and that the kilometers travelled should reflect the shortest route. The engine capacity of your vehicle must also be stated in cubic centimeters.
- 1.5 **CODESA** only refunds air fares in the economic class. Bookings made through one of our accredited travel agencies may also only be made in the economic class. To facilitate problems experienced with travel, accommodation and transport problems, **CODESA** now has a special **CODESA TRAVEL OFFICE** in the *World Trade Centre* co-ordinating with the various agencies and you should not hesitate to call them at (011) 397 2452.
- 1.6 Hotel accommodation booked through any of our accredited agencies must please be made at least 48 hours prior to day of arrival. Should you not take up the accommodation booked for you, you will be personally held responsible for the "no show"-fee charged to **CODESA**. This also applies in respect of accommodation not used for the full period booked.
- 1.7 **CODESA** only accepts responsibility for hotel accommodation (when necessary) on the night before and/or after meetings.
- 1.8 **CODESA** can unfortunately not accept claims for 5-star hotels and/or suites. Should delegates or advisers make their own arrangements for accommodation in such hotels, **CODESA** can only refund an amount equivalent to the tariff negotiated by **CODESA** with either the Jan Smuts Holiday Inn or the Airport Sun.

Please turn over

- 1.9 When transport is required from airports in Johannesburg, requests should be made at least 24 hours prior to your arrival. Once again, if you have requested transport and do not make use of it on arrival, you will be personally held responsible for the costs incurred.
- 1.10 **CODESA** does not accept claims for car hire.
- 1.11 Please note that **CODESA** only accepts responsibility for transport arrangements between hotels, the airports and the *World Trade Centre* for official meetings of **CODESA**. We do not provide transport for representatives, their advisers or support staff to attend meetings other than those of **CODESA** in the *World Trade Centre*, elsewhere in Johannesburg or its surroundings.

dpccod59 2 March 1992

Please turn over



WORKING GROUP 2\MINUTES\2 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE SUBJECT TO RATIFICATION BY THE WORKING GROUP STEERING COMMITTEE AT ITS NEXT MEETING.

MINUTES OF THE SIXTH MEETING OF WORKING GROUP 2 (CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992

PRESENT:

Delegates and advisors (See Addendum A)
 B S Ngubane (Chair)
 M Phillips (Secretary)
 R Hartley (Minutes Secretary)

DOCUMENTS DISTRIBUTED:

1. Draft agenda
2. Draft minutes of the fifth meeting of Working Group 2 held on 24.2.92 and 25.2.92
3. Ratified minutes of the fourth meeting of Working Group 2 held on 17.2.92
4. 2.3.92 Draft principle on meaningful participation of minorities prepared by the Steering Committee for Working Group 2
5. Labour Party of SA: The relationship or balance between central, regional and local government
6. Codesa Working Group 2 - SA Government - 2.3.92: The balance between central, regional and local government
7. Solidarity: Meaningful participation of political minorities
8. South Africa in the nineties (Solidarity)
9. National People's Party: Position paper of the NPP on key issue: meaningful participation of political minorities
10. ANC: Minorities and Democracy
11. Delegate fact sheet No 2: 2.3.92
12. SA Government: Extracts from different proposals on the relationship between central and regional government
13. SA Government: Proposals on general constitutional principles submitted to Codesa Working Group two
14. Codesa Working Group 2: SA Government comparison of the different proposals submitted on minority protection



WORKING GROUP 2\MINUTES\2 MARCH

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MIN0203.WP (5)

WORKING GROUP 2\MINUTES\2 MARCH

1. Apologies

Prof Koyana	Transkei Government
Chief Ndamase	(Alternate: Mr Nogumla)
B Singh	National People's Party (absent for part of the meeting)
	(Alternate: A Rambarran)
ZM Yacoob	Natal and Transvaal Indian Congresses
	(Alternate: Y Mahomed)
Adv Mushasha	Venda Government
MM Makhalemele	Dikwankwetla Party
	(Alternate: M Mopeli)
MJ Mahlangu	United People's Front
Prof Cloete	Ximoko Progressive Party
	(Alternate: EPP Mhinga)
M Alachouzos	Inkatha Freedom Party

2. Ratification of Agenda

2.1 Item 6.3 was renumbered as item 6.4 and visa versa.

2.2 The agenda was then ratified.

3A Ratification of Minutes of meeting of 24.2.92 and 25.2.92

3A.1 Item 4.2.1.7: "Venda Government" was added.

3A.2 On page 7, under Addendum A, "Intando Yesizwe Party" was changed to "Inyandza National Movement".

3A.3 D Lockey informed the meeting that he had attended the meeting of 24.2.92 and 25.2.92.

3A.4 I Omar informed the meeting that he had attended the meeting of 24.2.92 and 25.2.92.

3A.4 On pages 6 and 8 under Addendum A, EPP Mhinga was replaced by Prof Cloete.

3A.5 It was agreed that all future Working Group minutes will contain the contents of Steering Committee proposals regarding common principles.

3B Amendment to ratified minutes of meeting of 17.2.92

3B.1 The word "judicial" was substituted with the word "executive" under point 6.1.3.1.3 of the minutes of 17.2.92.

4. Draft document prepared by the Steering Committee on the balance between central, regional and local government dated 25.2.92

4.1 The SA Government spoke to its document entitled "The balance between central, regional and local government". The SA Government interpreted the proposal of the steering committee as follows:

Annexure A

MIN0203.MP (5)

WORKING GROUP 2\MINUTES\2 MARCH

5. Meaningful Participation of Political Minorities

- 5.1 The Steering Committee's draft principle on meaningful participation of minorities was tabled.
- 5.2 Further submissions were made by the following:
- 5.2.1 Solidarity Party
 - 5.2.2 National People's Party
 - 5.2.3 Natal and Transvaal Indian Congresses
 - 5.2.4 South African Communist Party
 - 5.2.5 African National Congress
- 5.3 The following parties undertook to make submissions to the next meeting of the Working Group:
- 5.3.1 Inkatha Freedom Party
 - 5.3.2 Labour Party
 - 5.3.3 Transkei Government
 - 5.3.4 United People's Front
- 5.4 The ANC proposed that the words "consistent with democratic principles" be added to the steering committee document.
- 5.5 The matter was referred to the Steering Committee to formulate a further draft principle to be presented to the next meeting of the Working Group.

6. Next Meeting

It was agreed that Working Group 2 will meet again on Monday, 9.2.92 at the World Trade Centre from 10h00 to 16h30.

MIN0203.WP (5)

WORKING GROUP 2\MINUTES\2 MARCH

ADDENDUM A

The following delegates and advisors signed the Attendance Register of Working Group 2 meeting held on 2 March 1992:

Organisation	Delegate/Advisor
African National Congress	C Ramaphosa MV Moosa F Grinwala A Sachs
Bophutatswana Government	SG Mothibe R Cronje I Findlay TE Scheepers
Ciskei Government	MC Kashe IJ Smuts J Laubuschagne VR Zietsman
Democratic Party	CW Eglin D Worrall AJ Leon D Welsh
Dikwankwetla Party	SOM Moji S Mopeli M Mopeli
Inkatha Freedom Party	N Brits SH Gumede BS Ngubane
Intando Yesizwe Party	SJ Mgidi AP Laka MP Mahlangu IT Mahlangu
Inyandza National Movement	C Albertyn I Lephoko BE Mabuza EN Ginindza

MIN0203.WP (5)

WORKING GROUP 2\MINUTES\2 MARCH

Labour Party	D Lockey IM Richards G Devenish C Nasson
Natal/Transvaal Indian Congresses	Y Mohamed F Cachalia IC Meer F Haysom
National Party	F van Heerden JA Rabie S Camerer I Rautenbach
National People's Party	M Mohanlall S Ismail B Singh H Neerahoo
Solidarity Party	DS Rajah I Omar K Reddy R Arenstein
SA Communist Party	J Slovo B Nzimande N Hoosain E Daniels
SA Government	G Viljoen JT Delpport F Venter JHE Basson
Transkei Government	S Holomisa R Nogumla
United People's Front	MC Ramusi KR Malatji RJ Dombo
Venda Government	GM Legege MP Nthabalala A Budeli
Ximoko Progressive Party	EE Ngobeni KR Myakayaka EPP Mhinga J Ackron

9 MARCH 1992

**DRAFT PRINCIPLE ON MEANINGFUL PARTICIPATION OF MINORITIES PREPARED BY THE
STEERING COMMITTEE FOR WORKING GROUP 2**

1. A new constitution should provide for effective participation of minority political parties consistent with democracy.

2 MARCH 1992

**DRAFT PRINCIPLE ON MEANINGFUL PARTICIPATION OF MINORITIES PREPARED BY THE
STEERING COMMITTEE FOR WORKING GROUP 2**

1. There shall be meaningful participation of minority parties in a future constitutional dispensation.

*consistent with
democratic principles.*

TO : MEMBERS OF WORKING GROUP 2,
COORDINATORS OF WORKING GROUP 2
FROM : CODESA ADMINISTRATION
QUERIES : LOVEDALIA OR DIANNE
RE : WG2 DRAFT MINUTES FOR 17/2 AND
DRAFT AGENDA FOR 24/25/2

PLEASE NOTIFY US IMMEDIATELY IF YOUR FAX NUMBER OR ADDRESS HAS
CHANGED. WE CANNOT BE HELD RESPONSIBLE FOR ENSURING THAT YOU
RECEIVE COPIES OF ALL DOCUMENTATION UNLESS WE ARE KEPT INFORMED
OF THESE CHANGES.

WORKING GROUP 2

ANC

Negotiation Comm (011) 333-9090
C Ramaphosa (011) 29-0097
M V Moosa (011) 333-9090
F Ginwala (011) 333-7739
A Sachs (021) 22-2626

BOPHUTHATSWANA GOVERNMENT

D Schoeman (0140) 84-2943
S G Mothibe (0140) 84-2406
R Cronje (0140) 84-2733
T E Scheepers (0140) 24618
I Findlay (0140) 84-2733

CISKEI GOVERNMENT

H J S Kayser (0401) 91189
M C Kashe (0401) 95-1165
I J Smuts (0461) 29664
J Labuschagne (04634) 31902
V R Zietsman

DEMOCRATIC PARTY

C W Eglin (021) 461-0092
D Worrall (021) 461-0092
A J Leon (021) 461-0092
D Welsh (021) 461-0092

DIKWANKWETLA PARTY

S O M Moji (01438) 31218
M M Makhalemele
S K Mopeli
M Mopeli (01438) 36306

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PO Box 307, Isando, 1600, South Africa.
Telephone (011) 397-1198/99. Fax (011) 397-2211

IFP

S Felgate (0358) 20-2167
 A P Blaustein (091) 609-757-6487
 S H Gumede (0358) 20-2430
 M Alachouzos
 B S Ngubane (0358) 20-2469

INTANDO YESIZWE PARTY

J S Mabona (01215) 2548
 S J Mgidi (01215) 2808
 A P Laka (01215) 2808
 M P Mahlangu (01215) 2808
 I T Mahlangu (01215) 2808

INYANDZA NATIONAL MOVEMENT

T J Ndaba (013140) 879
 E N Ginindza (01314) 72184
 C Albertyn (031) 23-1638 (M)
 I B Lephoko (01314) 72184
 B E Mabuza (01314) 72184

LABOUR PARTY OF SA

I M Richards (021) 45-1953
 D Lockey
 Prof Devenish
 C I Nasson

NIC/TIC

P G Gordhan (031) 309-2278
 N Pillay (012) 374-4792
 N Haysom (011) 403-1764
 F Cachalia
 Z Yacoob
 I C Meer

NATIONAL PARTY

F J van Heerden (021) 461-5329
 J A Rabie (021) 403-3507
 S Camerer (021) 461-5329 or (011) 838-6262
 I M Rautenbach (011) 489-2049

NATIONAL PEOPLE'S PARTY

M M Mohanlall (021) 403-2971 (M)
 S Ismail (011) 331-2970
 B Singh (0331) 91-2015
 H M Meerahoo (0331) 91-2015

SOLIDARITY PARTY

I Omar (0331) 42-7368 or 92-2171
 D S Rajah (0331) 42-7368
 K Reddy (011) 333-0981
 R Arenstein (031) 304-7009

SA COMMUNIST PARTY

G Fraser-Moleketi (011) 836-8366
B Nzimande (0331) 95-5599
J Slovo (011) 836-8366
N Hoosain (041) 54-4233
E Daniels (021) 761-8515

TRANSKEI GOVERNMENT

Z Titus (0471) 23876
S P Holomisa (0471) 31-0437 or 23876
D S Koyana (0471) 26820
P Z Ndamase
R Nogumla

UNITED PEOPLE'S FRONT

c/o Chief PR Min (0156) 35244
M J Mahlangu (0156) 37149
M C Ramusi (01521) 91-2528
J S Maake
R J Dombo (01521) 68-9111 Ext 2253

VENDA GOVERNMENT

C Neluvhalani
Chief Gov Liaison
Officer (0159) 23172
M P Nthabalala (015581) 31195
N A Budeli (01521) 67-1049
M J Mushasha

XIMOKO PROGRESSIVE PARTY

E E Ngobeni (01526) 23140
K R Myakayaka (01526) 23412
J C Ackron (01526) 23140
E P P Mhinga (01526) 23412

OTHER PARTIES TO RECEIVE DOCUMENTATION :

WG2 SECRETARY
Mark Phillips (011) 403-1764



FAX MESSAGE

TO : MEMBERS OF WORKING GROUP 2
FROM : CODESA ADMIN - DIANNE
DATE : 19 FEBRUARY 1992
RE : DRAFT MINUTES AND AGENDA

Enclosed for your information, please find the following :

1. Draft agenda for the WG2 meeting to be held on 24/25 February
2. Draft minutes for the WG2 meeting held on 17 February.

Should you have any queries, please do not hesitate to contact us.

Regards.

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PO Box 507, Isando, 1000, South Africa.
Telephone (011) 597-4198/99. Fax (011) 597-3211

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 SUBJECT TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

**MINUTES OF THE FOURTH MEETING OF WORKING GROUP 2
(CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON
MONDAY, 17 FEBRUARY 1992 AT 10H00**

PRESENT :

Delegates and Advisors (See Addendum A)
M J Mahlangu (Chair)
M Phillips (Secretary)
R Hartley (Minutes)

DOCUMENTS DISTRIBUTED :

1. Ratified minutes of the second meeting of Working Group 2 held on 6 February 1992.
2. Draft minutes of the third meeting of Working Group 2 held on 11 February 1992.
3. Draft agenda.
4. Working Group 2 addresses, telephone numbers and fax numbers of delegates and advisers.
5. Travel and accommodation forms.
6. Ciskei Government : The Balance Between Central, Regional and Local Government.
7. The Labour Party of South Africa : General Constitutional Principles.
8. The National Party : Constitutional Principles which should be Enshrined the a New Constitution for the Republic of South Africa.
9. United People's Front : Constitutional Principles.
10. Ximoko Progressive Party : The Balance Between Central, Regional and Local Government.

1. Apologies

Z Yacoob	Natal and Transvaal Indian Congress (Alternate : I Meer)
Prof Cloete	Ximoko Progressive Party
R Cronje	Bophuthatswana Government (Alternate : Dr Scheepers)
S G Mothibe	Bophuthatswana Government (Alternate : I Findlay)
G H Grove	South African Government (Alternate : J H E Basson)
Chief Ndamame	Transkei Government (Alternate : Prof Koyana)
M J H Mahlangu	UPF (In the Chair) (Alternate : Adv Maake)
M M Makhalemele	Dikwankwella Party
Adv Mushaha	Venda Government
V R Zietsman	Ciskei Government

2. Ratification of Agenda

2.1 The agenda was ratified with the following changes :

2.1.1 Item 3B - "Further submissions by parties" - was added.

2.1.2 Item 5 was deleted.

3A. Adoption of Minutes

3A.1 The minutes were adopted with the following change :

3A.1.1 The document - "Ciskei Government Constitutional Principles" - was added to the list of documents.

3B. Further Submissions by Parties

3B.1 The following parties made submissions on their general constitutional principles :

3B.1.1 Labour Party

3B.1.2 National Party

3B.1.3 United People's Front

4. Discussion of Steering Committee Documents

4.1 It was noted that the document "Provisional Areas of Commonality that Already Exist" should not have been released to the press.

4.2 It was agreed that parties could make written proposals to the Steering Committee regarding additions to the documents "Provisional Areas of Commonality that Already Exist" and "Key Issues to be Addressed" and that the Steering Committee would consider amending the document accordingly.

5. **Handling of Submissions by Public**

5.1 This item was removed from the agenda.

6. **Discussion of Key Issues**

6.1 The Balance Between Central, Regional and Local Government

6.1.1 Written and verbal submissions were presented by :

6.1.1.1 Ciskei Government

6.1.1.2 Ximoko Progressive Party

6.1.1.3 Democratic Party

6.1.1.4 Labour Party

6.1.1.5 Solidarity

6.1.1.6 Venda Government

6.1.1.7 Inkatha Freedom Party

6.1.2 It was agreed that those parties who had made verbal submissions will supply delegates with written submissions at the next meeting.

6.1.3 Common Ground on Possible Principles

6.1.3.1 The South African Government suggested there was common consensus on the following four principles :

6.1.3.1.1 A three tier government structure with the first tier being central government, the second regional government, and the third being local government.

6.1.3.1.2 Each tier of government should be based on democratic representation.

6.1.3.1.3 Each tier shall have legislative, judicial and fiscal autonomy and the duties, powers and functions of each shall be set out in the constitution.

6.1.3.1.4 In addition to those powers, duties and functions enshrined in the constitution, the central government may delegate further powers to the lower levels of government.

6.1.3.2 The IFP and the ANC expressed support for the four principles. The ANC added that each level of government should respect the constitution and the Bill of Rights.

6.1.3.3 It was agreed that the Steering Committee would draft a document setting out these principles and present this to the next meeting as a working document.

6.1.4 The Inyandza National Movement proposed that consideration should be given to whether different tiers of government should have concurrent jurisdiction regarding certain duties, powers and functions.

6.1.5 It was agreed that discussion of the principles of commonality regarding the balance between central, regional and local government would not prevent any party from putting forward arguments and presentations at future meetings.

7. **Next Meeting**

It was agreed that the Working Group will meet on Monday, 24 February 1992 from 10h00 to 17h00 and on Tuesday, 25 February 1992 from 09h00 to 15h00.

ADDENDUM A

The following delegates and advisers signed the Attendance Register of Working Group 2 meeting held on 17 February 1992:

Delegate/Adviser	Organisation
C Ramaphosa	ANC
M V Moosa	ANC
F Ginwala	ANC
A Sachs	ANC
T E Scheepers	Bophuthatswana Govt
I Findlay	Bophuthatswana Govt
M C Kashe	Ciskei Govt
I J Smuts	Ciskei Govt
J Labuschagne	Ciskei Govt
V R Zietsmann	Ciskei Govt
C W Eglin	Democratic Party
D Worrall	Democratic Party
D Welsh	Democratic Party
S O M Moji	Dikwankwetla Party
S Mopeli	Dikwankwetla Party
M Mopeli	Dikwankwetla Party
N Brits	IFP
S H Gumede	IFP
M Alachouzos	IFP
B S Ngubane	IFP
S J Mgidi	Intando Yesizwe
A P Laka	Intando Yesizwe
I T Mahlangu	Intando Yesizwe
M P Mahlangu	Intando Yesizwe
E N Ginindza	Inyandze National Movement
C Albertyn	Inyandze National Movement
I Lephoko	Inyandze National Movement
B E Mabuza	Inyandze National Movement
I M Richards	Labour Party
D Lockey	Labour Party
M Hendrickse	Labour Party
C Nasson	Labour Party
T Pillay	NIC/TIC
F Cachalia	NIC/TIC
I C Meer	NIC/TIC
F Haysom	NIC/TIC
F van Heerden	National Party
J A Rabie	National Party
S Camerer	National Party
I Rautenbach	National Party
M Mohanlall	National People's Party
S Ismail	National People's Party
B Singh	National People's Party
H Neerahoo	National People's Party
I Omar	Solidarity Party
D S Rajah	Solidarity Party

K Reddy
 R Arenstein
 J Slovo
 B Nzimande
 N Hoosain
 E Daniels
 G van N Viljoen
 F Venter
 J H E Basson
 P Holomisa
 P Z Ndamase
 D S Koyana
 R Nogumla
 S J Maake
 M C Ramusi
 Adv Malatji
 R J Dombo
 G M Legege
 M P Nthabalala
 A Budeli
 Adv Mushasha
 E E Ngobeni
 K R Myakayaka
 J Ackron
 S Cloete

Solidarity Party
 Solidarity Party
 SA Communist Party
 SA Communist Party
 SA Communist Party
 SA Communist Party
 SA Government
 SA Government
 SA Government
 Transkei Govt
 Transkei Govt
 Transkei Govt
 Transkei Govt
 United People's Front
 United People's Front
 United People's Front
 United People's Front
 Venda Govt
 Venda Govt
 Venda Govt
 Venda Govt
 Venda Govt
 Ximoko Prog Party
 Ximoko Prog Party
 Ximoko Prog Party
 Ximoko Prog Party

24 FEBRUARY 1992

**DRAFT DOCUMENT ON COMMON PRINCIPLES REGARDING THE BALANCE BETWEEN
CENTRAL, REGIONAL AND LOCAL GOVERNMENT PREPARED BY THE
STEERING COMMITTEE OF WORKING GROUP 2**

1. Government shall be structured at national, regional and local levels.
2. At each level there shall be democratic representation and the general principles of the constitution, including the terms of the Bill/Charter of Fundamental Rights shall apply to each level.
3. Each level of government shall have legislative and executive powers, duties and functions which shall be entrenched in the constitution.
4. In addition to the powers, duties and functions entrenched in the constitution, the central government may delegate powers, duties and functions to regional and local government.



**DRAFT AGENDA FOR THE FIFTH MEETING OF
WORKING GROUP TWO (CONSTITUTIONAL PRINCIPLES)
ON 24 & 25 FEBRUARY 1992 AT
THE WORLD TRADE CENTRE**

1. Attendance Register
2. Ratification of Agenda
3. Ratification of the Draft Minutes of the Working Group 2 Meeting Held on 17 February 1992
4. Key Issues to be Addressed :
 - 4.1 The Balance Between Central, Regional & Local Government :
 - 4.1.1 Written Submissions from the Parties
 - 4.1.2 Steering Committee Proposal
 - 4.2 Meaningful Participation of Political Minorities
 - 4.3 Economic Freedom, Governmental Intervention and Economic Systems
 - 4.4 Accommodation of the Diversity of Languages, Cultures and Religions
 - 4.5 The Bill/Charter of Fundamental Rights including :
 - 4.5.1 Its Nature and Scope
 - 4.5.2 Affirmative Action
 - 4.5.3 Second Generation Rights
 - 4.6 Role of Traditional Leaders
 - 4.7 Self Determination

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PO Box 307, Isando, 1600, South Africa.
Telephone (011) 397-1198/99, Fax (011) 397-2211