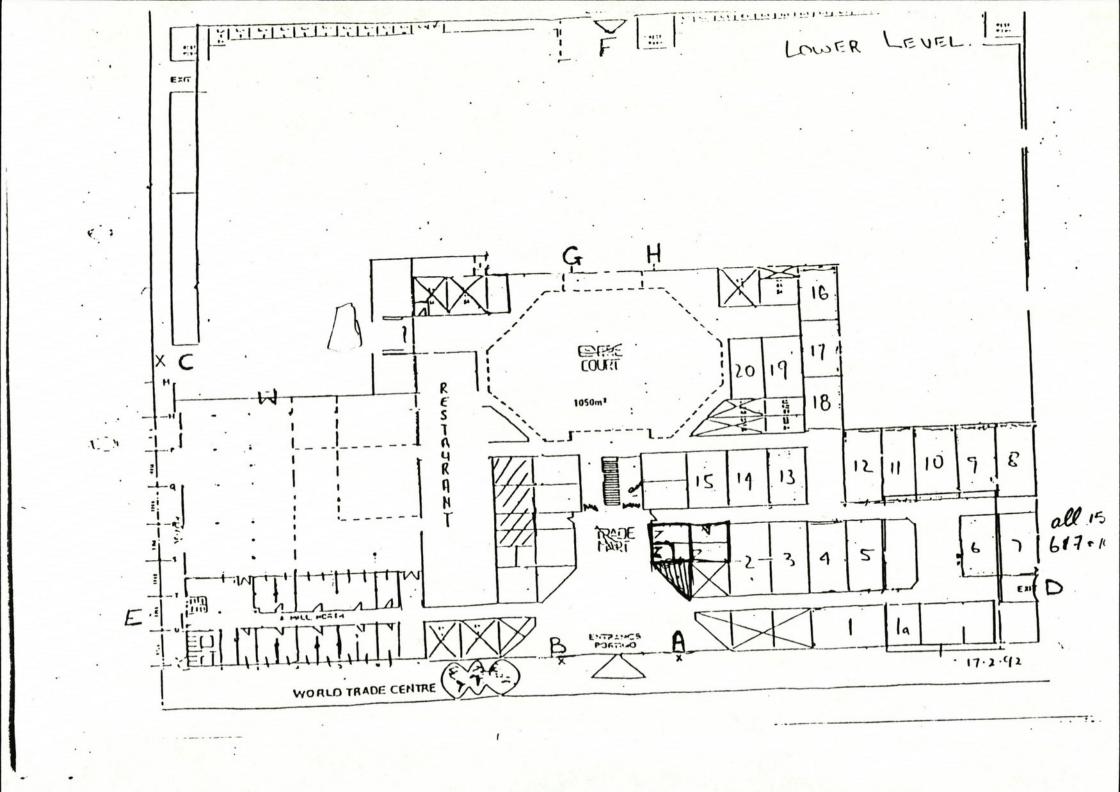
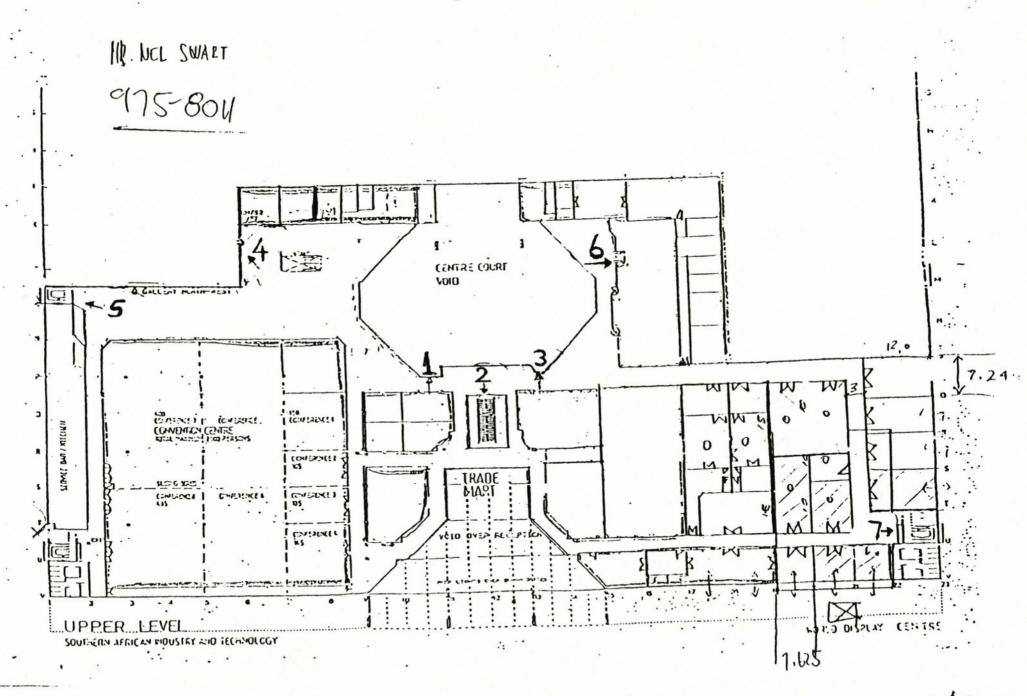


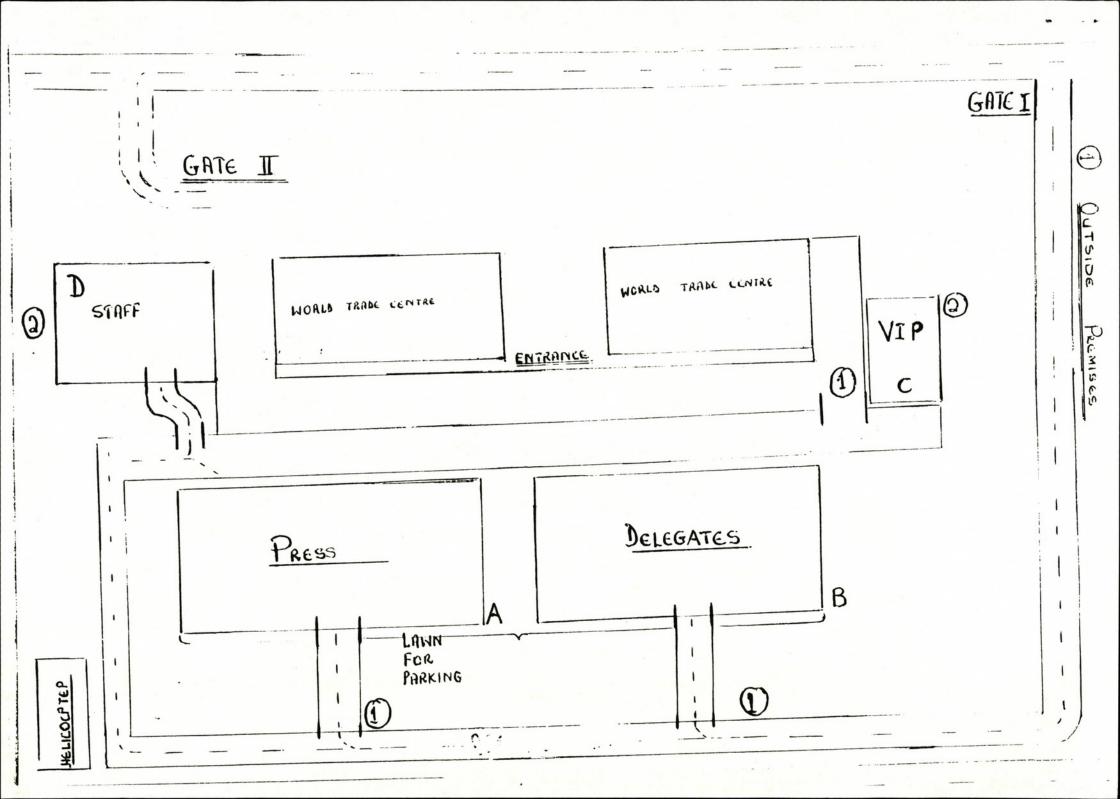
EMERGENCY EVACUATION PLAN

IN THE EVENT OF AN EMERGENCY AND WE ALL HAVE TO LEAVE THE CONFERENCE CENTRE

- 1. Don't panic. Try to be calm. We have planned for such an eventuality.
- 2. Wait for instructions from security personnel and the health team. Follow instructions strictly.
- 3. If not injured, or slightly injured but able to walk, leave the conference centre via all exits EXCEPT EXIT C (See Annexure A).
- 4. Those on Upper Floor make use of exits 1 8. (See Annexure B).
- 5. Those on Lower Floor make use of exits A, B, D, E and F.
- 6. Please do so in an orderly fashion.
- Then make your way to the helicopter pad, adjacent to the main parking area.
 Ensure one way flow of traffic only.
- 8. If you are injured, try to remain calm. Trained staff will attend to you immediately.
- Obey instructions from security personnel and the health team implicitly. They are working in your interest.
- 10. No vehicles may be moved except those instructed to do so by security personnel. This is necessary in order not to disrupt evacuation procedures.







TO: ALL INTERNATIONAL ORGANISATIONS INVITED TO ATTEND CODESA 2

PRACTICAL ARRANGEMENTS AND INFORMATION FOR THE SECOND PLENARY SESSION OF CODESA TO BE HELD ON FRIDAY 15 AND SATURDAY 16 MAY 1992

As a follow-up to the invitation sent to you earlier, we wish to bring the following to your attention:

- 1. For us to ensure necessary facilities are available, and to ensure that you will be met upon arrival, it is necessary for you to complete the attached form "Travel and Accommodation Arrangements for CODESA 2" and to fax it to CODESA immediately. On receipt of the completed form, Elise Strumpfer will arrange your transport and accommodation. If you have any queries, please direct them to her on telephone number 27+11-397-2452 or fax number 27+11-397-2844.
- CODESA will be unable to cover the costs of your air travel, but your accommodation and meals will be provided by CODESA.
- 3. You will be met by officials at Jan Smuts Airport, Johannesburg. Chauffeur-driven transport will be provided by CODESA to your hotel, between your hotel and the Convention Centre, and from your hotel to the airport on your departure. CODESA officials will be on hand throughout the Convention to assist you.
- 4. Please provide us with the total number, names and positions/ranks of your delegation at the earliest opportunity, preferably before 13h00 on Friday 8 May 1992.
- 5. Please inform us of any specific dietary requirements of any member of your delegation, and of any other special requirements, if necessary.
- 6. The language of the Convention will be English.
- At the Convention Centre, a VIP room will be available for your delegation. It will
 contain telephones, a fax machine, a work area and a leisure area. Refreshments and
 snacks will be available.
- 8. A meeting room will be provided where you will be able to conduct discussions with delegates and observers. You will be supplied with a list of the contact numbers of the protocol official of each organisation participating in CODESA. Setting up of meetings will be facilitated by contacting these officials.
- 9. Please complete the attached forms (Contact Details/Travel & Accommodation Arrangements) and return them to us immediately or no later than 13h00 on Friday 8 May 1992.

TO: ALL HEADS OF MISSION INVITED TO ATTEND CODESA 2

PRACTICAL ARRANGEMENTS AND INFORMATION FOR THE SECOND PLENARY SESSION OF CODESA TO BE HELD ON FRIDAY 15 AND SATURDAY 16 MAY 1992

As a follow-up to the invitation sent to you earlier, we wish to bring the following to your attention:

- 1. Unfortunately, CODESA is not in a position to provide for costs incurred by your travel and accommodation arrangements. However, if you should require any assistance in making such arrangements, or if you should need transport from Jan Smuts Airport to the World Trade Centre, you are welcome to contact Elise Strumpfer of CODESA Travel on telephone 011-397-2452 or fax 011-397-2844, who will make any necessary arrangements on your behalf.
- Parking will be provided for the vehicles of heads of mission at the World Trade Centre on 15 and 16 May. Signage and directive staff will be on site to assist you.
- 3. You will be required to register at the main entrance of the World Trade Centre building, upon arrival on 15 May.
- Owing to space constraints, only heads of mission will be permitted into the centre court at the Convention Centre.
- 5. Lunch will be served to you in the main delegate dining room on both days of the CODESA 2 meeting.
- 6. At the Convention Centre, a VIP room will be available for your use. It will contain telephones, a fax machine, a work area and a leisure area. Refreshments and snacks will be available.
- 7. A meeting room will be provided where you will be able to conduct discussions with delegates and observers. You will be supplied with a list of the contact numbers of the protocol liaison officer of each organisation participating in CODESA. Setting up of meetings will be facilitated by contacting these officials.



PROTOCOL LIAISON OFFICERS

PROTOCOL LIAISON OFFICERS OF PARTICIPATING ORGANISATIONS

NAME	ORGANISATION	TEL	FAX	CODESA PHONE
	/			
P Maduna	ANC	011-330-7000	011-333-9090	397-2102
MR Shole	Bophuthatswana Govt	0140-842-940	0140-842-943	397-1084
M H Hoyana	Ciskei Govt	0401 952149	0401952148	397-2517
M Phitidis	Democratic Party	021-403-2911	021-461-0092	397-2199
P van Zyl	Dikwankwetla Party	01438-334166	01438-30318	397-2107
N Brits	Inkatha Freedom Pty	0358-202167	0358-202-167	397-1475
NS Mahlangu	Intando Yesizwe Pty	01215-2222	01215-2808	397-2515
JM Thwala	Inyandza Nat Movement	0134-72271	0134-72453	397-1082
C Nasson	Labour Party	021-461-8370	021-451-953	397-2841
BP Soobrayan	NIC/TIC		031-309-2278	397-2109
GW Koornhof	National Party	021-461-5887	021-461-2654	397-2384
SM Govender	NPP	021-403-2971		397-1835
T Fowler	SACP	011-834-4657	011-834-6161	397-1194
L Crewe-Brown	SA Govt	012-341-2400	012-442-200	397-2380
T Palan	Solidarity	031-372-424	031-374-261	397-1088
M Mpahlwa	Transkei Govt	0471-22510	0471-23876	397-2840
LJ Kekana	United People's Front	0156-37151	0156-37149	397-2100
LS Ramavhoya	Venda Govt	0159-21248	0159-23172	397-1834
T H Khosa	Ximoko Progressive Pty	01526-24646	01526-23140	397-1080

CODESA PROTOCOL LIAISON OFFICERS FOR INTERNATIONAL ORGANISATIONS

NAME	ORGANISATION	TEL	FAX	CODESA PHONE
F Beukman	Organisation of African Unity	012-341-2400	397-2211	397-2077
K Gilfillan	Non Aligned Movement	673-9251/ 726-3598	397-2211	397-2077
S Moloi	European Community	330-7237/8 or 726-3598	397-2211	397-2077
A Feinstein	Commonwealth	487-3173(h) 491-6461(w)	397-2211	397-2077
I Thompson	United Nations	648-3681	397-2211	397-2077
S Africa	Chairpersons	1	397-2211	397-2077
M Sachs	Religious Leaders		397-2211	397-2077
Elise Strumpfer	Travel & Accommodation	397-2452	397-2844	

INDEX

CODESA 2

Plenary: Invitations and responses, lists, correpondence, Media Subcommittee: minutes, agendas, documents, correspondence, lists, miscellaneous, Plenary doucuments and miscellaneous

MAY 1992

1 Invitations and responses

Ilivita	mivitations and responses		
1.1	Folder 1		
	1.1.1	Invitations to delegates participating in CODESA	
	1.1.2	African National Congress (29/4/92)	
	1.1.3	African National Congress (7/5/92)	
	1.1.4	African National Congress - fax coversheet (11/5/92)	
	1.1.5	Bophuthatswana Government: (29/4/92)	
	1.1.6	Bophuthatswana Government: (7/5/92)	
	1.1.7	Bophuthatswana Government: (11/5/92)(fax coversheet)	
	1.1.8	Ciskei Government: (29/4/92)	
	1.1.9	Ciskei Government: (5/5/92)	
	1.1.10	Ciskei Government: (11/5/92) (fax coversheet)	
	1.1.11	Democratic Party: (29/4/92)	
	1.1.12	Democratic Party: (7/5/92)	
	1.1.13	Democratic Party: (11/5/92) (Fax coversheet)	
	1.1.14	Dikwankwetla Party (29/4/92)	
	1.1.15	Dikwankwetla Party (5/5/92)	
	1.1.16	Dikwankwetla Party (11/5/92) (fax coversheet)	
	1.1.17	Inkatha Freedom Party (29/4/92)	
	1.1.18	Inkatha Freedom Party 7/5/92)	

1.1.19	Inkatha Freedom Party (11/5/92) (Fax coversheet)
1.1.20	Intando Yesizwe Party: (29/4/92)
1.1.21	Intando Yesizwe Party: (5/5/92)
1.1.22	Intando Yesizwe Party: (12/5/92)
1.1.23	Inyandza National Movement (29/4/92)
1.1.24	Inyandza National Movement (6/5/92)
1.1.25	Inyandza National Movement (12/5/92) (fax coversheet)
1.1.26	Labour Party (29/4/92)
1.1.27	Labour Party (5/5/92)
1.1.28	Labour Party (11/5/92) (fax coversheet)
1.1.29	Natal /Tvl Indian Congress (29/4/92)
1.1.30	Natal /Tvl Indian Congress (6/5/92)
1.1.31	Natal /Tvl Indian Congress (11/5/92) (faxcoversheet)
1.1.32	National Party (29/4/92)
1.1.33	National Party (29/4/92)
1.1.34	National Party (7/5/92) (copy with changed fax number)
1.1.35	National Party (12/5/92) (fax coversheet)
1.1.36	National People's Party (29/4/92)
1.1.37	National People's Party (7/5/92)
1.1.38	National People's Party (12/5/92)
1.1.39	Solidarity Party (29/4/92)
1.1.40	Solidarity Party (5/5/92)
1.1.41	Solidarity Party (11/5/92) (fax coversheet)
1.1.42	SA Communist Party (29/4/92)
1.1.43	SA Communist Party (5/5/92)

1.1.44	SA Communist Party (11/5/92) (fax coversheet)
1.1.45	SA Government (29/4/92)
1.1.46	SA Government (5/5/92)
1.1.47	Transkei Government(29/4/92)
1.1.48	Transkei Government (5/5/92)
1.1.49	Transkei Government (11/5/92) (fax coversheet)
1.1.50	United People's Front (29/4/92)
1.1.51	United People's Front (5/5/92)
1.1.52	United Peoples Front (11/5/92) (fax coversheet)
1.1.53	Venda Government (29/4/92)
1.1.54	Venda Government (5/5/92)
1.1.55	Venda Government (11/5/92) (fax coversheet)
1.1.56	Ximoko Progressive Party (29/4/92)
1.1.57	Ximoko Progressive Party (5/5/92)
1.1.58	Ximoko progressive Party (12/5/92)

- 1.2 Folder 2 Invitations to non participating organisations
 - 1.2.1. Azanian People's Organisation (29/4/92)
 - 1.2.2 Afrikaner Weerstandbeweging (29/4/92)
 - 1.2.3 Conservative Party (29/4/92)
 - 1.2.4 Herstigte Nasionale Party (29/4/92) (copy attached is a letter from the HNP and a draft response by P Gordhan)
 - 1.2.5 Pan Africanist Congress (29/4/92)

1.3 Folder 3 - Invitations to religious leaders

- 1.3.1 Bishop Lobinger (13/5/92)
- 1.3.2 TS Maharaj (12/5/92)
- 1.3.3 Bishop Ndungane (14/5/92)
- 1.3.4 Prof K Vorster (13/5/92)



1.4 Folder 4 - Invitations to Heads of Missions

- 1.4.1 Argentinean Embassy (29/4/92)
- 1.4.2 Argentinean Embassy (5/5/92)
- 1.4.3 Argentinean Embassy (13/5/92)
- 1.4.4 Austrian Embassy (29/4/92)
- 1.4.5 Austrian Embassy (5/5/92)
- 1.4.6 Austrian Embassy (13/5/92)
- 1.4.7 Australian Embassy (29/4/92)
- 1.4.8 Australian Embassy (5/5/92)
- 1.4.9 Australian Embassy (13/5/92)
- 1.4.10 Belgian Embassy (29/4/92)
- 1.4.11 Belgian Embassy (6/5/92)
- 1.4.12 Belgian Embassy (13/5/92)
- 1.4.13 Brazilian Embassy (29/4/92)
- 1.4.14 Brazilian Embassy (7/5/92)
- 1.4.15 Brazilian Embassy (13/5/92)

1.4.16	British Embassy (29/4/92)
1.4.17	British Embassy (6/5/92)
1.4.18	British Embassy (13/5/92)
1.4.19	Canadian Embassy (29/4/92)
1.4.20	Canadian Embassy (7/5/92)
1.4.21	Canadian Embassy (13/5/92)
1.4.22	Chilean Embassy (29/4/92)
1.4.23	Chilean Embassy (5/5/92)
1.4.24	Chilean Embassy (13/5/92)
1.4.25	Embassy of the Republic of China (29/5/92)
1.4.26	Embassy of the Republic of China (5/5/92)
1.4.27	Embassy of the Republic of China (13/5/92)
1.4.28	Embassy of the Czech and the Slovak Federal Republic (29/4/92)
1.4.29	Embassy of the Czech and the Slovak Federal Republic (14/5/92)
1.4.30	Danish Embassy (29/4/92)
1.4.32	Danish Embassy (5/5/92)
1.4.33	Danish Embassy (13/5/92)
1.4.34	Egyptian Embassy (29/4/92)
1.4.35	Egyptian Embassy (8/5/92)
1.4.36	Egyptian Embassy (12/5/92)
1.4.37	Egyptian Embassy (13/5/92)
1.4.38	Finnish Embassy (29/4/92)
1.4.39	Finnish Embassy (5/5/92)

1.4.40	Finnish Embassy (13/5/92)
1.4.41	French Embassy (29/4/92)
1.4.42	French Embassy (13/5/92)
1.4.43	German Embassy (29/4/92)
1.4.44	Embassy of the Federal Republic of Germany (5/5/92)
1.4.45	Embassy of the Federal Republic of Germany (13/5/92)
1.4.46	Greek Embassy (29/4/92)
1.4.47	Greek Embassy (7/5/92)
1.4.48	Greek Embassy (13/5/92)
1.4.49	Guatemalan Consulate (29/4/92)
1.4.50	Hungarian Embassy (29/4/92)
1.4.51	Hungarian Embassy (5/5/92)
1.4.52	Hungarian Embassy (13/5/92)
1.4.53	Icelandic Consulate (29/4/92)
1.4.54	Irish Consulate (29/4/92) (photocopy)
1.4.55	Israeli Embassy (29/4/92)
1.4.56	Israeli Embassy (5/5/92)
1.4.57	Israeli Embassy (13/5/92)
1.4.58	Italian Embassy (29/4/92)
1.4.59	Italian Embassy (5/5/92)
1.4.60	Italian Embassy (13/5/92)
1.4.61	Japanese Embassy (29/4/92)
1.4.62	Japanese Embassy (13/5/92)
1.4.63	Lesotho Trade Mission (29/5/92)
1.4.64	Lesotho Trade Mission (5/5/92)

1.4.65	Lesotho Trade Mission (13/5/92)
1.4.66	Consulate of the Grand Duchy of Luxembourg (29/4/92)
1.4.67	Malawian Embassy (29/4/92)
1.4.68	Malawian Embassy (29/4/92)
1.4.69	Embassy of Morocco (29/4/92)
1.4.70	Embassy of Morocco (8/5/92)
1.4.71	Embassy of Morocco (13/5/92)
1.4.72	Mozambique Trade Mission(29/4/92)
1.4.73	Mozambique Trade Mission (8/5/92)
1.4.74	Mozambique Trade Mission (11/5/92)
1.4.75	Mozambique Trade Mission (13/5/92)
1.4.76	Permanent Secretary for Affairs of Namibia (29/4/92)
1.4.77	Permanent Secretary for Affairs of Namibia (8/5/92)
1.4.78	Deputy Permanent Secretary of Foreign Affairs of Namibia (13/5/92)
1.4.79	Embassy of the Netherlands (29/4/92)
1.4.80	Embassy of the Netherlands (6/5/92)
1.4.81	Embassy of the Netherlands (13/5/92)
1.4.82	Norwegian Embassy (29/4/92)
1.4.83	Norwegian Embassy (5/5/92)
1.4.84	Norwegian Embassy (13/5/92)
1.4.85	Embassy of Paraguay (29/4/92)
1.4.86	Embassy of Paraguay (5/5/92)
1.4.87	Embassy of Paraguay (13/5/92)
1.4.88	Polish Embassy (29/4/92)

	1.4.89	Polish Embassy (5/5/92)
	1.4.90	Polish Embassy (13/5/92)
	1.4.91	Embassy of Portugal (29/4/92)
	1.4.92	Embassy of Portugal (5/5/92)
	1.4.93	Embassy of Portugal (8/5/92)
	1.4.94	Embassy of Portugal (13/5/92)
	1.4.95	International Committee of the Red Cross (29/4/92)
	1.4.96	International Committee of the Red Cross (5/5/92)
	1.4.97	International Committee of the Red Cross (13/5/92)
	1.4.98	Romanian Embassy (29/4/92)
	1.4.99	Romanian Embassy (5/5/92)
	1.4.100	Romanian Embassy (13/5/92)
	1.4.101	Russian Federation (29/4/92)
	1.4.102	Embassy of the Russian Federation(5/5/92)
	1.4.103	Embassy of the Russian Federation (13/5/92)
	1.4.104	Consulate General of Rwanda(29/4/92)
	1.4.105	Consulate General of Rwanda (5/5/92)
	1.4.106	Consulate General of Rwanda (13/5/92)
	1.4.107	Spanish Embassy (29/4/92)
	1.4.108	Spanish Embassy (8/5/92)
	1.4.109	Spanish Embassy (13/5/92)
	1.4.110	Swaziland Trade Mission (29/4/92)
	1.4.111	Swaziland Trade Mission (5/5/92)
1	1.4.112	Swaziland Trade Mission (13/5/92)
1	1.4.113	Swedish Legation (29/4/92)
\$		

1.4.114	Swedish Legation (5/5/92)
1.4.115	Swedish Legation (13/5/92)
1.4.116	Swiss Embassy (29/4/92)
1.4.117	Swiss Embassy (5/5/92)
1.4.118	Swiss Embassy (13/5/92)
1.4.119	Consulate General of Turkey (29/4/92)
1.4.120	Consulate General of Turkey (8/5/92)
1.4.121	Consulate General of Turkey (13/5/92)
1.4.122	United Nations High Commissioner for Refugees (29/4/92)
1.4.123	United Nations High Commissioner for Refugees (5/5/92)
1.4.124	United Nations High Commissioner for Refugees (13/5/92)
1.4.125	United States Embassy (29/4/92)
1.4.126	United States Embassy (5/5/92)
1.4.127	United States Embassy (13/5/92)
1.4.128	Vatican (Apostolic Delegation) (29/4/92)
1.4.129	Vatican (Apostolic Delegation) (5/5/92)
1.4.130	Vatican (Apostolic Delegation) (13/5/92)
1.4.131	Embassy of Uruguay (29/4/92)
1.4.132	Embassy of Uruguay (8/5/92)
1.4.133	Embassy of Uruguay (13/5/92)
1.4.134	Zimbabwe Trade Mission (29/4/92)
1.4.135	Zimbabwe Trade Mission (5/5/92)
1.4.136	Zimbabwe Trade Mission (13/5/92)

1.5 Folder 5 -Invitations to international organisations

1.5.1	Commonwealth (22/4/92)
1.5.2	Commonwealth (6/5/92)
1.5.3	European Community (22/4/92)
1.5.4	European Community (22/4/92) (photocopy: note attached from Johan to Murphy and Working Group 3 report by the technical committee to the Steering Committee)
1.5.5	European Community (10/5/92)Organisation for African Unity (22/4/92)
1.5.6	European Community (10/5/92)Organisation for African Unity (5/5/92)
1.5.7	Indian High Commissioner (6/5/92)
1.5.8	Indian High Commissioner (8/5/92)
1.5.9	Indian High Commissioner (8/5/92)
1.5.10	Non Aligned Movement (22/4/92)
1.5.11	Non Aligned Movement (22/4/92)
1.5.12	Non Aligned Movement (6/5/92)
1.5.13	Organisation for African Unity (22/4/92
1.5.14	Organisation for African Unity (5/5/92)
1.5.15	United Nations Organisation (22/4/92)
1.5.16	United Nations Organisation (8/5/92)

1.6 Folder 6 -Responses from participant organisations

Ni.	
1.6.1	African National Congress participants in CODESA 2
"1.6.2	Bophuthatswana Government: (8/5/92)
1.6.3	Bophuthatswana Government (11/5/92)
1.6.4	Bophuthatswana Government (13/5/92)
1.6.5	Ciskei Government (12/5/92)
1.6.6	Ciskei Government (14/5/92)
1.6.7	Ciskei Government (14/5/92)
1.6.8	Democratic Party (8/5/92)
1.6.9	Democratic Party (handwritten note re: delegate replacement)
1.6.10	Dikwankwetla Party (5/5/92)
1.6.11	Dikwankwetla Party (10/5/92) (handwritten)
1.6.12	Inkatha Freedom Party (10/5/92)
1.6.13	Inkatha Freedom Party (11/5/92)
1.6.14	Intando Yesizwe Party (29/4/92)
1.6.15	Intando Yesizwe Party (7/5/92)
1.6.16	Intando Yesizwe Party (8/5/92)
1.6.17	Inyandza National Movement (7/5/92)
1.6.18	Inyandza National Movement (6/5/92)
1.6.19	Inyandza National Movement (11/5/92)
1.6.20	Labour Party of SA (29/4/92)
1.6.21	Labour Party of SA (7/5/920

1.6.22	Labour Party of SA (12/5/92)
1.6.23	Natal/Tvl Indian Congress (5/5/92)
1.6.24	Natal/Tvl Indian Congress (12/5/92)
1.6.25	National People's Party (2/5/92)
1.6.26	National People's Party (7/5/92) :Office support staff - two versions
1.6.27	National People's Party CODESA plenary session, attched to a list of delegates and advisers (2 copies) (8/5/92)
1.6.28	National People's Party: Protocol "in-house" committee (8/5/92)
1.6.29	National People's Party (9/5/92)
1.6.30	National People's Party (marked ingesluit 11/5/92)
1.6.31	National Party (8/5/92)
1.6.32	National Party (11/5/92)
1.6.33	Solidarity Party (29/4/92) (copy attached to fax coversheet)
1.6.34	Solidarity Party (no date)
1.6.35	Solidarity Party (14/5/92) (handwritten notes at the back of page)
1.6.36	South African Communist Party (30/4/92)
1.6.37	South African Communist Party (6/5/92)
1.6.38	South African Communist Party (11/5/92)
1.6.39	South African Communist Party (12/5/92)
1.6.40	South African Communist Party (Undated list of delegates and advisors)
1.6.41	SA Government (30/4/92) (copy attached to fax sheet)
1.6.42	SA Government (8/5/92)
1.6.43	SA Government (11/5/92)

1.6.44	Transkei Government (29/4/92)
1.6.45	Transkei Government (undated list of delegates)
1.6.46	Transkei Government (8/5/92)
1.6.47	United People' Front(undated list of delegates)
1.6.48	United People's Front (11/5/92)
1.6.49	Venda Government (29/4/92) (attached is a note to Ashley)
1.6.50	Venda Government (12/5/92)
1.6.51	Ximoko Progressive Party (4/5/92)
1.6.52	Ximoko Progressive Party (undated list of delegates)

- 1.7 Folder 7 Responses from non-participant organisations
 - 1.7.1 Azanian People's Organisation (12/5/92)
 - 1.7.2 Herstigte Nationale Party van Suid Africa (12/5/92)
- 1.8 Folder 8 Responses from religious leaders
 - 1.8.1 Bishop R Kraft on behalf of Bishop W Ndungane (14/5/92)
 - 1.8.2 Sheikh N Mohamed (13/5/92)
 - 1.8.3 Prof Vorster (13/5/92)
- 1.9 Folder 9 Responses from Heads of Mission

1.9.1	Argentinean Embassy (29/4/92)
1.9.2	Australian Embassy (29/4/92)
1.9.3	Botswana Government (14/5/92)
1.9.4	Brazilian Embassy (7/5/92)
1.9.5	British Embassy (30/5/92)
1.9.6	Canadian Embassy (7/5/92)
1.9.7	Canadian Embassy (13/5/92)
1.9.8	Chilean Embassy (30/4/92)
1.9.9	Embassy of the Republic of China (29/4/92) (telephonic response on note pad)
1.9.10	Commission of the European Countries (12/5/92)
1.9.11	Danish Embassy (30/4/92)
1.9.12	Egyptian Embassy (12/5/92)
1.9.13	Finnish Embassy (5/5/92)
1.9.14	French Embassy (13/5/92)
1.9.15	Embassy of the Federal Republic of Germany (29/4/92)
1.9.16	Greek Embassy (7/5/92)
1.9.17	Guatemalan Consulate (30/4/92)
1.9.18	Hungarian Embassy (note with name from Hungarian Embassy)
1.9.19	Hungarian Embassy (5/5/92)
1.9.20	Italian Embassy (29/4/92)
1.9.21	Lesotho Trade Mission (29/4/92)
1.9.22	Malawian Embassy (4/5/92)
1.9.23	Embassy of Morocco
1.9.24	Mozambique Trade Mission(11/5/92)

1.9.25	Mozambique Trade Mission (12/5/92)
1.9.26	Permanent Secretary for Affairs of Namibia (30/4/92)
1.9.27	Permanent Secretary for Affairs of Namibia (12/5/92)
1.9.28	Embassy of the Netherlands (6/5/92)
1.9.29	Norwegian Embassy (4/5/92)
1.9.30	Polish Embassy (5/5/92) (copy)
1.9.31	Embassy of Portugal (29/4/92)
1.9.32	International Committee of the Red Cross (4/5/92)
1.9.33	Romanian Embassy (4/5/92)
1.9.34	Consulate General of Rwanda(note with name from Rwanda consulate attached)
1.9.35	Spanish Embassy (8/5/92)
1.9.36	Swaziland Trade Mission (4/5/92)
1.9.37	Swedish Legation (29/4/92)
1.9.38	Swiss Embassy (30/4/92)
1.9.39	United Nations Organisation (5/5/92) (attached is a letter from UN High Commissioner for refugees)
1.9.40	United States Embassy (29/4/92) (photocopy)
1.9.41	Vatican (Apostolic Delegation) (4/5/92) (photocopy)
1.9.42	Embassy of Uruguay (8/5/92)
1.9.43	Embassy of Uganda (11/5/92)
1.9.44	Embassy of the Federal Republic of Yugoslavia
1.9.45	Zimbabwe Trade Mission (29/4/92)
1.9.46	Handwritten note on Embassy details from Israel
1.9.47	Handwritten note on Embassy details from Austrian Embassy, Chilean Embassy, Paraguay Embassy

1.10 Folder 10 - Responses from International Organisations

- 10.1 Commonwealth (7/5/92)
- 10.2 Commonwealth (8/5/92)
- 10.3 European Community Presidency (via Portuguese Embassy) (7/5/92)
- 10.4 European Community Presidency (via Portuguese Embassy) (11/5/92)
- 10.5 European Community Presidency (11/5/92)
- 10.6 Non Aligned Movement (Permanent Mission of Yugoslavia to the UN (5/5/92)
- 10.7 Non Aligned Movement (Yugoslavia Embassy Lusaka) (6/5/92)
- 10.8 Non Aligned Movement (High Commission of India Gabarone) (7/5/92)
- 10.9 Non Aligned Movement (High Commission of India Gabarone) (8/5/92)
- 10.10 Non Aligned Movement (Permanent Mission of Yugoslavia to the UN (15/5/92)
- 10.11 Organisation for African Unity (23/4/92)
- 10.12 Organisation for African Unity (6/5/92)
- 10.13 Nigerian Commission (7/5/92)
- 10.14 Organisation for African Unity (11/5/92)
- 10.15 Nigerian High Commission (13/5/92)
- 10.16 Organisation for African Unity (13/5/92)
- 10.17 United Nations Organisation SA Permanent Mission to the UN (7/5/92) (attached is letter from the Secretary General of the UN)
- 10.18 United Nations Organisation- (Permanent Mission of India to the UN (8/5/92)
- 10.19 United Nations Organisation- High Commissioner for refugees (12/5/92)
- 10.20 United Nations Organisation Dept of political affairs (12/5/92)

- 2. Lists
 - 2.1 Folder 11 Composite lists
 - 2.1.1 List of acceptances to attend CODESA 2 as at 13/5/92
 - 2.1.2 Master alphabetical list of CODESA 2 participants
 - 2.1.3 Final list of CODESA 2 participants (3 copies)
 - 2.2 Folder 12 Administrative and technical staff
 - 2.2.1 Volunteers from Inyandza National Movement (8/5/92)
 - 2.2.2 Protocol Liaison Officers
 - 2.2.3 CODESA staff members
 - 2.2.4 Technical staff for CODESA 2
 - 2.2.5 Waiters names and ID numbers
 - 2.3 Folder 13
 - 2.3.1 Contact details for all CODESA 2 participants
 - 2.4 Folder 14
 - 2.4.1 Contact numbers for non participating organisations (handwritten notes)

- 2.5 Folder 15
 - 2.5.1 Registration forms
 - 2.5.1.1 Delegates
- 2.6 Folder 16
 - 2.6.1 Registration forms
 - 2.6.1.1 Advisers

2.7 Folder 17

- 2.7.1 Registration forms
 - 2.7.1.1 Observers
- 2.8 Folder 18
 - 2.8.1 Registration forms
 - 2.8.1.1 Support staff

- 2.9 Folder 19
 - 2.9 .1 Registration forms
 - 2.9.1.1 Press attache's

- 2.10 Folder 20
 - 2.10.1 Registration forms
 - 2.10.1.1 Runners
- Correspondence
 - 3.1 Folder 21
 - 3.1.1 To all participant organisation re: Fact sheet regarding practical information for CODESA 2 (copy)
 - 3.1.2 To all participant organisations re: practical arrangements for the meeting of CODESA on 15-16 May
 - 3.1.3 Practical information for CODESA 2 conference
 - 3.1.4 To all heads of Missions re: practical arrangements and information for the second plenary session of CODESA
 - 3.1.5 To All international organisations re: Practical arrangements and information for the second plenary of CODESA
 - 3.1.6 To all participating organisations in CODESA re helipad facilities

4.	Media	subcommittee Minutes and agendas
	4.1	Folder 22
	4.1.1	Minutes and agendas
		4.1.1.1 Minutes of the meeting of the media subcommittee on 28/4/92
	1	
	4.2	Folder 23
		4.2.1 Agenda for the media subcommittee meeting on 4/5/92
		4.2.2 Minutes of the media subcommittee meeting on 4/5/92
	4.3	Folder 24
		4.3.1 Minutes of the Media Subgroup on Accreditation
	4.4	Folder 25
	4.4.1	Minutes of the media subcommittee meeting on 5/5/92
5.	Docum	nents for media subcommittee
	Folder	26
	5.5.1	Media committee progress report - SubGroup 2

- 5.5.2 Media subcommittee progress report of SubGroup 3 (24/4/92)
- 5.5.3 Action plan of media subcommittee Subgroup 4 (copy)

6. Folder 27

6.	1.	COL	FSA	2	media	kit -	master	file	contents:
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- 6.1.1.1 Welcome to all media representatives
- 6.1.1.2 Agenda for CODESA 2
- 6.1.1.3 List of CODESA 2 participants
- 6.1.1.4 Backgrounder
- 6.1.1.5 Standing rules of procedure
- 6.1.1.6 Media committee list
- 6.1.1.7 Media list by names (copy)
- 6.1.1.8 Request for interview forms
- 6.1.1.9 Fact sheets re: delegate fact sheet No 1 and fact sheet to participating organisations re: practical arrangements and Party fact sheet re: media arrangements
- 6.1.1.10 Seating plan
- 6.1.1.11 First aid details
- 6.1.1.12 Emergency plan
- 6.1.1.13 Codesa Working group reports volume 2
- 6.1.1.14 Other documents to be found in master kit:
- 6.1.1.14.1 Panel for clarificatory questions at CODESA (copy)
- 6.1.1.14.2 Youth Declaration on CODESA 2
- 6.1.1 14.3 Welcome speech
- 6.1.1.14.4 Management Committee report to CODESA 2 regarding the

activities of the Management Committee (copy)

- 6.1.1.14.5 Media booking applications form
- 6.1.1.14.6 Registration form
- 7 Correspondence memoranda re: media subcommittee
 - 7.1 Folder 28
 - 7.1.1 Notice to all Parties re: media arrangements
 - 7.1.2 To all media re: accreditation procedure
 - 7.1.3 To all media re: media arrangements
 - 7.1.4 To all media re: media arrangements

7.2 Folder 29

- 7.2.1 To Murphy Morobe from Michael Lanagham re: press accreditation (24/4/92)
- 7.2.2 From Austrian Embassy to Ashley re: media accreditation (attached is a note to CODESA Management Committee from Norbert Ngova and handwritten 3 notes)
- 7.2.3 From SA Institute of Race Relations re: media accreditation
- 7.2.4 From Ciskei Government re: representative on media subcommittee
- 7.2.5 From Labour Party re: representative on media subcommittee (copy)
- 7.2.6 From SA Government re: Representation in CODESA 2

- 8. Lists re: media subcommittee
 - 8.1 Folder 30
 - 8.1.1 List of media subcommittee (handwritten notes on sheet)
 - 8.1.2 List of media organisations
 - 8.1.3 List of accredited journalists for CODESA 1 (from Richard Mudge to Ashley Symes)
 - 8.1.4 CODESA 2 accreditation list
 - 8.1.5 Embassy accreditation list (with copy amended by hand)
- 9. Miscellaneous media subcommittee
 - 9.1 Folder 31
 - 9.1.1 Media committee attendance registers for meetings on :
 - 9.1.1.1 6/5/92
 - 9.1.1.2 11/5/92
 - 9.1.1.3 13/5/92
 - 9.1.1.4 undated
 - 9.1.1.5 undated
 - 10. Documents for Plenary
 - 10.1 Folder 32
 - 10.1.1 Contents of delegate briefcase for CODESA 2

10.1.1.1	Agenda for CODESA 2
10.1.1.2	Programme
10.1.1.3	Convention Procedure
10.1.1.4	Panel for clarificatory questions
10.1.1.5	Youth Declaration on CODESA 2
10.1.1.6	Request to speak form
10.1.1.7	Delegate List
10.1.1.8	Venue plan
10.1.1.9	Seating plan
10.1.1.10	Media fact sheet
10.1.1.11	Delegate fact sheet No 1
10.1.1.12	Fact sheet on practical arrangements
10.1.1.13	CODESA telephone numbers
10.1.1.14	Claim form
10.1.1.15	First aid information
10.1.1.16	Emergency plan
10.1.1.17	Fact sheet for international organisations on practical arrangements
10.1.1.18	Fact sheet for heads of delegations re practica arrangements
10.1.1.19	Protocol liaison officers
10.1.1.20	Management Committee report: agreements reached in the Working groups
10.1.1.21	Working documents for CODESA 2 Vol 1
10 1 1 22	Working documents for CODESA 2 Vol 2

10.2	Folder 33	
	10.2.1	Working documents for CODESA 1 Vol 1
	10.2.2	Working documents for CODESA 2 Vol 1
10.3	Folder 34	
	10.3.1	Management committee report to CODESA 2 regarding activities of the Management committee
	10.3.2	Management Committee report: agreements reached in the working groups and tabling of the GAC report
10.4	Folder 35	
	10.4.1	CODESA 2 Management Committee report on agreements
		(copy) (presented in slide form)
10.5	7.11 9 04	
10.5	Folder 36	
	10.5.1	Welcome by Justice Schabort

10.6	Folder 37	
	10.6.1	Opening remarks by Justice Mohamed (press release)
10.7	Folder 38	
	10.7.1	Inkatha Freedom party: acceptance of the Declaration of Intent
10.8	Folder 39	
	10.8.1	Dr Mandela -ANC
10.9	Folder 40	
	10.9.1	Bophuthatswana Government
10.10	Folder 41	
	10.10.1	Ciskei Government

1	0	1	1	Fol	der	42
1	v.			1.01	ucı	74

10.11.	1	Dr	ZJ	De	Beer

10.12 Folder 43

10.12.1	Dikwankwetla	Party
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10.13 Folder 44

10.13.1 Inkatha Freedom Party: breakdown in WG	10.13.1	Inkatha	Freedom	Party:	breakdown	in	WG2
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10.13.2 Inkatha Freedom Party: Breakdown in WG 2

10.14 Folder 45

10.14.1 Labour Party of SA

10.15 Folder 46

10.15.1 SA Communist Party

10.16 Folder 47

10.16.1 FW de Klerk - SA Governemnt

10.17 Folder 48

10.17.1 United People's Front (15/5/92)

10.17.2 United People's Front (16/5/92)

10.18 Folder 49

10.18.1 Venda Government

10.19 Folder 50

10.19.1 Ximoko Progressive Party

10.19.2 Ximoko : Press release (16/5/92)

10.20 Folder 51

10.20.1 Joint statement by international observers

10.21	Folder 52 -	Documents distributed by non participant organisations
	10.21.1	Amakhosi of Kwazulu: Resolution 1 (14/5/92)
	10.21.2	King Goodwill Zwelithini (14/5/92)
	10.21.3	Kwazulu Amakhosi Petition (copy attached to other inputs distributed by Kwazulu Amakhosi
	10.21.4	People's Progressive Party
10.22	Folder 53	
	10.22.1	Plenary Session of CODESA 2 Vol 111 (15/5/92)
	10.22.2	Plenary session of CODESA 2 Vol IV (16/5/92)
10.23	Folder 54 10.23.1	Declaration of Intent as amended by CODESA 2
10.24	Folder 55	
	10.24.1	Management Committee report to CODESA 2 regarding guidelines on the way forward (copy)
	;	

10.25 Folder 56

- 10.25.1 Management Committee recommendations on the way forward (draft)
- 10.25.2 Resolution adopted by the CODESA 2 plenary 16/5/92) on the way forward

11. Miscellaneous

11.1 Folder 57

- 11.1.1 CODESA 2 Logistical report
- 11.1.2 Department of foreign affairs list

MANAGEMENT COMMITTEE REPORT: AGREEMENTS REACHED IN THE WORKING GROUPS AND TABLING OF THE GENDER ADVISORY COMMITTEE REPORT

1. Introduction:

- 1.1 The adoption of the Declaration of Intent at CODESA 1 effectively established CODESA as a negotiation forum to set in motion the process of drawing up and establishing a democratic constitution for South Africa.
- 1.2 By means of the Terms of Reference of the five Working Groups as set out by CODESA 1, CODESA participants sought to give practical effect to the way in which this objective could be realised through the negotiation process.
- 1.3 More specifically, Working Group 2 was entrusted with the task of negotiating a set of general constitutional principles to be enshrined in the constitution and of making recommendations on the appropriate body/process to draft such a constitution.
- 1.4 Having addressed the task of giving content to the goal of the CODESA negotiating process, other Working Groups were established in order to take into account current realities in the country and shape them into practical measures which would enable us to move from the present conjuncture to the expressed goal of CODESA.
- 1.5 Accordingly, Working Group 3 was required to make recommendations with regard to the manner in which the country may be governed and managed until the introduction of a democratic constitution.
- Working Group 1 was required to address itself to the creation of a climate in which all individuals and organisations can participate freely, without interference or intimidation, in all political activity. In this context it was also charged with the task of making recommendations with regard to the role that the international community and/or organisations could be asked to play in the formal and informal processes involved in the transition to a democratic government based on the democratic constitution which participants were seeking to create.
- 1.7 In the same context, the future of the TBVC states was assigned to Working Group 4.
- 1.8 In order to ensure that agreements reached in CODESA are recorded and implemented, Working Group 5 was required to report on a mechanisms to translate agreements into properly documented form and draft legislation and establish time-frames and target completion dates for all the processes and assignments undertaken by CODESA.
- 1.9 In the course of the functioning of the Working Groups it became apparent that in numerous areas the tasks of one Working Group overlapped or were intertwined with the tasks of another Working Group. Furthermore, agreements arrived at in some of the Working Groups, derive their significance when they are located around the tasks that Working Groups 2 and 3 were charged with; namely, the nature of the constitution making body and processes as well as the interim/transitional mechanisms defining how the country would be governed in the period leading to the drafting and adoption of a new democratic constitution.
- 1.10 The way in which the summary of agreements is presented in this document, is aimed at enabling us to see how far the process has taken us. Such an evaluation also provides a framework for addressing the manner in which we may wish to implement the agreements as well as to attend to outstanding tasks.
- 1.11 Against this background, the reports of the five (four if a report from Working Group 2 is outstanding)
 Working Groups are submitted to CODESA 2.

- 1.12 This summary of the agreements reached in Working Groups 1 to 4 must be understood in the context that the actual agreements reached as recorded in the Working Group Reports which constitute the definitive version of what has been agreed upon. The reports from the Working Groups are tabled before CODESA 2 with the expectation that, after discussion at plenary, they will be adopted as formal agreements reached in CODESA.
- Summary of agreements reached to date

REPORT FROM WORKING GROUP 2 STILL AWAITED

- 2.2 Working Group 3 agreed on a two-phased approach in respect of the interim/transitional arrangements. The first is a preparatory phase premised on facilitating the transition to a democratic constitution, and, in particular, the levelling of the playing field, and ensuring a climate favourable to free political participation and the holding of free and fair elections.
 - 2.2.1 Working Group 3 elaborated the structures necessary for phase 1, their powers and the manner in which decisions would be taken. There will be an overarching Transitional Executive Council which, together with its sub-councils, to be vested by legislation with powers necessary to enable them to carry out their functions. The transitional executive structure will function in conjunction with the existing legislative and executive structures and is to be constituted by legislation agreed to by CODESA. Some of the powers and functions that it should have are spelt out in the Working Group Report.
 - 2.2.2 The Terms of Reference of the Transition Executive Council shall be the facilitation of the transition to a democratic constitution, including the levelling of the playing field, and it shall ensure that a climate conducive to free political participation and the holding of free and fair elections, exists.
 - 2.2.3 The Transitional Executive Council will consist of at least one member of the governments/administrations who commit themselves to comply with and implement its decisions and at least one member each of the political organisations participating in CODESA, making the same commitment. Other parties not presently in CODESA can be admitted by the Transitional Executive Council.
 - 2.2.4 Members of the Transitional Executive Council will be full-time executives.
 - 2.2.5 The sub-councils shall operate within the same terms of reference, but shall be given specific responsibilities in particular areas of concern which will be identified for each sub-council. Every sub-council will have a multi-party character and will ordinarily consist of up to six members.
 - 2.2.6 The following sub-councils were agreed upon and their areas of responsibility described:
 - Regional and local government
 - Finance
 - Law and Order, Stability and Security
 - Defence
 - 2.2.7 Regarding the sub-council on Foreign Affairs it has been agreed that, due to the unique character thereof, there is need for broader discussion concerning it.
 - 2.2.8 It was also agreed that there be an Independent Election Commission with responsibility for the holding of free and fair elections. The Working Group agreed to a statutorily established Commission/Authority concerned with the media which will be institutionalised in accordance with recommendations made by Working Group 1.

- 2.2.9 There may be a need for an election sub-council to provide services and information to the Independent Election Commission. The Transitional Executive Council will decide whether or not there is a need for such a sub-council.
- 2.2.10 The Independent Election Commission will be independent of the Transitional Executive Council and will consist of respected and suitably qualified persons drawn from the broad cross-section of the population. Its composition, powers and functions shall be provided for in legislation to be agreed upon by CODESA.
- 2.2.11 The Transitional Executive Council and sub-councils will endeavour to take their decisions by consensus. Where consensus cannot be achieved, a majority of at least 80% will be sufficient for a decision. If a party is of the opinion that a minority view should have prevailed, the matter can be referred for adjudication to the Independent Election Commission.
- 2.2.12 All these structures would be constituted by legislation agreed to by CODESA.
- 2.2.13 It was agreed that the agreement reached with regard to phase 1, as well as its implementation, would be dependent upon agreement being reached by CODESA in respect of phase 2, including the interim constitution and the general constitutional principles.
- 2.3 Working Group 4 agreed that the TBVC states will participate in the phase 1 arrangements agreed upon by Working Group 3 on the understanding that these arrangements shall impact <u>mutatis mutandis</u> on the TBVC governments and territories in the same way as they impact upon the South African government and the territory of the RSA. Furthermore the people of the TBVC states shall take part fully in the processes of constitution making and transitional arrangements, including elections as may be proposed by Working Groups 2 and 3. Their participation will be arranged in such a way that their votes in a national election shall signify support for, or rejection of, reincorporation thus constituting a test of the will of the people. This would lead to the restoration of South African citizenship to all citizens of the TVBC states who would have been South African citizens had the TVBC states not come into existence.
- 2.4 Working Group 1 has arrived at a number of agreements on principles in regard to various elements involved in the creation of a climate for free political participation. It has also reached agreement on certain courses of action to be taken with regard to specific issues. Because they are highly detailed, we refer you to the full Working Group Report.
- 2.5 Working Group 5 tried to formulate a working plan which would ensure the speedy implementation of any agreements which would be reached in Working Groups 1 to 4. It has not been possible for Working Group 5 to attend to any of the agreements set out above because they were arrived at recently and this did not allow sufficient time for Working Group 5 to attend to them. Together with the Daily Management Committee, it has agreed on the need to establish a Drafting Committee which will ensure that suitably qualified experts will be drawn into the task of drafting legislation flowing from agreements reached at CODESA.

Gender Advisory Committee Report

3.1 The Management Committee also established the Gender Advisory Committee whose main task is to evaluate, look into and recommend on, the gender implications of any decision which may be taken by any of the five Working Groups. The Gender Advisory Committee has since prepared a report which had to be considered by the Working Groups. We take this opportunity to table, formally, the report prepared by the Gender Advisory Committee.

4. Resolution

4.1 The Working Group agreements as set out in the individual Working Group Reports are hereby moved for ratification.

- 5. Outstanding matters from Working Group Reports
- 5.1 The outstanding matters have been tabulated and will be tabled under item 7.1.2. Recommendations will then be made on how they should be dealt with.



WORKING DOCUMENTS FOR CODESA 2

15 & 16 MAY 1992

VOLUME 2

This document contains only the report of the GAC. A composite report of the Working Groups and the report of Working Group Two to **CODESA 2 were** not available in time for inclusion in this document.

GENDER ADVISORY COMMITTEE



REPORT OF THE GENDER ADVISORY COMMITTEE TO CODESA 2

Due to enormous public pressure about the lack of representation at CODESA of women, who form 53 % of the population, and subsequent suggestions and submissions by women's organisations, political parties and other organisations, the Management Committee of CODESA decided to form the Gender Advisory Committee. The GAC is a subcommittee of the Management Committee charged with the special task of looking into the Terms of Reference, minutes and decisions of each of the Working Groups, and those of the Management Committee, and advising on their gender implications. All CODESA participants have so far sent representatives to the GAC with the exception of the Bophuthatswana and Venda Governments.

The GAC met for the first time on 6 April and has diligently studied the Terms of Reference, minutes and most of the decisions already taken by the Working Groups as well as internal and external submissions from women's organisations and political parties, with an unusual spirit of unity. The GAC has reached consensus on many issues, but consensus was not reached on others.

1. RECOMMENDATIONS AND ADVICE ON THE GENDER IMPLICATIONS OF ISSUES RAISED IN WORKING GROUP 01

1.1 The Free Political Participation of Women

Noting the Terms of Reference of Working Group 01, Items 1.1.4 (k), (p) and (o), the GAC recommends the following:

- 1.1.1 The rights of access of women to public facilities and meeting venues should be ensured, as should their right to meet with political organisations. This recommendation is necessary so that women can participate without fear and on an equal footing in the political process.
- 1.1.2 The right of access of political organisations to public facilities, and their right to meet with potential voters, is meaningless unless women may participate in the democratic process on an equal footing without fear of public or private harassment and intimidation.
- 1.1.3 That the roles mentioned here (Item 1.1.4 (o) of the Terms of Reference of Working Group 1) concerning educative and informative campaigns should be broadened to include specific educational campaigns informing women of, inter alia, their right to vote, particularly in areas where women are unlikely to be reached by usual media.

1.2 Agreements on Political Intimidation and Women

With regard to the agreement reached by sub group 2 of Working Group 1 on the Definition of Political Intimidation, the GAC recommends that the following additions be made to the activities which would, as per the aforesaid agreement, be considered, in particular, as forms of political intimidation (refer to Item 4.2 of the Minutes of the meeting of Sub-Group 2 of Working Group 1, 2 March):

- 1.2.1 To compel women, both within and outside the home, by virtue of the "power" vested in men with whom they may associate, to adopt a particular political position; or to similarly prevent women from engaging in free political activity.
- 1.2.2 To use political patronage in any form that threatens or denies an individuals political, social and economic rights, especially noting that women are frequently the victims of such practices.
- 1.2.3 To sexually harass any individual and thereby prevent him/her from the freedom of the right of expression/opinion, association and movement.

With regards to item 1.3.3 above the GAC defines sexual harassment, in general terms, as sexual advances without express consent, including innuendos or language of a defamatory or offensive nature, in all spheres, including political, social and economic life and in the media.

1.3 Agreements of the Interpretation of the National Peace Accord

With regards to agreements reached by Sub-Group 2 of Working Group 1 re the implementation and interpretation of the National Peace Accord, the GAC recommends that the following additions be made (refer to Item 6.1.6 and Item 6.4.1, respectively, of the minutes of Sub-Group 2 of Working Group 1, on 7 April):

- 1.3.1 That the reference to "Business representatives" in clause 7.4.4.3 of the NPA be interpreted to include representatives from professional and women's organisations.
- 1.3.2 The NPA make special efforts to include representatives of relevant local and tribal authorities as well as local women's structures into all RDRC and LDRC structures.
- 1.3.3 With regards to item 1.4.2 above (and with specific reference to items 6.1.6, 6.3.2, 6.4.2, 6.5.2, 6.6.2, 6.6.3 and 6.8 of the minutes of the meeting of WG1 SG2, 7 April) the GAC recommends that as part of its input on the interpretation and implementation of the NPA Working Group 1 recommend that women be included in all structures created by the NPA, RDRC's and LDRC's to ensure that gender implications of all decisions and functions of these structures, are considered.

1.4 On the Security Forces, Free Political Activity and Women

Noting that the many acts of violence committed against women allegedly by the security forces are a source of grave concern, the GAC recommends that:

- 1.4.1 any such crime be immediately investigated;
- 1.4.2 violent crime against women be treated with stricter and more stringent disciplinary action;
- 1.4.3 when searches of homes are conducted, women police must accompany male police;
- 1.4.4 the position of high ranking officers who are unable or unwilling to maintain adequate control over their forces be urgently reviewed;
- 1.4.5 any peace keeping force should include women within their structures at all levels;
- 1.4.6 the gender sensitivity of these forces (refer to item 1.5.5) be monitored;
- 1.4.7 all individuals be informed of their rights with regard to the role and functions of these forces (refer to item 1.5.5);
- 1.4.8 these forces (refer to item 1.5.5) be trained to be gender sensitive and to ensure that they do not violate the rights of women.

Noting the lack of agreement in Working Group 1 over the definition of political prisoners, no recommendations with regards to the gender implications of this issue could be agreed upon.

The GAC also recommends that any Security Force established in the country, including the TBVC states, must begin to immediately redress race and gender imbalances both in their composition and functioning at all levels and introduce a Code of Conduct and norms which will create confidence among all the people of South Africa.

1.5 Working Group 01 Terms of Reference

The GAC proposes that Item 1.1.4 (c) of the Terms of Reference of Working Group 01 should be amended to read as follows:

"The amendment and/or repeal of any remaining laws militating against free political

activity including the elimination of racial and gender discriminatory laws."

1.6 The Media in the Transition (Recommendation to Working Groups 01 & 03)

The GAC recommends that Working Group 1 and Working Group 3 agree upon a politically neutral Independent Communications Authority which shall:

- * include gender conscious persons;
- * facilitate media access for women;
- * monitor and discourage sexist programmes, articles and advertising;
- * encourage non-sexist, non-discriminatory publications;
- * ensure the participation of women on all media bodies, at all levels;
- * organise that radio and television programmes which educate women about the democratic process and their right to participate therein without fear of intimidation, are prepared as a matter of urgency

2. Recommendations and Advice on the Gender Implications of the Issues Raised in Working Group 02

2.1 Constitutional Principles

The GAC advises that:

- 2.1.1 It fully supports a Justiciable Bill of Fundamental Human Rights to be attached to the constitution.
- 2.1.2 It fully supports the concept of a qualified Equality Clause in the Bill of Rights and the Constitution.
- 2.1.3 It recommends that Working Group 2 address the problem of redressing and eliminating gender inequalities.
- 2.1.4 It recommends to WG 2 that they take note of the desirability of a document containing a set of ideals regarding gender issues, which should be accepted by a future Constitution Making Body as a document to be used by the courts to assist women in claiming and exercising their rights under the constitution and Bill of Rights to ensure gender equality.
- 2.1.5 The GAC further recommends to Working Group 02 that the Bill of Rights include some form of rights and protection for children.

2.2 Constitutional Language

The GAC recommends that the terms "men and women" and "men, women and children" be used wherever respectively appropriate, in the drafting of the Constitution, in place of the terms "people" or "persons".

2.3 On Agreements Reached Regarding Constitutional Principles

Regarding the "Provisional Areas of Commonality that Already Exist" in Working Group 02 as adopted by the Steering Committee of WG 02 on 27 April, the GAC recommends the following (refer to Document prepared by the Steering Committee of Working Group 2 on 27 April):

- 2.3.1 Item 1.1.3 should be amended to read "The diversity of languages, cultures and religions will be acknowledged, within the non-racial and non-sexist principles of the Constitution."
- 2.3.2 Item 1.1.7.1 should be amen1ded to read "A judiciary that will be independent, non-racial, impartial, gender sensitive and inclusive of women."
- 2.3.3 Item 1.1.7.2 should be amended to read "An entrenched and justiciable Bill/Charter of Fundamental Rights, which will protect the rights of women and children."
- 2.3.4 Item 1.2.2 should read "At each level there shall be democratic representation, consistent with non-racial and gender sensitive principles."
- 2.3.5 Item 1.3.1 should read "A new constitution shall provide for effective

participation of minority political parties consistent with democracy, non-racialism and non-sexism"

2.4 Constitution Making Body/Process

- 2.4.1 The GAC recommends that when drawing up the electoral procedures, methods should be sought to encourage full participation of women. This should apply to both encouraging women to exercise their political rights to campaign and stand for election as well as to vote. These provisions would include, among others, education programmes, elimination of sexual harassment (refer to item 1.3), drawing up of electoral lists and giving women reasonable exposure in the media.
- 2.4.2 The GAC strongly recommends that all parties include a fair proportion of women in their electoral lists. It is essential that women are evenly distributed within the lists, to ensure their inclusion in the elected body.
- 2.4.3 The GAC recommends that any committees set up by the Constitution Making Body must contain an adequate number of women.
- 2.4.4 The GAC recommends that the Constitution Making Body should consider a subcommittee to monitor and raise gender issues in the drafting of the Constitution and the Bill of Rights.
- 2.4.5 The above 4 proposals should apply to future elections at a local, regional and national government level.

Recommendations and Advice on the Gender Implications of the Issues Raised in Working Group
 03

3.1 The Funding of Programmes for Women

The GAC advises that Working Group 3 reach an agreement on the principle of funding and programmes to ensure the meaningful participation in, and education about the democratic electoral process.

In order that women be timeously informed about the franchise, and thus enabled to participate in interim elections without fear of pressure or intimidation, it is suggested that such agreement be expeditiously concluded.

3.2 The Technical Report to the Steering Committee of Working Group 3

The GAC advises the Technical Committee, Working Group 3 and its Steering Committee on the following points concerning the Technical Committee's recommendations made on 27 April:

- 3.2.1 In addition to Item 7.1 of the report:
 - "* Shall include women in its composition."
- 3.2.2 Item 10 of the report should state:
 - "The transitional executive structure will be constituted by legislation agreed to by Codesa, will have a multi-party character, including women and be . . ."
- 3.2.3 The reference to "persons" in line 14 of Item 10 of the report should be replaced by a reference to "men and women".
- 3.2.4 Line 5 of Item 14 of the report should read:
 - "Save for agreement that the TEC must have multi-party character, <u>including women</u>, the precise criteria . . . "
- 3.2.5 It is also recommended that the proposed TEC should include a Gender Structure, the exact nature of which is still to be determined.

3.3 Women and Local Government

The GAC advises that special mechanisms be created to promote the participation and representation of women in local government structures, so that these structures more closely reflect the gender composition of the populace.

Any projects undertaken during the life of CODESA and the Interim or Future Governments should be aimed at the interests of all groups in local communities including women.

3.4 The Media in the Transition (Recommendation to Working Groups 01 & 03)

The GAC recommends that Working Group 1 and Working Group 3 agree upon a politically neutral Independent Communications Authority which shall:

- * include gender conscious persons;
- * facilitate media access for women;
- * monitor and discourage sexist programmes, articles and advertising;

- * encourage non-sexist, non-discriminatory publications;
- * ensure the participation of women on all media bodies, at all levels;
- * organise that radio and television programmes which educate women about the democratic process and their right to participate therein without fear of intimidation, are prepared as a matter of urgency

3.5 Women and the Foreign Service

Noting that South Africa's foreign relations have mainly been conducted by men, as from the interim government women should be trained, employed, promoted and recognised on an equal basis with men within the diplomatic service. Any existing discriminatory regulations and practices with respect to gender and race in South Africa's foreign service need to be removed.

3.6 Land and Women

The GAC wishes to place on record that <u>no consensus</u> could be reached on the following proposals concerning land and women:

Proposal 1: That Working Group 3 suggest an urgent Commission of Enquiry into legislation which prevents women's access to land ownership in South Africa and the TBVC states, and that the results of such an enquiry be immediately embodied in legislation.

Proposal 2: That Working Group 3: (1) look into those laws which prevent/inhibit women's ownership of or access to land in South Africa and the TBVC states, with the intention of amending or repealing those laws and (2) that there should be an immediate moratorium on the sale and transferral of all state property to private or corporate individuals and organisations.

4. General Recommendations to Codesa (to all Working Groups)

4.1 Non-Sexist Language in CODESA documentation

The GAC recommends that CODESA documents should explicitly define the word "person" as referring to both men and women.

4.2 Gender Discriminatory Legislation

The GAC recommends the repeal of all legislation in South Africa and the TBVC states which discriminates on the basis of race, creed or gender which circumscribe and impede free political, economic or social activity. We suggest that this be attended to by a general law asserting certain basic civil and political rights, combined with an omnibus law repealing all legislation in accordance with a schedule of Acts to be provided by the GAC.

We advise Working Groups 1, 2, 3, 4 and 5 to assist in the identification of such legislation.

5. Conclusion and The Way Forward

In conclusion, and in view of the short period of time which the GAC had had at its disposal, the GAC wishes to point out that, as of 7 May, proposals and recommendations on the proceedings of Working Group 4 and 5 have not yet been formulated, and that there are certain areas in other Working Groups on which consensus has not yet been reached. The GAC would also wish to look at present discriminatory legislation which needs to be repealed or amended. The GAC therefore recommends that it continues with its work after CODESA II both in terms of uncompleted work, feed-back on its submissions from the relevant Working Groups and forthcoming agreements emanating from the various Working Groups and committees.