

MINUTES OF STEERING COMMITTEE FOR CODESA : JAN SMUTS HOLIDAY INN,
WEDNESDAY 4 DECEMBER 1991, 10:00

1. PRESENT

1.1 Chairman : De Beer, Z J (dr)

1.2 Delegates and organizations/parties represented:

Ramaphosa, C	-	African National Congress
Cronjé, R	-	Bophuthatswana Government
Kayser, H (Dr)	-	Ciskei Government
Andrew, K	-	Democratic Party
Mohapi, T J	-	Dikwankwetla Party
Felgate, W	-	Inkatha Freedom Party
Mahlangu, N J	-	Intando Yesizwe Party
Maduna, P M H (Dr)	-	Inyandza National Movement
Hendrickse, P A C	-	Labour Party of South Africa
Gordhan, P J	-	Natal/Transvaal Indian Congress
Meyer, R P	-	National Party
Rajbansi, A	-	National People's Party
Viljoen, G van N (Dr)	-	RSA Government
Dookie, B	-	Solidarity
Mufamadi, F S	-	South African Communist Party
Titus, Z	-	Transkei Government
Mahlangu, M J	-	United People's Front
Ranwashe, P N	-	Venda Government
Mhinga, E P P	-	Ximoko Progressive Party

1.3 Secretariat:

Mudge, R A
Ngceba, A

2. OPENING AND WELCOME

2.1 Dr De Beer welcomed everyone to the meeting. He dealt first with practical matters, in regard to which the following was decided:

- Staff/observers brought along to the meeting by delegates would be permitted to attend the meeting in progress as observers.
- A transcription of the meeting would not be made. For purposes of the meeting, reasonably informative minutes would be drafted by the Secretariat. A full recording of the meeting would be available at CDS with a view to possible disputes or queries. One of the other parties wished to make a recording and this request had been granted.

3. ADOPTION OF AGENDA

3.1 Dr De Beer proposed that two draft agendas that had been handed to him be used as the basis for the drafting of an agenda for the meeting in progress. This proposal was accepted, and the resulting agenda was adopted and distributed to the delegates during the course of the meeting.

3.2 Dr Kayser expressed the wish that whoever was responsible for the administration of forthcoming meetings should distribute agendas in advance to all delegates, as this would make proper preparation possible for the smaller parties/organizations that were not involved in bargaining behind the scenes, as seemed to be the case with the major participants.

4. STEERING COMMITTEE

4.1 Mr Ramaphosa outlined the terms of reference of the Steering Committee (SC) with sufficient consensus coming from the meeting for the following to be adopted:

- The SC would assume overall administrative responsibility for all matters leading up to Codesa until such time as Codesa replaced the SC with some other mechanism(s).
- The SC would have a full-time task setting up an infrastructure, viz offices of its own and administrative infrastructure.

- The SC would need to allocate tasks to subordinate groups, such as Task Groups, that would work under the supervision of the SC (see par. 6.1).
- The SC would need to decide on a way of resolving deadlocks within the SC and make recommendations on how deadlocks within Codesa could be resolved.

4.2 **Mr Gordhan** suggested the adoption of the following as generally accepted guidelines for the SC:

- Sub-structures created by the SC would be accountable to the SC; they would not operate with a mandate from the SC "to do their own thing".
- Codesa should be independent of any party organization or government structure.
- The staff employed within and around Codesa should reflect the character of society. (Dr Viljoen subsequently suggested that Mr Gordhan's original reference to "affirmative action" be avoided in favour of "representative character of structures".)
- Greater representation for women in decision-making bodies was needed.

4.3 **Dr Viljoen** made the point that the SC should distinguish between decisions taken by it on matters specifically referred to it by the Preparatory Meeting, which needed to be finalized before Codesa could commence, and other matters, such as those referred to by Mr Gordhan, on which the SC could make recommendations, but which had to be decided by Codesa in the final instance.

4.4 **Mr Ramaphosa** suggested that the SC should refer to sub-committees under its supervision as "Task Groups", as opposed to "Working Groups" that could be appointed by Codesa. The SC accepted this distinction.

4.5 **Dr Kayser** expressed the view that the SC should in future form part of Codesa. Codesa could apportion certain tasks to the SC to perform, with Codesa making the final decisions. The SC would be easier to convene than Codesa, owing to its smaller size, and could therefore be a useful committee to employ should "hiccups" occur in the process. The SC should have a special relationship with the Secretariat and should control the Secretariat.

The numbers of the SC should have a certain relationship to that of the Secretariat so that the SC would have an entrée with the Secretariat.

5. ITEMS REFERRED BY THE PREPARATORY MEETING TO THE STEERING COMMITTEE FOR ATTENTION

5.1 A list of items referred by the Preparatory Meeting to the SC for its attention was compiled from notes made available by several delegates during the meeting and distributed to everyone in attendance (see Annexure A).

6. APPOINTMENT OF TASK GROUPS, APPORTIONING TASKS AND DETERMINING GUIDELINES FOR FUNCTIONING

6.1 APPOINTMENT OF TASK GROUPS

6.1.1 The SC decided to form three Task Groups, viz Organization and Planning, Drafting, and Process, to which the matters referred to the SC by the Codesa Preparatory Meeting were passed on for further investigation and recommendation (amendment by **Mr Ramaphosa** to a proposal by **Mr Meyer**).

6.1.2 The SC reached a substantial consensus on a proposal from **Mr Titus** that the three Task Groups be convened by convenors chosen from SC delegates present, being:

- Organization and Planning Task Group - Convenor : Dr P M H Maduna (Inyandza National Movement);
- Drafting Task Group - Convenor : Mr W Felgate (Inkatha Freedom Party);
- Process Task Group - Convenor : Mr M J Mahlangu (United People's Front)

Dr Viljoen requested clarification of the issue, and **Mr Titus** confirmed that his proposal (as adopted) was not intended to mandate the parties (i.e. INM, IFP and UPF) to nominate representatives, but specifically mandated only the three gentlemen concerned to act as convenors.

6.2 APPORTIONING TASKS

6.2.1 Tasks were apportioned to each of the three Task Groups as per Annexure B as appended.

6.3 DETERMINING GUIDELINES FOR FUNCTIONING

6.3.1 **Mr Meyer's** proposal was adopted that each party/organization participating in the SC would have the opportunity to appoint one delegate to each of the three Task Groups. It was decided that parties should fax the names of their appointees to each Task Group to Mr Meyer at fax 012-3470118 (tel. 012-4281912) by 5 December 1991.

6.3.2 Appointees to Task Groups might be substituted, but substitution should be discouraged to enable maximum understanding among delegates (**Mr Andrew**).

6.3.3 Delegates assigned to the SC might also serve on any of the Task Groups (**Mr Meyer**).

6.3.4 Parties/organizations were not obliged to be represented on Task Groups (**Messrs Ramaphosa/Meyer**). Participation in Task Groups should in no way be prescriptive (**Mr Felgate**).

6.3.5 Task Groups would be engaged on a part-time basis (**Mr Ramaphosa**), but might need full-time administrative staff (**Messrs Meyer/Ramaphosa**).

6.3.6 **Mr Meyer** advised that the Secretariat (see par. 7.1.3) should give strong consideration to Task Group "back-up" staff being partly supplied by the parties involved.

7. ADMINISTRATION OF STEERING COMMITTEE

7.1 The SC decided by sufficient consensus to appoint a five-person Secretariat, consisting of Dr Z J de Beer (or alternate), Dr P M H Maduna, Mr N J Mahlangu, Mr R P Meyer (or alternate) and Mr C Ramaphosa (alternate Mr Mac Maharaj), to oversee the provision of administrative services for the Task Groups, the SC and the first plenary meeting of Codesa. The Secretariat would also be responsible for the following functions:

7.1.1 Issuing of invitations to the first plenary meeting of Codesa;

- 7.1.2 Arranging venues for the following week's meetings;
 - 7.1.3 Deciding which agency/organization(s) would be entrusted with the various logistical and administrative functions in the period leading up to Codesa;
 - 7.1.4 Acting as the full-time management team (body of executives/directors) giving leadership to the Task Groups. The Secretariat would oversee the implementation of Task Group proposals, but had been mandated to act strictly in accordance with SC guidelines only (**Mr Ramaphosa**).
- 7.2 The SC decided that delegates to the SC would in future each be permitted two back-up staff at meetings. Appointees to the Task Groups would each be permitted one person as back-up staff at meetings.

8. INVITEES TO CODESA

8.1 DELEGATES

- 8.1.1 The SC agreed that the nineteen parties/organizations currently involved, as well as the Conservative Party, Herstigte Nasionale Party, Afrikaner Weerstandsbeweging, Azanian People's Organization and Pan Africanist Congress would be invited to participate in Codesa.
- 8.1.2 The SC decided that the possibility of invitations being extended to Cosatu (**Mr Ramaphosa**) and the Zulu King (**Mr Felgate**) would be debated at the next meeting of the SC.
- 8.1.3 **Mr Rajbansi's** enquiry regarding possible invitations to various religious groups had already been delegated to Task Group level.
- 8.1.4 **Mr Hendrickse** enquired whether proxies or alternates to the twelve delegates permitted each party/organization at Codesa would be afforded seating at the that conference. In reply **Mr Rajbansi** referred to a firm decision taken at the Preparatory Meeting expressly excluding the attendance of proxies or alternates. **Mr Meyer** confirmed that, even though Codesa would be an open meeting as far as the press was concerned, he was unaware that observers other than a few international observers and a limited staff component would be allowed to attend in terms of the decisions taken by the Preparatory Meeting.

The SC reached sufficient consensus on the point that no observers would be permitted to attend Codesa *as observers*. The Organization and Planning Task Group would need to look into the matter of the number of support staff permitted to be in attendance at Codesa.

8.2 INTERNATIONAL OBSERVERS (INCLUDING NUMBERS)

8.2.1 The Preparatory Meeting had decided that the international organizations invited to send observers would be the OAU, the Commonwealth, the European Community, the UN and the Non-Aligned Movement.

8.2.2 **Dr De Beer** concurred with the view expressed by **Mr Ramaphosa** that invitations would be issued in the name of Codesa and signed by the two chairpersons of Codesa.

8.2.3 **Dr Viljoen** drew to the SC's attention the fact that the Preparatory Meeting had accepted a suggestion that members of the international observer delegations attending had to be either officials of invited organizations or representatives of internationally recognized states. It was agreed that international observers would be permitted delegations of up to five members each.

9. AGENDA FOR CODESA

9.1 The SC had referred this item to the Process Task Group (see par. 6.2). The Task Group's attention was drawn to the document "Agenda Items for Conference" which had been adopted by the Preparatory Meeting.

9.2 The SC instructed the Process Task Group to give priority to this matter and to report back on the issue at the next meeting of the SC.

9.3 **Mr Titus** raised three points which the Transkei Government wished to receive attention:

9.3.1 It was requested that the position of the non-independent homelands should appear on the agenda for Codesa and be debated there together with the item relating to the TBVC states.

9.3.2 It was felt that the role of traditional leaders in a future South Africa should be included in the agenda.

9.3.3 The order in which the items were listed for the Codesa agenda required further discussion.

Dr Viljoen pointed out that the SC had not been tasked to deal with any of the points raised by Mr Titus. The first two issues (par. 9.3.1 and 9.3.2) would, however, form part of the details that would need to be addressed in the drawing up of a new Constitution. The SC accepted Dr Viljoen's advice on the handling of this matter with sufficient consensus.

10. PROPOSED AGENDA, CHAIRPERSON AND DATE FOR NEXT MEETING

10.1 PROPOSED AGENDA

10.1.1 The SC referred this item to the Secretariat, which would fax a proposed agenda to the parties/organizations.

10.2 CHAIRPERSON

10.2.1 The SC reached sufficient consensus that Dr De Beer would again take the chair at the next meeting of the SC.

10.3 DATE FOR NEXT MEETING

10.3.1 Tuesday, 10 December 1991, at 08:30; the venue to be arranged by the Secretariat.

11. OTHER ITEMS

11.1 REQUESTS FOR OBSERVER STATUS AT CODESA

11.1.1 Dr De Beer mentioned that requests had been received from SACOB, the AHI, NAFCOC and FABCOS to be allowed to attend the meetings of Codesa as observers. These organizations had also asked for speaking rights on economic issues. Dr De Beer undertook to inform these organizations that there would be no such observers allowed at the first plenary session of Codesa.

12. GENERAL

12.1 Dr De Beer was mandated to draft a statement on the day's meeting together with available members of the Media Committee and Mr Andrew, and to issue the statement to the media.

13. CLOSURE

13.1 Mr Rajbansi thanked Dr De Beer on behalf of delegates for the excellent manner in which he had chaired the meeting.

13.2 The meeting adjourned at 17:15.

**ITEMS REFERRED BY PREPARATORY COMMITTEE TO
STEERING COMMITTEE FOR ATTENTION**

- 1.. INVITATIONS
 - 1.1 INVITING PARTICIPATING PARTIES
 - 1.2 INVITING INTERNATIONAL GUESTS
 - 1.3 INVITING CHIEF JUSTICE AND RELIGIOUS LEADERS
 - 1.4 NOTIFYING CHAIRMEN
 - 1.5 ENCOURAGING ATTENDANCE
 - 1.6 MEDIATION AND FACILITATION

2. DECLARATION OF INTENT
 - 2.1 PURPOSE/GOALS
 - 2.2 BROAD PRINCIPLES
 - 2.3 COMMITMENT/BOUND TO DECISIONS
 - 2.4 CONSENSUS/SUFFICIENT CONSENSUS
 - 2.5 GOVERNMENT COMMITMENT

3. AGENDA FOR FIRST MEETING OF CODESA

4. ORGANISATION OF CODESA
 - 4.1 VENUE
 - 4.2 SECURITY
 - 4.3 FUNDING
 - 4.4 ADMINISTRATION
 - 4.5 PRESS/MEDIA
 - 4.5 STANDING RULES
 - 4.6 CHAIRMEN
 - 4.7 DECISION MAKING

5. WORKING GROUPS/TASK GROUPS
 - 5.1 IDENTIFYING OF WORKING GROUPS
 - 5.2 ASSIGNMENT FOR WORKING GROUPS
 - 5.3 FUNCTIONING OF WORKING GROUPS

6. DUTIES OF STEERING COMMITTEE
 - 6.1 CO-ORDINATION OF TASK GROUPS
 - 6.2 IDENTIFICATION OF ADDITIONAL ITEMS FOR STEERING COMMITTEE
 - 6.3 PRESS & MEDIA CONCERNING STEERING COMMITTEE ITSELF
 - 6.4 ADMINISTRATION OF STEERING COMMITTEE ITSELF

6.5 MEDIATION AND FACILITATION

6.6 CHAIRMEN

- * PANEL OF CHAIRMEN
- * ASSISTENCE TO CHAIRMEN
- * KEEP THE JUDGES INFORMED

7. THE WAY FORWARD

8.

9.

10.

11.

12.

TASK GROUPS**1. ORGANISATION AND PLANNING****1.1 TASKS**

- * VENUE
- * FINANCE
- * INVITATIONS (REFERRED TO SECRETARIAT)
- * SECRETARIAT/ADMINISTRATION
- * SECURITY
- * MEDIA
- * PROTOCOL

1.2 CONVENOR: DR P M H MADUNA

2. DRAFTING**2.1 TASKS**

- * DECLARATION OF INTENT
 - PURPOSE/GOALS
 - BROAD PRINCIPLES
- * COMMITMENT OF PARTIES/GOVERNMENT
- * STANDING RULES
- * DECISION MAKING

2.2 CONVENOR: MR W FELGATE

3. PROCESS**3.1 TASKS**

- * AGENDA OF CODESA
- * WORKING GROUPS OF CODESA
 - IDENTIFYING OF WORKING GROUPS
 - ASSIGNMENT FOR WORKING GROUPS
 - FUNCTIONING OF WORKING GROUPS
- * ADDITIONAL ITEMS TO BE HANDLED BY STEERING COMMITTEE
- * MEDIATION AND FACILITATION
- * CHAIRMEN
 - PANEL
 - FUNCTIONING
 - KEEPING JUDGES INFORMED
- * WAY FORWARD

3.2 CONVENOR: MR M J MAHLANGU