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LABOUR PARTY OF SOUTH AFRICA

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CODESA WORKING GROUP 3

INTERIM ARRANGEMENTS

1. The Labour Party of South Africa is in favour of an Interim Government. It is generally accepted, as we do, that the National Party cannot be both player and referee in the process of constitution making and government of the country.
2. During this period preceding the general election for a constitution making body, it will be necessary, therefore, for a transitional arrangement to be created as soon as possible. This transitional arrangement will ensure a more impartial and legitimate form of executive government than the present executive which emanates from the discredited tri-cameral system. The transitional arrangement shall be set up by CODESA and shall consist of the representatives of all parties who are signatories to the CODESA Declaration of Intent.
3. The essential issues that the transitional arrangement shall be responsible for are the following:
 - * The security forces: The reason for this is that there have been innumerable allegations of security force and "third force" involvement in the destabilization of the political process;
 - * The election process: It is imperative that an independant electoral commission be appointed by the transitional arrangement to monitor and control the elections;
 - * The State controlled media: At present the S.A.B.C. is not impartial and is, indeed, manifestly partial to the National Party;

- * Certain aspects of the Budget: The debacle over the implementation of the controversial Value Added Tax (VAT) endorses this requirement;
 - * Regional and Local Government: It is essential that these aspects of government be conducted in accordance with the direction and ethos prevailing at CODESA, even during the phase preceding the elections; and
 - * Foreign Affairs.
4. The Tri-cameral Parliament shall only continue to exist and function in order to give legal effect essentially to the decisions of the transitional arrangement and to those reached by negotiation at CODESA, but that it shall immediately be restructured into a single house.
 5. The existing cabinet, parliament, TBVC states, self-governing homelands and provincial administrations shall continue to operate subject to the control of the transitional executive. However, there shall be an immediate phasing out of the Own Affairs executives.
 6. Negotiations would have to commence immediately for a system of proportional representation to be used for a general election to set up a constituent assembly and interim government. The nature of the electoral system is of cardinal importance as it will determine the representation that the parties will enjoy in both the constituent assembly and interim government. Although this must be done expeditiously it will be a complicated process and it must be thoroughly and expertly done. All the options must be carefully and objectively weighed up by the delegates in Codesa and the interim arrangement before a negotiated settlement is reached in this regard.
 7. Once agreement is reached on the system of proportional representation to be used, the next logical step in the process of constitutional reform and change will be a general election to set up the constituent assembly and the interim government. The interim government emerging from the result of the general election will have legitimacy and therefore will be in the position to govern during the constitution making period by the constituent assembly.

3.

The lifespan of the interim government should not be indefinite but it is problematic to stipulate a definite period.

8. Once the constituent assembly has completed its task of negotiating, drafting and drawing up the new constitution it should be submitted to the electorate by means of a referendum. After this the constituent assembly could if needs be convert itself into the first law-making body of the country. However, these are all matters related to the Labour Party's Constitutional proposals which have been submitted to CODESA Working Group-2 and are attached hereto for consideration, if necessary.