



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

DRAFT MINUTES OF THE WORKING GROUP STEERING COMMITTEE 5 HELD SAT THE WORLD TRADE CENTRE ON THURSDAY 10 FEBRUARY 1992 AT 14H30

PRESENT:

G Bartlett
R Burrows
KH Lategan (for D Curry)
Y Moola
LPHM Mtshali
D Mvelase
R Ramontja
Z Skweyiya

National Party
Democratic Party
Labour Party
Solidarity Party
Inkatha Freedom party
SA Communist Party
United People's Front
African National Congress

T Eloff (secretary and minutes)

1. Welcome and opening remarks

The chairperson, Ms D Mvelase, welcomed the delegates.

2. Adoption of the agenda

The relationship between WG5, WGSC5 and the DMC was included in the agenda as item 5.1. The issue of sub-groups and the Terms of Reference of WG5 was added as item 5.2.

Under a point of order the issue of substitutes for members of the WGSC was raised. It was agreed that this matter should be referred back to WG5 for a clear ruling, and that the chairperson would also raise the issue with the DMC. On the basis that the presence of Mr Lategan did not constitute a precedent, it was agreed that he could attend the meeting.

3. Ratification of the minutes of the meeting of 29 January and matters arising

The minutes were ratified with the amendment that the word "delegates" in item 10.1

is replaced by "delegations".

No matters were raised from the minutes.

4. **Matters arising from the minutes of the WG5 of 6 February**

It was agreed that the draft minutes of the WG5 meeting can be faxed to members.

5. **Matters raised by the DMC**

5.1 It was agreed to recommend to the DMC that, with regard to item 3.7 of the "Extracts of the minutes of the DMC meeting of 6 February 1992 concerning the relationship between WG5 and the DMC" (addendum A), the Secretariat should also keep the WGSC informed after having met with two members of each of the WG's.

5.2 It was agreed that the present chairperson of WGSC5, D Mvelase, and the next chairperson, LPHM Mtshali, will attend the meeting between the Secretariat and two members of each WG on Monday 17 February at 08H00.

6. **New business**

6.1 **The relationship between WG5, WGSC5 and the DMC**

6.1.1 Extracts from the minutes of the meeting between the DMC and WGSC5 (addendum A) were discussed. It was agreed that these will be made available to members of WG5 with the minutes of this meeting. It was also agreed to recommend to the DMC, through the Secretariat that item 3.3 of this extract should read "**administrative** process/ procedure and **political** process and content".

6.1.2 It was agreed to recommend to WG5 that item 1.1.4 (b) and (e) of the Terms of Reference should be managed by the DMC and the Secretariat respectively. This was done on the understanding that the two items ultimately stay the responsibility of WG5.

6.1.3 With regard to the proposed meeting between the Secretariat and WGSC5, it was agreed to address this after the above mentioned meeting of 17 February between the Secretariat and two members of each WGSC.

6.1.4 It was agreed that in the meeting of 17 February with the Secretariat, the two delegates of WGSC5 should raise the item covered under 6.1.1 of the minutes of WGSC5 of 29 January 1992, i.e. receiving documentation from other WG's.

- 6.1.5 It was noted that in the MC meeting of 10 February the word "political" in item 3.12 of the "Extracts" (addendum A) was substituted with "executive".

6.2 Terms of reference and sub-groups

- 6.2.1 It was agreed to recommend to WG5 that two sub-groups should be formed, each having one delegate and one adviser for each of the participating organisations. Substitutes should be allowed in these sub-groups.
- 6.2.2 It was agreed to recommend the following division and terms of reference to WG5:

Sub-group 1: Monitoring, implementation and time frames

Terms of Reference:

- * To investigate and report upon all proposals with regard to appropriate time frames and target completion dates for all of the processes and assignments being undertaken by CODESA, its WG's and other bodies created as a result of agreements/decisions of CODESA (WG5 Terms of Reference item 1.1.1).
- * To identify the key issues and problems that need to be addressed (item 1.1.2).
- * To identify areas of commonality and aspects where agreement already exists between participating delegations (item 1.1.3).
- * Specifically, but without vitiating the generality of the above, consider whether and how to address:
 - the practicability of setting of target completion dates for all agreements/activities/decisions [item 1.1.4 (c)];
 - the monitoring of the process and the adjustment of targets whenever necessary [item 1.1.4 (d)];
 - the practical effect of implementation of agreements [item 1.1.4 (i)].

Sub-group 2: Legislation

Terms of Reference:

- * To identify the key issues and problems that need to be addressed (item 1.1.2).

- * To identify areas of commonality and aspects where agreement already exists between participating delegations (item 1.1.3).
- * Specifically, but without vitiating the generality of 1.1.1 to 1.1.3 of WG5's Terms of Reference, consider whether and how to address:
 - the identification of legislation that needs to be enacted or amended [item 1.1.4 (f)];
 - assisting in formulating the terms of the legislation or amendments [item 1.1.4 (g)]; and
 - the legality of the process in relation to time frames to be negotiated within the context of constitutional continuity [item 1.1.4 (j)].

6.2.3 It was agreed to recommend to WG5 that the WGSC5 will act as a sub-group addressing, amongst other things, items 1.1.2, 1.1.3 and 1.1.4 (a) and (k) of the Terms of Reference of WG5.

6.2.4 It was agreed to recommend to WG5 that, although items 1.1.4 (b) and (e) were delegated to the DMC and Secretariat respectively, those items ultimately stay the responsibility of WG5.

6.2.5 It was agreed to recommend that all submissions for the attention of these sub-groups should be made directly to the Working Group, and that submissions from outside should be made to the Working Group through its Steering Committee.

6.3 Reports from other WG's

It was agreed that this would be addressed after the meeting of 17 February between the Secretariat and members of each WGSC.

6.4 New submissions

6.4.1 The submission of Ciskei was noted.

6.4.2 It was agreed that, in terms of the Guidelines for WG's distributed by the DMC on 20 January, parties' submissions and copies thereof were their own responsibility.

7. Dates of future WGSC meetings

It was agreed that the next WGSC5 meeting should take place directly after the meeting of WG5 on Monday 17 January.

8. Agendas for future meetings of WG5 and WGSC5

8.1 It was agreed that the agenda for the meeting of WGSC of 17 February should be as follows:

- 8.1.1 Chairperson's opening remarks
- 8.1.2 Adoption of agenda
- 8.1.3 Ratification of the minutes of the previous meeting and matters arising
- 8.1.4 Matters arising from the meeting of WG5 and other WG's
- 8.1.5 Matters raised by the Secretariat
- 8.1.6 Report on/from sub-groups
- 8.1.7 New business
- 8.1.8 Date of next meeting

8.2 It was agreed that the agenda for the meeting of WG5 of 17 February should be as follows:

- 8.2.1 Chairperson's opening remarks
- 8.2.2 Adoption of agenda
- 8.2.3 Ratification of the minutes of the previous meeting
- 8.2.4 Matters arising from the minutes of:
 - * Working Group 5
 - * WGSC5
- 8.2.5 The relationship between WG5, WGSC5 and the DMC
- 8.2.6 The Terms of Reference of WG5, sub-groups, time frames and mechanisms
- 8.2.7 New submissions
- 8.2.8 Date and time of next meeting(s)

9. Other business

It was agreed that in future, addendum numbers should be supplied on the agenda and all addenda.

10. The meeting adjourned