



WRKGROUP\IMPLTIME\MEMODMC.WI (2)

WORKING GROUP 5\STEERING COMMITTEE\MEMO TO DMC\4 MARCH

DATE: 4 March 1992

MEMO TO: The Chairperson of the DMC, via the Secretariat

FROM: The Steering Committee of Working Group 5

RE: The work of Working Group 5

Please find attached the following documents for your attention:

- * Letter from D Curry and RM Burrows
- * Recommendations regarding the work of WG5SG1

RECOMMENDATIONS TO THE DAILY MANAGEMENT COMMITTEE FROM THE STEERING COMMITTEE OF WORKING GROUP 5 REGARDING THE WORK OF WORKING GROUP 5 SUB-GROUP 1

Sub-group 1 recommends to the Steering Committee of Working Group 5 that it sends the following messages to the Daily Management Committee, to be distributed to the relevant Working Groups:

1. To Working Groups 1 - 4

Working Group 5 asks Working Group 1 - 4 to give an indication of the time schedules they envisage with regard to all their particular tasks.

2. To Working Group 1

Working Group 5 is of the opinion that real progress in CODESA's work is dependant upon the creation of the correct climate for a negotiated change to a democratic dispensation, and therefore asks Working Group 1 to address the matter of violence in South Africa as a matter of urgency.

3. To the Daily Management Committee

That the target date for holding CODESA 2 by the end of March should be adhered to if at all possible, and that it should be ensured that Working Groups 1 - 4 have made sufficient progress on which to report in order to make CODESA 2 truly meaningful.

FROM:

CHAIRPERSON WGSC5 (MR D CURRY)
CHAIRPERSON SUB-GROUP 2 (LEGISLATION) WG5(MR R.BURROWS)

TO : CHAIRPERSON DAILY MANAGEMENT COMMITTEE

3 MARCH 1992

Dear Mr Gordhan

DECLARATION OF INTENT // TERMS OF REFERENCE WG5

Note has been taken that WG5 has constituted a sub-group to look at those particular areas of the Terms of Reference of WG5 which pertain to legislation.

In this connection clarity is requested on the following areas linked to a section of the Declaration of Intent which states:

"WE AGREE ..(2) that CODESA will establish a mechanism whose task it will be, in cooperation with administrations and the South African Government, to draft the texts of all legislation required to give effect to agreements reached in CODESA"

1. Does WG5 constitute the "mechanism" referred to above? If not then how does this mesh with the aspect of the Terms of Reference of WG5 "to prepare in draft form the documentation which is required to give effect to such agreements"?

2. Whether it was or is the intention to devise any other means of linking WG5 and "administrations and the South African Government" and whether "cooperation" may be fully concluded within WG5 in conjunction with the WG originating the principled decision giving rise to such legislation.

3. To what does the term "administrations" in the above quote refer?

4. Whether there is any conflict between the Terms of Reference of WG5 and the wording of the Declaration of Intent.

It would be greatly appreciated if you, the DMC or, if necessary the MC, could respond to these questions as rapidly as possible as we appear to be fast approaching the stage where draft legislation will have to be considered by WG5.

Yours sincerely
D. CURRY

R.M.BURROWS