



AGE0203.WG3

WG3/AGENDA/2&3 MARCH

**PROPOSED AGENDA FOR THE SIXTH MEETING OF CODESA
WORKING GROUP 3 (INTERIM ARRANGEMENTS) TO
BE HELD ON MONDAY 2 MARCH 1992
10H00 - 16H45 AND TUESDAY 3 MARCH 1992, 09H00 - 16H45
AT THE WORLD TRADE CENTRE**

1. Opening of the meeting and welcome
2. Apologies
3. Ratification of the Minutes of the Fifth Meeting of Working Group Three (Appendix A)
4. Tabling of the Minutes of WG3SC held on Monday 24 February 1992 and matters arising (Appendix B)
5. Adoption of Agenda (To be read in conjunction with Appendix C)
6. Continuation of Exploratory discussion, covering:
 - 6.1 Method of bringing into being of Interim Government - Elected or Appointed
 - 6.2 Purposes and Objectives of Interim Arrangements with respect to the period leading up to an election
 - 6.3 The Legislature with respect to the period leading up to an election
 - 6.3.1 Structure
 - 6.3.2 Functions
 - 6.4. The Executive with respect to the period leading up to an election
 - 6.4.1 Structure
 - 6.4.2 Functions
 - 6.5. Position of present RSA Constitution with respect to the period leading up to an election
 - 6.6 Position of TBVC and self governing states with respect to the period leading up to an election
 - 6.7 Role of International Community with respect to the period leading up to an election
 - 6.8. Time Frames
7. Confirmation of dates for next meetings
8. Any media statements for MC to consider arising from WG 3
9. Other urgent business
10. Closure

Please note: Item 6 of this agenda is to be read in conjunction with the attached Appendix C. Delegations are requested to have considered their response to these questions.

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

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ADDENDUM TO AGENDA

Introduction:

The following questions are not meant to be prescriptive in any manner. They are intended to stimulate discussion and to provide guidance to the Working Group. Delegations are encouraged to peruse and, if they so desire, add or amend the questions. They are encouraged to be prepared to respond to these questions at the next meeting of the Working Group.

Proposed Questions:

1. Interim/Transitional Authority:

Acknowledging that the Delegates have agreed upon the need for an Interim/Transitional Government, the following questions arise from this:

- 1.1 Should the Interim/Transitional Authority be elected or appointed?
- 1.2 If appointed, by whom should it be appointed?
- 1.3 If elected, by whom should it be elected?

2. Should the Interim/Transitional Authority act as a constitution making body?

3. Purposes and objectives of Interim/Transitional Authority:

- 3.1 What should the purpose(s) of the Interim/Transitional Authority be?
- 3.2 What should the objectives of the Interim/Transitional Authority be?

4. Legislature:

- 4.1 What should be the fate of the Legislative Powers of the present legislative structures?
- 4.2 Should the Interim/Transitional Authority have legislative powers?
 - 4.2.1 If yes, what should those powers be?
 - 4.2.2 If no, who is to perform the legislative function during the transitional period?
- 4.3 In what form should the legislature be structured?
- 4.4 By whom is the legislature to be structured?

5. Executive Body:
 - 5.1 What should be the rate of the present Executive Structures?
 - 5.2 Should the Interim/Transitional Authority have executive powers?
 - 5.2.1 If yes, what should those powers be?
 - 5.2.2 If no, who is to perform executive functions during the transitional period?
 - 5.3 In what form should the Executive be structured?
 - 5.4 By whom is the Executive to be structured?

6. The present RSA constitution:

What should happen to this constitution during the transitional period?

7. TBVC and Self-Governing States:
 - 7.1 In respect of the TBVC States:
 - 7.1.1 What should their position be during the transitional period? Should they participate in the Interim/Transitional Authority?
 - 7.1.2 What should happen to their constitutions?
 - 7.1.3 What should happen to the administrative structures of the TBVC countries during the transitional period?
 - 7.2 In respect of self-governing states:
 - 7.2.1 What should their position be during the transitional period? Should they participated in the Interim/Transitional Authority?
 - 7.2.2 What should happen to their administrative structures during the transitional period?

8. The role of the International Community:
 - 8.1 Should the International Community play any role during the transitional period?
 - 8.2 What should the role of the International Community be?
 - 8.3 Which International Organisations should be involved?

9. Time Frames:

In respect of each of the above (where applicable), what should be the time frame attaching thereto?

THESE ARE DRAFT MINUTES, THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO APPROVAL BY THE CHAIRPERSON AND TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF MEETING OF WORKING GROUP 3 (INTERIM ARRANGEMENTS) HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992 AND TUESDAY 3 MARCH 1992.

PRESENT:

Delegates and advisers (see Addendum A)

L Landers (chair)

R Alberts (secretary)

K Kweyama-Makgabo (minute-taker)

P Kleynhans (rapporteur)

T Madiba (rapporteur)

A Gqokoma (rapporteur)

1. OPENING OF THE MEETING AND WELCOME

L Landers opened the meeting at 10H05.

2. APOLOGIES

No apologies were received as all delegations were present.

3. RATIFICATION OF MINUTES OF THE FIFTH MEETING OF WORKING GROUP 3

Ratification of the minutes was proposed by J Cronin, seconded by K Rajoo and duly accepted by WG 3.

4. TABLING OF THE MINUTES OF WG3SC HELD ON 24 FEBRUARY 1992 AND MATTERS ARISING

4.1 The following phrase should be added at the end of 2.4 - "... and to add any further relevant questions."

4.2 The WG requested that decisions arising from WG3SC meetings should be communicated to the WG as soon as possible.

4.3 The WG expressed concern and dissatisfaction at the fact that the package faxed to delegates had not been complete and requested that this be communicated to the CODESA

administration.

- 4.4 In response to a question about the ANC submission made last week, it was noted that submissions from all delegations would be treated in the same manner. As agreed previously, the rapporteurs are responsible only for summary and analysis of submissions.

5. ADOPTION OF AGENDA

A Rajbansi proposed that the agenda be adopted with the understanding that items can be added as the meeting proceeds. This proposal was seconded by P Maduna and duly accepted by the WG.

6. CONTINUATION OF EXPLORATORY DISCUSSION

- 6.1 The chair drew the attention of the WG to the Addendum C - Addendum to Agenda-approved by WG3SC and prepared by the rapporteurs. The addendum is intended to guide discussion of agenda item 6.
- 6.2 The item - " Method of bringing into being of Interim Arrangements - Elected or Appointed" was discussed.
- 6.3 A draft resolution was drawn up by the WG (Appendix D). R Carlisle moved that the draft resolution be adopted as a working document, to be discussed by delegations and tabled for ratification at the next meeting of the WG. This proposal was seconded by P Maduna.

7. CONFIRMATION OF DATES FOR NEXT MEETINGS

- 7.1 K Andrew proposed that the meeting dates be as follows:
Monday 09 March 1992, 10H00 - 15H00
Monday 23 March 1992, 10H00 - 16H45
Tuesday 24 March 1992, 09H00 - 16H45
- 7.2 P Maduna counter proposed with the following:
Monday 09 March 1992, 10H00 - 16H45
Tuesday 10 March 1992, 09H00 - 16H45
Monday 23 March 1992, 10H00 - 16H45
Tuesday 24 March 1992, 09H00 - 16H45
- 7.3 The delegates debated the proposed meeting schedules and finally reached consensus on the K Andrew proposal.
- 7.5 The Labour Party requested that their objection to the meeting dates be formally recorded - "The Labour party wishes to place on record its objection to the fact that the referendum, despite assurances from the National Party and South African Government delegations, is interfering with the proceedings of CODESA." The Transkei delegation endorsed the objection.

8. MEDIA STATEMENTS FOR MC TO CONSIDER ARISING FROM WG3

The WG had no media statements to forward to MC.

9. OTHER URGENT BUSINESS

- 9.1 COMMUNICATING CODESA TO THE PUBLIC

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- 9.1.1 R Carlisle again stressed the need to communicate CODESA to the public. It was requested that a follow up be made by the chair with the MC on this issue.
- 9.1.2 P Gordhan indicated that a member of the MC would be participating in a talk show on 702 Radio about CODESA.
- 9.1.3 K Andrew requested that consideration be given to holding WG meetings in other parts of the country e.g. Bloemfontein, Pietersburg, Soweto. This would be part of a campaign to bring CODESA closer to the people.

9.2 SUBMISSIONS

- 9.2.1 The WG requested that the SC consider a mechanism that will deal with submissions from the public and interest groups.
- 9.2.2 In this respect, a list of all submissions distributed to the WG during meetings would be minuted. Rapporteurs were requested to read the submissions and bring the WG's attention to relevant parts and also suggest if oral submissions should be requested.
- 9.2.3 K Andrew suggested that the delegates read the submissions and incorporate any relevant parts in their deliberations.

9.3 CODESA II

- 9.3.1 A memorandum from the DMC requesting delegates to consider dates for CODESA II post the Easter period was read by the chair (Addendum B).
- 9.3.2 A Rajbansi supported the DMC suggestion that the meeting be held after Easter.
- 9.3.3 The chair invited suggestions from the WG. The WG charged the chair with the responsibility of making proposals to the DMC.

10. CLOSURE

The meeting closed at 11H00.

Addendum A

LIST OF DELEGATES AND ADVISERS PRESENT AT THE SIXTH MEETING OF WORKING GROUP 3

Organisation	Delegate	Adviser
ANC	T Mbeki J Nhlanhla	J Netshitenzhe A Chaskalson
Bophutatswana Government	GS Nkai SC Kgobokoe	MI Menong
Ciskei Government	HJS Kayser	M Gaca AC Cilliers
Democratic Party	KM Andrew RV Carlisle	G Erasmus H Zille
Dikwankwetla Party	RH Mopeli BS Rajuili	M Moroke LJ Moshuhli
Inkatha Freedom Party	VB Ndlovu A Macaulay	S Vos
Intando Yesizwe Party	NJ Mahlangu MP Mahlangu	NT Mtsweni JB Sibanyoni
Inyandza National Movement	PMH Maduna NV Nelani	JH Mlambo
Labour Party	P Hendrickse B Grobblor	MM Theron CJG Leander
NIC/TIC	PJ Gordhan C Salojee	I Pillay S Patel
National Party	D de Villiers R Meyer	A Routier F van Deventer
National People's Party	A Rajbansi K Panday	E Joosab M Govender
Solidarity Party	A Arbee K Rajoo	M Naidoo
South African Communist Party	J Cronin N Madlala	J Ngculu
South African Government	BJ du Plessis J Scheepers	JJ Noeth S van der Merwe
Transkei Government	LL Mtshizana	M Njisane D Ndawonde
United People's Front	E Mapheto KA Mariri	MM Makgaleng M Bopape
Venda Government	KB Magwaba Rev. Khorombi	S Mahada Rev. Rabali
Ximoko Progressive Party	ML Nkuna AE Nkondo	EPS Mahlahle Adv HF Junod