

**RESOLUTION ON STEPS TO BE TAKEN FOR THE
PURPOSES OF ESTABLISHING A NEW CONSTITUTIONAL ORDER**

1. The Negotiating Council agrees on the following steps to be taken for the purposes of establishing a new constitutional order:
 - 1.1 The MPNP shall adopt the constitutional principles including principles of Regional Government providing for both strong Regional Government and strong National Government;
 - 1.2 The Constitutional Principles shall be binding on the Constitution-Making Body and shall be justiciable by a constitutional court/tribunal;
 - 1.3 The Commission on Demarcation of Regions by the MPNP will make recommendations for the purposes of elections and phase;
 - 1.4 The MPNP shall recommend structures for the following conditions conducive to and promoting development:
 - 1.4.1 A Transitional Council;
 - 1.4.2 An Independent Electoral Commission;
 - 1.4.3 An Independent Broadcasting Authority;
 - 1.5 The MPNP shall agree on details of discriminatory legislation to be repealed;
 - 1.6 The MPNP shall agree on a constitution for the transitional period;
2. The Negotiating Council accordingly requests the Technical Committee on Constitutional Issues to draft a Constitution for the transition which shall make provision for:
 - 2.1 The election according to a system of proportional representation of a Constitution-Making Body, legislature and national government for the transitional phase which will include a National and Regional component. With regard to constitution making, this constitution shall provide for deadlock breaking and special majorities by which decisions will be taken;
 - 2.2 The election of regional legislatures and the establishment of regional governments in the transition;
 - 2.3 The powers, functions and structures of regions for the transitional period;

Const. Body
CMR

- 2.4 Fundamental human rights on a justiciable basis during the transitional period:
 - 2.5 A Constitutional Court/Tribunal to ensure the justiciability of the constitutional principles, of the fundamental rights and of the constitution itself;
3. Participants are given until the 12th of July 1993, to make further inputs to the Technical Committee with regard to the above draft constitution for the transition.
 4. This is agreed against the background of paragraph 6 of the Explanatory Memorandum adopted by the Negotiating Council on 30 April 1993.

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 - 1.2 The Constitutional Principles shall be binding on the Constitution-Making Body and shall be justiciable by a constitutional court/tribunal;
 - 1.3 The Commission on Delimitation/Demarcation appointed by the MPNP will make recommendations to the MPNP on regional boundaries for the purposes of elections and Regional Government for the transitional phase;
 - 1.4 The MPNP shall agree on legislation to make provision for the following structures for the purpose of levelling the playing field and promoting conditions conducive to the holding of free and fair elections:
 - 1.4.1 A Transitional Executive Council;
 - 1.4.2 An Independent Electoral Commission;
 - 1.4.3 An Independent Media Commission and an Independent Broadcasting Authority;
 - 1.5 The MPNP shall agree on details of discriminatory legislation to be repealed;
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OBJECTIVE : NEW SA CONSTITUTION

