



F A X M E S S A G E

TO : MEMBERS OF THE DAILY MANAGEMENT COMMITTEE
FROM : CODESA ADMIN - DIANNE
DATE : 19 FEBRUARY 1992
RE : DRAFT MINUTES OF DMC MEETING - 17 FEBRUARY 1992

Enclosed for your information, please find the draft minutes of the DMC meeting which took place on 17 February 1992.

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

Regards.



FAX MESSAGE

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NB: PLEASE RECEIVE BRIEF NOTES
CONCERNING PROGRESS OF
WORKING GROUPS WHICH WAS
OMMITTED IN THE LATTER FAX,
TKS.

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

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

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

MINUTES OF THE DMC MEETING HELD ON MONDAY 17 FEBRUARY 1992 AT THE WORLD TRADE CENTRE

PRESENT: PJ Gordhan (Chairperson)
Z J de Beer
FT Mdlalose
P Hendrickse
R Meyer
SS Ripinga
Z Titus
J Zuma

SS van der Merwe (Secretariat)
J Love (Administration)
T Eloff (Secretary, minutes)

1. **Welcome and apologies**

An apology for Mr M Maharaj (Secretariat) was noted.

2. **Adoption of agenda**

The Chairperson indicated that the agenda received at the meeting was different from the one that was faxed, because of developments since Thursday 13 February and the meeting between the secretariat and members of the WGSC's on Monday 17 February 1992. It was pointed out that additional items could be put on the agenda. The agenda was adopted.

3. **Ratification of the minutes of the meeting of 6 February 1992**

The minutes were ratified, subject to the following changes:

3.1 Item 3.4 on p2 reads as follows:

"...issues pertaining to **administrative** process and procedure should be addressed by the DMC and issues pertaining to **political process** and content should remain the responsibility of WG5" (amendments in bold).

3.2 The word "Group" was added at the end of item 4.1.4.2.

3.3 The word "above" was deleted at the top of p4.

With regard to item 12.1 (the request of the Wits Metropolitan Chamber), it was reported that a meeting between members of the Chamber and the Secretariat was being arranged, but that Dr Van Zyl Slabbert was out of the country and that they can only meet the Secretariat at the beginning of March.

4. Report on Working Groups

4.1 **Summary of progress in Working Groups**

Mr Fanie van der Merwe gave a brief report back from a meeting held between the Secretariat and the five secretaries of the WG's. It was agreed that an abbreviated version should be distributed to DMC members. (See attached.)

4.2 **Administrative arrangements/facilities**

4.2.1 After discussing the written report, appreciation was expressed by the meeting to the Secretariat and the Administration for the very capable and effective way in which the enormous work load was being handled.

4.2.2 The meeting took note of the fax sent out to heads of delegations requesting competent minute takers to be made available to the Administration. Parties/organisations/administrations were urged to respond urgently.

4.2.3 The report was accepted.

4.3 **Request from WG4 on clarity regarding "consensus"**

4.3.1 Dr FT Mdlalose reported on discussions held in WG4 on this issue. The meeting noted that it was in the spirit of CODESA to arrive at agreements on various issues by consensus/sufficient consensus, thus ensuring that the CODESA process progresses. It was further noted that it is important for parties/organisations/administrations to facilitate the success of this process through the constructive and effective use of this mechanism.

4.3.2 It was agreed that:

- * The DMC will meet the Chairperson of WG4 on Monday 24 February at 09h30 in connection with this matter.
- * The Secretariat will attend the meeting of WG4 on 24 February

1992 on behalf of the DMC to ascertain how to deal effectively with the issue.

- * If these two measures did not result in success, the issue should be raised at the MC meeting on 24 February 1992 at 17h00.

5. Report of meeting between the secretariat and WGSC's on 17 February 1992

5.1 **Rapporteurs**

It was reported that clarity was sought on whether rapporteurs could be persons other than delegates/advisers and whether substitutes were permitted if a delegate/adviser becomes a rapporteur. It was agreed that the decision of the DMC as reflected in item 4.1.4.1 of the minutes of 6 February 1992, should stand, i.e. to allow substitutes. This issue will be reviewed should this become an unmanageable practice.

5.2 **Advertisements**

It was noted that the WG's reported that there was no need for advertisements at the present time.

5.3 **Communication mechanisms between DMC and WG's**

5.3.1 **Media statements**

It was agreed and/or reiterated that:

- * No statements to the media should be made by WG's and all statements should be made and co-ordinated by the DMC
- * Regular media briefings should be given/media statements be made on Tuesdays by the DMC after having received written information from each WG not later than 12h00 on Tuesdays.
- * Statements would be prepared and issued by the Secretariat in consultation with the chairperson of the DMC.

5.3.2 **Request from WG5 to the DMC**

It was agreed that:

- * the DMC should respond to all requests of WG5 through the chairperson;

- * the chairperson of the DMC will communicate with the chairperson of WGSC5 on the relationship between the DMC and the secretariat, providing WG5 with a copy of the organogram accepted by CODESA I;
- * the meeting between the secretariat and WGSC5 on the delineation of tasks should be held back until this issue was cleared; and
- * the possibility of a meeting between the DMC and all WGSCs should be kept in mind.

6. **CODESA Secretariat**

- 6.1 After careful consideration by the meeting of the excellent manner in which the Secretariat carried out its tasks, and noting that the problem was not the size of the Secretariat, but insufficient staff and technical resources, it was agreed that the Secretariat will remain the same.
- 6.2 It was also agreed that, in line with the Administrative Report, the Administration should be strengthened.
- 6.3 With regard to the participation of the Secretariat in the MC and WG's as advisers/delegates, and noting the need for the Secretariat to be perceived as neutral, it was agreed members of the Secretariat should not participate in the activities of CODESA as delegates/advisers. This issue will be revisited in order to allow members of the Secretariat to make their own views known on this matter.

7. **Financial assistance**

It was agreed that this matter should stand over.

8. **Applications for participation in CODESA**

These were noted.

9. **Other business**

- 9.1 **Request from embassies for a briefing**

It was agreed that such a briefing should be held by the DMC. The Secretariat was requested to prepare documentation and recommendations on how to proceed.

9.2 Correspondence

With regard to requests to DMC members (and notably the Chairperson) to address meetings, it was agreed to:

- * express regret to the National Land Committee that their request could not be met;
- * consider putting the issue of pensions on the agenda of the MC, while asking Government's advice on how to effectively deal with this issue; and
- * encourage both organisations to make representations to the correct Working Group.

9.3 It was agreed to put the issue of **Women's participation** in CODESA on the agenda of the meeting of the MC, with the appropriate correspondence.

10. Date of next meeting

It was agreed that this should take place on Monday 24 February 1992 at 16h30, for half an hour before the meeting of the MC.

The meeting adjourned.

BRIEF NOTES CONCERNING PROGRESS OF WORKING GROUPS

14/2/1992

WORKING GROUP 1:

1. WG1 has had three meetings: 20/1; 27/1; 6/2. It elected a Steering Committee of 9 people which has met two times: 3/2; 6/2.
2. On 6th February, it established three Sub-Groups (WGSUB1s):
 - WGSUB1(1) - Completing the Reconciliation Process
 - WGSUB1(2) - Continuing the Security and Socio-Economic Process
 - WGSUB1(3) - Creating the Climate & Opportunity for Free Political Participation
3. All three WGSUB1s have met once.
4. The WG1 Chairperson is appointed from members of the WGSC1 for 3 consecutive meetings including at least one WG meeting; this appointment is on rotation basis according to the alphabetical order of party names. In addition to the Chairperson, a Deputy Chairperson is appointed from members of the WG who are not WGSC members.

Previous Chairperson = K Asmal (ANC)
Chairperson of next meeting = MB Webb (Ciskei)
5. The WG1 does not want Rapporteurs. It feels that the Chairpersons should be responsible for this task and that the WGSC should be made responsible for appointing the Rapporteur to CODESA 2.

WORKING GROUP 2:

1. WG2 has met on 20/1; 6/2; and 11/2.
2. No. of people elected on the basis of individual competence rather than party affiliation to WGSC2 = 8
3. Date of full WGSC2 held: 27/1.
4. WG2 to meet every Monday and Tuesday.
5. Chairpersonship: WG2 chair nominated by the WGSC2 meeting which is to take place after each WG2 meeting. The Chairperson is drawn from members of the WGSC2.
6. WG2 has completed first round of discussions on areas of commonality regarding constitutional principles in order to define the problems that need to be addressed. Parties have brought written submissions to the last WG2 meeting.

WG2 is initially concentrating on the Terms of Reference covering general constitutional principles contained in the 1st assignment before looking at the question of a constitution-making body.

7. "The principle of self-determination of peoples and its application and practical implementation in the SA situation" has been included in WG2's Terms of Reference
8. WG2 has not set up sub-groups.

WORKING GROUP 3

1. The WG3 had held 3 meetings: 20/1; 6/2; 11/2
2. A WGSC of 8 people was appointed and has held 2 meetings: 6/2; 11/2 . WGSC3 to meet half an hour before the WG3 meetings to check the recommendations being put forward for ratification.
3. For the moment WG3 Chairperson ia Ken Andrews (DP). The WGSC3 has suggested that one person drawn from the WGSC3 act as Chairperson for 4 meetings of the WG3. Ken Andrews to be Chairperson for the next three meetings, followed by D de Villiers (NP) and then L. Landers (LP).
4. WG3 agreed to discuss sub-groups at a later stage.
5. Two Rapporteurs have been appointed: JT Madiba (Transkei) and Piet Kleynhans (Government).

WORKING GROUP 4:

1. Dates of WG4 meetings held: 20/1; 6/2; 10/2
2. Dates of WGSC1 held: 20/1; 27/1; 11/2
3. No. of people in WGSC4 = 9
4. Chairpersonship: WG4 to be drawn from WGSC4. First Chairperson was F. Mdlalose (IFP) followed by S.Sigcau (Transkei) who has been asked to chair until CODESA2.
5. 4 Sub-Groups have been established:
 - WGSUB4(1) - Testing the Will of the People
 - WGSUB4(2) - Citizenship
 - WGSUB4(3) - Financial, Administrative and Practical Implications of Reincorporation
 - WGSUB4(4) - Legal and Constitutional Implications of Reincorporation
6. WG4 is to raise the issue of consensus/sufficient consensus at the DMC for clarification. This has arisen on 3 different occasions.

WORKING GROUP 5:

1. Dates of WG5 meeting held: 20/1; 6/2
2. Dates of WGSC5 held: 29/1; 10/2
3. No. of people in WGSC5 = 8
4. Chairpersonship: WG5 chair based on random appointment from members of WG5 who are not on WGSC5. Chair of WG5 attends the WGSC5 meeting that precedes the meeting he/she is to chair and is also to be assisted by Chair of WGSC5 (who in turn rotates).
5. Past Chair: SS Ripinga
Next Chair: N. Mbononai (Intando Yesizwe)
6. WG5 has agreed to form two Sub-Groups:
WGSUB5(1) - Drafting
WGSUB5(2) - Time-frames
7. Rapporteurs have not been appointed.
8. The WGSC5 has received report of meeting between WGSC5 and DMC.

In the report-back, the DMC was described as being responsible for administrative process and procedure, and the WG5 for political process and progress.