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THE ANC's constitutional principles were released yesterday, proposing a unitary, multi-party state in which the diversity of peoples' languages, cultures and religions "shall be acknowledged".

An ANC delegation to Codesa, headed by its secretary-general Mr Cyril Ramaphosa, presented the document to a meeting of Working Group Two on constitutional matters at the World Trade Centre outside Johannesburg.

"They: will be a multi-party democracy with the right to form and join political sets out its plan

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political parties and with regular elections on the basis of universal adult suffrage on a common voters' roll." the ANC documentsaid.

'tEach vote shall be of equal value and in general the basic electoral system shall be that of proportional

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tional representation.

uThere shall be a separation of power with appropriate checks and balances.

The ANC said the constitution should also allow for the application of affirmative action "in order to help redress the racial and gender imbalances created by past discrimination".

uWithin the context of an undivided South Africa, government will function at national, regional and local levels; the appropriate division and decentralisation shall be such as to ensure none racial, democratic participation and administration at all levels.

"The diversity of languages, cultures and religions of the people of South Africa shall be acknowledged." the ANC said.

"All shall enjoy universally accepted human rights, freedoms and civil

liberties including freedom of religion. speech and assembly. protected by an entrenched and I justifiable Bill of Rights and a legal system that guarantees equality of all' before the law.

uSouth Africa will be a united. democratictl'htitlz ' racial and non-sexist state in which sovereign authority is exercised over the whole of its territory." the ANC proposed.

"The constitution will be the supreme law and will be guarded over by an independent. non-racial, non-sexist and impartial judiciary."

The ANC has also proposed that an Interim Government Council, with legislative and executive powers, be appointed by Codesa to oversee the transitional period.

Once elections for a constituent assembly have taken place the ANC proposes two possibilities:

"Either the interim Government Council continues to function in the agreed manner until the constituent assembly has completed its work and a new Parliament is in place. or the constituent assembly is vested with sovereign powers so that it functions both as a constituent assembly and as a legislature until the new constitution has been adopted."

The ANC said. however, that it was still considering the implications of the suggestion that the constituent assembly be vested with sovereign powers and did not yet "have a hnn position on 1,329" this.

"What concerns us is that the constituent assembly should not be diverted (tom. or in any way hindered in. achieving its primary purpose. which will be to adopt a new constitution."

The ANC considered it imponent that the interim government be given a legal fonn which meant its structures and powers

be defined in legislation and the existing constitution be amended where necessary.

The Interim Government Council should have appropriate legislative and executive powers regarding the electoral process, the security forces, the public media, the Budget and "all other action that is considered necessary for proper government during the interim period".

Our proposal is that an Interim Government Council be appointed by Codesa to co-ordinate and supervise the existing administration, and that the Interim Government Council be vested with legislative and executive functions to be exercised in accordance with procedures and structures to be determined by Codesa.

The proposals emphasised the need for a short transition period. 'a matter of months rather than years'.

Above all, the process must not be delayed, and we would be opposed to the adoption of any processes or structures which would have that result.

The proposals said the ANC was firm in its position that the new constitution should be decided on by an elected constituent assembly. No contentious legislation should be enacted and no contentious executive action should be taken during the period of an interim government. "We see it as a period during which there should be government by consensus of substantial consensus."

The ANC said there was a possible way in which its proposals and those of some of the other parties could be brought together so as to meet the purposes we have identified as the essential purposes of an interim government.

We are willing to explore such possibilities.

The ANC also called
for the total dismantling
of apartheid legislatures
by the time the constitu-
ent assembly was estab-
lished. - Sapa.

' See Pigcfout.

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