

SOLIDARITY PARTY'S SUBMISSION ON WORKING GROUP 5

TERMS OF REFERENCE

Working Group 5 must be seen, in terms of its assignment, as agreed upon at CODESA I.

The assignment is explicit in its terms of reference,

"Time frames and implementation of CODESA's decisions."

INTER-PHASING WITH OTHER GROUPS

To ensure effective functioning of Group 5 and the implementation of decisions, it is prudent that Working Group 5 has at its disposal the decisions of other Working Groups. Therefore it is imperative that the other Working Groups must in all earnestness carry out the tasks assigned to them expeditiously and timeously.

Without showing preference to any specific Working Group, Solidarity believes that Working Groups 3 (dealing with interim government) and 4 (dealing with the incorporating of TBVC States) should present their decisions to Working Group 5 as soon as possible, to ensure that the latter can evaluate same for presentation at CODESA II.

Solidarity believes that the decision of these 2 working groups will play a major role in promoting the processes assigned to the other working groups and on the outcome of CODESA.

SUB-GROUPS

Solidarity believes that to facilitate effective co-ordination, investigation and implementation, it should, inter alia, deal with the following:

1. The co-ordination of decisions taken by other groups and the implementation thereof.
2. The indentification of existing statutory boards which remain as impediments by their composition, functions and conduct.
3. The examination and repeal of all existing legislation that militate against the spirit of CODESA.
4. Ensure optimum co-ordination and co-operation at the administrative level amongst all Working Groups.

We believe that the foregoing proposals would adequately accommodate the terms of reference as set out in Working Group 5:

- 1.1.1 To investigate and report upon all proposals and make recommendations with regard to appropriate time frames and target completion dates for all of the processes and assignments being undertaken by CODESA, its working groups and other bodies created as a result of agreements/decisions of CODESA.
- 1.1.2 To identify the key issues and problems that need to be addressed.
- 1.1.3 To identify areas of commonality and aspects where agreement already exists between participating delegations.
- 1.1.4 The need for a regularly updated comprehensive list of all the decisions, actions and processes involved;
the practicability of setting of target completion dates for all agreements/activities/decisions;
the monitoring of the process and the adjustment of targets whenever necessary;
to address the identification of legislation that needs to be enacted or amended;
to assist in formulating the terms of the legislation or amendments;
realistically attainable time frames;
practical effect of implementation of agreements;
the legality of the process in relation to time frames to be negotiated within the context of constitutional continuity.