



WRKGROUP\IMPLTIME\MINFEB24.WI (2)

WORKING GROUP 5\MINUTES\FEBRUARY 24

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

MINUTES OF THE INFORMATION PLENARY OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 24 FEBRUARY AT 14H00

PRESENT: See Addendum A

APOLOGIES: R Ramontja United People's Front
SS Ripinga Inyandza National Movement
QJ Qetuka Ciskei Government

CHAIR: Mr N Mbonani

1. Report-back from the Steering Committee on recommendations made to the Daily Management Committee regarding the task of Working Group 5
 - 1.1 The recommendations tabled at the DMC meeting of 17 February 1992, as detailed in Addendum B, were read and noted.
 - 1.2 Against the background of telephonic conversations which took place in reaction to the tabling of these recommendations at the DMC meeting of 17 February 1992, between Mr LPHM Mtshali (in his capacity as chairperson of the Steering Committee meeting of 17 February 1992) and Mr PJ Gordhan (in his capacity as chairperson of the DMC) the contents of the memorandum from Mr PJ Gordhan (Addendum C) were read and noted.
 - 1.3 The Natal/Transvaal Indian Congress registered its disapproval of the tone and mood of Mr LPHM Mtshali's reaction to Mr PJ Gordhan's attempts to discuss the issue telephonically, questioning whether such a reaction had been in keeping with the spirit of CODESA and in the best interests of the Working Group.
 - 1.4 Mr. LPHM Mtshali registered his objection to the comments passed by the Natal/Transvaal Indian Congress.
 - 1.5 It was agreed that, noting the dynamics recorded under Items 1.3 and 1.4 above:
 - 1.5.1 All further communication between the chairperson of the Steering Committee and the DMC/Secretariat concerning matters of principle should be in writing.
 - 1.5.2 The Steering Committee and its chairperson should be flexible regarding communication procedures on other matters.
2. It was noted that a complete set of minutes from the most recent meetings of all other Working Groups and their Steering Committees will be tabled at each full plenary session

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of the Working Group.

3. It was agreed that the reports from the two sub-groups will be tabled at the plenary session to take place on Monday 2 March 1992.
4. The paper distributed by the Bophuthatswana Government for the information of the Working Group was acknowledged.
5. The meeting closed.

Addendum A

The following people signed the attendance register:

Organisation	Delegate	Adviser
ANC	Z Skweyiya	G Bizos
Bophuthatswana Govt	IJ Reid	C Carolus
Ciskei Government	TM Setiloane	AM Boikanyo
Democratic Party	PP Jacobs	BH Muller
Dikwankwetla Party	MN Poni	P Gastrow
Inkatha Freedom Party	RM Burrows	JJ Walsh
Intando Yesizwe Party	RR Hulley	P Thaele
Inyandza Nat Movement	ST Leokaoko	ARL Xaba
Labour Party	DT Mokoena	P Smith
NIC/TIC	LPHM Mtshali	M Zondi
National Party	FX Gasa	JS Mabona
National People's Party	VS Mahalangu	S Mtsweni
Solidarity Party	N Mbonani	TR von Benecke-Jordaan
SACP	DS Kunene	GG Zama
SA Government	SS Ripinga	A Essop
Transkei Government	Mrs Y Bassier	K Lategan
United People's Front	D Curry	N Balton
Venda Government	H Ebrahim	F Meer
Ximoko Progressive Party	Y Vawda	P Matthee
	G Bartlett	D Streicher
	C Fismer	VP Rattan
	O Ganie	AL Singh
	DK Padiachey	N Naranjee
	Y Moolla	I Osman
	NM Raju	
	D Mvelase	A Masondo
	C Dlamini	HP Fourie
	L Wessels	JM Spaarwater
	A Williams	N Mabude
	N Bebeza	PG Qokweni
	G Zilwa	
	MJ Duba	IKE Moloko
	KR Malatji	M Mphaphuli
	E Lukhaimane	E Randima
	LS Ramavhoya	SE Mathumbu
	HM Matjokana	ML Nkuna
	DZJ Mtebule	

P Saxby (minutes)

ISSUES EMERGING FROM THE MEETINGS OF WORKING GROUP 5 AND ITS STEERING COMMITTEE ON MONDAY 17 FEBRUARY 1992

It was agreed:

1. That it should be recommended to the DMC that Item 3.3 of the 'Extracts of the minutes of the DMC meeting of 6 February 1992 concerning the relationship between WG5 and the DMC' (taken directly from those minutes and itemised accordingly) should read as follows:

"With Items 3.2 and 3.3 above in mind, and regarding Item 1.1.4 'b' of the Terms of Reference of WG5, issues pertaining to **administrative** process and procedure should be addressed by the DMC, and issues pertaining to **political** process and content should remain the responsibility of WG5."
2. That, in order to resolve the issue of an appropriate mechanism for communication between the other WGs and WG5, it should be recommended to the DMC that:
 - 2.1 Copies of the minutes of all other WG plenary sessions to date, together with summaries of recommendations and agreements emerging from these plenaries, should be made available to WG5 at the earliest possible opportunity.
 - 2.2 Henceforth, all minutes of other WG plenaries, and appropriate summaries, should be made available to WG5 at its **next** plenary session.
3. That, regarding the meeting between the Secretariat and representatives of the WGSCs, an appeal should be made to the DMC:
 - 3.1 To observe normal CODESA structures.
 - 3.2 To ensure that, should it be necessary to call similar meetings in the future to address WG matters, such meetings should be chaired by a member of the DMC and not by a member of the Secretariat.
 - 3.3 To ensure that, in the event of such meetings being called again, an agenda is formulated and circulated to the members of each WGSC in good time so that WGSC representatives can prepare adequately for the meeting.

TO: Chairperson WGSC5
FROM: Chairperson DMC
DATE: 21 February 1992

Dear Mr Mtshali

With reference to our telephone conversation of 21 February 1992, I feel that it is very unfortunate that you did not see fit to allow the matters raised by WGSC5 to the DMC (copy of the document received by the DMC is attached to this letter) to be discussed and clarified over the telephone.

In pursuance of your insistence that any communication from the DMC should take place in writing, I wish to record the following responses of the DMC to WGSC5:

Regarding Item 1: The minutes of the DMC meeting of 6th February 1992 have now been amended to incorporate the amendments which appeared in the note from the WGSC5.

Regarding Item 2: The Secretariat has been asked to attend to this matter and I understand that minutes have been circulated to members of the WGSC5 and will be available to Working Group members on Monday 24th February 1992.

Regarding Item 3:

- a) The Secretariat is a "normal CODESA structure" as is evident in the organogram appended to this letter which was approved at CODESA 1.
- b) In view of the above, the Secretariat will be asked from time to time to meet with the WGSCs. However, the DMC had already decided to meet with all WGSCs at an appropriate time in the near future.
- c) Insofar as the circulation of the agenda is concerned: prior to the meeting on 17 February 1992 between the WGSCs and the Secretariat, all WGSCs had been sent extracts of the minutes and decisions of meetings of the MC, DMC, WGs and WGSCs. These extracts were sent with a covering note (which is attached to this letter) which tables the matters arising from these extracts for the purposes of the meeting's agenda. As there were no additional items raised by the WGSCs, Mr Van Der Merwe proceeded with the items as they

appeared in the covering note. As this was the first meeting, the Secretariat - as the note indicates - preferred not to prescribe what should be discussed and simply drew upon what was evident from minutes and looked forward to the input of WGSCs for their views.

We trust that the above has helped to clarify any misunderstanding and/or discrepancy. We further hope that the DMC and WGSC5 - which have vital responsibilities of coordinating different aspects of the work of the Working Groups - will be able to establish a harmonious modus operandi.

Through you, I would like to appeal to the members of WGSC5 that we do not confine our communication to the written word. In the nature of CODESA and to help the process, it is useful and necessary to have open lines of communication, including telephonic and personal contact.

Yours sincerely


P. Gordhan
CHAIRPERSON
DAILY MANAGEMENT COMMITTEE



TO: REPRESENTATIVES OF WGSC'S ATTENDING THE JOINT MEETING WITH
THE SECRETARIAT ON MONDAY 17 FEBRUARY 1992 AT 08H00 AT THE
WORLD TRADE CENTRE

FROM: CODESA SECRETARIAT

Enclosed herewith are extracts of minutes and decisions of meetings of the MC, DMC, WG's and WGSC's. These cover the following issues:

1. Interaction between WG's and the relationship between WG's/WGSC's and the DMC/MC.
2. Working Groups and the media
3. Chairpersonship of Working Groups
4. Rapporteurs in the Working Groups
5. The mechanisms for handling, tabling and copying of submissions by parties/organisations/administrations to WG's

We are sending these to you as background information and on the assumption that issues to be dealt with at the joint meeting will flow from these extracts.

The meeting may, of course, add any other issues on to the agenda.

Regards

M Maharaj and SS van der Merwe
CODESA SECRETARIAT

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WORKING GROUP STEERING COMMITTEES\MEETING WITH SECRETARIAT\17 FEBRUARY

ISSUES TO BE ADDRESSED AT THE MEETING BETWEEN THE SECRETARIAT AND REPRESENTATIVES OF WORKING GROUP STEERING COMMITTEES, TO TAKE PLACE AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY AT 08H00

Extracts from MC, DMC, Working Group and WGSC minutes

DMC Minutes 6 February:

- Item 3.2 The MC, and the DMC as its executive body, have been charged to supervise and to co-ordinate Working Group activities by CODESA 1.
- Item 3.3 That the DMC suggestion that a distinction be made between process/procedure and content is useful in delineating the respective roles of the DMC and WGSC5.
- Item 3.6 The Secretariat should investigate appropriate communication mechanisms between the two bodies, and between WG5 and other Working Groups, with regard to the circulation of minutes and the dissemination of information emerging from the Working Groups.
- Item 3.7 With this in mind, the Secretariat should meet with two members of each of the WGs, and it should report back to the DMC on this matter at the next DMC meeting.
- Item 3.9 A sub-meeting between the Secretariat and members of WGSC5 should delineate specific responsibilities as contained in the Terms of Reference of WG5 on the basis of the mechanisms detailed above.
- Item 3.11 Regarding the role of the Group Secretary, he/she should, if called upon to do so by the chairperson, provide information to the Working Group as requested. However, his/her function is essentially administrative.
- Item 3.12 Regarding the role of the Secretariat, it was noted that this is the executive arm of the DMC and a mechanism for co-ordinating the activities of CODESA with this in mind.
- Item 3.14 Regarding the communication of decisions recorded in the minutes, as outlined under Item 3.6 above:
- 3.14.1 Minutes should be approved before the decisions recorded therein are circulated.
- 3.14.2 Specific decisions of the DMC in respect of the WGSCs may be recorded in separate minutes and approved by the chairperson for immediate circulation, noting that such decisions should be ratified as a part of the overall minutes of the meeting in question at its next session.
- 3.14.3 All DMC decisions concerning WG5 should be communicated in document form to WGSC5.

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WORKING GROUP STEERING COMMITTEES\MEETING WITH SECRETARIAT\17 FEBRUARY

Item 4.1.1 The procedure for the presentation of submissions at Working Group meetings should be determined by the Working Group and its chairperson.

Item 4.1.3 Mechanisms for Working Group reports to the next full plenary of CODESA should be addressed by the MC, noting the need for balance amongst the rapporteurs.

Item 4.1.4 Regarding rapporteurs:

4.1.4.1 These should be appointed from amongst Working Group delegates or advisers. The participating organisations concerned may call in substitutes for the persons in question.

4.1.4.2 The Secretariat should formulate and circulate guidelines for the tasks of the rapporteurs, recommending that the number of rapporteurs does not exceed two per Working Group.

Item 7.4 Media statements on behalf of Working Groups:

It was agreed that:

7.4.1 The mechanism currently employed should be continued.

7.4.2 In the event of the DMC not meeting after the WGs and therefore not being available to formulate a media statement, the Secretariat should meet with the chairpersons of each Working Group (either individually or collectively) to draft an appropriate statement.

MC minutes 10 February

Item 5.3.1 It was agreed that the DMC should investigate the merits of a more uniform rotation mechanism for the Working Group chairpersonship, noting the autonomous nature of the WGs.

Working Group 1 & WGSC1

WGSC1 3 February

2.1.4 That, noting that a media conference is planned to be held after the MC meeting on 10 February in order to invite submissions to each WG, it was proposed that the Chair should establish what latitude WGSC1, on behalf of WG1, has in planning its own advertisement and;

2.1.5 that, bearing in mind the area of work of WG1, the chair make a recommendation to the MC that, while WGSC1 recognises the need for a press conference it sees, in addition, a need for its own advertisement, to be inclusive of the Terms of Reference of all Working Groups.

WG1 6 February

WORKING GROUP STEERING COMMITTEES\MEETING WITH SECRETARIAT\17 FEBRUARY

- 4.3.2 That the Chair undertake to raise with the MC the possibility of all documentation being sent to all delegates and advisers instead of just the heads of delegations.

Working Group 2 & WGSC2

Nothing relevant.

Working Group 3 & WGSC3

Most recent minutes of WGSC3 not available.

WG3 6 February

- Item 4.3.1 It was decided to request the MC to draw up guidelines for the uniform appointment of chairpersons for the WGs. Uniformity in terms of the time the chair presides, as well as the principle of impartiality and others enunciated in the first WG3 meeting, should be kept in mind.

Working Group 4 & WGSC4

Nothing relevant.

Working Group 5 & WGSC5

WGSC5 10 February (not yet approved by the chairperson)

- Item 2 Under a point of order, the issue of substitutes for members of WGSC5 was raised. It was agreed that.....the chairperson should also raise the issue with the DMC.
- Item 6.1.1 It was also agreed to recommend to the DMC, through the Secretariat, that Item 3.3 of the minutes of the DMC (6 February) should read "administrative process/procedure and political process and content".
- Item 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.

Guidelines for Chairpersons of Working Groups of CODESA

- Item 3.3 Typing and photocopying facilities will be available before, during and after meetings for Working Group and sub-committee documents. This will, however, not apply to documents submitted to Working Groups or sub-committees by individual parties.
- Item 3.4 Any minute or document finally adopted by a Working Group should be signed by the Chairperson/s, so as to indicate that it is the authorised version.

STRUCTURE FOR CODESA

