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**MANAGEMENT COMMITTEE REPORT TO CODESA 2  
REGARDING GUIDELINES ON THE WAY FORWARD**

**1. INTRODUCTORY REMARKS**

- 1.1 Mr Chairman, flowing from the discussions we had yesterday and today regarding the manner in which the various Working Group reports would be handled, the Management Committee had to consider the way in which the Codesa negotiating process would be taken further, taking into account, in particular, the difficulty which Codesa plenary has had with the further consideration of the work of Working Group 2.
- 1.2 We have analysed carefully the different remarks made by the various leaders who addressed plenary yesterday and today. Without going into detail, it has been observed that, despite varying views on this matter, not a single leader has rejected negotiation as the best acceptable option for South Africa. A number of speakers have emphasised the urgency of the matter under discussion and expressed the view that unless an acceptable solution is found as soon as possible, difficulties may arise. We are conscious of the fact that the impasse which retarded progress yesterday may endanger the whole negotiation process and, consequently, as a Management Committee, we are committed to finding an acceptable way in which the views and aspirations of all can be accommodated.
- 1.3 The Management Committee has taken all the above considerations into account. After having had recourse to the Working Groups' views on the way forward we have now formulated a way forward which, we think, will meet the requirements of all concerned and the people of South Africa in particular. We are mindful of the fact that the outside world, too, is anxiously awaiting the final outcome of Codesa negotiations. But before I can deal with specifics I would like to make a few brief comments on the reports of the other Working Groups, for the recommendation to be made hereafter does not only relate to Working Group 2 but to all Codesa negotiation structures.
- 1.4 The Working Group reports which have been tabled indicate clearly that there is still a lot of ground which needs to be covered before it can be said that we have reached the goals we set for ourselves when we agreed, and appended our signatures, to the Declaration of Intent.
- 1.5 The question which now arises for consideration is : what kind of structures should be put in place to ensure that outstanding work is processed properly and on a coherent and urgent basis?
- 1.6 It is clear from the reports referred to, that a number of decisions and agreements need to be implemented. CODESA needs to devise a way which will ensure that the implementation process goes on smoothly and in a well-structured and well-coordinated manner, which will be worked out by the Management Committee at which all the CODESA participants are represented.
- 1.7 As has already been said the Management Committee has given careful consideration to the views expressed by leaders.
- 1.8 In the light of the above the Management Committee recommends that, for purposes of promoting co-ordination and improving efficiency and effectiveness, CODESA 2 of a complete review by the Management Committee of all the structures currently in place. The structures currently in place were created at a time when we were not aware of the problems which would be encountered during the course of the negotiation process. The Management

Committee is of the view that, with the experience that we now have, we are in a position to improve on the existing situation. As has already been indicated by the Chairperson of the Management Committee in the report presented yesterday, the present structures do not take into account the overlapping functions as between the various Working Groups. With the benefit of hindsight it is our view that we are now in a position to make structural adjustments which will ensure, at the end of the day, that we glean the desired results and that agreements will be implemented in well structured form and with the minimum of delay. As lawyers say, "Justice delayed, is justice denied".

## 2. RECOMMENDATIONS

We therefore recommend that, in order to promote better co-ordination and improve efficiency and effectiveness, Codesa 2 mandates the MC as follows:

- 2.1 The MC shall suspend the work of the Working Groups with the mandate to convene any Working Group if necessary.
- 2.2 The MC shall be given responsibility for resolving all outstanding matters of Working Groups.
- 2.3 The MC shall examine all Working Group agreements with a view to establishing what work can be done in order to facilitate implementation.
- 2.4 The MC shall establish such structures (e.g. technical committees, sub-committees, Working Groups) as are necessary to assist the MC in accomplishing the tasks allotted to it.
- 2.5 The MC shall call a CODESA plenary with suitable representation as a matter of urgency to adopt all agreements and to receive a report on all matters which have been assigned to it by CODESA 2.
- 2.6 The MC be given the authority to constitute a mechanism which will draft all the legislation required as a result of agreements reached at CODESA.
- 2.7 Subject to 2.5 above, the MC be authorised to exercise such authority, as is necessary, to ensure that the objectives of the Declaration of Intent are attained; including the power to implement any agreement reached by Working Group 1 and also any other agreement falling within its mandate.

## 3. CLOSING REMARKS

- 3.1 The Management Committee is extremely conscious of the fact that the participants in CODESA entered the negotiation process in the belief that it can take our country to a stable order. We have a responsibility to approach our task in such a manner that the confidence of the participants, and our people, in the negotiation process is reinforced. The Management Committee's commitment in this regard has been made public on a number of occasions.
- 3.2 I accordingly move the adoption of these recommendations. The recommendations, it will be observed, are inclined more towards flexibility. They also take into account the dynamics of the negotiation process. I also attach hereto a summary of the substantive agreements reached so far (Addendum A) as well as a list of outstanding matters (Addendum B).