



# **MINUTES OF WORKING GROUP 5**

## **MINUTES OF WORKING GROUP STEERING COMMITTEE 5**

### **MINUTES OF WG5 SUBGROUP 1 (INCLUDING THE FOUR TASK GROUPS' MINUTES AND REPORTS)**

### **MINUTES OF WG5 SUBGROUP 2 (INCLUDING THE FOUR TASK GROUPS' MINUTES AND REPORTS)**

**JANUARY 1992 - MARCH 1992**

MINUTES OF THE BOARD OF DIRECTORS

OF THE UNIVERSITY OF CALIFORNIA

FOR THE YEAR 1960

AND FOR THE YEAR 1961

AS APPROVED BY THE BOARD OF DIRECTORS

ON MAY 10, 1961

AT THE UNIVERSITY OF CALIFORNIA

BERKELEY, CALIFORNIA

JANUARY 1961 - MARCH 1961





WRKGROUP\IMPLTIME\MIN. JAN (2)

**MINUTES OF THE FIRST MEETING OF WORKING GROUP 5 (TIMEFRAMES AND IMPLEMENTATION) HELD AT THE WORLD TRADE CENTRE ON MONDAY 20 JANUARY AT 10H30**

(ADOPTED AT THE MEETING OF WORKING GROUP 5 HELD ON THURSDAY 6 FEBRUARY 1992)

**PRESENT:** Delegates and advisers (see Addendum A)

S Ripinga (chair)

T Eloff (secretary)

P Saxby (minutes)

**1. Convenor's opening remarks**

1.1 Delegates were referred to the following documentation:

- \* 'Standing Rules of Procedure for Plenary Sessions'
- \* 'Guidelines for Chairpersons of Working Groups of CODESA'
- \* 'Draft Agenda for the First Meeting of Each Working Group'

1.2 Each delegation was formally introduced to the meeting by its leader.

1.3 L Mtshali (IFP) registered an objection to the late or non-arrival of documentation vital to the adequate preparation of delegations for Working Group meetings.

1.4 Delegates were furnished with all outstanding documentation as required.

**2. Adjournment of meeting**

The meeting adjourned at 11h00 for thirty minutes to allow for a briefing of parties on Working Group documentation.

**3. Adoption of agenda**

The agenda was adopted.

**4. Establishing the mechanisms/structures to facilitate the functioning of the Working Group in accordance with the Guidelines**

**4.1 Chairpersonship**

4.1.1 The principle of rotation was agreed.

4.1.2 It was decided that Prof S Ripinga should chair this meeting and the meeting scheduled for 6 February.

**Action**

4.1.3 It was agreed that other issues pertaining to the mechanism of chairpersonship should be addressed by the Steering

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Committee for Working Group 5 (WGSC5).

4.2 WGSC5

4.2.1 It was agreed that the WGSC5 should comprise the following eight delegates:

G Bartlett	National Party
R Burrows	Democratic Party
D Curry	Labour Party
Y Moola	Solidarity Party
L Mtshali	Inkatha Freedom Party
D Mvelase	SA Communist Party
R Ramontja	United People's Front
Z Skweyiya	African National Congress

4.2.2 Bearing in mind the need for balanced representation on the WGSC5 and any Sub-groups established, a suggestion that parties/organisations/administrations not represented at WGSC5 level should be given priority for participation in those Sub-groups was noted.

4.2.3 Chairpersonship of the WGSC5

4.2.3.1 It was agreed that the chairpersonship of the WGSC5 should be determined by that committee.

4.2.3.2 In the interim, it was decided that Prof S Ripinga should convene a meeting of the WGSC5 immediately following the current Working Group 5 meeting in order to determine a date and venue for the first formal meeting of the WGSC5.

4.2.3.3 The first meeting of the WGSC5 was subsequently set for Wednesday 29 January at 15h00 at the World Trade Centre.

4.2.4 It was agreed that rapporteurs should be appointed on an ad hoc basis, and that they should not form part of the WGSC5.

Action

4.2.5 The merits of Prof S Ripinga, as a member of both the Management Committee (MC) and the Daily Management committee (DMC), serving on the WGSC5 as an ex officio member were noted.



4.3 The Guidelines were approved.

5. **Terms of Reference of the Working Group**

- |               |       |   |
|---------------|-------|---|
| <b>Action</b> | 5.1   | It was decided that the WGSC5, in consultation with the Secretariat, should prepare recommendations on report-back mechanisms for the other Working Groups.   |
|               | 5.2   | <b>Establishing task-orientated Sub-groups of the Working Group</b>   |
| <b>Action</b> | 5.2.1 | It was agreed that the WGSC5 should prepare recommendations on appropriate Sub-groups for the next meeting of Working Group 5.  |
| <b>Action</b> | 5.2.2 | Delegations of participating organisations were requested to table specific issues for the attention of proposed Sub-groups at the next meeting of the Working Group, and to begin collecting information with this in mind.  |
|               | 5.3   | <b>Programmes of work, time-frames and dates of first meetings of each Sub-group</b>  |
|               | 5.3.1 | It was noted that these matters depend upon decisions reached in terms of Item 5.1 above.   |
| <b>Action</b> | 5.3.2 | Referring to Items 1.1.4 a and e of the 'Terms of Reference of Working Group 5', it was agreed that the WGSC5 should prepare recommendations for the next Working Group meeting, noting the secretarial nature of the work entailed.  |
|               | 5.4   | <b>Working Group 5's overall programme of work, time-frame and schedule of meetings</b>   |
|               | 5.4.1 | It was agreed that Working Group 5 should meet on Thursday 6 February and every following Monday as recommended.  |
|               | 5.4.2 | It was agreed that Working Group 5's meetings should commence at 10h00 and that they should, if necessary, continue into the evening in order to complete the work at hand. It was decided that carrying business over until the following day (Tuesday) should be avoided unless absolutely necessary. |
|               | 5.4.3 | It was agreed that all Working Groups should meet as often as necessary to ensure due progress in the CODESA process and a speedy resolution of the country's problems.   |
|               | 5.4.4 | It was noted that all matters relating to Item 5.3 above should be addressed by a specific sub-Group on time-frames, should this be agreed.   |



6. **Methods of handling submissions by interested groups to the Working Groups**

**Action** Noting the need for a uniform and consistent policy on this issue amongst all the Working Groups, it was agreed that the WGSC5 should, in consultation with the MC and DMC, prepare recommendations on this matter for the next meeting of the Working Group.

7. **Other business**

7.1 **Proposal by the Transkei** (see Page 218 of the Transcription of CODESA 1, Volume 2)

It was noted that this proposal will be raised by the Transkei delegation to Working Group 3.

7.2 **Minutes**

7.2.1 It was agreed that the minutes should record all decisions and agreements reached, noting the right to objection/dissent as outlined in the Standing Rules. This agreement was reached on the understanding that tape-recordings of proceedings should be available for clarification purposes until the minutes have been ratified.

7.2.2 It was agreed that minutes should be approved by the person who chaired that session before being sent to delegation heads for distribution to their respective Working Group delegations.

7.3 **Video recordings of CODESA 1**

The meeting was advised that each participating organisation is entitled to one complimentary copy of the video, which can be obtained in due course from the offices of the Secretariat.

7.4 **Non-arrival of transcriptions of CODESA 1**

The meeting was advised that complaints in this regard should be made, in writing, to Ashley Symes at the offices of the Secretariat.

7.5 **Microphones**

**Action** The meeting was assured that microphones will be available at the next meeting of the Working Groups so that proceedings can be clearly heard by all delegates and their advisers.

7.6 **Media**

It was agreed that the DMC should make a statement to the media on the day's events, and that the WGSC5 should, in consultation with the DMC, prepare recommendations on mechanisms for handling the media for the next meeting of the Working Group.

**7.7 Smoking**

It was agreed that no smoking will be permitted inside the venue during the meetings of Working Group 5.

**7.8 Registration Forms, Claim Forms and Name Tags**

The meeting was advised that all completed forms, together with name tags, should be left with the Working Group secretary after the closure of each meeting.

**8. Date and venue of the next meeting of Working Group 5**

This will take place at the World Trade Centre on Thursday 6 February at 10h00.

The meeting closed.



## Addendum A

The following people completed and submitted registration forms:

Organisation	Delegate	Adviser
ANC	G Bizos	
	S Skweyiya	
Bophuthatswana Govt	IJ Reid	
	TM Setiloane	
Ciskei Government	P Jacobs	B Muller
Democratic Party	R Burrows	P Gastrow
	R Hulley	J Walsh
Dikwankwetla Party	S Leokaoke	P Thaele
	DT Mokoena	A Xaba
Inkatha Freedom Party	LPHM Mtshali	P Smith
	F Gasa	K Zondi
Intando Yesizwe Party	VS Mahalangu	J Mabona
Inyandza Nat Movement	D Kunene	T von Benecke-Jordaan
		G Zama
Labour Party	Mrs M Bassier	A Essop
NIC/TIC	H Ebrahim	
	Y Vawda	
National Party	G Bartlett	P Marthee
	C Fisser	D Streicher
National People's Party	O Ganie	V Rattan
	A Ramalu	A Singh
Solidarity Party	Y Moolla	M Naranjee
	N Raju	I Osman
SACP	D Mvelase	B Mafu
		A Masondo
SA Government	L Wessels	H Fourie
	A Williams	J Spaarwater
Transkei Government	N Bebeza	
	G Zilwa	
United People's Front	M Duba	S Bambo
	R Ramontja	I Moloko
Venda Government	E Lukhaimane	M Mphaphuli
	L Ramavhoya	E Randima
Ximoko Progressive Party	M Matjokana	S Mathumbu
	D Mtebule	S Mgimeti





WRKGROUP\IMPLTIME\MINFEB6.WI (2)

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF WORKING GROUP 5, ITS STEERING COMMITTEE, THE MC AND THE DMC.

**MINUTES OF THE MEETING OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON THURSDAY 6 FEBRUARY AT 10H45**

(ADOPTED AT THE MEETING OF 17 FEBRUARY 1992, AS AMENDED)

PRESENT: (Addendum A)

APOLOGIES:	D Curry	Labour Party
	A Essop	Labour Party
	K Lategan	Labour Party

1. Chairperson's opening remarks
2. Adoption of the minutes of the previous meeting of Working Group 5

The minutes were adopted, subject to the following amendments:

- 2.1 Regarding Item 5.1, it was agreed that the first sentence thereof should be deleted.
- 2.2 Regarding Addendum A, corrections to the list of delegates were noted as follows:

*	Z Skweyiya	ANC
*	DT Mokoena	Dikwankwetla Party
*	VS Mahlangu	IYP
*	LPHM Mtshali	IFP
- 2.3 Regarding Item 4.2.5, it was agreed that the last sentence thereof should be deleted.

A suggestion by Prof SS Ripinga, as chairperson, that the remainder of the meeting should be chaired by Mr R Burrows was declined in terms of Item 4.1.2 of the minutes. Prof SS Ripinga therefore continued as chairperson of the meeting.

3. **Matters arising from the minutes of:**

3.1 **Working Group 5**

It was agreed:

- 3.1.1 That the interpretation of the Terms of Reference of WG5 should be addressed under Item 4 of the agenda.
- 3.1.2 That the issue of Prof S Ripinga, as a member of the MC and DMC, serving on WGSC5 as an ex officio member should be addressed as part of discussions on the chairpersonship of the plenary sessions of the Working Group.

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### 3.2 WGSC5

3.2.1 Regarding Item 10.1, it was noted that this should read "delegations" and not "delegates".

3.2.2 The recommendation contained in Item 10.1 was approved. In accordance with this recommendation, the following delegates will chair WG5 meetings in order of appearance:

*	N Mbonani	Intando Yesizwe Party
*	AL Singh	National People's Party
*	SS Ripinga	Inyandza National Movement
*	E Lukhaimane	Venda Government
*	TM Setiloane	Bophuthatswana Government
*	N Bebeza	Transkei Government
*	PP Jacobs	Ciskei Government
*	DT Mokoena	Dikwankwetla Party
*	H Ebrahim	NIC/TIC
*	HM Matjokana	Ximoko Progressive Party
*	L Wessels	SA Government

3.2.2.1 It was agreed that each chairperson may nominate an alternate to fill his/her seat as delegate to WG5 for the duration of his/her chairpersonship.

3.2.2.2 It was agreed that arrangements should be made for the incoming chairperson to attend the meeting of WGSC5 prior to the WG5 meeting which he/she is to chair.

3.2.2.3 The role of the co-chairperson as adviser to the chair, as recommended in Item 10.2 of the WGSC5 minutes dated 29 January 1992, was noted and approved.

3.2.3 Item 12.1, concerning the role and powers of the Group Secretary, was noted.

## 4. The Terms of Reference of Working Group 5 and issues arising from them

### 4.1 Sub-groups

4.1.1 In the light of the wording of the introduction to the Terms of Reference of Working Group 5, the implications of the decision by the Bophuthatswana Government not to endorse the Declaration of Intent were noted and deferred to Item 7 of the agenda.

4.1.2 Noting the recommendations contained in Items 6.1.1 and 6.1.2 of the WGSC5 minutes, it was agreed that WGSC5 should proceed accordingly.

4.1.3 It was agreed that sufficient consensus had been reached on the formation of sub-groups.

4.1.3.1 It was noted that the IFP was not party to this decision,



being of the opinion that the establishment of sub-groups is premature at this stage. The IFP requested and was afforded the opportunity to present its policy standpoint on this issue, on the understanding that written presentations may be used to complement verbal presentations and visa versa. It was noted that, in preparing its presentation, the IFP in no way intended this not to be explained. It was further noted that the submission was prepared in order to highlight the IFP's understanding of the Terms of Reference of WG5 and to keep WG5 informed of its standpoint.

4.1.4 Regarding the tasks of the sub-groups, it was agreed that WGSC5 should formulate recommendations on tasks, composition and timing and report back to WG5 on these matters at its next meeting.

4.1.5 The following proposal by the Transkei was noted:

- \* That Items 1.1.4 'f', 'g', 'i' and 'j', together with the establishment of CODESA as a body of authority, should be addressed by a sub-group on drafting.
- \* That Items 1.1.4 'a', 'b', and 'e' (all administrative tasks) should be addressed by the Steering Committee.
- \* That Items 1.1.4 'c', 'd' and 'h' should be addressed by a sub-group on time-frames.

#### 4.2 Mechanisms for the receiving and dissemination of reports

It was agreed that this issue should be informed by the outcome of the meeting between the DMC and WGSC5, and deferred until the next WG5 meeting on that basis.

#### 4.3 Time-frames

It was noted that this should be included in the WGSC5 recommendations referred to under Item 4.1.4 above.

### 5. The relationship between WG5, WGSC5 and the DMC

Noting the contents of the Communication to Working Group Steering Committees by the DMC, it was agreed that WGSC5 should report back to WG5 on this issue at its next meeting.

### 6. Date of next meeting

The next meeting of WG5 will take place on Monday 17 February. It was noted that this meeting will be chaired by Mr N Mbonani, who was accordingly invited to attend the next meeting of WGSC5 on Monday 10 February.

### 7. Any other business

7.1 Referring to Item 6.1 of the Communication to Working Groups, it was agreed that



WG5 should not issue a press statement other than to advise the public of the date of its next meeting.

7.2 Regarding the distribution of documentation, the mechanisms of using heads of delegations to WGs or central party co-ordinators were explained. It was noted that any difficulties concerning administrative matters should be referred to the Group Secretary.

7.3 It was noted that the issue raised under 4.1.1 above should be discussed at the MC meeting scheduled for Monday 10 February and reported back to WG5 at its next meeting.

8. The meeting closed.

## Addendum A

The following people signed the attendance register:

Organisation	Delegate	Adviser
ANC	P Jordan Z Skweyiya	G Bizos
Bophuthatswana Govt	IJ Reid TM Setiloane	G Dixon
Ciskei Government	P Jacobs NM Poni	BH Muller QJ Qetuka
Democratic Party	RM Burrows RR Hulley	P Gastrow JJ Walsh
Dikwankwetla Party	ST Leokaoke DT Mokoena	P Thaele ARL Xaba
Inkatha Freedom Party	LPHM Mtshali FX Gasa	P Smith M Zondi
Intando Yesizwe Party	VS Mahalangu N Mbonani	JS Mabona S Mtsweni
Inyandza Nat Movement	DS Kunene SS Ripinga	TR von Benecke-Jordaan GG Zama
Labour Party NIC/TIC	Mrs Y Bassier H Ebrahim Y Vawda	N Balton M Ramgobin P Matthee
National Party	G Bartlett C Fismer	D Streicher VP Rattan
National People's Party	O Ganie AL Singh	A Ramalu M Naranjee
Solidarity Party	Y Moolla NM Raju	I Osman B Mafu
SACP	D Mvelase C Dlamini	A Masondo HP Fourie
SA Government	L Wessels SS van der Merwe	JM Spaarwater N Mabude
Transkei Government	N Bebeza G Zilwa	PG Qokweni SN Bambo
United People's Front	MJ Duba R Ramontja	
Venda Government	E Lukhaimane LS Ramavhoya	M Mphaphuli E Randima
Ximoko Progressive Party	HM Matjokana DZJ Mtebule	SE Mathumbu SLE Mgimeti





WRKGROUP\IMPLTIME\MINFEB17 (2)

WORKING GROUP 5\MINUTES\FEBRUARY 17

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF WORKING GROUP 5, ITS STEERING COMMITTEE, THE MC AND THE DMC.

(Adopted at the meeting of 2 March, without amendment)

**MINUTES OF THE MEETING OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY AT 10H00**

PRESENT: (Addendum A)

APOLOGIES:	QJ Qetuka	Ciskei Government
	SS Ripinga	Inyandza National Movement
	TM Setiloane	Bophuthatswana Government

**1. Chairperson's opening remarks**

The meeting was chaired by Mr N Mbonani, with the assistance of Ms D Mvelase as outgoing chairperson of the Steering Committee.

Apologies were tendered for the late distribution of the Steering Committee minutes.

**2. Adoption of agenda**

The agenda was adopted without amendment.

**3. Ratification of the minutes of the previous meeting and matters arising**

The minutes were adopted, subject to the following amendments:

3.1 Item 3.2.2 (seventh asterisk) should read "PP Jacobs".

3.2 Item 4.1.5 (second asterisk) should read:

"That Items 1.1.4 'a', 'b' and 'e' (all administrative tasks) should be addressed by the Steering Committee."

3.3 Item 4.1.5 should be amended to include a third asterisk reading:

"That Items 1.1.4 'c', 'd' and 'h' should be addressed by a sub-group on time-frames."

3.4 Addendum A:

The National People's Party delegation should reflect that AL Singh was a delegate and A Ramalu an adviser.



4. **Matters arising from the minutes of WG5 and its Steering Committee**

4.1 Concerning the minutes of WG5, it was noted that:

4.1.2 Regarding Item 7.2, in future the minutes of the full plenary sessions of the Working Group should reach heads of delegations by the Thursday following the session in question.

4.1.2 Regarding Item 7.3, this matter is being addressed by the Management Committee.

4.1.3 Steering Committee minutes will, in future, be sent to heads of delegations as a matter of course.

4.2 The meeting adjourned for fifteen minutes to enable the Steering Committee to ratify its minutes.

4.3 The following amendments to the minutes of the Steering Committee were noted:

4.3.1 That the heading should read:

"DRAFT MINUTES OF THE STEERING COMMITTEE OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 10 FEBRUARY 1992 AT 14H00"

4.3.2 That Item 6.4 should include sub-item 6.4.3, which should read as follows:

"Submissions from interest groups outside CODESA should be made to Working Group 5 through its Steering Committee."

4.4 It was agreed that:

4.4.1 In future, the Steering Committee should meet for fifteen minutes prior to full plenary sessions of the Working Group in order to ratify Steering Committee minutes.

4.4.2 Matters arising from the minutes of the meeting of the Steering Committee were adequately covered by the agenda.

5. **The relationship between WG5, WGSC5 and the DMC**

5.1 Recommendations emerging from the meeting between the Secretariat and representatives of the Steering Committees of Working Groups, as outlined in Addendum B, were noted.

5.2 Regarding an appropriate mechanism for communication between the other Working Groups and WG5, it was agreed that:

5.2.1 This should be addressed by the DMC as a matter of urgency, noting that the delays being experienced are seriously hampering the progress of WG5.

5.2.2 With this in mind, the DMC should request from each Working Group:

5.2.2.1 A summary of decisions and agreements emerging from its meetings for immediate circulation to WG5.

5.2.2.2 Copies of the minutes of its meetings for the following plenary session of WG5.

5.3 Noting the recommendation contained in Item 7 of Addendum B, it was agreed that, in the absence of one or more members of the Steering Committee at any of its meetings, such meetings should proceed if a quorum is formed.

5.4 It was noted that participating organisations not afforded the opportunity to chair WG5 meetings in terms of the mechanisms for chairpersonship adopted at the previous meeting will be given due consideration once the agreed roster of chairpersons has been exhausted.

5.5 The meeting endorsed the recommendation contained in the final sentence of Item 6.1.1 of the minutes of the Steering Committee meeting dated 10 February, whereby 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.

5.6 Regarding Item 3.12 of the document entitled "Extracts from the Minutes of the DMC Meeting of 6 February 1992 Concerning the Relationship Between WG5 and the DMC", it was noted that this should read as follows:

"Regarding the role of the Secretariat, it was noted that this is the **executive** arm of the DMC and a mechanism for co-ordinating activities of CODESA with this in mind."

5.7 The following recommendations contained in the minutes of the Steering Committee meeting dated 10 February were noted and approved:

5.7.1 That, although Items 1.1.4 'b' and 'e' of the Terms of Reference of WG5 were delegated to the DMC and Secretariat respectively, those items ultimately remain the responsibility of WG5.

5.7.2 That all internal submissions for the attention of the sub-groups of WG5 should be made directly to the Working Group, and that submissions from outside CODESA should be made to the Working Group through its Steering Committee.

## 6. The Terms of Reference of Working Group 5

6.1 Regarding the establishment of sub-groups, the proposals contained in Item 6.2 of the minutes of the Steering Committee meeting dated 10 February 1992 were approved subject to the following provisos:

6.1.1 That Sub-group 1 (Monitoring, Implementation and Time-frames) should,



as part of its Terms of Reference, identify key issues and problems which need to be addressed noting the recommendation detailed under Item 5.6 above.

- 6.1.2 That the ultimate responsibility of WG5 for Items 1.1.4 'b' and 'e' of its Terms of Reference, noting that these items have been delegated to the DMC and the Secretariat respectively, should be overseen by the Steering Committee bearing in mind that the DMC and the Secretariat should assist with administrative needs rather than with political content.

- 6.1.3 Concerning delegates and advisers to sub-groups, it was agreed that:

6.1.3.1 Participating organisations should submit names to the Group Secretary by Thursday 20 February.

6.1.3.2 Delegates and advisers to the sub-groups should be nominated from amongst the members of delegations to the full plenary sessions of the Working Group, noting the Standing Rules in this regard.

- 6.1.4 It was noted that Item 1.1.4 'h' of the Terms of Reference should be included in the Terms of Reference of Sub-group 1 (Monitoring, Implementation and Time-frames)

- 6.2 Regarding time-frames and schedules for meetings:

- 6.2.1 It was noted that, in terms of Item 5.4.2 of the minutes of the WG5 meeting dated 20 January 1992, it had been agreed that Mondays would be reserved for Working Group business bearing in mind the particular constraints of both the IFP and the Bophuthatswana Government as far as Tuesdays are concerned.

- 6.2.2 It was agreed that:

6.2.2.1 The sub-groups should meet on Monday 24 February at 10h00.

6.2.2.2 The Steering Committee should determine an appropriate date and time for the next full plenary session of the Working Group.

6.2.2.3 An agenda for each sub-group should be drafted by the Steering Committee.

6.2.2.4 The first meetings of the sub-groups should be convened by Mr N Mbonani and Ms D Mvelase, whereafter the same mechanism for the appointment of chairpersons to both the full plenary sessions and the Steering Committee meetings should be employed.

- 6.3 Regarding mechanisms for the dissemination of information from other Working Groups, it was agreed that:
- 6.3.1 It should be recommended to the DMC that the minutes of all full plenary sessions and sub-group meetings should be collated, at the end of each week, into a pack for distribution to members of the Working Group at its next plenary session.
  - 6.3.2 Matters arising from these minutes should be discussed whenever the Working Group next meets for a full plenary session.
  - 6.3.3 The recommendation detailed under Item 5.2.2.1 above should be implemented as soon as possible.
    - 6.3.3.1 With this in mind, heads of delegations should ensure that the administrative office has accurate records of all relevant fax numbers and addresses.

7. **New submissions**

It was noted that:

- 7.1 Submissions were distributed at the meeting by the following participating organisations:
- \* ANC
  - \* Ciskei Government
  - \* Dikwankwetla Party
  - \* National Party
  - \* NIC/TIC
  - \* United People's Front
  - \* Venda Government
  - \* Ximoko Progressive Party
- 7.2 All outstanding submissions should be circulated by the organisations concerned as soon as possible, noting that the sub-groups will meet for the first time on Monday 24 February 1992.

8. **Date and time of the next meeting(s)**

- 8.1 Noting Items 6.2.2.1 and 6.2.2.2 above, it was agreed that the Working Group should meet for a brief plenary session at 14h00 on Monday 24 February 1992 in order to consider:
- 8.1.1 The progress of the two sub-groups.
  - 8.1.2 Recommendations from the Steering Committee concerning the date of the next full plenary session of the Working Group.
- 8.2 It was agreed that the sub-groups should re-convene after this brief plenary



session until 16h00.

8.3 It was noted that appropriate arrangements for minute-takers and committee rooms will be made by the administrative office.

9. The meeting closed.

The following people signed the attendance register:

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

P Saxby (minutes)





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 GROUP. 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 Leokaoke	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 Fisser	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	

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.





Addendum C

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


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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

CONVENTION FOR A DEMOCRATIC

PO Box 507, Isando, 1600, South Africa  
Telephone (011) 597-1194-99, Fax

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 WGSCS.
- 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 WGSCS 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 WGSCS.



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, 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)

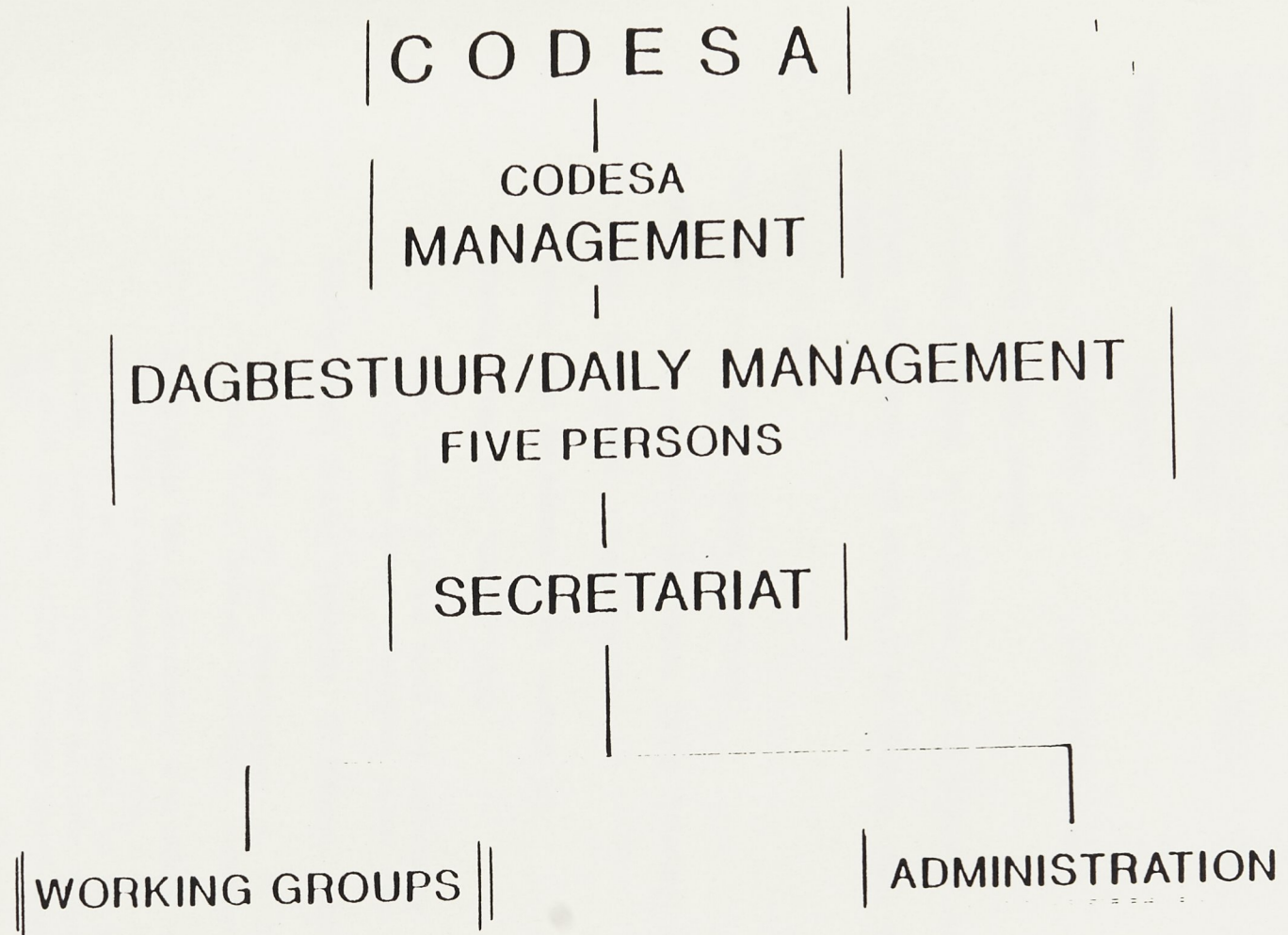
- Item 2 Under a point of order, the issue of substitutes for members of WGSC5 was raised. It was agreed that.....the chairperson should also raise the issue with the DMC.
- Item 6.1.1 It was also agreed to recommend to the DMC, through the Secretariat, that Item 3.3 of the minutes of the DMC (6 February)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





WRKGROUP\IMPLTIME\MINMAR2 (2)

WORKING GROUP 5\MINUTES\2 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON OF WORKING GROUP 5. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF WORKING GROUP 5, ITS STEERING COMMITTEE, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF THE STEERING COMMITTEE, AND TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

**MINUTES OF THE MEETING OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH AT 10H00**

PRESENT: (Addendum A)

APOLOGIES: QJ Qetuka Ciskei Government

**1. Chairperson's opening remarks**

The meeting was chaired by Mr O Ganie, with Mr G Bartlett acting as adviser to the chair.

Substitutes for delegates and advisers to the Working Group were noted, as they appear in Addendum A.

**2. Adoption of agenda**

The agenda was adopted without amendment.

**3. Ratification of the minutes of the Working Group 5 meeting of 17 February 1992**

The minutes were ratified, without amendment.

**4. Matters arising from the minutes of the meetings of:**

**4.1 Working Group 5 (17 February 1992)**

4.1.1 Under Item 7.2, it was noted that participating organisations reserve the right to make further submissions as and when necessary.

**4.2 Working Group Steering Committee (17 February 1992)**

4.2.1 The contents of the Memorandum to all Chairpersons of CODESA Working Group Steering Committees (Addendum B) were noted.

4.2.2 It was agreed that, in the absence of an official reply from the chairperson of the DMC to recommendations made to the DMC by Mr G Bartlett (in his capacity as outgoing chairperson of the Steering Committee), the Steering Committee will revisit the matter at its meeting on 9 March 1992, by which time an official response should have been received from the DMC.

4.2.3 It was noted that the Steering Committee will report back on this matter at the next full plenary session of the Working Group.

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4.3 Working Group Steering Committee (24 February 1992)

4.3.1 It was noted that Item 7.2 of the minutes should read as follows:

"It was agreed that, in the event of Sub-group 1 breaking into task groups on Monday March 2 March 1992, party offices could be used to accommodate these meetings and that the parties concerned could co-ordinate this."

4.4 It was noted that the draft minutes of the brief information plenary of Monday 24 February have been circulated.

5. Matters raised by the DMC/Secretariat

It was noted that this had been addressed under Item 4.2.2 above.

6. Reports from sub-groups

6.1 Draft report from Sub-group 1 (Addendum C)

6.1.1 The report was adopted, subject to the following amendments:

6.1.1.1 Item 6.1 of the report: the asterisk annotated "date of a general referendum" should be removed.

6.1.1.2 Item 7 of the report should read:

"Delegates should study these key issues with a view to making inputs on suggested time-frames (preferably in writing) at the next meeting of the sub-group."

6.1.1.3 Under "Order of Chairpersons for Subsequent Meetings of Sub-group 1", Item 19 should read "N Bebeza".

6.1.2 The extended Terms of Reference (Items 4.4 and 4.5) were noted

6.1.3 It was noted that the sub-group has been sub-divided into four task groups in order to address the extended Terms of Reference as referred to under Item 6.1.2 above.

6.2 Draft report from Sub-group 2 (Addendum D)

6.2.1 The report was adopted, subject to the following amendment:

6.2.1.1 Under "Order of Chairpersons for Subsequent Meetings of Sub-group 2", Item 1 should read "DT Mokoena".

6.2.2 The meeting's attention was drawn to Item 6 of the report, detailing task group convenors.

7. **New business**

No new business was raised.

8. **Date of the next meeting**

It was agreed that:

- 8.1 The Steering Committee should determine when to call the next full plenary session of the Working Group, based on the progress made in the sub-groups and their respective task groups.
- 8.2 The sub-groups should meet as detailed in the schedule attached as Addendum E.
- 8.3 It was noted, with appreciation, that the offices of the Labour Party can be made available for task group meetings should this be necessary.

9. **The meeting closed.**



The following people signed the attendance register:

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



SECRETARIAT TO CHAIRPERSONS OF WGSCs/MEMO/28 FEBRUARY

Addendum 3

TO: ALL CHAIRPERSONS OF CODESA WORKING GROUP STEERING COMMITTEES

FROM: CODESA SECRETARIAT

DATE: 28 FEBRUARY 1992

RE:

1. MECHANISM FOR PROCESSING REQUESTS FROM WGs TO DMC
2. REQUEST FROM NATIONAL LAND COMMITTEE ON EXTENSION OF DEADLINE FOR SUBMISSIONS (ADDENDUM A)
3. REQUEST FROM CHAIRPERSON OF WGSC5 REGARDING FORMAT OF MINUTES AND INCLUSION OF ADDENDA (ADDENDUM B)
4. MEMO TO WG SECRETARIES AND MINUTE-TAKERS REGARDING FORMAT CHANGES TO MINUTES (ADDENDUM C)

CC: SECRETARIES OF ALL WGs

---

Would all Chairpersons of WGSCs kindly take note of the following:

1. At the DMC meeting of 24 February, the following decision was taken:

"With regard to the mechanism for processing requests from WGs to the DMC, it was agreed that WGSCs should put such requests before the Secretariat, who will discuss it with the Chairperson of the WGSC and deal with the matter, if possible. If the matter requires further consultation, the Secretariat should do so by contacting DMC members."

WGSC Chairpersons may make use of this mechanism as required.



**2. With reference to Addendum A (Letter from the National Land Committee):**

The NLC wishes to make submissions to **Working Groups 1, 3 & 4**, but has requested an extension of the 2 March deadline. Please would all WGSC Chairpersons give consideration to this request and communicate with the Secretariat, so that it may respond on the matter at the earliest opportunity.

**3. With reference to Addendum B (Letter from GS Bartlett, WGSC5 Chairperson):**

In order to facilitate its work of monitoring all agreements, recommendations, etc of CODESA WGs, it is requested that such agreements be itemised in an Addendum to minutes.

Further suggestions regarding format of minutes will be attended to by CODESA Administration (see Addendum C).

**4. With reference to Addendum C (Memo to all WG Secretaries and Minute-takers):**

Would all Chairpersons kindly ensure that the following changes to format of minutes are being observed in all minutes of their WG, WGSC and subgroups (where applicable).

REC 26 1992 12:39:00P 411 1500000  
Teletax (011) 836-6931  
Telephone (011) 832-1123  
4th Floor Khotso House 42 Marshall Street Johannesburg  
P O Box 16858 Doornfontein 2028 Johannesburg South Africa

# National Land Committee

26\2\92

ATTENTION: CODESA DAILY MANAGEMENT COMMITTEE  
C/O CODESA SECRETARIAT  
Fax: 397 2211

Dear Sirs,

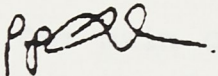
The National Land Committee is a national network concerned with land and rural issues. Our affiliated organisations work with about 70 communities nationwide.

We responded with great interest to your letter inviting submissions from interested parties to Codesa working groups. The communities with whom we work have interests in making submissions to a number of working groups. In order to do so consultation processes have been set up with a number of these groupings, many of them in remote areas. Because of the necessity for this process to be completed we do not think our submissions will be complete by March 2nd. We would therefore like to request an extension of time in order to complete this work. We are intending putting in submissions to Working Groups one, three and four on matters of relevance to their terms of reference.

We hope our request for an extension meets with your approval. We would like to request that your response to this request reach us as soon as possible.

Thanking you,

Yours Sincerely



Richard Clacey (NLC Chairperson)





# DIE NASIONALE PARTY, NATAL THE NATIONAL PARTY, NATAL

Derde Verdieping/Third Floor STAFMAYERHUIS/HOUSE Beachlaning/Grove 26 DURBAN 4001

☎ 301-2737  
☎ 2843 DURBAN 4000  
FAX 304-5886

1992 -02- 26

Mr P J Gordan  
Chairman: Daily Management Committee of  
CODESA  
P O Box 307  
Isando  
1600

Dear Mr Gordan

I am writing to you in my capacity as Chairman of the Steering Committee of Working Group 5, which met at the World Trade Centre on Monday 24 February 1992.

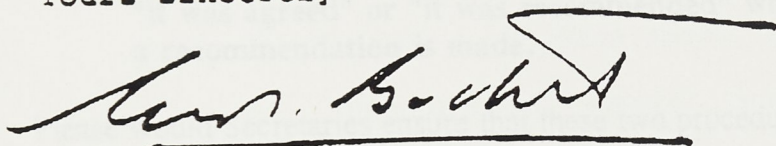
You will note from the Terms of Reference of Working Group 5 that this Working Group has to monitor the agreements, recommendations, etc, of the other four working groups and for this reason it was requested that Working Group 5 be provided with the minutes of all the other working groups' meetings.

Our main concern and interest are the decisions, resolutions and recommendations of the various working groups and to facilitate our work we would like to recommend that all minutes should follow the line which we note has been adopted by Working Group 2. Here I am referring in particular to the minutes of the fourth meeting of Working Group 2 held on Monday, 17 February 1992 (see Annexure A). Page 4, item 6.1.3.3, states "it was agreed that the Steering Committee would draft a document setting out these principles and present this to the next meeting as a

working document". At the end of these minutes is attached a draft document with the heading, "24th of February 1992 - Draft Document on common principles regarding the balance between central, regional and local government prepared by the Steering Committee of Working Group 2". If each working group would provide as an addendum to their minutes, such a document itemising agreements, proposals, etc, this would facilitate the task of Working Group 5 considerably.

As I am sure you will appreciate, Working Group 5 has a great deal of paper work to get through, and an additional suggestion that would assist us greatly is that the minutes should reflect primarily resolutions, recommendations and decisions and not too much of the content of the debate. Underlining the words, "it was agreed" or "it was recommended" whenever an agreement is reached or a recommendation is made, so that this can be picked up quickly, would also be helpful.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'G S Bartlett', with a long horizontal line extending from the end of the signature.

G S Bartlett

Chairman of Working Group 5 Steering Committee





SECRETARIAT TO CHAIRPERSONS OF WGSCs/MEMO/28 FEBRUARY

Addendum C

**TO: ALL SECRETARIES OF WGs, AND ALL MINUTE-TAKERS OF WGs,  
WGSCs AND WSGGs**

**FROM: MURPHY MOROBE, CODESA ADMINISTRATION**

**DATE: 28 FEBRUARY 1992**

Would all Secretaries and Minute-takers kindly take note of the following changes to the format of minutes, and implement them with immediate effect (ie, starting with all minutes of meetings held in the week of 2 March).

1. When draft minutes have been approved by the chairperson, the qualification which heads all minutes should be amended to read:

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

2. In order to assist WG5 in its task of monitoring all WG recommendations and agreements, minute-takers must, when preparing their minutes **underline the words "it was agreed" or "it was recommended" whenever an agreement is reached or a recommendation is made.**

Please would Secretaries ensure that these two procedures are being observed by all minute-takers.



WRKGROUP\IMPLTIME\SG124FEB.WI (2)

WORKING GROUP 5\SUB GROUP 1\REPORT\24 FEBRUARY

Addendum C

THIS REPORT IS CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

(Adopted at the meeting of Working Group 5 dated 2 March, as amended)

## REPORT FROM WORKING GROUP 5 SUB-GROUP 1, 24 FEBRUARY 1992

Acting secretary: AL Singh (National People's Party)

### Consensus decisions

That:

1. The meetings of the sub-group would be chaired as detailed in Addendum B. Mr JS Mabona accordingly took the chair for the first meeting.
2. The chairperson of the next meeting of the sub-group (Mr RR Hulley) would join Mr JS Mabona at the head of the table as assistant chairperson. This procedure would be adopted by rotation at future meetings.
3. Mr AL Singh would act as secretary at this first meeting.
4. Rapporteurs should be appointed as and when necessary.
5. The Terms of Reference of the sub-group should be amended as per Addendum A.
6. The sub-group should address specific key issues prioritised as follows:

#### 6.1 Process/transition timetable for negotiations:

- \* date for CODESA 2
- \* formation/duration of interim government
- \* lifting of sanctions
- \* formation/duration of constituent assembly
- \* duration of transitional government
- \* TBVC states (referendum, incorporation)
- \* date of general elections

#### 6.2 Date/climate for negotiations/transition:

- \* end to violence
- \* release of political prisoners
- \* return of exiles
- \* security forces (inclusive of all)
- \* control of media
- \* role of traditional leaders (including the King of the Zulus)
- \* private armies

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7. Delegates should study these key issues with a view to making inputs on suggested time-frames (preferably in writing) at the next meeting of the sub-group.
8. Regarding submissions from other Working Groups:
  - 8.1 Four task groups should be formed to analyse the minutes of Working Groups 1-4, with a view to making inputs.
  - 8.2 These task groups should be formed at the next meeting of the sub-group on Monday 2 March 1992.
9. The next meeting of the sub-group will take place on Monday 2 March 1992 at 08h30, finishing late if necessary.

Addendum A

TERMS OF REFERENCE OF SUB-GROUP 1 (MONITORING, IMPLEMENTATION AND TIME-FRAMES)

1. 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 Working Groups and other bodies created as a result of agreements/decisions of CODESA (Working Group 5 Terms of Reference Item 1.1.1).
2. To identify the key issues and problems that need to be addressed (Working Group 5 Terms of Reference Item 1.1.2).
3. To identify areas of commonality and aspects where agreement already exists between participating organisations (Working Group 5 Terms of Reference Item 1.1.3).
4. Specifically, without vitiating the generality of the above, to consider whether and how to address:
  - 4.1 The practicability of setting target completion dates for all agreements/activities/decisions (Working Group Terms of Reference Item 1.1.4 'c').
  - 4.2 The monitoring of the process and the adjustment of targets whenever necessary (Working Group 5 Terms of Reference Item 1.1.4 'd').
  - 4.3 The practical effect of the implementation of agreements (Working Group 5 Terms of Reference Item 1.1.4 'i').
  - 4.4 The co-ordination of the activities of CODESA and its subsidiary bodies to ensure the greatest possible efficiency of the process towards a democratic South Africa (Working Group 5 Terms of Reference Item 1.1.4 'b').
  - 4.5 The setting of realistically attainable time-frames (Working Group 5 Terms of Reference Item 1.1.4 'h').



ORDER OF CHAIRPERSONS FOR SUBSEQUENT MEETINGS OF SUB-GROUP 1

- |                               |                                |
|-------------------------------|--------------------------------|
| 1. JS Mabona (IYP)            | 11. AK Lukhaimane (Venda Govt) |
| 2. RR Hulley (DP)             | 12. MN Poni (Ciskei Govt)      |
| 3. C Carolus (ANC)            | 13. MJ Duba (UPF)              |
| 4. ST Leokaoke (Dikwankwetla) | 14. C Dlamini (SACP)           |
| 5. GS Bartlett (NP)           | 15. Y Moolla (Solidarity)      |
| 6. O Ganie (NPP)              | 16. MH Matjokana (XPP)         |
| 7. TM Setiloane (Bop Govt)    | 17. TR Jordaan (Inyandza)      |
| 8. Y Bassier (LP)             | 18. A Williams (SA Govt)       |
| 9. FX Gasa (IFP)              | 19. N Bebeza (Transkei Govt)   |
| 10. H Ebrahim (NIC/TIC)       |                                |



WRKGROUP\IMPLTIME\SG224FEB.WI (2)

WORKING GROUP 5\SUB GROUP 2\REPORT\24 FEBRUARY

Addendum D

THIS REPORT IS CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE

## REPORT FROM WORKING GROUP 5 SUB-GROUP 2, 24 FEBRUARY 1992

(Adopted at the meeting of Working Group 5 dated 2 March, as amended)

Acting Secretary: M Mabude (Transkei Government)

### Consensus decisions:

That:

1. Advisers to delegates be given the right to speak at meetings of the sub-group.
2. With regard to the Terms of Reference of the sub-group, the specific assignment of the sub-group is to identify key issues and problems relating to legislation and to be proactive in this regard.
3. With the above in mind, areas of commonality among the Working Groups should be identified.
4. The Steering Committee should consult with the DMC on the manner in which the Working Groups are to approach the issue of legislation.
5. Regarding the modus operandum of the sub-group:
  - 5.1 The question of experts and research should be addressed.
  - 5.2 Tasks groups will be required to examine the minutes of each Working Group in relation to its particular Terms of Reference, and then to report back to the sub-group.
  - 5.3 Such task groups should be established, and should meet as deemed necessary by the sub-group.
6. The convenors of the task groups are:

P Gastrow	C Vismer
Y Vawda	Z Skweyiya
7. On 2 March 1992, the task groups will brainstorm flow procedures for the implementation of principled decisions emerging from the other Working Groups with a view to reporting back to the sub-group when it meets on the same day.
8. An appropriate mechanism for dealing with submissions received by the DMC (from interest groups outside CODESA) and concerning legislation will be addressed by the task groups when they meet on 2 March 1992.

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9. The sub-group should be flexible regarding its style of working.
10. The schedule of meetings for the sub-group and its task groups on 2 March 1992 should be as follows:

10h30 - 11h30	Full plenary of Working Group 5
11h30 - 15h00	Sub-group 2 task groups meet
15h00 - 16h00	Meeting of Sub-group 2
11. Mr DI Mokoena will preside at the next meeting of the sub-group, after which the chairpersons of the sub-group will follow the order detailed in Addendum A.

ORDER OF CHAIRPERSONS FOR SUBSEQUENT MEETINGS OF SUB-GROUP 2

- |     |              |     |              |
|-----|--------------|-----|--------------|
| 1.  | DT Mokoena   | 11. | C Vismer     |
| 2.  | RM Burrows   | 12. | LPHM Mtshali |
| 3.  | N Mbonani    | 13. | G Zilwa      |
| 4.  | DK Padiachey | 14. | LS Ramavhoya |
| 5.  | L Wessels    | 15. | D Curry      |
| 6.  | DZJ Mtembule | 16. | D Mvelase    |
| 7.  | SS Ripinga   | 17. | IKE Moloko   |
| 8.  | Z Skweyiya   | 18. | AM Boikanyo  |
| 9.  | Y Vawda      | 19. | PP Jacobs    |
| 10. | I Osman      |     |              |



SCHEDULE OF WORKING GROUP 5 MEETINGS FOR THE WEEK COMMENCING  
MONDAY 9 MARCH 1992

09h00 - 13h00	Sub-group 1 task groups
09h30 - 10h00	Steering Committee
10h00 - 16h00	Sub-group 2
14h00 - 16h00	Sub-group 1
16h00 -	Steering Committee



WRKGROUP\IMPLTIME\MINMAR23.WI (2)

WORKING GROUP 5\MINUTES\23 MARCH

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**MINUTES OF THE MEETING OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 23 MARCH AT 10H00**

PRESENT: (Addendum A)

APOLOGIES:	P Gastrow	Democratic Party
	PP Jacobs	Ciskei Government
	QJ Qetuka	Ciskei Government
	IJ Reid	Boputhathswana Government

**1. Chairperson's opening remarks**

In the absence of the incoming chairperson, Prof SS Ripinga, the meeting was chaired by Mr D Curry in his capacity as outgoing chairperson of the Steering Committee. Prof SS Ripinga joined the meeting later but, at his request, it was agreed that Mr D Curry should continue in the chair.

**2. Adoption of agenda**

The agenda was adopted, without amendment.

**3. Ratification of the minutes of the Working Group 5 meeting of 2 March 1992**

The minutes were adopted, without amendment.

**4. Matters arising from the minutes of:**

**4.1 Working Group 5 (2 March 1992)**

4.1.1 Regarding Item 4.2.2 of the minutes, referring to matters raised with the DMC/Secretariat, the meeting was advised that no official response to the request outlined in page 2 of Mr GS Bartlett's letter has yet been received.

**4.2 Working Group 5 Steering Committee (2 March 1992)**

4.2.1 Regarding Item 2.2 of the minutes, it was noted that all submissions from outside CODESA will, in future, be circulated to members of the Working Group through its heads of delegations.

4.2.2 Regarding Item 6.1.2 of the minutes, it was noted that the chairperson and co-chairperson of Task Group 4 of Sub-group 1 are Mr MN Poni (Ciskei Government) and Mr E Lukhaimane (Venda Government) respectively.

4.2.3 Regarding Item 6.2.1.1 of the minutes, it was noted that an appropriate mechanism

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for dealing with electoral law has since been determined. The meeting was referred to Item 3.2 of the minutes of Sub-group 2 (9 March 1992) in this regard.

4.2.4 Regarding Item 6.2.1.2 of the minutes, it was noted that a mechanism for drawing experts/specialists into the work of Sub-group 2 and its task groups has been discussed at Sub-group and task group levels.

4.2.5 Regarding Item 6.2.2.1 of the minutes, it was noted that no meeting between the DMC/Secretariat and Messrs R Burrows and D Curry has yet materialised. It was agreed that this should be addressed by the Steering Committee at its next meeting.

#### 4.3 Working Group 5 Steering Committee (9 March 1992)

4.3.1 Regarding Item 11 of the minutes, and noting Item 1.1.4 'e' of the Terms of Reference of Working Group 5, it was agreed that the issue of broader publicity on the CODESA process to the general public should be raised at the next meeting between members of all Working Group Steering Committees and representatives of the DMC/Secretariat.

Further discussion on the matter was deferred until Item 7 of the agenda.

#### 5. Matters raised with/by the DMC/Secretariat

5.1 The meeting was referred to discussion under Items 4.1.1 and 4.2.5 above.

5.2 It was noted that the overlap between the Terms of Reference of Sub-group 2 and the work of the other Working Groups would be addressed under Item 6.2 below.

#### 6. Reports and recommendations from sub-groups:

##### 6.1 Sub-group 1

6.1.1 The minutes of the meeting of Sub-group 1 (9 March 1992) were adopted, subject to the following amendments:

6.1.1.1 Item 4.3 should read:

"Item 10.1: UPP should read UPF"

6.1.1.2 Item 6.1.4.1 should read:

"That Working Group 5 should request Working Group 1 to try to resolve these issues and implement them as soon as possible, but not later than CODESA 2."

6.1.1.3 Item 6.3.1.2 should read:

"That Working Group 3 table its proposals for an interim/transitional government and for a future transitional process at CODESA 2."

6.1.1.4 Item 7.1.2 should read:

"Substantive proposals from other Working Groups around key issues as identified by Sub-group 1 should be submitted, via Working Group 5, to the DMC by 14 April 1992."

6.1.1.5 Item 7.2 should read:

"It was agreed by general consensus that decisions taken by task groups could not be reversed by those task groups...."

6.1.2 Matters arising from the minutes of 9 March 1992:

6.1.2.1 It was noted that:

- 6.1.2.1.1 Recommendations concerning specific dates, as minuted under Items 7.1.1, 7.1.2 and 7.1.3, could be made on the basis of sufficient consensus, and without the participation of the SA Government and the National Party.
- 6.1.2.1.2 The Inkatha Freedom Party is not party to the time-frames laid down under Items 7.1.1, 7.1.2 and 7.1.3 of the minutes of 9 March 1992, whatever decisions ultimately arrived at or principles of consensus applied.
- 6.1.2.1.3 The issue of the participation of the King of the Zulus and other traditional leaders in CODESA should be included in those issues referred to under Item 7.1.2 of the minutes of 9 March 1992, as requiring substantive proposals to be submitted by Working Group 5 to the DMC by 14 April 1992.

6.1.2.2 It was agreed by general consensus that:

- 6.1.2.2.1 The recommendations detailed under Items 7.1.1, 7.1.2 and 7.1.3 of the minutes of 9 March 1992 should be adopted to read as follows:
  - \* Every attempt should be made to hold CODESA 2 on 24 - 25 April 1992.
  - \* However, certain key issues should first be addressed by the other Working Groups, and substantive proposals from these Working Groups on these key issues should be made by 14 April 1992.
  - \* Should these substantive proposals be accepted by CODESA 2, attempts should be made to install an interim government by 30 June 1992.



- 6.1.2.2.2 Item 7.2 should be deleted from the minutes of 9 March 1992.

## 6.2 Sub-group 2

- 6.2.1 The minutes of the meeting of sub-group 2 (9 March 1992) were adopted, subject to the following amendment:

- 6.2.1.1 Item 12.2 should read:

"It was noted that Item 5.2 of the report refers, inter alia, to the question of electoral law and the task group dealing with it."

- 6.2.2 Matters arising from the minutes of 9 March 1992:

- 6.2.2.1 It was agreed that the Terms of Reference of Sub-group 2 should be amplified as detailed under Item 4 of the minutes.

- 6.2.2.2 Working Group members were urged to carefully scrutinise the Report on Working Procedure, paying particular attention to Items 9 and 10 of the report.

## 7. New business

- 7.1 Referring to Item 4.3.1 above, the importance of publicising real results was emphasised. It was noted that the DMC/Secretariat appears not to be moving in this regard. The matter was referred to the Steering Committee for its attention.
- 7.2 The memorandum from the Secretariat to all Working Group members regarding the timeous ratification of minutes was read, noted and circulated.
- 7.3 The South African Communist Party expressed concern at the SA Government's decision to proceed with executions. This was noted, and referred to Working Group 1.

## 8. Date of the next meeting

The schedule of meetings for Monday 30 March is as follows:

09h30:	Steering Committee meets
10h15:	Task Groups meet
15h00:	Sub-group 1 meets
16h00:	Steering Committee reconvenes

9. The meeting closed.

The following people signed the attendance register:

Organisation	Delegate	Adviser
ANC	P Jordan Z Skweyiya	AM Boikanyo
Bophuthatswana Govt	TM Setiloane	LI Morule
Ciskei Government	PP Jacobs MN Poni	BH Muller
Democratic Party	RM Burrows RR Hulley	JJ Walsh
Dikwankwetla Party	ST Leokaoke DT Mokoena	P Thaele CC Harrington
Inkatha Freedom Party	LPHM Mtshali FX Gasa	P Smith M Zondi
Intando Yesizwe Party	VS Mahalangu N Mbonani	JS Mabona S Mtsweni
Inyandza Nat Movement	DS Kunene SS Ripinga	BD Madonsela GG Zama
Labour Party	Mrs Y Bassier	A Essop
NIC/TIC	H Ebrahim Y Vawda	N Balton B Nair
National Party	G Bartlett (co-chair) C Fismer	P Matthee D Streicher
National People's Party	O Ganie DK Padiachey	As Pillay AL Singh
Solidarity Party	Y Moolla NM Raju	N Naranjee I Osman
SACP	MI Scott C Dlamini	M Mafu A Masondo
SA Government	L Wessels A Williams	JM Spaarwater GC von Bratt
Transkei Government	N Bebeza G Zilwa	N Mabude PG Qokweni
United People's Front	MJ Duba M Tladi	IKE Moloko M Mphaphuli
Venda Government	E Lukhaimane LS Ramavhoya	E Randima SE Mathumbu
Ximoko Progressive Party	MH Matjokana DJ Mtebule	ML Nkuna





WRKGROUP\IMPLTIME\MIN\MAR30.WI(2)

WORKING GROUP 5\MINUTES\30 MARCH

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**MINUTES OF THE MEETING OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 30 MARCH AT 10H00**

**PRESENT:** (Addendum A)

**1. Chairperson's opening remarks**

The meeting was chaired by Mr E K Lukhaimane

**2. Adoption of agenda**

The agenda was adopted, without amendment.

**3. Ratification of the minutes of the Working Group 5 meeting of 23 March 1992**

The minutes of the meeting of Working Group 5 (23 March 1992) were adopted, subject to the following amendments:

3.1. Item 6.1.2.1.1. should be deleted.

3.2. Item 6.1.2.2. should read:

"It was agreed by sufficient consensus...."

3.4. Item 6.1.2.2.1. should read:

"....the minutes of 9 March 1992 should be amended to read as follows:"

3.5. Item 6.1.2.2.2. should read:

"Item 7.2. should not be supported from the minutes of 9 March 1992."

**4. Matters arising from the minutes of the meeting of Working Group 5 (23 March 1992)**

Regarding the indication that SAPA had obtained a copy of Item 6.1.2.2.

it was agreed that the matter would be referred to the meeting of the Steering Committee with the Daily Management Committee.

**5. Matters raised with/by the DMC/Secretariat**

It was noted that:



WRKGROUP\IMPLTIME\MINMAR30.WI(2)

WORKING GROUP 5\MINUTES\30 MARCH

- 5.1. Working Group 5 had identified critical issues that would need resolution before Codesa 2; there was no evidence that these had been successfully communicated to the other Working Groups.
- 5.2. There was a need for further co-ordination between the Working Groups, including between the Steering Committees.

It was agreed that these issues be dealt with in the meeting of the Steering Committee and the DMC.

## 6. Reports and recommendations from sub-groups

- 6.1. Sub-group 1 (Addendum B)
- 6.2. Sub-group 2 (Addendum C)

### 6.3. It was noted that:

- 6.3.1. It was suggested that the task of drafting an electoral law be elevated to plenary level. Investigation of the task would however remain with Task Group 2 of Sub-group 2). It was noted that this work might be done by Working Group 2.
- 6.3.2. The issue of TBVC citizenship should be discussed in plenary (Task Group 4 of Sub-group 1)

## 7. New Business

No new business was raised.

## 8. Date of next meeting

The next meeting would be held on 27 April 1992.

The Steering Committee would meet under the discretion of the chairperson Mr S Moolla.

## 9. The meeting closed.



## Addendum A

The following people signed the attendance register:

Organisation	Delegate	Adviser
ANC	P Jordan Z Skweyiya	G Bizos
Bophuthatswana Govt	IJ Reid TM Setiloane	AM Boikanyo LI Morule
Ciskei Government	PP Jacobs MN Poni	BH Muller
Democratic Party	RM Burrows RR Hulley	
Dikwankwetla Party	ST Leokaoke DT Mokoena	P Thaele ARL Xaba
Inkatha Freedom Party	LPHM Mtshali FX Gasu	P Smith M Zondi
Intando Yesizwe Party	VS Mahlangu N Mbonani	JS Mabona S Mtsweni
Inyandza Nat Movement	DS Kunene BD Madonsela	GG Zama
Labour Party	Mrs Y Bassier K Lategan	H Ross M Hendrickse
NIC/TIC	H Ebrahim Y Vawda	N Balton FM Meer
National Party	G Bartlett C Fisser	P Matthee
National People's Party	O Ganie DK Padiachey	As Pillay AL Singh
Solidarity Party	Y Moola NM Raju	M Naranjee I Osman
SACP	D Mvelase (subs:MI Scott) C Dlamini	M Mafu
SA Government	L Wessels A Williams	JM Spaarwater GC von Bratt
Transkei Government	N Bebeza PG Qokweni	G Zilwa
United People's Front	MJ Duba R Ramontja	SN Bambo IKE Moloko
Venda Government	E Lukhaimane LS Ramavhoya	M Mphaphuli E Randima
Ximoko Progressive Party	MH Matjokana DZJ Mtebule	SE Mathumbu AE Nkondo

Isabel Thompson (minutes)



WRKGROUP\IMPLTIME\SCMINJAN.WI (2)

MINUTES OF THE MEETING OF WORKING GROUP STEERING COMMITTEE 5 HELD  
AT THE WORLD TRADE CENTRE ON WEDNESDAY 29 JANUARY AT 15H00

(ADOPTED AT THE WGSC5 MEETING OF 10 FEBRUARY 1992)

PRESENT:

G Bartlett	National Party
R Burrows	Democratic Party
D Curry	Labour Party
Y Moola	Solidarity Party
LPHM Mtshali	Inkatha Freedom Party
D Mvelase	SA Communist Party
R Ramontja	United People's Front
Z Skweyiya	African National Congress

T Eloff (secretary)

P Saxby (minutes)

Prof S Ripinga convened the meeting until the matter of chairpersonship had been settled.

1. Convenor's opening remarks

It was noted that the principle of consensus will apply to all meetings of WGSC5.

2. Adoption of agenda

The agenda was adopted, subject to provision being made for matters arising from the minutes of the first meeting of Working Group 5 (WG5).

3. Matters arising from the minutes of the first meeting of WG5

It was agreed:

- Action
- 3.1 That the secretary will investigate the accuracy of Item 4.2.5 of the minutes.
  - 3.2 That, in future, the minutes of WG5 should be scrutinised by the current chairperson of the Working Group and then by the members of WGSC5 before circulation to other members of WG5.

4. Chairpersonship of WGSC5

Against the background of the recommendations of the DMC in this regard, it was agreed that chairpersonship of WGSC5 will operate by random rotation in the following order as determined by the drawing of lots:

- \* R Burrows
- \* D Mvelase
- \* LPHM Mtshali
- \* G Bartlett
- \* D Curry



- \* R Ramontja
- \* Y Moola
- \* Z Skweyiya

5. **Appointment of Prof S Ripinga to WGSC5 as an ex officio member**

There being insufficient consensus on the matter, it was decided that the issue may be raised at the next meeting of WG5 by any delegate wishing to do so.

6. **Recommendations on sub-groups for WG5**

6.1 It was agreed:

**Action**

6.1.1 That a recommendation should be made to the DMC that the heads of delegations to WG5 should receive the following documentation pertaining to the other Working Groups on a regular basis:

- \* minutes of the Working Groups
- \* work schedules, time-frames and other work documents
- \* summaries of resolutions, proposals and recommendations emerging from the Working Groups and the WGSCs

**Action**

6.1.2 That the members of WGSC5 should examine the Terms of Reference of the other four Working Groups with a view to making firm recommendations to the next meeting of WG5 on:

- \* the issues involved
- \* the work procedure to be followed
- \* the flow process involved

At that meeting, tasks will be further defined and the work process thereby addressed.

6.1.3 That, until specific sub-groups are established, WGSC5 will function in the capacity of a sub-group.

6.1.4 That the secretarial nature of the work of WG5 as detailed in its Terms of Reference should be examined in relation to its duties.

6.2 With regard to the report made by the secretary on the recommendations of the DMC, it was agreed:

**Action**

6.2.1 That decisions or recommendations emerging from meetings of the DMC which impact upon the work of WG5 should be communicated to WGSC5 in the form of a written report.

**Action**

6.2.2 That, in the light of the DMC's request for a meeting with WGSC5, it should be recommended to the DMC that the two bodies meet on Thursday 6 February at 08h00. It was noted that this date will be confirmed by the secretary in due course.

6.2.3 That Item 1.1.4 g of the Terms of Reference of WG5 should be

discussed at the meeting detailed above under Item 7.2.

7. **Report-back mechanisms**

7.1 It was agreed that mechanisms for receiving decisions, actions and processes involved emerging from other Working Groups will be addressed as detailed under Item 6.1.1 above.

7.2 The matter of the dissemination of information on progress made to all CODESA participants, interested parties and authorities was deferred until a later meeting.

8. **Recommendations for handling submissions to Working Group 5**

It was agreed:

8.1 That, in the event of a submission being received for WG5, it should be directed to WGSC5 before being circulated amongst the other delegates to the Working Group.

8.2 That the question of oral submissions should be discussed at the meeting between the DMC and WGSC5 detailed under Item 7.2 above.

9. **Draft agenda for the next meeting of WG5**

9.1 The agenda as it appears in Addendum A was agreed.

**Action** 9.2 It was noted that documents from other Working Groups should be circulated to members of WG5 well in advance of its meetings.

10. **Chairmanship of WG5**

It was agreed:

10.1 That the chairperson should be appointed on a random rotation basis from delegations not represented on WGSC5.

10.2 That each WG5 chairperson should be assisted by a co-chairperson who should be the current chairperson of WGSC5, and who should brief the WG5 chairperson accordingly.

11. **Date and agenda of the next meeting**

**Action** 11.1 The next meeting of WGSC5 will take place on Monday 10 February 1992 at 14h30, and will be chaired by D Mvelase.

11.2 The preliminary agenda for the WGSC5 meeting of 10 February 1992 was agreed as per Addendum B.

11.2.1 Additional items for the agenda should be given to the secretary following the WG5 meeting of 6 February 1992.



- 11.2.2 The final draft agenda should be faxed to members of WGSC5 on 7 February 1992.

It was noted that the next full meeting of WG5 will take place on Monday 17 February 1992.

12. **Any other business**

- 12.1 It was agreed that the role and powers of the secretary should be clarified at DMC and MC levels.

- 12.1.1 It was agreed that the chairpersons of both WG5 and WGSC5 should be extensively briefed by the secretary before each meeting.

- 12. The meeting adjourned.



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## **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





WRKGROUP\IMPLTIME\SCM17FEB.WI (2)

WORKING GROUP 5\STEERING COMMITTEE\MINUTES 17 FEBRUARY

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(Adopted at the Steering Committee meeting of 24 February 1992)

MINUTES OF THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY 1992 AT 16H00

PRESENT:	GS Bartlett	National Party
	R Burrows	Democratic Party
	Y Moolla	Solidarity Party
	LPHM Mtshali	Inkatha Freedom Party
	D Mvelase	SA Communist Party
	R Ramontja	United People's Front
	Z Skweyiya	African National Congress
	O Ganie	National People's Party (incoming chairperson of the next plenary session)

P Saxby (minutes)

APOLOGIES:	D Curry	Labour Party
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1. **Chairperson's opening remarks**

The meeting was chaired by Mr LPHM Mtshali.

2. **Adoption of agenda**

The agenda was adopted without amendment.

3. **Ratification of the minutes of the previous meeting, and matters arising**

3.1 The minutes were adopted, subject to the following amendments:

3.1.1 That the heading should read:

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

3.1.2 That, under Item 6.4, the following sub-item should be added:

"6.4.3 Submissions from interest groups outside CODESA should be made to Working Group 5 through its Steering Committee."

3.2 It was agreed that the Steering Committee should, in future, meet for fifteen

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WORKING GROUP 5\STEERING COMMITTEE\MINUTES 17 FEBRUARY

minutes before each plenary session in order to ratify its minutes and to identify matters arising from them.

4. **Matters arising from the meetings of WG5 and other WGs**

- 4.1 It was agreed that certain issues vital to the functioning of the Working Group, and outlined in Addendum A, should be raised by the chairperson with the DMC.
- 4.2 It was noted that a summary of recommendations emerging from the meeting of the Steering Committee should be distributed to all delegates and their advisers at the next plenary session of the Working Group.

5. **Matters raised by the Secretariat**

- 5.1 The draft minutes of the meeting between the Secretariat and representatives of the WGSCs (Addendum B) were read and approved, subject to the provisos contained under Item 3 of Addendum A.
- 5.2 It was agreed that these provisos should be drawn to the attention of the DMC by the chairperson.
- 5.3 Item 3.2.3 of Addendum B, concerning statements to the media, was noted.

6. **Report on/from sub-groups**

- 6.1 The agenda for the first meeting of each of the sub-groups was approved as outlined in Addendum C.
- 6.2 It was agreed that:
  - 6.2.1 The submissions referred to under Item 4.1 of Addendum C should be addressed by each of the sub-groups according to its Terms of Reference.
  - 6.2.2 These submissions form the beginning of WG5's assignment. Documentation from the other Working Groups will constitute the main body of that assignment.
- 6.3 The following schedule of meetings was agreed:

6.3.1 **Monday 24 February 1992**

09h30 - 09h45:	Steering Committee meeting
10h00 - 13h00:	Sub-group meetings
13h00 - 14h00:	Lunch
14h00 - 14h30:	Information plenary session of WG5
14H30 - 16H00:	Sub-group meetings reconvene
16h15 - 18h00:	Steering Committee meeting

6.3.2 **Monday 2 March 1992**



WORKING GROUP 5\STEERING COMMITTEE\MINUTES 17 FEBRUARY

09h30 - 09h45:	Steering Committee meeting
10h00 - 13h00:	Full plenary session of WG5
13h00 - 14h00:	Lunch
14h00 - 16h00:	Sub-group meetings
16h15 - 18h00:	Steering Committee meeting

6.4 It was agreed that:

- 6.4.1 The information plenary session for Monday 24 February 1992 should be chaired by Mr N Mbonani, with Mr LPHM Mtshali reporting back.
- 6.4.2 The 09h30 meeting of the Steering Committee on Monday 24 February 1992 should be chaired by the outgoing chairperson, Mr LPMH Mtshali.
- 6.4.3 The 16h15 meeting of the Steering Committee on Monday 24 February 1992 should be chaired by Mr G Bartlett, who should also chair the 09h30 meeting of the Steering Committee the following Monday.
- 6.4.4 The routine outlined under Items 6.4.1 - 6.4.3 above should continue each week thereafter according to the roster of chairpersons.

- 6.5 It was noted that, due to the comparative frequency of Steering Committee meetings, there may be Steering Committee chairpersons who do not have the opportunity to assist the chairs of the full plenary sessions of the Working Group.
- 6.6 It was noted that Mr O Ganie will chair the next full plenary session of the Working Group on Monday 2 March 1992, assisted by Mr G Bartlett.
- 6.7 It was agreed that the sub-group meetings will not be minuted, but that each sub-group will be responsible for compiling a report, together with a summary of recommendations emerging from its meeting, to be tabled at the next full plenary session of the Working Group.

7. **New business**

No new business was tabled.

8. **Date of the next meeting**

As detailed under Item 6.3 above.

9. **The meeting closed.**

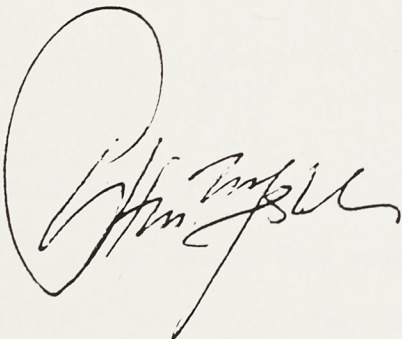
DAILY MANAGEMENT COMMITTEE\DOCUMENT\ISSUES RAISED BY THE STEERING COMMITTEE OF WORKING GROUP 5

Addendum A

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.

A large, stylized handwritten signature in black ink, located at the bottom left of the page. The signature is cursive and appears to be a personal name, possibly 'John Smith' or similar, though it is not legible.





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WORKING GROUP 5\STEERING COMMITTEE\MINUTES\2 MARCH

THESE MINUTES, AS APPROVED BY THE CHAIRPERSON OF THE STEERING COMMITTEE, ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

(Adopted at the meeting of 9 March, as amended)

**MINUTES OF THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5,  
HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992 AT 16H15**

PRESENT:	GS Bartlett	National Party
	R Burrows	Democratic Party
	D Curry	Labour Party
	Y Moolla	Solidarity Party
	LPHM Mtshali	Inkatha Freedom Party
	D Mvelase	SA Communist Party
	R Ramontja	United People's Front
	Z Skweyiya	African National Congress

P Saxby (minutes)

**1. Chairperson's opening remarks**

The meeting was chaired by Mr G Bartlett up to and including Item 3 of the agenda. Mr D Curry chaired the remainder of the meeting.

**2. Adoption of agenda**

The agenda was adopted subject to the following amendments:

**2.1 That Item 5 should include the following sub-item:**

"5.1 Memorandum to All Chairpersons of Working Group Steering Committees"

**2.2 That Item 7 should include the following sub-item:**

"7.1 Submissions from outside CODESA:

- |       |                           |
|-------|---------------------------|
| 7.1.1 | Women for Peace           |
| 7.1.2 | Mrs CFM Fourie            |
| 7.1.3 | Mr HJS Dennis             |
| 7.1.4 | Problem Source Analysis   |
| 7.1.5 | National Land Commission" |

**3. Ratification of the minutes of the previous meeting and matters arising**

**3.1 The minutes were adopted, subject to the following amendment:**

**3.1.1 That Item 7.2 should read as follows:**

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"It was agreed that, in the event of Sub-group 1 breaking into task groups on Monday 2 March 1992, party offices could be used to accommodate these meetings and that the parties concerned could co-ordinate this."

- 3.2 Regarding Item 4.2.2 of the minutes, the contents of the Memorandum to All Chairpersons of Working Group Steering Committees (Addendum A) were read and noted. It was agreed that the matter will be revisited at the next meeting of the Steering Committee, by which time an official response from the DMC to Mr G Bartlett's recommendations should have been received.

4. **Matters arising from the meetings of Working Group 5 and other Working Groups**

It was noted that few or no concrete decisions appear to be emerging from the other Working Groups.

5. **Matters raised with the DMC/Secretariat**

It was noted that this matter had already been addressed under Item 3.2 above.

6. **Reports from:**

6.1 **Sub-group 1 (Addendum B)**

It was reported that:

- 6.1.1 The sub-group has been sub-divided into four task groups, each dealing with the work of one the other Working Groups.

- 6.1.2 Permanent chairpersons and deputy chairpersons have been appointed for each task group as follows:

	Chair	Co chair
Task Group 1	J Walsh	C Dlamini
Task Group 2	DM Streicher	NM Raju
Task Group 3	R Hulley	C Carolus
Task Group 4	to be advised	

- 6.1.3 The Steering Committee should be requested to submit the recommendations detailed in Addendum C to the DMC via the Secretariat.

6.2 **Sub-group 2 (Addendum D)**

- 6.2.1 It was noted that:

- 6.2.1.1 No consensus was reached regarding appropriate mechanisms for dealing with the issue of electoral law, and that this matter will be revisited when



Sub-group 2 meets again on Monday 9 March 1992.

- 6.2.1.2 A general mechanism for drawing experts/specialists into the work of the sub-group and its task groups should be addressed by the Steering Committee at its next meeting on Monday 9 March 1992.

6.2.2 It was agreed that:

- 6.2.2.1 Regarding an appropriate mechanism for the drafting of legislation as referred to in the Declaration of Intent, Mr D Curry should, in his capacity as chairperson of the Steering Committee, approach the DMC (in writing) for clarity on the issue.

- 6.2.2.2 Mr R Burrows should draft an appropriate letter with this in mind (Addendum E).

6.2.3 Regarding the overlap between the Terms of Reference of Sub-group 2 and the work of the other Working Groups, it was agreed that this issue should also be addressed in the letter referred to under Item 6.2.2.2 above.

- 6.3 The general frustrations currently being experienced by the Working Group in its attempts to begin serious work were noted with concern.

## 7. New business

It was agreed that:

- 7.1 The submissions tabled as detailed under Item 2.2 above should be examined by the members of the Steering Committee with a view to making recommendations at its next meeting regarding which of the submissions should be circulated to the full Working Group and/or its sub-groups.
- 7.2 A decision on the circulation of these submissions should be made when the Steering Committee meets at 09h30 on Monday 9 March 1992 to ratify the minutes of its previous meeting.

## 8. Schedule of meetings for the following week

It was agreed that the Working Group should meet as follows:

09h00 - 13h00	Sub-group 1 task groups
09h30 - 10h00	Steering Committee
10h00 - 16h00	Sub-group 2
14h00 - 16h00	Sub-group 1
16h00 -	Steering Committee

9. Draft agenda for the next meeting of the Steering Committee

It was agreed that this should follow the same format as before.

10. The meeting closed.

Minutes approved  
DMS Bury  
9 March 1992



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**MINUTES OF THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5  
HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 16H00**

PRESENT:	R Burrows	Democratic Party
	D Curry	Labour Party
	Y Moolla	Solidarity Party
	LPHM Mtshali	Inkatha Freedom Party
	D Mvelase	SA Communist Party
	R Ramontja	United People's Front
	Z Skweyiya	African National Congress
	P Saxby (minutes)	

APOLOGIES:	GS Bartlett	National Party
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1. **Chairperson's opening remarks**

The meeting was chaired by Mr D Curry.

2. **Adoption of agenda**

The agenda was adopted, without ratification.

3. **Ratification of the minutes of the previous meeting, and matters arising**

The minutes were adopted, subject to the following amendment:

Item 2.2 should include in its submissions from outside CODESA:

7.1.5 National Land Commission

4. **Submissions from outside CODESA**

It was agreed that the Working Group minute taker/secretary should circulate to all heads of delegations copies of all submissions received.

5. **Matters arising from the meetings of Working Group 5 and the other Working Groups**

Regarding Items 4.2.2 and 4.2.3 of the minutes of the meeting of Working Group 5 of 2 March 1992, it was noted that no official response has yet been received to Mr GS Bartlett's memorandum to the DMC.

6. **Matters raised with the DMC/Secretariat**

It was noted that, in the light of the above, the matter of a response from the Chairperson of the DMC to issues raised by Mr GS Bartlett and Mr D Curry/Mr R Burrows should be revisited at the next meeting of the Steering Committee.

7. **Reports from the sub-groups**

It was noted that:

- 7.1 These reports should be included, as addenda, in the minutes of the meeting. They are accordingly appended as Addenda A and B.
- 7.2 Recommendations from the sub-groups should be tabled at the next full plenary session of the Working Group.

8. **New business**

It was noted that the overlap between the Terms of Reference of Sub-group 2 and the work of the other Working Groups should:

- 8.1 Be included in the agenda for the next full plenary session of the Working Group.
- 8.2 Be drawn to the attention of the DMC via the Secretariat.

9. **Schedule of meetings for the following week**

- 9.1 It was noted that there will be no meetings of the Working Group, its sub-groups or its Steering Committee during the week commencing Monday 16 March 1992.
- 9.2 It was agreed that Working Group 5 and its sub-committees will meet during the week commencing Monday 23 March as follows:

09h30	Steering Committee meets to ratify the minutes of its previous meeting
10h00 - 13h00	Working Group 5 full plenary session
14h00 - 16h00	Sub-groups 1 and 2 meet (and may break into task groups if necessary)
16h00	Steering Committee reconvenes

10. **Draft agenda for the meetings scheduled for Monday 23 March 1992**

It was agreed that the Working Group minute-taker/secretary should draft agenda for the full plenary session and the Steering Committee meeting, following the format of the agenda for previous meetings.

These draft agenda are accordingly appended as Addenda C and D.

11. **Statement to the media**



It was agreed that the Working Group would not issue a statement on the day's proceedings.

12. The meeting closed.



WRKGROUP\IMPLTIME\AG23MAR.WI (2)

WORKING GROUP 5\AGENDA\23 MARCH

Addendum C

**DRAFT AGENDA FOR THE MEETING OF WORKING GROUP 5 TO BE HELD AT THE  
WORLD TRADE CENTRE ON MONDAY 23 MARCH AT 10H00**

1. Chairperson's opening remarks
2. Adoption of agenda
3. Ratification of the minutes of the Working Group 5 meeting of 2 March 1992
4. Matters arising from the minutes of the meetings of:
  - 4.1 Working Group 5 (2 March 1992)
  - 4.2 Working Group 5 Steering Committee (2 and 9 March 1992)
5. Matters raised with/by the DMC/Secretariat
  - 5.1 Response from the Chairperson of the DMC to memoranda from the Steering Committee of Working Group 5 (Addendum)
  - 5.2 Overlap between the Terms of Reference of Sub-group 2 and the work of the other Working Groups
6. Reports and recommendations from sub-groups:
  - 6.1 Sub-group 1
  - 6.2 Sub-group 2
7. New business
8. Date of next meeting
9. Closure





WRKGROUP\IMPLTIME\SCA23MAR.WI (2)

WORKING GROUP 5\STEERING COMMITTEE\AGENDA\23 MARCH

Addendum D

**DRAFT AGENDA FOR THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5 TO TAKE PLACE AT THE WORLD TRADE CENTRE ON MONDAY 23 MARCH AT 16H00**

1. Chairperson's opening remarks
2. Adoption of agenda
3. Ratification of the minutes of the previous meeting and matters arising
4. Matters arising from the meetings of WG5 and other WGs
5. Matters raised with the DMC/Secretariat
  - 5.1 Response from the Chairperson of the DMC to matters raised by:
    - 5.1.1 Mr G Bartlett
    - 5.1.2 Mr D Curry and Mr R Burrows
6. Report from:
  - 6.1 Sub-group 1
  - 6.2 Sub-group 2
7. Matters arising from the reports of the sub-groups:
  - 7.1 Sub-group 2:
    - 7.1.1 Payment of legal experts
    - 7.1.2 Substitution of delegates/advisers by legal experts
8. New business
9. Schedule of meetings for the following week
10. Draft agenda for:
  - 10.1 plenary and sub-group sessions
  - 10.2 the next meeting of the Steering Committee
11. Statement to the media
12. Closure



WRKGROUP\IMPLTIME\SG1M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\9 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON OF SUB-GROUP 1 OF WORKING GROUP 5. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING.

**DRAFT MINUTES OF THE MEETING OF SUB-GROUP 1 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 14H00**

PRESENT: (Addendum A)

**1. Adoption of Agenda**

1.1 The following agenda was recommended:

- 1.1.1 Steering Committee Minutes
- 1.1.2 Working Group Minutes
- 1.1.3 Reports from Task Groups
- 1.1.4 Other business
- 1.1.5 Closure

1.2 Noting that the meeting only had the authority to ratify its own minutes it was resolved that discussion on the minutes of the Plenary of Working Group 5 of the 2 March be postponed.

The amended agenda was adopted.

**2. Announcements**

The following announcements were made on behalf of Administration:

- 2.1 A press conference at 16H00. Agreed that Mr Y Moolla (Solidarity Party) being the only Steering Committee member present should be excused to consult with other Steering Committee members.
- 2.2 Written submissions as tabled at the meeting of 2 March were called for.
- 2.3 List of Task Group members was called for.
- 2.4 List of scribes for Task Groups was called for.
- 2.5 Attendance registers for Working Groups 1 and 2 were called for.

**3. Apologies and substitutions**

3.1 The following apologies were noted: C. Carolus (ANC), G. Bartlett (NP), A. Essop (L.P).



3.2 The following points were noted:

3.2.1 Item 3. (Task Group 2): Should be read together with Item 6.1. (after the recess the ANC moved from Task Group 2 to Task Group 3).

3.2.2 Item 3. (Task Group 2): It was noted that even though there are 11 parties/organisations listed, only 10 have been attending the meeting. It was noted that a representative from Venda will attend this meeting in the future but will be absent next week.

3.2.3 Item 6.3: Mr Reid and Mr Setiloane will both participate in Sub-Group 1.

4. Report on the meeting of 2 March

The draft report from the above meeting was adopted with the following amendments:

4.1 Item 6.2: Inyandza to attend Task Groups 1 and 2.

4.2 Item 6.6: Mr H Ebrahim substituted C. Carolus as Chair in the second session.

4.3 Item 10.1: UPP should read UFP.

4.4 Item 10.2.2: Should read: "the position of the King of the Zulus and traditional leaders."

5. Matters arising

5.1 Addendum C, Item 1: Mr Moolla (Solidarity Party) reported that discussion is taking place between the Steering Committee and the Daily Management Committee and the necessary letters have been written in accordance with the accepted procedures.

6. Reports from Task Groups

6.1 Task Group 1 (Addendum B)

6.1.2 The meeting was structured to address:

6.1.2.1 priorities

6.1.2.2 working procedures

6.1.2.3 general matters

6.1.3 Consensus was reached on key areas:

- 6.1.3.1 the release of political prisoners and the acceleration of the return of exiles;
- 6.1.3.2 the need for the reduction of violence;
- 6.1.3.3 the need for independent broadcasting.

6.1.4 Recommendations were made as follows:

- 6.1.4.1 that Working Group 5 resolve these issues before Codesa 2;
- 6.1.4.2 that the transitional executive authority envisaged by Working Group 3 would contribute to reducing violence;
- 6.1.4.3 that Working Group 1 should report to Codesa 2 on necessary steps to achieve an independent broadcasting authority with emphasis on fair and impartial party-political coverage in the run up to a future election.

6.2 Task Group 2 (Addendum C)

6.2.1 Objectives were identified as follows:

- 6.2.1.1 Monitoring the progress of Working Group 2;
- 6.2.1.2 Evaluating progress and making proposals;
- 6.2.1.3 Recommending time frames to Plenary.

6.2.2 Noting the areas of commonality reached with regard to constitutional principles only it was recommended that:

- 6.2.2.1 Working Group 2 initiate discussion with regard to a constitution-making body before Codesa 2 so that appropriate time-frames could be proposed.

6.3 Task Group 3 (Addendum D)

6.3.1 The following recommendations were made by general consensus:

- 6.3.1.1 That Codesa 2 meet on 23-24 April;
- 6.3.1.2 That Working Group 3 table its proposals for an interim/transitional government and for a future transitional process at Codesa;
- 6.3.1.3 That Working Group 3 submit reports on the following questions to the Management Committee by 14 April in order to have them included in Codesa 2 documentation:
  - \* Question of appointing or electing the transitional authority?
  - \* How it is appointed?



- \* Its powers, purposes and objectives?
- \* Its relationship with the existing legislature?
- \* Its relationship with the existing Executive Cabinet?
- \* What becomes of the existing constitution?
- \* The position/participation of the existing TBVC states?

6.3.2 It was further resolved that:

- 6.3.2.1 Clarification on the position/participation of the TBVC states was not essential before Codesa 2;
- 6.3.2.2 The question of the international role was not a matter for conclusion before Codesa 2.

6.3.3 It was further recommended that:

- 6.3.3.1 An interim/transitional government should be installed by 30 June or the last day of the present parliamentary session (whichever comes first);
- 6.3.3.2 That Sub-Group 2 should note proposed timetable and assess whether or not it is realistic in terms of processing legislative amendments;
- 6.3.3.3 That the meeting on Monday 16 March should be postponed.

6.3.4 It was agreed

- 6.3.4.1 That the Task Group would rely on formal minutes of Working Group 3 as well as on informal contact;
- 6.3.4.2 That Working Group 3 be requested to address the question of interim government at provincial, regional and local level.

6.4 Task Group 4 (Addendum E)

6.4.1 Reincorporation of the TBVC states was agreed upon by sufficient consensus pending:

6.4.1.1 Reports from Sub-Committees to Working Group 4:

- \* testing the will of the people;
- \* Citizenship;
- \* Administrative, financial, practical effects;
- \* Legislation

6.4.2 It was further agreed that it was not realistic at this stage to propose a time-frame.

7. Matters arising

7.1 Time frames

It was agreed by general consensus that noting that decisions with regard to time frames would ultimately be made by Working Group 5 Plenary the Task Groups are mandated to make recommendations. In keeping with this understanding the following recommendations were made:

- 7.1.1 Codesa 2 should take place from 24-25 April, 1992;
- 7.1.2 Substantive proposals around the key issues identified by Working Group 1 should be submitted by 14 April;
- 7.1.3 An interim government should be installed by 30 June or last day of the current parliamentary session (whichever comes first).

7.2 Decisions should be binding

It was agreed by general consensus that decisions taken by Task Groups could not be reversed by the Group. By the same token, decisions taken at the next level, i.e. at Sub-Group 1 of Working Group 5 should be binding. As these decisions are discussed from one level to the next the same principles should apply.

7.3 Date of next meeting

7.3.1 It was agreed that the next meeting will take place on Monday 23 March 1992.

7.3.2 It was recommended that the meeting of 23 March should be a meeting of Working Group 5 Plenary and that this recommendation would be taken up at the meeting of the Steering Committee.

8. The meeting closed.





WORKING GROUP 5\SUB-GROUP 1\TASK GROUP 1\REPORT\9 MARCH

Addendum B

# DRAFT REPORT FROM TASK GROUP 1 OF SUB-GROUP 1 OF WORKING GROUP 5, 9 MARCH, 1992

## 1. **Chairman and Scribe**

Mr J. Walsh was appointed Chairman and Mr O. Ganie as Secretary.

## 2. **Adoption of Agenda**

- 2.1 Election of Chairperson
- 2.2 Appointment of Scribe
- 2.3 Review of the Terms of Reference
- 2.4 Set Priorities/Discussions
- 2.5 Establish Working Procedures
- 2.6 General

## 3. **Priorities/Discussions**

Consensus was reached on the following:

### 3.1 **Political Prisoners, Return of Exiles & General Amnesty**

Working Groups 1 and 5 have identified that the release of political prisoners, the return of exiles and general amnesty are vital prerequisites in the process of setting a climate conducive to negotiation. Therefore Working Group 5 requests Working Group 1 to try and resolve these issues and implement same as soon as possible but not later than Codesa 2.

### 3.2 **Violence**

Reduction of the level of violence is critical to the creation of the climate and opportunity for free political participation.

A transitional executive authority as envisaged by Working Group 3 would greatly contribute to achieving this end.

Working Group 1 is therefore asked to report to Codesa 2 on its planned programme of action and progress made in terms of the National Peace Accord.

### 3.3 **Media**

Noting the decision to establish an independent broadcasting authority, we believe Working Group 1 should report to Codesa 2 on steps necessary to achieve this. Priority must be given to implementation to ensure fair and impartial party political coverage from the commencement of the run-up period to a future election.

## 4. **Date of next meeting**

The date of the next meeting is to be decided in Sub-Group 1 Plenary session.



WORKING GROUP 5\SUB-GROUP1\TASK GROUP 2\REPORT\9 MARCH

Addendum C

# DRAFT REPORT FROM TASK GROUP 2 OF SUB-GROUP 1 OF WORKING GROUP 5, 9 MARCH 1992

## 1. Agenda

- 2.1 Objectives
- 2.2 Progress made in Working Group 2
- 2.3 Report and recommendation
- 2.4 Next meeting

## 2. Objectives of the Group:

- \* To evaluate progress made in Working Group 2 and report back to Working Group 5.
- \* To make tentative recommendations of time frames through Sub-Group Plenary.

## 3. The following points were noted:

- 3.1 Documents are not readily made available;
- 3.2 Noting that time frames recommended in isolation of other Task Groups are counter-productive it was agreed that the question of time frames should be raised at the Plenary of Working Group 5 Sub-Group 1;
- 3.3 Noting areas of commonality that have been achieved with regard to constitutional principles it was agreed that recommendations should be made to Working Group 2 that discussions proceed regarding a constitution-making body before Codesa 2.

## 5. Date of next meeting

It was resolved that the Plenary of Working Group 5 Sub-Group 1 should determine the date of the next meeting.





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WORKING GROUP 5\SUB-GROUP1\TASK GROUP 3\REPORT\9 MARCH

Addendum E

## DRAFT REPORT FROM TASK GROUP 3 OF SUB-GROUP 1 OF WORKING GROUP 5, 9 MARCH 1992

### 1. Attendance

See Addendum A.

### 2. Approval of minutes of 2 March 1992

The minutes were approved.

### 3. Time tables for Working Group 3

3.1 It was agreed to use item 10.2 of the minutes of Sub-group 1 of Working Group 5 of 2 March 1992 as well as the questions included in Appendix C of the minutes of the meeting of Working Group 3 on 2 March 1992 as guidelines for the formulation of target dates for Working Group 3. The following decisions were taken:

3.1.1 It is recommended that CODESA II meet on 24 and 25 April 1992.

3.1.2 It is further recommended by sufficient consensus that Working Group 3 should table its proposals for an interim/transitional government, and for the future transitional process, for consideration at CODESA II.

3.1.3 Following from these recommendations it is recommended that Working Group 3 submit reports on the following questions from Appendix C to the Management Committee by 14 April 1992 in order to have it included in the documentation for CODESA II:

\* "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?

\* Directly quoted from Appendix C

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 these 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?

\* "7.2 In respect of the Self-Governing States:

7.2.1 What should their position be during the transitional period? Should they participate in the Interim/Transitional Authority?

\* Directly quoted from Appendix C



7.2.2 What should happen to their administrative structures during the transitional period?

3.1.4 With regard to the following questions it is recommended that it will be desirable to have it answered by 14 April 1992 but it was decided that it is not essential for CODESA II or the early part of the process:

\* "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?"

3.1.5 With regard to the following questions it is recommended that no target dates be set at this stage:

\* "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?"

3.1.6 The target date for the installation of an Interim/Transitional Authority should be 30/6/1992 or the last day of the present Parliamentary Session, whichever ever comes first.

3.1.7 Further target dates will be considered as soon as Working Group 3 reports further progress.

4. Sub-group 2 of Working Group 5 is requested to take note of these recommendations and confirm whether it is realistic or not.

5. Procedures to get information to Task Group 3

It was agreed that the Task Group will rely on the formal minutes of Working Group 3 as well as on informal contacts between members of the Task Group and the Working Group to get the information they need as quickly as possible.

\* Directly quoted from Appendix C

6. Other Matters

It was agreed to request Working Group 3 to address the question of interim government at provincial, regional and local levels as a matter of urgency.

7. Next meeting

- 7.1 It was decided not to meet on 16 March 1992.
- 7.2 The next meeting will take place on 23 March 1992, if the Steering Committee decides to call a plenary meeting of Working Group 5 on that day.



ADDENDUM A

THE FOLLOWING PEOPLE WERE PRESENT:

RR Hulley (DP)	Chairperson
C Carolus (ANC)	Deputy Chairperson
HP Fourie (SA Gov)	Secretary
SN Bambo (UPF)	
FX Gasa (IFP)	
A Masondo (SACP)	
Y Moolia (SP)	
BH Muller (Ciskei Gov)	
EM Randima (Venda Gov)	

APOLOGY

JS Mabona (IYP)

ABSENT

A Essop (LP)



WG5SG1TG4\WINS.WI (5)

WORKING GROUP 5 SUB-GROUP 1 TASK GROUP 4\9 MARCH

Addendum F

**DRAFT REPORT FROM TASK GROUP 4 OF SUB-GROUP 1 OF  
WORKING GROUP 5, 9 MARCH 1992**

**1. The following minutes were scrutinised :**

**1.1 Working Group 4 :**

1.1.1 First Meeting - 20 January 1992

1.1.2 Second Meeting - 6 February 1992

It was agreed that the secretary would communicate with the Administration to make copies of submissions (18) available to the task group (Item 4.3).

1.1.3 Third Meeting - 10 February 1992

It was agreed (refer 5.2) that the outstanding report from the sub-committee be made available as soon as possible ie immediately the report is tabled at the Working Group/Working Group Steering Committee meeting(s).

It was agreed that Items 7.1.1 - 7.1.4 of necessity raised cogent problems which would affect the scheduling of realistic time frames.

1.1.4 Fourth Meeting - (Item 3.5)

It was noted that the report referred to Item 1.1.3 is outstanding.

1.1.5 Fifth Meeting -

**1.2 Working Group Steering Committee**

Meetings 20/1/92, 27/1/92, 11/2/92, 18/2/92, 18/2/92, 24/3/92

**2. Conclusion**

It was agreed pending :

**2.1 Reports from sub-committees to Working Group 4**

2.1.1 Testing the will of the people

2.1.2 Citizenship



WORKING GROUP 5 SUB-GROUP 1 TASK GROUP 4\9 MARCH

2.1.3 Administrative, financial, practical effects

2.1.4 Legislation

and the in depth research and feed-backs required and with some TBVC states favouring re-incorporation while others were opposed to re-incorporation, it would be pre-mature to schedule a realistic time frame for the re-incorporation of TBVC states.

2.2 It was agreed that there were still outstanding Working Group/Working Group Steering Committee minutes which the task group needed to scrutinise, further exacerbating the difficulty of setting realistic time scales.



WRKGROUP\IMPLTIME\SG2M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 2\MINUTES\9 MARCH

Addendum B

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON OF THE SUB-GROUP. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING

MINUTES OF THE MEETING OF SUB-GROUP 2 OF WORKING GROUP 5, HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH AT 15H00

PRESENT: (Addendum A)

APOLOGIES: TM Setiloane Bophuthatswana Government  
DZL Mtebule Ximoko Progressive Party  
VP Rattan National People's Party  
D Mafu South African Communist Party

1. Welcome

1.1 The meeting was chaired by Mr R Burrows.

1.2 In the absence of representation from the Ciskei Government, the IFP and Dikwankwetla Party, it was agreed that, a quorum nevertheless having been formed, the meeting should proceed. The meeting was later joined by delegates from the IFP and the Ciskei Government.

1.3 Alternatives for delegates listed under "Apologies" above were noted, as they appear in Addendum A.

1.4 The draft agenda prepared by Mr R Burrows was adopted.

2. Report from Sub-Group, 2 March 1992

The report tabled was adopted as an accurate record of the meeting concerned.

3. Matters arising from the meeting of 2 March 1992

3.1 Completion of discussion on the reports of the task groups

3.1.1 No further discussion ensued concerning the report tabled by Task Group 1.

3.1.2 Concerning the report tabled by Task Group 2, it was agreed that:

3.1.2.1 An official request should be made to Working Group 2 to deal with the matter of constitutional processes as a matter of urgency.

3.1.2.2 Participants in Working Group 5 should identify other areas, pertaining to the Terms of Reference of Working Group 2, which they believe need immediate attention

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with a view to tabling these at the next full plenary session of the Working Group. It was noted that, thereafter, Task Group 2 should remain open to further suggestions in this regard.

3.1.3 Concerning the report tabled by Task Group 3, the following was noted:

3.1.3.1 That the first sub-item under Item 12 should read:

Page 314/315 Item 7.3

3.1.3.2 That the contents of Item 2 of the report have been brought to the attention of the DMC, via the Secretariat, and that a meeting is to be arranged between Messrs D Curry and R Burrows with members of the Secretariat with a view to seeking clarity on the matter.

3.1.4 No further discussion ensued concerning the report tabled by Task Group 4.

## 3.2 Mechanism for drafting electoral legislation

3.2.1 It was agreed that:

3.2.1.1 Task group members may interchange according to the issues under discussion at the time.

3.2.1.2 Any task group member may concentrate his/her efforts within a particular task group upon those meetings of the task group dealing with issues pertaining to his/her field of expertise/experience/interest.

3.2.1.3 Task Group 2 should assume responsibility for handling electoral legislation.

## 4. Terms of Reference and Declaration of Intent

It was agreed that the Terms of Reference of Sub-Group 2 should be amplified to include Item 4 as follows:

"To prepare, in draft form, the documentation which is required for effect to be given to such agreements."

The amended Terms of Reference are appended as Addendum B.

## 5. Working procedures of task groups

It was agreed that:

5.1 The four convenors of the task groups should meet immediately following the

meeting in order to arrive at consensus on a working procedure, which should be reported to the sub-group when it reconvened.

5.2 The meeting on working procedure should be convened by Mr P Gastrow.

6. **Constituting of expert legal drafting committees**

It was agreed that:

- 6.1 Each task group should submit a brief on this matter to the next meeting of the sub-group.
- 6.2 Items 11.1 - 11.3 of the report from Task Group 3 dated 2 March 1992 should be used as guidelines in drafting each brief, noting that there should preferably not be nineteen representatives on each legal drafting committee.
- 6.3 The question of payment of legal drafting experts should be addressed by the Steering Committee, in consultation with the DMC.

7. **Handling of submissions on draft legislation**

It was agreed that this matter should be addressed by the four convenors of the task groups at their meeting on working procedure.

8. **General**

- 8.1 It was agreed that, noting the decision referred to under Item 3.2.1.3 above, and further noting concerns expressed under Item 3.1.2.1 above, the question concerning the raison d'etre of Task Group 2 has, for the time being, been addressed.
- 8.2 It was agreed that Item 8 of the report of Task Group 1 (concerning clarity as to whether or not delegations are entitled to substitute one of their existing delegates or advisers with a legal expert as and when required) should be addressed by the Steering Committee.

9. **Next meeting/s of the sub-group and its task groups**

9.1 It was agreed that:

- 9.1.1 The convenors of the task groups should meet at 11h30 to discuss working procedure.
- 9.1.2 The task groups should meet at 12h30 to address matters arising from the minutes of the other Working Groups.
- 9.1.3 The sub-group should reconvene at 15h00 for a report-back from the task groups.



- 9.2 It was noted that task groups 1 - 3 should meet in the party offices detailed, and that Task Group 4 should meet in the room used by the full sub-group.
- 9.3 It was agreed:
- 9.3.1 That there will be no meetings of the sub-group and its task groups during the week commencing Monday 16 March 1992.
- 9.3.2 The Steering Committee should compile a schedule of meetings for Working Group 5, its sub-groups and their task groups for the week commencing Monday 23 March 1992.
10. The meeting adjourned until 15h00.
11. The meeting reconvened at 15h00.
12. **Report on working procedures**
- 12.1 The recommendations contained in the report appended as Addendum C were approved.
- 12.2 It was noted that Item 5.1 of the report refers, inter alia, to the question of electoral law and the task group dealing with it.
- 12.3 Concerns regarding the possible time delay implicit in Item 9 of the report were noted.
13. **Report-back from task groups**
- 13.1 It was noted that Task Group 1:
- 13.1.1 Requires the minutes of all meetings of the sub-groups of Working Group 1.
- 13.1.2 Awaits reports from the SA Law Commission and the Department of Justice.
- 13.2 It was noted that, there being no matters arising from the minutes of Working Group 2, Task Group 2 will address the issue of electoral law at its next meeting.
- 13.3 Concerning the work of Task Group 3, the draft resolution on interim arrangements was noted.
- 13.4 Task Group 4 advised that it had nothing to report.
- The reports of task groups 1 - 3 are appended as Addenda D, E and F respectively.

14. Handling of submissions on draft legislation

It was noted that this matter, as referred to the meeting of task group convenors, has still to be addressed.

15. The meeting closed.



WRKGROUP\IMPLTIME\SG2M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 2\MINUTES\9 MARCH

Addendum A

The following people signed the attendance register:

African National Congress	G Bizos Z Skweyiya
Bophuthatswana Government	AM Boikanyo LI Morule
Ciskei Government	PP Jacobs
Democratic Party	R Burrows P Gastrow
Dikwankwetla Party	
Inkatha Freedom Party	LPHM Mtshali P Smith
Intando Yesizwe Party	N Mbonani VS Mahlangu
Inyandza National Movement	BD Madonsela GG Zama
Labour Party	D Curry K Lategan
Natal/Transvaal Indian Congress	Y Vawda N Balton
National Party	C Fisser PA Mathee
National People's Party	DK Padiachey B Jayraj
Solidarity Party	M Naranjee I Osman
South African Communist Party	D Mvelase
South African Government	L Wessels GC von Bratt
Transkei Government	GE Zilwa M Mabude

United People's Front      R Ramontja  
                                      IKE Moloko

Venda Government          LS Ramavhoya  
                                      M Mphaphuli

Ximoko Progressive Party    ML Nkuna

Minutes:                      Pam Saxby





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WORKING GROUP 5\SUB-GROUPS\AGENDA\24 FEBRUARY

Addendum B

## TERMS OF REFERENCE OF SUB-GROUP 2 (LEGISLATION)

(Amended according to a decision taken at the meeting of 9 March 1992)

1. To identify the key issues and problems that need to be addressed (Working Group Terms of Reference Item 1.1.2).
2. To identify areas of commonality and aspects where agreement already exists between participating delegations (Working Group 5 Terms of Reference Item 1.1.3).
3. Specifically, but without vitiating the generality of Items 1.1.1 to 1.1.3 of the Working Group 5 Terms of Reference, to consider whether and how to address:
  - 3.1 The identification of legislation that needs to be enacted or amended (Working Group 5 Terms of Reference Item 1.1.4 'f').
  - 3.2 Assisting in formulating the terms of the legislation or amendments (Working Group 5 Terms of Reference Item 1.1.4 'g').
  - 3.3 The legality of the process in relation to time-frames to be negotiated within the context of constitutional continuity (Working Group 5 Terms of Reference Item 1.1.4 'j').
4. To prepare, in draft form, the documentation which is required for effect to be given to such agreements.



WRKGROUP\IMPLTIME\SG2CONR.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUPS\CONVENORS' REPORT ON WORKING PROCEDURE\9 MARCH

Addendum C

## REPORT BY THE CONVENORS OF TASK GROUPS 1 - 4 OF SUB-GROUP 2 OF WORKING GROUP 5 ON WORKING PROCEDURE

Proposed working procedure for task groups:

1. Task groups should take the initiative in identifying issues requiring legislation.
2. When a Working Group has reached agreement on an issue which requires legislation for implementation, such an agreement, together with a memorandum explaining the agreement, should be forwarded to the relevant task group via the Steering Committee of Working Group 5.
3. As its first step, a task group should draw up a draft brief for the experts who are to draft the legislation.
4. When a task group has reached agreement on a draft brief, such brief should be submitted to Sub-group 2 of Working Group 5 for its approval.
5.
  - 5.1 Once Sub-group 2 has approved the brief, such brief should be forwarded to the relevant Working Group, via its Steering Committee, to enable the Working Group to assess whether the brief is consistent with its principled agreement.
  - 5.2 If there is doubt as to which Working Group should be considering the brief, then the brief should be sent to the Management Committee for direction.
6. When the relevant Working Group has approved of the brief, such brief should be returned to the relevant Task Group via the Steering Committee of Working Group 5.
7. The task group should then forward the brief to the group of experts to enable them to prepare draft legislation.
8. Draft legislation prepared by the expert draftspersons should then be submitted, via the task group, to Sub-group 2 for approval.
9. Draft legislation, as approved by sub-group 2, should then be approved by Working Group 5 before being forwarded to the relevant Working Group, via its Steering Committee, for its approval.
10. Draft legislation which has been approved by a Working Group should then be returned to Sub-group 2 for its final approval, before being submitted to CODESA by Working Group 5 (after its ratification).





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WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 1\REPORT\9 MARCH

Addendum D

# DRAFT REPORT FROM TASK GROUP 1 OF SUB-GROUP 2 OF WORKING GROUP 5, 9 MARCH 1992

Rapporteur: Mr P Gastrow, Convenor of Task Group 1

## 1. Minutes of Working Group 1

The minutes of the Steering Committee of Working Group 1, held on 2 March 1992, were considered. It was agreed that the minutes contained nothing of relevance to Task Group 1.

## 2. Proposed working procedure for task groups

The report by convenors of task groups 1 - 4 was considered. It was agreed that no discussion was required and that, if need be, the matter could be discussed further at the meeting of Sub-group 2.

## 3. General

The convenor reported that:

- 3.1 He has been in touch with the SA Law Commission and with the Director General of the Department of Justice to enquire about information relating to outdated legislation. Both agreed to assist and to supply information as soon as possible.
- 3.2 He had not yet communicated with the convenors of the three sub-groups of Working Group 1, but that he would do so before the next meeting.



WORKGROUP\IMPLTIME\SG2TG2R2.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 2\REPORT\9 MARCH

Addendum E

**DRAFT REPORT FROM TASK GROUP 2 OF SUB-GROUP 2 OF WORKING GROUP 5, 9  
MARCH 1992**

Rapporteur: Mr C Fisser, Convenor of Task Group 2

1. It was agreed that the task group should meet on Monday 23 March and Tuesday 24 March 1992 in order to discuss a draft brief for an Electoral Act.
2. Members of the task group were requested to propose any ideas to be included in the draft brief, should they wish to do so.
3. It was agreed that members of the sub-group who are not members of the task group are welcome to attend the meetings referred to in Item 1 above, and to make proposals to be included in the draft brief if they so wish.





WRKGROUP\IMPLTIME\SG2TG3R2.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 3\REPORT\9 MARCH

Addendum F

# DRAFT REPORT FROM TASK GROUP 3 OF SUB-GROUP 2 OF WORKING GROUP 5, 9 MARCH 1992

Rapporteur: Mr RM Burrows

1. The report of the convenors' meeting on working procedure was discussed. A number of minor amendments were agreed upon, to be put to Sub-group 2.
2. Minutes of Working Group 3 and its Steering Committee, dated 2 March 1992, were scrutinised (and labelled pages 338 - 348).
  - 2.1 Note was taken:
    - 2.1.1 That Item 6.3 (page 339) is still under discussion.
    - 2.1.2 That, referring to page 343, the SA Constitution Act should be obtained for Task Group 3.
    - 2.1.3 Of Item 5.1.6 (page 343), concerning the position of the TBVC states during the period leading up to an election. It was agreed that Sub-group 2 should clarify the division of this matter between Task Groups 3 and 4.

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**MINUTES OF THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 16H00**

PRESENT:	R Burrows	Democratic Party
	D Curry	Labour Party
	Y Moolla	Solidarity Party
	LPHM Mtshali	Inkatha Freedom Party
	D Mvelase	SA Communist Party
	R Ramontja	United People's Front
	Z Skweyiya	African National Congress

P Saxby (minutes)

APOLOGIES:	GS Bartlett	National Party
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**1. Chairperson's opening remarks**

The meeting was chaired by Mr D Curry.

**2. Adoption of agenda**

The agenda was adopted, without ratification.

**3. Ratification of the minutes of the previous meeting, and matters arising**

The minutes were adopted, subject to the following amendment:

Item 2.2 should include in its submissions from outside CODESA:

7.1.5 National Land Commission

**4. Submissions from outside CODESA**

It was agreed that the Working Group minute taker/secretary should circulate to all heads of delegations copies of all submissions received.

**5. Matters arising from the meetings of Working Group 5 and the other Working Groups**

Regarding Items 4.2.2 and 4.2.3 of the minutes of the meeting of Working Group 5 of 2 March 1992, it was noted that no official response has yet been received to Mr GS Bartlett's memorandum to the DMC.



6. **Matters raised with the DMC/Secretariat**

It was noted that, in the light of the above, the matter of a response from the Chairperson of the DMC to issues raised by Mr GS Bartlett and Mr D Curry/Mr R Burrows should be revisited at the next meeting of the Steering Committee.

7. **Reports from the sub-groups**

It was noted that:

7.1 These reports should be included, as addenda, in the minutes of the meeting. They are accordingly appended as Addenda A and B.

7.2 Recommendations from the sub-groups should be tabled at the next full plenary session of the Working Group.

8. **New business**

It was noted that the overlap between the Terms of Reference of Sub-group 2 and the work of the other Working Groups should:

8.1 Be included in the agenda for the next full plenary session of the Working Group.

8.2 Be drawn to the attention of the DMC via the Secretariat.

9. **Schedule of meetings for the following week**

9.1 It was noted that there will be no meetings of the Working Group, its sub-groups or its Steering Committee during the week commencing Monday 16 March 1992.

9.2 It was agreed that Working Group 5 and its sub-committees will meet during the week commencing Monday 23 March as follows:

09h30	Steering Committee meets to ratify the minutes of its previous meeting
10h00 - 13h00	Working Group 5 full plenary session
14h00 - 16h00	Sub-groups 1 and 2 meet (and may break into task groups if necessary)
16h00	Steering Committee reconvenes

10. **Draft agenda for the meetings scheduled for Monday 23 March 1992**

It was agreed that the Working Group minute-taker/secretary should draft agenda for the full plenary session and the Steering Committee meeting, following the format of the agenda for previous meetings.

These draft agenda are accordingly appended as Addenda C and D.

11. **Statement to the media**

It was agreed that the Working Group would not issue a statement on the day's proceedings.

12. The meeting closed.





WRKGROUP\IMPLTIME\AG23MAR.WI (2)

WORKING GROUP 5\AGENDA\23 MARCH

Addendum C

**DRAFT AGENDA FOR THE MEETING OF WORKING GROUP 5 TO BE HELD AT THE  
WORLD TRADE CENTRE ON MONDAY 23 MARCH AT 10H00**

1. Chairperson's opening remarks
2. Adoption of agenda
3. Ratification of the minutes of the Working Group 5 meeting of 2 March 1992
4. Matters arising from the minutes of the meetings of:
  - 4.1 Working Group 5 (2 March 1992)
  - 4.2 Working Group 5 Steering Committee (2 and 9 March 1992)
5. Matters raised with/by the DMC/Secretariat
  - 5.1 Response from the Chairperson of the DMC to memoranda from the Steering Committee of Working Group 5 (Addendum)
  - 5.2 Overlap between the Terms of Reference of Sub-group 2 and the work of the other Working Groups
6. Reports and recommendations from sub-groups:
  - 6.1 Sub-group 1
  - 6.2 Sub-group 2
7. New business
8. Date of next meeting
9. Closure

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WRKGROUP\IMPLTIME\SCA23MAR.WI (2)

WORKING GROUP 5\STEERING COMMITTEE\AGENDA\23 MARCH

Addendum D

**DRAFT AGENDA FOR THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5 TO TAKE PLACE AT THE WORLD TRADE CENTRE ON MONDAY 23 MARCH AT 16H00**

1. Chairperson's opening remarks
2. Adoption of agenda
3. Ratification of the minutes of the previous meeting and matters arising
4. Matters arising from the meetings of WG5 and other WGs
5. Matters raised with the DMC/Secretariat
  - 5.1 Response from the Chairperson of the DMC to matters raised by:
    - 5.1.1 Mr G Bartlett
    - 5.1.2 Mr D Curry and Mr R Burrows
6. Report from:
  - 6.1 Sub-group 1
  - 6.2 Sub-group 2
7. Matters arising from the reports of the sub-groups:
  - 7.1 Sub-group 2:
    - 7.1.1 Payment of legal experts
    - 7.1.2 Substitution of delegates/advisers by legal experts
8. New business
9. Schedule of meetings for the following week
10. Draft agenda for:
  - 10.1 plenary and sub-group sessions
  - 10.2 the next meeting of the Steering Committee
11. Statement to the media
12. Closure

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WRKGROUP\IMPLTIME\SCM3003.WI(2)

WORKING GROUP 5\STEERING COMMITTEE\MINUTES\30 MARCH

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL, AND RESTRICTED TO THE MEMBERS OF WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF THE CHAIRPERSON OF THE STEERING COMMITTEE AND TO RATIFICATION BY THE STEERING COMMITTEE AT ITS NEXT MEETING

**DRAFT MINUTES OF THE MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 30 MARCH 1992 AT 09H00**

PRESENT:	GS Bartlett	National Party
	R Burrows	Democratic Party
	Y Moolla	Solidarity Party
	LPHM Mtshali	Inkatha Freedom Party
	D Mvelase	SA Communist Party
	Z Skweyiya	African National Congress
	R Ramontja	United People's Front
	I Thompson (minutes)	

**1. Chairpersons opening remarks**

The meeting was chaired by Mrs Ramontja

**2. Adoption of agenda**

The agenda was adopted without amendment

**3. Matters arising from the meetings of WG5 and other WGs**

There were no new matters arising

**4. Matters raised with the DMC/Secretariat**

- 4.1. A meeting of the Steering Committee and the DMC was scheduled at 13H00 Monday 30 March 1992.
- 4.2. Item 4.1.1. had been dealt with by including it as an addendum to the minutes of the meeting of Working Group 5 held on 2 March 1992.
- 4.3. Regarding Item 4.1.2. of the agenda, it was agreed that the following people would represent the Steering Committee at future meetings with the DMC: R Burrows, Z Skweyiya and LPHM Mtshali.
- 4.4. Regarding the payment of legal experts (Item 6.1.1. on the agenda), the DMC agreed in principle and would respond in writing.
- 4.5. The DMC agreed in principle that delegates/advisors may be substituted by legal experts.
- 4.6. It was agreed that a "marketing mechanism" for Codesa publicity would be established by the

DMC.

- 4.7. It was agreed that the DMC would establish mechanisms whereby the Task Groups of Working Group 5 would attend the plenary sessions of the corresponding Working Groups as observers.

5. **Broader publicity for the CODESA process**

It was noted that, while the issue of publicity for Codesa was to be raised with the DMC, there was a need for more and positive publicity for Codesa.

6. **Schedule of meetings**

- 6.1. The day's meetings were rescheduled as follows:

10H15 - 11H00	Task Groups
11H00 - 11H30	Sub-groups
11H45 - 13H00	Plenary
13H00 - 14H00	Steering Committee and DMC
14H00	Steering Committee

- 6.2. Task groups should meet as required, before the next plenary meeting of Working Group 5 (27 April 1992)
- 6.3. The Steering Committee would not meet until the 27 April 1992, unless required to do so, at the discretion of the chairperson, Y Moolla.

7. **Statement to the media**

It was noted that no statement would be released to the media.

8. **Mr D Curry**

It was noted that Mr D Curry has moved to Working Group 1.

9. **The meeting closed.**





WRKGROUP\IMPLTIME\SG1R2MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 1\REPORT\2 MARCH

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

**MINUTES OF THE MEETING OF SUB-GROUP 1 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992 AT 08H30**

(Adopted at the meeting of Sub-group 1 dated 9 March 1992, as amended)

PRESENT: (Addendum A)

**1. Report of the meeting of 24 February**

The draft report from the above meeting was adopted with the following amendments:

- 1.1 Item 6.1: Delete "date of general referendum".
- 1.2 Item 7: Include after "inputs": "on suggested time frames".
- 1.3 Addendum B: Mr N Bevaza should read Mr N Bebeza; Mr Lukhaimane's initials are EK.

**2. Participation status for advisers**

It was agreed that the advisers to Working Group 5 should be given full participation status within the sub-group.

**3. Appointment of four Task Groups**

The sub-group agreed to divide itself into the following task groups:

- \* Task Group 1 (Working Group 1, Climate):  
(DP, Transkei, NIC/TIC, XPP, NP, Dikwankwetla, Inyandza, NPP, SACP, ANC)
- \* Task Group 2 (Working Group 2, Constitutional Principles):  
(Bophuthatswana, Transkei, Solidarity, Labour, NIC/TIC, XPP, NP, UPF, IFP, Dikwankwetla, Inyandza)
- \* Task Group 3 (Working Group 3, Transition):  
(Ciskei, DP, Solidarity, Labour, Venda, UPF, IFP, SA Govt, SACP, ANC, Intando Yesizwe, Inyandza)
- \* Task Group 4 (Working Group 4, TBVC States):  
(Bophuthatswana, Ciskei, Venda, NPP, SA Govt, Intando Yesizwe, Inyandza)

**4. Submissions from delegations to Sub-group 1**

It was noted that written submissions had been received from the SA Government and NPP, and that

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other recommendations would follow after the adjournment.

5. The meeting adjourned at 09h25 until 11h00.

6. **Apologies and substitutions**

The following changes were noted:

6.1 ANC to move from Task Group 2 to Task Group 3 (noted under Item 3 above).

6.2 Inyandza to attend Task Groups 1 & 2 (noted under Item 3 above).

8 6.3 Bophuthatswana: Mr IJ Reid to attend Sub-group 1 and Mr TM Setiloane to attend Sub-group 2.

6.4 ANC: Mr M Maharaj to replace Mr P Jordaan.

6.5 NIC/TIC: Mr S Chetty to replace Dr F Meer.

6.6 Mr H Ebrahim substituted Ms C Carolus as chair in the second session.

7. **Adoption of Agenda**

The proposed agenda was adopted.

8. **Duties of Task Groups**

It was agreed that the task groups' function will be to monitor the decisions of Working Groups and to identify any such decisions which have time-frame implications; then to bring specific time-frame proposals to the sub-group as recommendations. Any recommendations requiring decisions would be taken to plenary sessions of Working Group 5.

9. **Appointment of Convenors and Deputy Convenors of Task Groups**

It was agreed to have on-going, not rotational, convenors and deputy convenors for each task group. The following were appointed:

- \* Task Group 1: J Walsh, DP (convenor); C Dlamini, SACP (dep. convenor)  
Scribe to be appointed
- \* Task Group 2: M Streicher, NP (convenor); NM Raju, Solidarity (dep. convenor)  
Scribe to be appointed
- \* Task Group 3: R Hulley, DP (convenor); C Carolus, ANC (dep. convenor)  
HP Fourie, SA Govt. (scribe)
- \* Task Group 4: MN Poni, Ciskei (convenor); EK Lukhaimane, Venda (dep. convenor)  
AL Singh, NPP (scribe)



# 10. Submissions from delegations to Sub-group 1

10.1 Delegates from SA Govt, NPP, Ciskei, Venda, UPF, XPP, Transkei and ANC gave submissions.

10.2 The following is a brief summary of these submissions:

10.2.1 CODESA 2: should meet by mid-April at the latest.

10.2.2 Before CODESA 2: resolve the position of the King of the Zulus and traditional leaders (DMC); resolve the issues of exiles and political prisoners, and make progress on violence; produce a substantive report on constitutional principles (Working Group 2); table proposals for an interim government (Working Group 3).

10.2.3 Interim Government: to be formed between May and October 1992.

10.2.4 Elected Assembly: to be formed between September 1992 and March 1993, to sit in conjunction with the Tricameral Parliament.

10.2.5 Before Elected Assembly: resolve the position of the media and the control of the security forces (Working Group 1).

10.2.6 Final elections under a new democratic constitution: to be targeted between September 1993 and November 1994.

10.3 These submissions were not debated and no decisions were made. They were noted and referred to the task group and sub-group sessions when they meet on Monday 9 March 1992.

## 11. Matters arising

On the proposal by the SA Government, it was agreed that the Steering Committee of Working Group 5 should be asked to approach the DMC to request the other working Groups to provide Working Group 5 with their anticipated timetable of decisions arising from their respective Terms of Reference as soon as possible.


Mr G Bartlett agreed to take up this request with the Steering Committee.

## 12. Date of next meeting (Monday 9 March 1992)

09h00 - 13h00	task groups
14h00 - 16h00	Sub-group 1

It was noted that task groups may also make their own meeting arrangements on non-CODESA days if they so wish.

13. The meeting closed.

  
R. R. HULLY  
Democratic Party



## Addendum A

The following people signed the attendance register:

Organisation	Sub-group 1
African National Congress	C Carolus (deputy chair)
Bophuthatswana Government	IJ Reid
Ciskei Government	MN Poni BH Muller
Democratic Party	RR Hulley (chair) J Walsh
Dikwankwetla Party	ST Leokaoke P Thaele
Inkatha Freedom Party	FX Gasa M Zondi
Intando Yesizwe Party	S Mtsweni
Inyandza National Movement	D Kunene
Labour Party	Y Bassier A Essop
Natal/Transvaal Indian Congress	H Ebrahim
National Party	GS Bartlett DM Streicher
National People's Party	O Ganie AL Singh
Solidarity Party	Y Moolla NM Raju
South African Communist Party	A Masondo
South African Government	ABE Williams HP Fourie
Transkei Government	N Bebeza PG Qokweni

United People's Front	MJ Duba Sn Bambo
Venda Government	EK Lukhaimane EM Randima
Ximoko Progressive Party	MH Matjokana SE Mathumbu

Rowena Murray-Brown (minutes)





WRKGROUP\IMPLTIME\SG1M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\9 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON OF SUB-GROUP 1 OF WORKING GROUP 5. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING.

# DRAFT MINUTES OF THE MEETING OF SUB-GROUP 1 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 14H00

PRESENT: (Addendum A)

## 1. Adoption of Agenda

1.1 The following agenda was recommended:

- 1.1.1 Steering Committee Minutes
- 1.1.2 Working Group Minutes
- 1.1.3 Reports from Task Groups
- 1.1.4 Other business
- 1.1.5 Closure

1.2 Noting that the meeting only had the authority to ratify its own minutes it was resolved that discussion on the minutes of the Plenary of Working Group 5 of the 2 March be postponed.

The amended agenda was adopted.

## 2. Announcements

The following announcements were made on behalf of Administration:

- 2.1 A press conference at 16H00. Agreed that Mr Y Moolla (Solidarity Party) being the only Steering Committee member present should be excused to consult with other Steering Committee members.
- 2.2 Written submissions as tabled at the meeting of 2 March were called for.
- 2.3 List of Task Group members was called for.
- 2.4 List of scribes for Task Groups was called for.
- 2.5 Attendance registers for Working Groups 1 and 2 were called for.

## 3. Apologies and substitutions

3.1 The following apologies were noted: C. Carolus (ANC), G. Bartlett (NP), A. Essop (L.P).

3.2 The following points were noted:

3.2.1 Item 3. (Task Group 2): Should be read together with Item 6.1. (after the recess the ANC moved from Task Group 2 to Task Group 3).

3.2.2 Item 3. (Task Group 2): It was noted that even though there are 11 parties/organisations listed, only 10 have been attending the meeting. It was noted that a representative from Venda will attend this meeting in the future but will be absent next week.

3.2.3 Item 6.3: Mr Reid and Mr Setiloane will both participate in Sub-Group 1.

4. Report on the meeting of 2 March

The draft report from the above meeting was adopted with the following amendments:

4.1 Item 6.2: Inyandza to attend Task Groups 1 and 2.

4.2 Item 6.6: Mr H Ebrahim substituted C. Carolus as Chair in the second session.

4.3 Item 10.1: UPP should read UFP.

4.4 Item 10.2.2: Should read: "the position of the King of the Zulus and traditional leaders."

5. Matters arising

5.1 Addendum C, Item 1: Mr Moolla (Solidarity Party) reported that discussion is taking place between the Steering Committee and the Daily Management Committee and the necessary letters have been written in accordance with the accepted procedures.

6. Reports from Task Groups

6.1 Task Group 1 (Addendum B)

6.1.2 The meeting was structured to address:

6.1.2.1 priorities

6.1.2.2 working procedures

6.1.2.3 general matters



6.1.3 Consensus was reached on key areas:

- 6.1.3.1 the release of political prisoners and the acceleration of the return of exiles;
- 6.1.3.2 the need for the reduction of violence;
- 6.1.3.3 the need for independent broadcasting.

6.1.4 Recommendations were made as follows:

- 6.1.4.1 that Working Group 5 resolve these issues before Codesa 2;
- 6.1.4.2 that the transitional executive authority envisaged by Working Group 3 would contribute to reducing violence;
- 6.1.4.3 that Working Group 1 should report to Codesa 2 on necessary steps to achieve an independent broadcasting authority with emphasis on fair and impartial party-political coverage in the run up to a future election.

6.2 Task Group 2 (Addendum C)

6.2.1 Objectives were identified as follows:

- 6.2.1.1 Monitoring the progress of Working Group 2;
- 6.2.1.2 Evaluating progress and making proposals;
- 6.2.1.3 Recommending time frames to Plenary.

6.2.2 Noting the areas of commonality reached with regard to constitutional principles only it was recommended that:

- 6.2.2.1 Working Group 2 initiate discussion with regard to a constitution-making body before Codesa 2 so that appropriate time-frames could be proposed.

6.3 Task Group 3 (Addendum D)

6.3.1 The following recommendations were made by general consensus:

- 6.3.1.1 That Codesa 2 meet on 23-24 April;
- 6.3.1.2 That Working Group 3 table its proposals for an interim/transitional government and for a future transitional process at Codesa;
- 6.3.1.3 That Working Group 3 submit reports on the following questions to the Management Committee by 14 April in order to have them included in Codesa 2 documentation:
  - \* Question of appointing or electing the transitional authority?
  - \* How it is appointed?

- \* Its powers, purposes and objectives?
- \* Its relationship with the existing legislature?
- \* Its relationship with the existing Executive Cabinet?
- \* What becomes of the existing constitution?
- \* The position/participation of the existing TBVC states?

6.3.2 It was further resolved that:

- 6.3.2.1 Clarification on the position/participation of the TBVC states was not essential before Codesa 2;
- 6.3.2.2 The question of the international role was not a matter for conclusion before Codesa 2.

6.3.3 It was further recommended that:

- 6.3.3.1 An interim/transitional government should be installed by 30 June or the last day of the present parliamentary session (whichever comes first);
- 6.3.3.2 That Sub-Group 2 should note proposed timetable and assess whether or not it is realistic in terms of processing legislative amendments;
- 6.3.3.3 That the meeting on Monday 16 March should be postponed.

6.3.4 It was agreed

- 6.3.4.1 That the Task Group would rely on formal minutes of Working Group 3 as well as on informal contact;
- 6.3.4.2 That Working Group 3 be requested to address the question of interim government at provincial, regional and local level.

6.4 Task Group 4 (Addendum E)

6.4.1 Reincorporation of the TBVC states was agreed upon by sufficient consensus pending:

6.4.1.1 Reports from Sub-Committees to Working Group 4:

- \* testing the will of the people;
- \* Citizenship;
- \* Administrative, financial, practical effects;
- \* Legislation

6.4.2 It was further agreed that it was not realistic at this stage to propose a time-frame.

7. Matters arising

7.1 Time frames



It was agreed by general consensus that noting that decisions with regard to time frames would ultimately be made by Working Group 5 Plenary the Task Groups are mandated to make recommendations. In keeping with this understanding the following recommendations were made:

- 7.1.1 Codesa 2 should take place from 24-25 April, 1992;
- 7.1.2 Substantive proposals around the key issues identified by Working Group 1 should be submitted by 14 April;
- 7.1.3 An interim government should be installed by 30 June or last day of the current parliamentary session (whichever comes first).

7.2 Decisions should be binding

It was agreed by general consensus that decisions taken by Task Groups could not be reversed by the Group. By the same token, decisions taken at the next level, i.e. at Sub-Group 1 of Working Group 5 should be binding. As these decisions are discussed from one level to the next the same principles should apply.

7.3 Date of next meeting

- 7.3.1 It was agreed that the next meeting will take place on Monday 23 March 1992.

- 7.3.2 It was recommended that the meeting of 23 March should be a meeting of Working Group 5 Plenary and that this recommendation would be taken up at the meeting of the Steering Committee.

8. The meeting closed.

WRKGROUP\IMPLTIME\SG1M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\9 MARCH

Addendum A

The following people signed the attendance register:

Organisation	Sub-Group 1
Bophutatswana Government	IJ Reid
Ciskei Government	BJ Muller MN Poni
Democratic Party	R Hulley J Walsh
Dikwankwetla Party	ST Leokaoko P Thaele
Inkatha Freedom Party	FX Gaza M Zondi
Inyandza National Movement	D Kunene TR Jordan
Labour Party	Y Bassier
NIC/TIC	H Ebrahim (chair)
National Party	PJ Marais DM Streicher
National People's Party	O Ganie AL Singh
Solidarity Party	Y Moolla NM Raju
South African Communist Party	C Dlamini A Masondo
South African Government	A Williams HP Fourie
Transkei Government	N Bebeza PG Qokweni



United People's Front

MJ Duba  
SN Bambo

Venda Government

EK Lukhaimane

Ximoko Progressive Party

MH Matjokana  
SE Mathumbu

Melody Emmett (minutes)



WORKING GROUP 5\SUB-GROUP 1\TASK GROUP 1\REPORT\9 MARCH

Addendum B

# DRAFT REPORT FROM TASK GROUP 1 OF SUB-GROUP 1 OF WORKING GROUP 5, 9 MARCH, 1992

## 1. Chairman and Scribe

Mr J. Walsh was appointed Chairman and Mr O. Ganie as Secretary.

## 2. Adoption of Agenda

- 2.1 Election of Chairperson
- 2.2 Appointment of Scribe
- 2.3 Review of the Terms of Reference
- 2.4 Set Priorities/Discussions
- 2.5 Establish Working Procedures
- 2.6 General

## 3. Priorities/Discussions

Consensus was reached on the following:

### 3.1 Political Prisoners, Return of Exiles & General Amnesty

Working Groups 1 and 5 have identified that the release of political prisoners, the return of exiles and general amnesty are vital prerequisites in the process of setting a climate conducive to negotiation. Therefore Working Group 5 requests Working Group 1 to try and resolve these issues and implement same as soon as possible but not later than Codesa 2.

### 3.2 Violence

Reduction of the level of violence is critical to the creation of the climate and opportunity for free political participation.

A transitional executive authority as envisaged by Working Group 3 would greatly contribute to achieving this end.

Working Group 1 is therefore asked to report to Codesa 2 on its planned programme of action and progress made in terms of the National Peace Accord.

### 3.3 Media

Noting the decision to establish an independent broadcasting authority, we believe Working Group 1 should report to Codesa 2 on steps necessary to achieve this. Priority must be given to implementation to ensure fair and impartial party political coverage from the commencement of the run-up period to a future election.

## 4. Date of next meeting

The date of the next meeting is to be decided in Sub-Group 1 Plenary session.





WORKING GROUP 5\SUB-GROUP1\TASK GROUP 2\REPORT\9 MARCH

Addendum C

# DRAFT REPORT FROM TASK GROUP 2 OF SUB-GROUP 1 OF WORKING GROUP 5, 9 MARCH 1992

## 1. Agenda

- 2.1 Objectives
- 2.2 Progress made in Working Group 2
- 2.3 Report and recommendation
- 2.4 Next meeting

## 2. Objectives of the Group:

- \* To evaluate progress made in Working Group 2 and report back to Working Group 5.
- \* To make tentative recommendations of time frames through Sub-Group Plenary.

## 3. The following points were noted:

- 3.1 Documents are not readily made available;
- 3.2 Noting that time frames recommended in isolation of other Task Groups are counter-productive it was agreed that the question of time frames should be raised at the Plenary of Working Group 5 Sub-Group 1;
- 3.3 Noting areas of commonality that have been achieved with regard to constitutional principles it was agreed that recommendations should be made to Working Group 2 that discussions proceed regarding a constitution-making body before Codesa 2.

## 5. Date of next meeting

It was resolved that the Plenary of Working Group 5 Sub-Group 1 should determine the date of the next meeting.



WRKGROUP\IMPLTIME\SG1TG3.WI

WORKING GROUP 5\SUB-GROUP1\TASK GROUP 3\REPORT\9 MARCH

Addendum E

# DRAFT REPORT FROM TASK GROUP 3 OF SUB-GROUP 1 OF WORKING GROUP 5. 9 MARCH 1992

## 1. Attendance

See Addendum A.

## 2. Approval of minutes of 2 March 1992

The minutes were approved.

## 3. Time tables for Working Group 3

3.1 It was agreed to use item 10.2 of the minutes of Sub-group 1 of Working Group 5 of 2 March 1992 as well as the questions included in Appendix C of the minutes of the meeting of Working Group 3 on 2 March 1992 as guidelines for the formulation of target dates for Working Group 3. The following decisions were taken:

3.1.1 It is recommended that CODESA II meet on 24 and 25 April 1992.

3.1.2 It is further recommended by sufficient consensus that Working Group 3 should table its proposals for an interim/transitional government, and for the future transitional process, for consideration at CODESA II.

3.1.3 Following from these recommendations it is recommended that Working Group 3 submit reports on the following questions from Appendix C to the Management Committee by 14 April 1992 in order to have it included in the documentation for CODESA II:

\* "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?

\* Directly quoted from Appendix C

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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 these 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?

\* "7.2 In respect of the Self-Governing States:

7.2.1 What should their position be during the transitional period? Should they participate in the Interim/Transitional Authority?

\* Directly quoted from Appendix C

7.2.2 What should happen to their administrative structures during the transitional period?

3.1.4 With regard to the following questions it is recommended that it will be desirable to have it answered by 14 April 1992 but it was decided that it is not essential for CODESA II or the early part of the process:

\* "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?"

3.1.5 With regard to the following questions it is recommended that no target dates be set at this stage:

\* "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?"

3.1.6 The target date for the installation of an Interim/Transitional Authority should be 30/6/1992 or the last day of the present Parliamentary Session, whichever ever comes first.

3.1.7 Further target dates will be considered as soon as Working Group 3 reports further progress.

4. Sub-group 2 of Working Group 5 is requested to take note of these recommendations and confirm whether it is realistic or not.

5. Procedures to get information to Task Group 3

It was agreed that the Task Group will rely on the formal minutes of Working Group 3 as well as on informal contacts between members of the Task Group and the Working Group to get the information they need as quickly as possible.

\* Directly quoted from Appendix C



6. Other Matters

It was agreed to request Working Group 3 to address the question of interim government at provincial, regional and local levels as a matter of urgency.

7. Next meeting

7.1 It was decided not to meet on 16 March 1992.

7.2 The next meeting will take place on 23 March 1992, if the Steering Committee decides to call a plenary meeting of Working Group 5 on that day.

## ADDENDUM A

### THE FOLLOWING PEOPLE WERE PRESENT:

RR Hulley (DP)	Chairperson
C Carolus (ANC)	Deputy Chairperson
HP Fourie (SA Gov)	Secretary
SN Bambo (UPF)	
FX Gasa (IFP)	
A Masondo (SACP)	
Y Moolla (SP)	
BH Muller (Ciskei Gov)	
EM Randima (Venda Gov)	

### APOLOGY

JS Mabona (IYP)

### ABSENT

A Essop (LP)





WORKING GROUP 5 SUB-GROUP 1 TASK GROUP 4\9 MARCH

Addendum F

**DRAFT REPORT FROM TASK GROUP 4 OF SUB-GROUP 1 OF  
WORKING GROUP 5, 9 MARCH 1992**

**1. The following minutes were scrutinised :**

**1.1 Working Group 4 :**

1.1.1 First Meeting - 20 January 1992

1.1.2 Second Meeting - 6 February 1992

It was agreed that the secretary would communicate with the Administration to make copies of submissions (18) available to the task group (Item 4.3).

1.1.3 Third Meeting - 10 February 1992

It was agreed (refer 5.2) that the outstanding report from the sub-committee be made available as soon as possible ie immediately the report is tabled at the Working Group/Working Group Steering Committee meeting(s).

It was agreed that Items 7.1.1 - 7.1.4 of necessity raised cogent problems which would affect the scheduling of realistic time frames.

1.1.4 Fourth Meeting - (Item 3.5)

It was noted that the report referred to Item 1.1.3 is outstanding.

1.1.5 Fifth Meeting -

**1.2 Working Group Steering Committee**

Meetings 20/1/92, 27/1/92, 11/2/92, 18/2/92, 18/2/92, 24/3/92

**2. Conclusion**

It was agreed pending :

**2.1 Reports from sub-committees to Working Group 4**

2.1.1 Testing the will of the people

2.1.2 Citizenship

2.1.3 Administrative, financial, practical effects

2.1.4 Legislation

and the in depth research and feed-backs required and with some TBVC states favouring re-incorporation while others were opposed to re-incorporation, it would be pre-mature to schedule a realistic time frame for the re-incorporation of TBVC states.

2.2 It was agreed that there were still outstanding Working Group/Working Group Steering Committee minutes which the task group needed to scrutinise, further exacerbating the difficulty of setting realistic time scales.





WRKGROUP\IMPLTIME\SG1M23O3.WI (2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\23 MARCH

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF THE CHAIRPERSON OF SUB-GROUP 1 OF WORKING GROUP 5 AND TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING

DRAFT MINUTES OF THE MEETING OF SUB-GROUP 1 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 23 MARCH 1992 AT 14H00.

PRESENT: (Addendum A)

APOLOGIES: MN Poni

1. Chairpersons's opening remarks

The meeting was chaired by Mr S.T. Leokaoke (Dikwankwetla Party).

A further call was made for outstanding submissions as tabled at the meeting of 2 March 1992.

2. Adoption of Agenda

2.1 It was noted that no agenda had been prepared for the meeting.

2.2 The following agenda was recommended as a proforma for future meetings:

- 2.2.1 Chairpersons opening remarks
- 2.2.2 Adoption of Agenda
- 2.2.3 Apologies and substitutions
- 2.2.4 Report on previous meeting
- 2.2.5 Matters arising
- 2.2.6 Reports from Task Groups
  - 2.2.6.1 Matters arising
- 2.2.7 Any other business
- 2.2.8 Date of next meeting

2.3 It was agreed that the Secretariat be requested to draw up a draft agenda based on the above for all future Sub-Group and Plenary sessions.

2.4 It was agreed that since Items 2.2.4 to 2.2.7 (of the proposed agenda) had already been discussed in the Plenary Session that morning there was no value in opening discussion on these matters at this Sub-Group meeting.

3. Matters arising

3.1 Noting that a number of parties/organisations present had to date not received minutes of other Working Groups and Task Groups discussion on these should be held over to a future meeting.

3.2 It was noted that parties/organisations which had not received minutes (as detailed above) should approach the Secretary after today's meeting.

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WORKING GROUP 5\SUB-GROUP 1\MINUTES\23 MARCH

- 3.3 It was agreed that the Secretary be requested to ensure that minutes of today's Plenary Session of Working Group 5 should reach Sub-Group 1 delegates by Wednesday 25 March and minutes of Working Groups 1-4 should be distributed to delegates by Friday 28 March.
- 3.4 It was agreed that minutes of Sub-Group 1 meetings should be ratified by the Sub-Group prior to meetings of the Plenary and that the situation which occurred today where this Sub-Group's minutes were read by the Plenary Session before being ratified by the Sub-Group should not be repeated.
- 3.5 It was agreed that matters arising from the minutes of Sub-Group 1's meeting of 9 March (discussed in Working Group 5 Plenary Session of 23 March 1992) should be explored in the next meeting of Sub-Group I. The relevant extracts from the draft minutes of the plenary session of 23 March 1992 are attached as Addendum B.
- 3.6 It was noted that Item 6.3.4.2 of the draft minutes of Sub-Group 1 of 9 March had not been discussed in the Plenary Session of Working Group 5 on 23 March 1992. It was recommended that the Steering Committee request Working Group 3 to address the question of interim government at provincial, regional and local level.

4. Any other business

- 4.1 It was agreed by general consensus that meetings on 30 March should be structured as follows:
- |               |   |
|---------------|---|
| 09h30 - 10h15 | Steering Committee Meeting                            |
| 10h15         | Task Groups meet to discuss other Groups' minutes     |
| 14h00         | Sub-Groups 1 and 2 meet                               |
|               | Plenary should meet after these meetings if necessary |
- 4.2 It was recommended that the Secretary should take note of and address the fact that some groups receive minutes in time and others do not.
- 4.3 It was noted that Mr Bartlett (National Party) gave his set of minutes to the United People's Front.

5. Date of Next Meeting

It was agreed that there will be no further meetings until Monday 30 March 1992.

6. The meeting closed at 15h00.



### Addendum A

The following people signed the attendance register:

Organisation	Sub-Group 1
African National Congress	P Jordan (substituting Z Skweyiya)
Bophutatswana Government	TM Setiloane
Ciskei Government	BH Muller
Democratic Party	R Hulley J Walsh
Dikwankwetla Party	ST Leokoake (Chair) P Thaele
Inkatha Freedom Party	FX Gasa M Zondi
Intando Yesizwe Party	JS Mabona S Mtsweni
Inyandza National Movement	D Kunene S Ripinga (substituting TR Jordan)
Labour Party	Y Bassier A Essop
NIC/TIC	H Ebrahim B Nair (substituting F Meer)
National Party	GS Bartlett DM Streicher
National People's Party	O Ganie AL Singh
Solidarity Party	NM Raju
South African Communist Party	C Dlamini A Masondo
South African Government	A Williams JM Spaarwater (substituting HP Fourie)
Transkei Government	N Bebeza PG Qokweni

WORKING GROUP 5\SUB-GROUP 1\MINUTES\23 MARCH 1992

United People's Front

MJ Duba  
SN Bambo

Venda Government

EK Lukhaimane  
EM Randima

Ximoko Progressive Party

MH Matjokana  
SE Mathumbu

Minute taker: Melody Emmett



6.1.2 Matters arising from the minutes of 9 March 1992:

6.1.2.1 It was noted that:

- 6.1.2.1.1 Recommendations concerning specific dates, as minuted under Items 7.1.1, 7.1.2 and 7.1.3, could be made on the basis of sufficient consensus, and without the participation of the SA Government and the National Party.
- 6.1.2.1.2 The Inkatha Freedom Party is not party to the time-frames laid down under Items 7.1.1, 7.1.2 and 7.1.3 of the minutes of 9 March 1992, whatever decisions ultimately arrived at or principles of consensus applied.
- 6.1.2.1.3 The issue of the participation of the King of the Zulus and other traditional leaders in CODESA should be included in those issues referred to under Item 7.1.2 of the minutes of 9 March 1992, as requiring substantive proposals to be submitted by Working Group 5 to the DMC by 14 April 1992.

6.1.2.2 It was agreed by general consensus that:

- 6.1.2.2.1 The recommendations detailed under Items 7.1.1, 7.1.2 and 7.1.3 of the minutes of 9 March 1992 should be adopted to read as follows:
  - \* Every attempt should be made to hold CODESA 2 on 24 - 25 April 1992.
  - \* However, certain key issues should first be addressed by the other Working Groups, and substantive proposals from these Working Groups on these key issues should be made by 14 April 1992.
  - \* Should these substantive proposals be accepted by CODESA 2, attempts should be made to install an interim government by 30 June 1992.
- 6.1.2.2.2 Item 7.2 should be deleted from the minutes of 9 March 1992.



WRKGROUP5\EMPLTIME\SG1M3003.WI(2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\30 MARCH

## ADDENDUM B

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO WORKING GROUP 5 AND TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING

DRAFT MINUTES OF THE MEETING OF SUB-GROUP 1 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 30 MARCH 1992 AT 14H00.

PRESENT: (Addendum 1)

APOLOGIES: A Masondo  
C Carolus  
J Walsh  
DM Streicher

1. Chairperson's opening remarks

The meeting was chaired by Mr G Bartlett.

2. Adoption of agenda

The agenda was adopted without amendment.

3. Apologies and substitutions

Apologies were received from the above mentioned people.

4. Ratification of the minutes of the meeting of Sub-group 1, Working Group 5 of 23 March 1992/Report on previous meeting

- 4.1. The minutes of the meeting of Sub-group 1, Working Group 5 (23 March 1992) were adopted, subject to the following amendment:

Addendum A, line 4:

"...(substituting Z Skweyiya)" should be deleted.

- 4.2. It was noted that Item 3.6. of the minutes (the recommendation that the Steering Committee request Working Group 3 to address the question of interim government at provincial, regional and local level) had not yet been discussed by the Steering Committee, and would be referred to the meeting between the Steering Committee and the DMC scheduled for later that day.

5. Reports from task groups:



ADDENDUM B

5.1. Report form Task Group 1 (See Addendum 2)

5.1.1. Matters arising:

It was noted that G Bartlett would follow up the recommendation of the Task Group that Working Group 1 liaise with the Committee of the National Peace Accord, as well as the process by which recommendations should be made.

5.2. Report form Task Group 2: (no written report was submitted)

5.2.1. Matters arising:

It was noted that the group had identified the task of the drafting of the electoral law to be the most important task for Working Group 5, and recommended that the task be elevated to Working Group level.

5.3. Report from Task Group 3 (See Addendum 3)

5.3.1. Matters arising:

5.3.1.1. It was noted that a communication gap between the Working Groups should be rectified. This was in the light of recommendations for other Working Groups to identify the critical issues requiring agreement before Codesa 2.

5.3.1.2. It was recommended that Working Group 5 Task Groups should accept the suggestion by the other Working Groups (made in a joint Steering Committee meeting 24 March 1992) that the Task Groups of Working Group 5 attend their meetings as observers.

5.4. Report form Task Group (see Addendum 4)

5.4.1. Matters arising:

It was suggested that in the light of the consensus in Working Group 4 that the TBVC states be re-incorporated, and that the mechanisms for this process were referred to Working Group 5, that this be brainstormed in the plenary of Working Group 5.

6. Date of the next meeting:

The next meeting of Sub-group 1 will take place on 27 April 1992.  
The Task Groups will be convened as seen fit.

7. The meeting closed at 12h00.

## ADDENDUM B

## Addendum 1

The following people signed the attendance register:

Organisation	Sub-Group 1
African National Congress	P Jordan
Bophutatswana Government	TM Setiloane IJ Reid
Ciskei Government	BH Muller M N Poni
Democratic Party	R Hulley
Dikwankwetla Party	ST Leokoake (Chair)
Intando Yesizwe Party	S Mtsweni
Inyandza National Movement	D Kunene S Ripinga (substituting TR Jordan)
Labour Party	Y Bassier P Ross (substituting A Essop)
NIC/TIC	H Ebrahim F Meer
National Party	GS Bartlett
National People's Party	O Ganie AL Singh
Solidarity Party	NM Raju Y Moolla
South African Communist Party	C Dlamini
South African Government	A Williams JM Spaarwater
Transkei Government	N Bebeza PG Qokweni



**ADDENDUM B**

**United People's Front**

SN Bambo

**Venda Government**

EK Lukhaimane  
EM Randima

**Ximoko Progressive Party**

MH Matjokana  
SE Mathumbu

Minute taker: Isabel Thompson



WRKGROUP5\IMPLTIME\SG1M3003.WI(2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\30 MARCH

## ADDENDUM B

## ADDENDUM 2

### TASK GROUP 1 OF SUB-GROUP 1 OF WORKING GROUP 5

30 MARCH 1992

CHAIRPERSON: C Dlamini

SCRIBE: O Ganie

1. The meeting commenced at 10h25.
2. No agenda was available for this meeting.
3. Mr Bartlett informed the meeting of the change in times as discussed by the steering committee:

10h15 - 11h00	Task Groups
11h00 - 11h30	Sub-groups
11h45 - 13h00	Plenary

It was also requested by the WG 5 Steering Committee that no meetings of Working Group 5 be called before 27 April 1992.

4. It was agreed that should the Task Groups be required to meet sooner, they should do so when requested.
5. Mr Bartlett agreed to take up with the Steering Committee:
  - 5.1. How do other groups deal with the recommendations of the Task Groups of Working Group 5?
  - 5.2. Recommendations of Task Group 1 of Sub-group 1 of Working Group 5 held on 9 March 1992 do not seem to appear on the minutes:
    - release of political prisoners and exiles
    - media
    - violence
6. A request to be made to Task Group 3 of Sub-group 1 of Working Group 5 to investigate the question of the integration of the security forces, which it was felt to be the terms of reference of Working Group 3 (Interim Arrangements). This integration was very important to the question of bringing an end to violence.



ADDENDUM B

7. The question of integration of the civil service was also discussed and it was felt that this was an overlap with Working Group 3 (Interim Arrangements) and Working Group 4 (TVBC States). No firm recommendations came out of the discussion. The matter would be taken up at Sub-group level.



WRKGROUP5\IMPLTIME\SG1M3003.WI(2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\30 MARCH

ADDENDUM B

ADDENDUM 3

## DRAFT REPORT OF TASK GROUP 3 OF SUB-GROUP 1 OF WORKING GROUP 5

30 MARCH 1992

### 1. Attendance

See Addendum 1

### 2. Approval of minutes of 9 March 1992

No minutes were submitted for approval.

### 3. Time scales:

- 3.1. It was decided that previous recommendation by the Task Group for the receipt of substantive submissions from other Working Groups (14 April 1992) for the holding of Codesa II (24/25 April 1992) and for the establishment of an Interim Government (30 June 1992) need not be amended, although it was recognised that these may be affected by events such as a proposed adjournment of Codesa for Easter, and the final date for Codesa II, which is still to be determined by the Management Committee.

### 4. Meeting of the DMC chairperson with the Secretariat and the Working Group Steering Committees on 24 March 1992:

The chairperson read the report of this meeting, during which the following issues were noted:

- 4.1. Concern was expressed that the meeting took place in the absence of the Steering Committee of Working Group 5, but it was noted that the Chairperson of the DMC had arranged a meeting with the Steering Committee of Working Group 5 for Monday 30 March 1992.
- 4.2. Concern was expressed that the DMC had apparently not taken note of the list of critical issues with which Working Group 5 had provided it, and Mr Y Moolla was requested to draw this to the attention of the DMC.
- 4.3. It was agreed that the suggestion by the meeting that the Task Groups attend plenary sessions of the other Working Groups to which they are assigned be accepted.

### 5. Next meeting

It was agreed that the next meeting will be convened in consultation between the chairperson and the Steering Committee, and when the circumstances demand it.

### 6. Closure.





WRKGROUP5\IMPLTIME\SG1M3003.WI(2)

WORKING GROUP 5\SUB-GROUP 1\MINUTES\30 MARCH

ADDENDUM B

ADDENDUM 4

## REPORT OF THE MEETING OF TASK GROUP 4 HELD ON 30 MARCH 1992

In their minutes of 9 March 1992, of Working Group 4, there was sufficient consensus that RSA citizenship be restored to TBVC citizens.

However there are TWO viewpoints:

1. Citizenship should be restored immediately
2. Citizenship should be restored after testing the will of the people, and if such expression of will is in favour thereof.

It has been noted that Bophutatswana expressed reservation.

### Recommendation:

Task Group 4 (Sub-group 1, Working Group 5) strongly recommends that the issues of citizenship be placed on the agenda of today's plenary for brainstorming. The Task Group further recommends that its meeting should be held after the recess, on 27 April 1992.



WRKGROUP\IMPLTIME\SG2M2MAR.WI

WORKING GROUP 5\SUB-GROUP 2\MINUTES\2 MARCH

THESE MINUTES, AS APPROVED BY SUB-GROUP 2, ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

**MINUTES OF THE MEETING OF SUB-GROUP 2 OF WORKING GROUP 5, HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH AT 15H00**

(Adopted at the meeting of 9 March, without amendment)

PRESENT: (Addendum A)

**1. Chairperson's opening remarks**

1.1 The meeting was chaired by Mr DT Mokoena.

1.2 In the absence of a formal agenda, it was agreed that the meeting should commence with reports from the task groups.

**2. Reports from the task groups**

2.1 Task Group 1 (dealing with the work of Working Group 1)

The report presented by Mr P Gastrow, as detailed in Addendum B, was noted.

2.2 Task Group 2 (dealing with the work of Working Group 2)

The report presented by Mr C Fisser, as detailed in Addendum C, was noted.

2.3 Task Group 3 (dealing with the work of Working Group 3)

The report presented by Mr Y Vawda, as detailed in Addendum D, was noted.

2.4 Task Group 4 (dealing with the work of Working Group 4)

The report presented by Mr L Wessels, as detailed in Addendum E, was noted.

**3. Matters arising from the reports of the task groups**

3.1 Regarding an appropriate mechanism for dealing with the drafting of electoral legislation, no consensus was reached. It was agreed that the matter should be revisited at the next meeting of the sub-group on Monday 9 March 1992.

3.2 It was noted that discussion on the reports of the task groups had not been completed.

**4. Date of the next meeting**

The next meeting of Sub-group 2 will take place on Monday 9 March at 10h00.

**5. The meeting closed.**

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## Addendum A

The following people signed the attendance register:

African National Congress	G Bizos Z Skweyiya
Bophuthatswana Government	AM Boikanyo TM Setiloane
Ciskei Government	PP Jacobs
Democratic Party	R Burrows P Gastrow
Dikwankwetla Party	DT Mokoena MS Setai
Inkatha Freedom Party	LPHM Mtshali P Smith
Intando Yesizwe Party	N Mbonani VS Mahlangu
Inyandza National Movement	BD Madonsela GG Zama
Labour Party	D Curry K Lategan
Natal/Transvaal Indian Congress	Y Vawda N Balton
National Party	C Fisser PA Mathee
National People's Party	DK Padiachey VP Rattan
Solidarity Party	M Naranjee I Osman
South African Communist Party	D Mvelase
South African Government	L Wessels GC von Bratt
Transkei Government	GE Zilwa M Mabude

WRKGROUP\IMPLTIME\SG2M2MAR.WI

WORKING GROUP 5\SUB-GROUP 2\MINUTES\2 MARCH

United People's Front	R Ramontja IKE Moloko
Venda Government	LS Ramavhoya M Mphaphuli
Ximoko Progressive Party	DZL Mtebule ML Nkuna
Minutes:	Pam Saxby





WRKGROUP\IMPLTIME\SG2M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 2\MINUTES\9 MARCH

Addendum B

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON OF THE SUB-GROUP. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING

MINUTES OF THE MEETING OF SUB-GROUP 2 OF WORKING GROUP 5, HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH AT 15H00

PRESENT: (Addendum A)

APOLOGIES: TM Setiloane Bophuthatswana Government  
DZL Mtebule Ximoko Progressive Party  
VP Rattan National People's Party  
D Mafu South African Communist Party

1. Welcome

1.1 The meeting was chaired by Mr R Burrows.

1.2 In the absence of representation from the Ciskei Government, the IFP and Dikwankwetla Party, it was agreed that, a quorum nevertheless having been formed, the meeting should proceed. The meeting was later joined by delegates from the IFP and the Ciskei Government.

1.3 Alternatives for delegates listed under "Apologies" above were noted, as they appear in Addendum A.

1.4 The draft agenda prepared by Mr R Burrows was adopted.

2. Report from Sub-Group, 2 March 1992

The report tabled was adopted as an accurate record of the meeting concerned.

3. Matters arising from the meeting of 2 March 1992

3.1 Completion of discussion on the reports of the task groups

3.1.1 No further discussion ensued concerning the report tabled by Task Group 1.

3.1.2 Concerning the report tabled by Task Group 2, it was agreed that:

3.1.2.1 An official request should be made to Working Group 2 to deal with the matter of constitutional processes as a matter of urgency.

3.1.2.2 Participants in Working Group 5 should identify other areas, pertaining to the Terms of Reference of Working Group 2, which they believe need immediate attention

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with a view to tabling these at the next full plenary session of the Working Group. It was noted that, thereafter, Task Group 2 should remain open to further suggestions in this regard.

3.1.3 Concerning the report tabled by Task Group 3, the following was noted:

3.1.3.1 That the first sub-item under Item 12 should read:

Page 314/315 Item 7.3

3.1.3.2 That the contents of Item 2 of the report have been brought to the attention of the DMC, via the Secretariat, and that a meeting is to be arranged between Messrs D Curry and R Burrows with members of the Secretariat with a view to seeking clarity on the matter.

3.1.4 No further discussion ensued concerning the report tabled by Task Group 4.

## 3.2 Mechanism for drafting electoral legislation

3.2.1 It was agreed that:

3.2.1.1 Task group members may interchange according to the issues under discussion at the time.

3.2.1.2 Any task group member may concentrate his/her efforts within a particular task group upon those meetings of the task group dealing with issues pertaining to his/her field of expertise/experience/interest.

3.2.1.3 Task Group 2 should assume responsibility for handling electoral legislation.

## 4. Terms of Reference and Declaration of Intent

It was agreed that the Terms of Reference of Sub-Group 2 should be amplified to include Item 4 as follows:

"To prepare, in draft form, the documentation which is required for effect to be given to such agreements."

The amended Terms of Reference are appended as Addendum B.

## 5. Working procedures of task groups

It was agreed that:

5.1 The four convenors of the task groups should meet immediately following the



meeting in order to arrive at consensus on a working procedure, which should be reported to the sub-group when it reconvened.

5.2 The meeting on working procedure should be convened by Mr P Gastrow.

6. **Constituting of expert legal drafting committees**

It was agreed that:

- 6.1 Each task group should submit a brief on this matter to the next meeting of the sub-group.
- 6.2 Items 11.1 - 11.3 of the report from Task Group 3 dated 2 March 1992 should be used as guidelines in drafting each brief, noting that there should preferably not be nineteen representatives on each legal drafting committee.
- 6.3 The question of payment of legal drafting experts should be addressed by the Steering Committee, in consultation with the DMC.

7. **Handling of submissions on draft legislation**

It was agreed that this matter should be addressed by the four convenors of the task groups at their meeting on working procedure.

8. **General**

- 8.1 It was agreed that, noting the decision referred to under Item 3.2.1.3 above, and further noting concerns expressed under Item 3.1.2.1 above, the question concerning the raison d'etre of Task Group 2 has, for the time being, been addressed.
- 8.2 It was agreed that Item 8 of the report of Task Group 1 (concerning clarity as to whether or not delegations are entitled to substitute one of their existing delegates or advisers with a legal expert as and when required) should be addressed by the Steering Committee.

9. **Next meeting/s of the sub-group and its task groups**

9.1 It was agreed that:

- 9.1.1 The convenors of the task groups should meet at 11h30 to discuss working procedure.
- 9.1.2 The task groups should meet at 12h30 to address matters arising from the minutes of the other Working Groups.
- 9.1.3 The sub-group should reconvene at 15h00 for a report-back from the task groups.

- 9.2 It was noted that task groups 1 - 3 should meet in the party offices detailed, and that Task Group 4 should meet in the room used by the full sub-group.
- 9.3 It was agreed:
- 9.3.1 That there will be no meetings of the sub-group and its task groups during the week commencing Monday 16 March 1992.
- 9.3.2 The Steering Committee should compile a schedule of meetings for Working Group 5, its sub-groups and their task groups for the week commencing Monday 23 March 1992.
10. The meeting adjourned until 15h00.
11. The meeting reconvened at 15h00.
12. **Report on working procedures**
- 12.1 The recommendations contained in the report appended as Addendum C were approved.
- 12.2 It was noted that Item 5.1 of the report refers, inter alia, to the question of electoral law and the task group dealing with it.
- 12.3 Concerns regarding the possible time delay implicit in Item 9 of the report were noted.
13. **Report-back from task groups**
- 13.1 It was noted that Task Group 1:
- 13.1.1 Requires the minutes of all meetings of the sub-groups of Working Group 1.
- 13.1.2 Awaits reports from the SA Law Commission and the Department of Justice.
- 13.2 It was noted that, there being no matters arising from the minutes of Working Group 2, Task Group 2 will address the issue of electoral law at its next meeting.
- 13.3 Concerning the work of Task Group 3, the draft resolution on interim arrangements was noted.
- 13.4 Task Group 4 advised that it had nothing to report.
- The reports of task groups 1 - 3 are appended as Addenda D, E and F respectively.



14. Handling of submissions on draft legislation

It was noted that this matter, as referred to the meeting of task group convenors, has still to be addressed.

15. The meeting closed.

WRKGROUP\IMPLTIME\SG2M9MAR.WI (2)

WORKING GROUP 5\SUB-GROUP 2\MINUTES\9 MARCH

Addendum A

The following people signed the attendance register:

African National Congress	G Bizos Z Skweyiya
Bophuthatswana Government	AM Boikanyo LI Morule
Ciskei Government	PP Jacobs
Democratic Party	R Burrows P Gastrow
Dikwankwetla Party	
Inkatha Freedom Party	LPHM Mtshali P Smith
Intando Yesizwe Party	N Mbonani VS Mahlangu
Inyandza National Movement	BD Madonsela GG Zama
Labour Party	D Curry K Lategan
Natal/Transvaal Indian Congress	Y Vawda N Balton
National Party	C Fisser PA Mathee
National People's Party	DK Padiachey B Jayraj
Solidarity Party	M Naranjee I Osman
South African Communist Party	D Mvelase
South African Government	L Wessels GC von Bratt
Transkei Government	GE Zilwa M Mabude



United People's Front      R Ramontja  
                                      IKE Moloko

Venda Government            LS Ramavhoya  
                                      M Mphaphuli

Ximoko Progressive Party    ML Nkuna

Minutes:                      Pam Saxby



WRKGROUP\IMPLTIME\SGA24FEB.WI (2)"

WORKING GROUP 5\SUB-GROUPS\AGENDA\24 FEBRUARY

Addendum B

## TERMS OF REFERENCE OF SUB-GROUP 2 (LEGISLATION)

(Amended according to a decision taken at the meeting of 9 March 1992)

1. To identify the key issues and problems that need to be addressed (Working Group Terms of Reference Item 1.1.2).
2. To identify areas of commonality and aspects where agreement already exists between participating delegations (Working Group 5 Terms of Reference Item 1.1.3).
3. Specifically, but without vitiating the generality of Items 1.1.1 to 1.1.3 of the Working Group 5 Terms of Reference, to consider whether and how to address:
  - 3.1 The identification of legislation that needs to be enacted or amended (Working Group 5 Terms of Reference Item 1.1.4 'f').
  - 3.2 Assisting in formulating the terms of the legislation or amendments (Working Group 5 Terms of Reference Item 1.1.4 'g').
  - 3.3 The legality of the process in relation to time-frames to be negotiated within the context of constitutional continuity (Working Group 5 Terms of Reference Item 1.1.4 'j').
4. To prepare, in draft form, the documentation which is required for effect to be given to such agreements.





WRKGROUP\IMPLTIME\SG2CONR.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUPS\CONVENORS' REPORT ON WORKING PROCEDURE\9 MARCH

Addendum C

## REPORT BY THE CONVENORS OF TASK GROUPS 1 - 4 OF SUB-GROUP 2 OF WORKING GROUP 5 ON WORKING PROCEDURE

Proposed working procedure for task groups:

1. Task groups should take the initiative in identifying issues requiring legislation.
2. When a Working Group has reached agreement on an issue which requires legislation for implementation, such an agreement, together with a memorandum explaining the agreement, should be forwarded to the relevant task group via the Steering Committee of Working Group 5.
3. As its first step, a task group should draw up a draft brief for the experts who are to draft the legislation.
4. When a task group has reached agreement on a draft brief, such brief should be submitted to Sub-group 2 of Working Group 5 for its approval.
5.
  - 5.1 Once Sub-group 2 has approved the brief, such brief should be forwarded to the relevant Working Group, via its Steering Committee, to enable the Working Group to assess whether the brief is consistent with its principled agreement.
  - 5.2 If there is doubt as to which Working Group should be considering the brief, then the brief should be sent to the Management Committee for direction.
6. When the relevant Working Group has approved of the brief, such brief should be returned to the relevant Task Group via the Steering Committee of Working Group 5.
7. The task group should then forward the brief to the group of experts to enable them to prepare draft legislation.
8. Draft legislation prepared by the expert draftspersons should then be submitted, via the task group, to Sub-group 2 for approval.
9. Draft legislation, as approved by sub-group 2, should then be approved by Working Group 5 before being forwarded to the relevant Working Group, via its Steering Committee, for its approval.
10. Draft legislation which has been approved by a Working Group should then be returned to Sub-group 2 for its final approval, before being submitted to CODESA by Working Group 5 (after its ratification).



WRKGROUP\IMPLTIME\SG2TG1R2.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 1\REPORT\9 MARCH

Addendum D

# DRAFT REPORT FROM TASK GROUP 1 OF SUB-GROUP 2 OF WORKING GROUP 5, 9 MARCH 1992

Rapporteur: Mr P Gastrow, Convenor of Task Group 1

## 1. Minutes of Working Group 1

The minutes of the Steering Committee of Working Group 1, held on 2 March 1992, were considered. It was agreed that the minutes contained nothing of relevance to Task Group 1.

## 2. Proposed working procedure for task groups

The report by convenors of task groups 1 - 4 was considered. It was agreed that no discussion was required and that, if need be, the matter could be discussed further at the meeting of Sub-group 2.

## 3. General

The convenor reported that:

- 3.1 He has been in touch with the SA Law Commission and with the Director General of the Department of Justice to enquire about information relating to outdated legislation. Both agreed to assist and to supply information as soon as possible.
- 3.2 He had not yet communicated with the convenors of the three sub-groups of Working Group 1, but that he would do so before the next meeting.





WRKGROUP\IMPLTIME\SG2TG2R2.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 2\REPORT\9 MARCH

Addendum E

DRAFT REPORT FROM TASK GROUP 2 OF SUB-GROUP 2 OF WORKING GROUP 5, 9  
MARCH 1992

Rapporteur: Mr C Fisser, Convenor of Task Group 2

1. It was agreed that the task group should meet on Monday 23 March and Tuesday 24 March 1992 in order to discuss a draft brief for an Electoral Act.
2. Members of the task group were requested to propose any ideas to be included in the draft brief, should they wish to do so.
3. It was agreed that members of the sub-group who are not members of the task group are welcome to attend the meetings referred to in Item 1 above, and to make proposals to be included in the draft brief if they so wish.



WRKGROUP\IMPLTIME\SG2TG3R2.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 3\REPORT\9 MARCH

Addendum F

# DRAFT REPORT FROM TASK GROUP 3 OF SUB-GROUP 2 OF WORKING GROUP 5, 9 MARCH 1992

Rapporteur: Mr RM Burrows

1. The report of the convenors' meeting on working procedure was discussed. A number of minor amendments were agreed upon, to be put to Sub-group 2.
2. Minutes of Working Group 3 and its Steering Committee, dated 2 March 1992, were scrutinised (and labelled pages 338 - 348).
  - 2.1 Note was taken:
    - 2.1.1 That Item 6.3 (page 339) is still under discussion.
    - 2.1.2 That, referring to page 343, the SA Constitution Act should be obtained for Task Group 3.
    - 2.1.3 Of Item 5.1.6 (page 343), concerning the position of the TBVC states during the period leading up to an election. It was agreed that Sub-group 2 should clarify the division of this matter between Task Groups 3 and 4.





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WORKING GROUP 5\SUB-GROUP 2\MINUTES\23 MARCH

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF THE CHAIRPERSON OF SUB-GROUP 2 OF WORKING GROUP 5, AND TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING.

**DRAFT MINUTES OF THE MEETING OF SUB-GROUP 2 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 23 MARCH 1992 AT 14H00**

PRESENT: (Addendum A)

APOLOGIES: P Gastrow Democratic Party  
PP Jacobs Ciskei Government

**1. Chairperson's opening remarks**

The meeting was chaired by Mr N Mbonani.

**2. Adoption of agenda**

In the absence of a formal agenda, it was agreed that the meeting's proceedings should concentrate upon the following:

- \* Task group meetings for 23 March 1992
- \* A programme of meetings for Monday 30 March 1992

**3. Task group meetings for 23 March 1992**

3.1 It was noted that:

- 3.1.1 Members of Task Group 2 should prepare briefs for the drafting of an electoral act, and that these should be tabled at the meeting scheduled for Monday 30 March 1992.
- 3.1.2 Copies of the SA Constitution Act will shortly be made available to members of Task Group 3.
- 3.1.3 Task Group 2 will not meet on Tuesday 24 March, as originally suggested.

3.2 It was agreed that:

- 3.2.1 None of the task groups would need to meet that day.

**4. A programme of meetings for Monday 30 March 1992**

It was agreed that:

- 4.1 Proceedings on 30 March 1992 should begin with task group meetings at 10h00, followed by a meeting of Sub-group 2 and, if necessary, a full plenary session of the Working Group.

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WORKING GROUP 5\SUB-GROUP 2\MINUTES\23 MARCH

- 4.2 If task groups require more time than can be accommodated by Monday's schedule, they should arrive at an appropriate programme which could include meetings on Sunday evenings and/or Tuesdays.

5. There being no further business, the meeting closed.



The following people signed the attendance register:

**African National Congress**

Bophuthatswana Government	AM Boikanyo LI Morule
Ciskei Government	MN Poni
Democratic Party	R Burrows
Dikwankwetla Party	DT Mokoena CC Harrington
Inkatha Freedom Party	LPHM Mtshali P Smith
Intando Yesizwe Party	N Mbonani VS Mahlangu
Inyandza National Movement	SS Ripinga GG Zama
Labour Party	D Curry J Scholtz
Natal/Transvaal Indian Congress	Y Vawda N Balton
National Party	C Fismer
National People's Party	AA Koobair AS Pillay
Solidarity Party	M Naranjee I Osman
South African Communist Party	MI Scott D Mafu
South African Government	L Wessels GC von Bratt
Transkei Government	GE Zilwa M Mabude

United People's Front

M Tladi  
IKE Moloko

Venda Government

LS Ramavhoya  
M Mphaphuli

Ximoko Progressive Party

ML Nkuna  
DZL Mtebule

Minutes:

Pam Saxby





WRKGROUP\IMPLTIME\SG2M3003.WI (2)

WORKING GROUP 5\SUB-GROUP 2\MINUTES\30 MARCH

#### ADDENDUM C

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL, AND RESTRICTED TO WORKING GROUP 5, ITS STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF THE CHAIRPERSON OF SUB-GROUP 2 OF WORKING GROUP 5, AND TO RATIFICATION BY THE SUB-GROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF THE MEETING OF SUB-GROUP 2 OF WORKING GROUP 5 HELD AT THE WORLD TRADE CENTRE ON MONDAY 30 MARCH 1992 AT 14H00

PRESENT: (Addendum 1)

1. **Chairperson's opening remarks**

The meeting was chaired by Mr DK Padiachey of the National People's Party.

2. **Adoption of agenda**

The agenda was adopted, without amendment.

3. **Apologies and substitutions**

3.1 Apologies were received from:

J Qutuka (Ciskei Government)

3.2 The following substitutions were noted:

AE Nkondo for ML Nkuna (Ximoko Progressive Party)

K Lategan for D Curry (Labour Party)

M Hendrickse for J Scholtz (Labour Party)

4. **Ratification of the minutes of the previous meeting**

4.1 It was noted that Mr PA Mathee (National Party) had been present at the meeting of 23 March 1992.

4.2 The minutes were adopted, without amendment.

5. **Matters arising from the minutes of the previous meeting**

5.1 Regarding Item 3.1.1 of the minutes, it was noted that members of Task Group 2 will require more time in which to study the basis documents referred to under Item 1 of Addendum C before submitting proposals to the task group.

6. **Reports from the task groups**

- 6.1 The reports submitted by Task Groups 1, 2 and 3 (appended as Addenda 2, 3 and 4 respectively) were noted.
- 6.2 Regarding the work of Task Group 4, then following was noted:
  - 6.2.1 Nothing substantive has emerged from the minutes of Working Group 4 and its sub-groups to date.

#### ADDENDUM C

- 6.2.2 It was agreed by members of the task group that Task Group 4 should work proactively on the following issues:

- \* Common citizenship for all South Africans (including citizens of the TBVC states).
- \* Laws concerning re-incorporation.
- \* The testing of the will of the people.

#### 7. Matters arising from the reports of the task groups

Nothing was raised in this regard.

#### 8. Any other business

- 8.1 It was agreed that each of the task groups should:

- 8.1.1 Determine whether or not to re-convene following the full plenary session of Working Group 5 at 11h45.

- 8.1.2 Determine its own schedule of meetings during the month of April.

#### 9. Date of the next meeting

It was agreed that this should be determined at the full plenary session to take place at 11h45.

10. The meeting closed.



**ADDENDUM C**

Addendum 1

The following people signed the attendance register:

<b>African National Congress</b>	G Bizos Z Skweyiya
<b>Bophuthatswana Government</b>	AM Boikanyo LI Morule
<b>Ciskei Government</b>	PP Jacobs
<b>Democratic Party</b>	R Burrows P Gastrow
<b>Dikwankwetla Party</b>	DT Mokoena ALR Xaba
<b>Inkatha Freedom Party</b>	LPHM Mtshali P Smith
<b>Intando Yesizwe Party</b>	N Mbonani VS Mahlangu
<b>Inyandza National Movement</b>	BD Madonselsa GG Zama
<b>Labour Party</b>	K Lategan M Hendrickse
<b>Natal/Transvaal Indian Congress</b>	Y Vawda N Balton
<b>National Party</b>	C Fisser PA Mathee
<b>National People's Party</b>	DK Padiachey AS Pillay
<b>Solidarity Party</b>	M Naranjee I Osman
<b>South African Communist Party</b>	D Mvelase D Mafu

**ADDENDUM C**

<b>South African Government</b>	L Wessels GC von Bratt
<b>Transkei Government</b>	GE Zilwa M Mabude
<b>United People's Front</b>	R Ramontja IKE Moloko
<b>Venda Government</b>	LS Ramavhoya M Mphaphuli
<b>Ximoko Progressive Party</b>	ML Nkuna DZL Mtebule
<b>Minutes:</b>	Pam Saxby





WRKGROUP\IMPLTIME\SG2TG1R3.WI (2)

WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 1\REPORT\30 MARCH

## ADDENDUM C

### Addendum 2

## DRAFT REPORT FROM TASK GROUP 1 OF SUB-GROUP 2 OF WORKING GROUP 5, 30 MARCH 1992

Rapporteur: Mr P Gastrow, Convenor of Task Group 1

1. It was agreed that nothing has emerged from the minutes of the sub-groups of Working Group 1 to enable the task group to proceed with work on specific issues agreed upon by Working Group 1.
2. It was agreed that, in principle, the task group would prefer to meet on Sunday evenings rather than on Tuesdays, should that become necessary.
3. A list of discriminatory legislation (68 Acts) was circulated.

### It was agreed that:

- 3.1 The task group needs to be proactive in respect of the list of Acts, rather than wait for Working Group 1 to deal with them.
- 3.2 The convenor of the task group should approach the SA Law Commission with the request that, in respect of each Act mentioned on the list, an explanatory paragraph should be provided to enable the task group to categorise the various Acts.
- 3.3 These explanatory paragraphs should assist the task group, at its next meeting, to categorise the Acts into those that fall within the Terms of Reference of Working Group 1 and those that do not.
- 3.4 Task Group 1 should then communicate with Working Group 1 and proceed working upon those Acts which fall within its Terms of Reference.



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WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 2\REPORT\30 MARCH

## ADDENDUM C

Addendum 3

### DRAFT REPORT FROM TASK GROUP 2 OF SUB-GROUP 2 OF WORKING GROUP 5, 30 MARCH 1992

Rapporteur: Mr C Fisser, Convenor of Task Group 2

1. To date, 4 basis documents have been identified for further study:
  - \* the SA Electoral Act
  - \* the Namibian Electoral Act
  - \* the Zimbabwean Electoral Act
  - \* the El Salvador Electoral Act
2. Further basis documents may be added later, together with any other related subject matter for consideration.
3. The chairman will make arrangements for members to be supplied with the four documents mentioned under Item 1 above before the next meeting of the task group.
4. It was agreed that members of the task group should study the relevant documents and present to the next meeting proposals regarding, inter alia:
  - 4.1 Subjects arising from the documents to be included in the brief.
  - 4.2 Subjects not to be included in the brief.
  - 4.3 Further subjects to be included in the brief which are not covered in the basis documents.

It was further agreed that, if possible, members should give their views on the above items.
5. It was agreed that the headings of the Namibian Electoral Act should be used as a starting point for discussion at the next meeting.
6. The next meeting of Task Group 2 will take place on Monday 27 April 1992.





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WORKING GROUP 5\SUB-GROUP 2\TASK GROUP 3\REPORT\30 MARCH

## ADDENDUM C

Addendum 4

### DRAFT REPORT FROM TASK GROUP 3 OF SUB-GROUP 2 OF WORKING GROUP 5, 30 MARCH 1992

Rapporteur: Mr RM Burrows

1. The contents of the SA Constitution Act were considered.
2. The overlap between the Terms of Reference of Sub-group 2 and the Declaration of Intent were noted and referred to the meeting between the Steering Committee of Working Group 5 and members of the DMC/Secretariat, scheduled to take place at 13h00 on Monday 30 March 1992.
3. The available minutes of Working Group 3 were discussed, and certain issues identified which should be raised by the Steering Committee of Working Group 5 with the Steering Committee of Working Group 3.

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