

MINUTES

of the meeting of the

NEGOTIATING FORUM

held on

1 APRIL 1993 AT 10H00

CONFIDENTIAL

STRICTLY EMBARGOED UNTIL DELIVERY/TABLING IN THE

NEGOTIATING FORUM

E ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE NEGOTIATING FORUM. THEY ARE STILL TO BE RATIFIED AT THE NEXT MEETING OF THE NEGOTIATING FORUM.

DRAFT MINUTES OF THE MEETING OF THE NEGOTIATING FORUM HELD ON
1 APRIL 1993 AT 10H00 AT THE WORLD TRADE CENTRE

PRESENT: See Addendum A

1. Moment of Silence

A moment of silence was observed by all delegates, advisers and observers.

2. Opening Statement by Chairperson

The members were welcomed and an opening statement (Addendum B) was delivered by R Cronje, Chairperson of the first session. R Cronje was assisted by C de Jager and M Nonkonyana.

Bs Confirmation of Agenda

3.1 After a proposal by B Ngubane (Kwazulu Government) to discuss the "Form of State" higher up on the Agenda, it was decided that any such item could be raised under Items 6.1, 6.2 or 7 of the Agenda.

3.2 Consequently, the Agenda was confirmed was no amendments.

→ Mechanisms and Procedures - Report from the Negotiating Council

4.1 Standing Rules:

4.1.1 A report was presented to the Forum by C Eglin and MC Ramaphosa.

4.1.2 The Standing Rules were adopted with the following amendments:

* Item 3.1.2 should now read "Four delegates (at least one of whom would be a woman) and two advisers at meetings of the Negotiating Forum.";

- Item 3.1.3 should now read "Two delegates (at least one of whom would be a woman) and two advisers at meetings of the

Negotiating Council; the leader of the delegation can appoint

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an adviser to take his/her place as an alternate if necessary.";

Item 7.2 should now read "The Negotiating Forum and the Negotiating Council shall be chaired by a core panel of Chairpersons (assisted by two persons from within the Negotiating Council), appointed on merit and capability by the Negotiating Council from its own ranks and serving on a rotating basis. This principle of rotation should be applied from time to time as decided by the Negotiating Council, bearing in mind the principle of continuity.";

The addition of an Item 8.3 to read "Where a member or members specifically request that their objection is noted, their objection will be so minuted.";

The existing 9.1 and 9.2 be deleted and Item 9 should now read "All meetings of the Plenary, The Negotiating Forum and the Negotiating Council shall be open to the media, with the proviso that the Negotiating Council may, in terms of its own procedures, decide on which part of its meetings should be closed to the media.";

Item 10 should now read "These Rules of Procedure can be amended by the Negotiating Forum."

(See Addendum C for the amended Standing Rules)

4.2 Name of the Multi-Party Negotiating Process

4.2.1 A report was presented to the Forum by B Alexander and J Slovo (Addendum D).

4.2.2 The following proposal was agreed upon:

*

The circular indicating various options for the name be handed out to the leaders of the delegations to fill in first and second preferences;

The Planning Committee is mandated to use the information obtained from the circular to assist in the submitting of a recommendation to the Negotiating Council; and

The Negotiating Council is to report back to the next meeting of the Negotiating Forum.

4.2.3 All delegations were requested to hand their circular in before the end of the day's proceedings.

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4.3

4.4

Composition and Structure of the Multi-Party Negotiating Process

4.3.1

4.3.2

4.3.3

4.3.4

A report was presented to the Forum by R Meyer and Z Titus (See Addendum E).

The Composition and Structure of the Multi-Party Negotiating Process was adopted with the following amendments:

* The Composition of the Negotiating Forum should now read "Four delegates and two advisers. At least one delegate must be a woman.";

Â» The second paragraph under Chairpersonship of the Negotiating Council should now read "If a delegate becomes the Chairperson or an assistant to the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration." The same applies to the Chairpersonship of the Negotiating Forum.;

. The sentence under Administration should now read "Accountable to the Planning Committee as mandated by the Negotiating Council."

(See Addendum F for the amended Composition and Structure.)

It was agreed to accept in principle that negotiations for a new constitution for South Africa is primarily a matter for South Africans. To what extent non-South Africans should be involved as advisers, and

the application thereof, was referred back to the Negotiating Council.

It was noted that all structures should reflect a balanced representation.

Participation

4.4.1

4.4.2

4.4.3

4.4.4

A report was presented to the Forum by M Webb (See Addendum G).

The report, stating that the issue was still under consideration by the Negotiating Council, was accepted.

It was noted that the Negotiating Council and the Planning Committee are grappling with the difficult issue of what objective criteria can be used to measure participation in the Multi-Party Negotiating Process.

Present participants were again invited to submit proposals in this regard to the Planning Committee, through the Administration.

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5.2

3.3

Violence and its impact on the Negotiating Process

A Draft Resolution was presented to the Forum by PJ Gordhan on behalf of the Planning Committee (See Addendum H).

Each participating delegation made an input on this issue. This took the proceedings up to lunch.

It was noted that the Planning Committee was to meet over lunch to assess the progress of the Forum and make any recommendations that might promote progress.

The meeting adjourned for lunch at 13h00.

The meeting reconvened at 14h00. At this time, DJ de Villiers assumed the role of Chairperson, assisted by KM Andrew and TJ Mohapi.

5.4

5.5

5.6

A proposal by the Planning Committee that all suggested amendments be forwarded in writing to the Resolution Committee to draft a resolution was accepted. = The Resolution Committee, as proposed by the Planning Committee, consisted of C Eglin, PJ Gordhan, R Meyer and Z Titus.

After this process and discussion, a Resolution on Violence was adopted by general consensus by the Forum (Addendum I).

In terms of this Resolution, participants are invited to submit proposals to identify those issues that cause violence, threaten the negotiating process and undermine the effective implementation of the National Peace Accord. These issues will be dealt with by the Negotiating Council.

This discussion took the meeting up to tea time.

When the meeting reconvened, PJ Gordhan assumed the role of Chairperson, assisted by NJ Mahlangu and T Langley.

6. The Transition Process - Report from the Negotiating Council

6.1

It was proposed by the Planning Committee that the Agenda be amended as follows:

i Item 6.3 should now read "The way forward and instructions to the Negotiating Council concerning constitutional issues"; and

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6.2

6.3

k

Item 7 should now read "The Role of the International Community".

This was agreed to by the Forum.

A report on the Transition Process was verbally presented by M Maharaj and SS van der Merwe to the Forum. After discussion, the following was agreed:

65.2.1

6.2.2

6.2.3

6.2.4

That a without prejudice Consolidated Document be drafted that will, together with the Document of CODESA Agreements (distributed to members of the Negotiating Council) and the summary of CODESA Agreements (contained within the pack of documents for the Forum), form a trilogy of documents to facilitate the work of the Negotiating Council in their deliberations, and would further enable all participants to address the issues in full. It was noted that the Consolidated Document does not in any way pre-empt agreements by the Negotiating Council and that it is not a binding document.

The Consolidated Document is to be drafted by a Sub-Committee on Constitutional Issues, consisting of M Maharaj, B Ngubane and SS van der Merwe.

The Consolidated Document would give an overview of CODESA reports and agreements. The report from the Gender Advisory Committee from CODESA would be incorporated within the Consolidated Document.

The Consolidated Document and issues flowing therefrom are to be tabled with the Negotiating Council. In this way all organisations can input into and agree to the process.

The Way Forward:

6.3.1

6.3.2

6.3.3

A Draft Resolution on the Transition Process proposed by the Resolution Committee was tabled (See Addendum J).

It was proposed that all suggested amendments be forwarded in writing to the Resolution Committee to draft a resolution.

After this process and discussion, a Resolution on the Transition Process was adopted by general consensus by the Forum (Addendum K).

The Role of the International Community

7.1 It was agreed, by consensus, to refer this matter back to the Negotiating Council.

7.2 Areport is to be presented on this issue at the next meeting of the Negotiating Forum.

The processing of the decisions of the Forum

It was agreed that the Negotiating Council should instruct the Planning Committee to take forward decisions that have been taken, by the Negotiating Forum, with a view to submit proposals to the next meeting of the Negotiating Council.

Closure

9.1 A motion, containing condolences and paying tribute to Professor Hudson Ntsanwisi of Gazankulu who recently died, was adopted by consensus.

9.2 The meeting was closed at 18h25 and the Chairpersons were complimented on their Chairing.

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Addendum A

The following Delegates and Advisors attended the meeting of the Negotiating Forum on 1 April 1993:

Delegates

African National Congress

MC Ramaphosa
T Mbeki

M Maharaaj

M Manzini

Afrikaner Volksunie

CD de Jager
MJ Mentz
AS Beyers
A Lombard

Bophuthatswana Government

R Cronje

R Mangope
BE Keikelame
SG Mothibe

Cape Traditional Leaders

M Nonkonyana
GSK Nota

SM Burns-Ncmashe
S Sigcau

Ciskei Government

MB Webb
RM Ngcofe
WM Zantsi
VT Gqiba

Advisors

B Masekela
J Zuma

C Viljoen
C Pienaar
R de Ville

GD Gwadiso
Jongilanga

LIJ Smuts
FM Faku

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'mocratic Party

CW Eglin
KM Andrew
D Smuts

M Rajab

Dikwankwetla Party

TJ Mohapi
SOM Moji
JSS Phatang

Inkatha Freedom Party

FT Mdlalose
VJ Matthews
S Felgate
FX Gasa

Intando Yesizwe Party

NJ Mahlangu
AP Laka
N Mtsweni

Inyandza National Movement

SS Ripinga
MS Gininda
FS Baloi

EN Ginindza

Konserwatiewe Party

T Langley
F Hatzenberg
FJ Le Roux

Kwazulu Government

BS Ngubane
SH Gumede
DRB Madide
H Ngubane

ALK Jordaan
M Finnemore
M Moriarty

SP Matla
Prof Wessels

MF Cassim
MGR Oriani-Ambrosini

C Nthuli
Q Vilankulu

KK Mahlaba
BJ Nobunga

DS Pienaar
CP Mulder

M Jiyane

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@bour Party

IM Richards
L Landers
PAC Hendrickse

Natal/Transvaal Indian Congress

PJ Gordhan
C Saloojee
F Cachalia
H Warsi

National Party

DJ de Villiers

L Wessels

J Rabie

E Ngcobondwane

National People's Party

A Rajbansi

S Ismail

M Govender
A Rambarran

Orange Free State Traditional Leaders

RH Mopeli
MB Mota
MA Molefe

Pan Africanist Congress

B Alexander
W Seriti
D Desai
J Serdile

Solidarity Party
JN Reddy

Y Moolla
N Singh

E Samuels
D Lockey/T Abrahams
Y Bassier/P Lategan

K Mayet

O van Zyl
P Coetzer

BP Jaglal
A Hurbans

R Ramasiea
ET Phoofolo

M Lithero
E Mothopeng

C Pillay
S Razak

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@ :th African Communist Party

J Slovo
T Mtintso
S Shilowa

South African Government

RP Meyer
HJ Kriel

JT Delport
A Routier

Transkei Government

HB Holomisa
Z Titus
N Jajula

Transvaal Traditional Leaders

NM Malekane

MA Netshimbhupfe
MM Khumalo

J Kekana

United Peopleâ\200\231s Front

MJ Mahlangu
RJ Dombo

SJ Maake

MI Moroamoche

Venda Government

SE Moeti

M Ligege
KB Magwaba
A Masehela

Ximoko Progressive Party
EE Ngobeni

JC Ackron
PT Shilubane

10

E Pahad
Z Kota

SJ Schoeman
LD Barnard

M Titus
JT Madiba
M Mpahlwa

W Mabunda
ME Mabena

ME Mapheto
A Tshabalala

MP Nthabalala
NE Mulaudzi

KR Myakayaka
TB Shibambu

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Addendum B

Good Morning

On behalf of the proposed Negotiating Council, I extend a warm welcome to all delegates, advisers, distinguished International observers and representatives of the media.

This meeting of the proposed Negotiating Forum follows on the Planning Conference of the 5 & 6 March 1993. The Planning Conference launched the political actors of our country onto a hopeful and optimistic path to resolving our problems.

The Planning Conference mandated the Facilitating Committee to undertake the following tasks:

1 Deciding upon and implementing the steps that are necessary to give effect to this meeting to determine, inter alia:

1.1 Mechanisms and procedures for the Negotiating Process (including name and structures);

1.2 How the CODESA agreements can serve as a constructive foundation for the resumed/commenced Negotiations Process to build on and how to accommodate the views of those participants who were not in CODESA;

1.3 The role of the international community.

This meeting of the proposed Negotiating Forum will:

i Receive, consider and decide upon reports from the proposed Negotiating Council on the various tasks assigned to it;

* Discuss issues of major national concern such as the violence which is engulfing our country;

" Give a mandate to the proposed Negotiating Council to negotiate various constitutional issues.

We are happy to report that, despite many differences among us, the discussions in the proposed Negotiating Council have been extremely constructive and in a co-operative spirit.

It is our shared hope that this spirit will extend to our deliberations over the next two days.

May we remind you that the proposed Negotiating Forum, in addition to receiving and deciding upon reports from the proposed Negotiating Council, this Forum is charged with the responsibility of instructing and supervising the work of the proposed Negotiating Council.

Addendum C

STANDING RULES OF PROCEDURE

Application

These Rules of Procedure apply at Plenary meetings and at meetings of the Negotiating Forum and the Negotiating Council.

Participants

The participating parties entitled to be represented at meetings are those listed in the List of Participating Parties annexed hereto. The Negotiating Forum can add parties to or delete parties from the list, on the recommendation of the Negotiating Council. Observers can be admitted as decided.

Delegates

3.1 Each participating party shall be entitled to be represented by:

3.1.1 Ten delegates (women must be included in the delegation) at Plenary meetings; »

3.1.2 Four delegates (at least one of whom would be a woman) and two advisers at meetings of the Negotiating Forum;

3.1.3 Two delegates (at least one of whom would be a woman) and two advisers at meetings of the Negotiating Council; the leader of the delegation can appoint an adviser to take his/her place as an alternate if necessary.

3.2 Each participating party shall submit and register the names of its delegates and advisers with the [name of the forum] Administration.

3.3 Advisers can be substituted at any time provided that the substituting advisers are registered with the Administration in advance and that the leaders of the delegations notify the Chairpersons whenever an adviser is substituted during the course of a meeting.

3.4 In the event of a dispute concerning the credentials of a delegate or an adviser, the issue will be decided by the meeting itself upon the receipt of a factual report and recommendation of the Planning Committee.

NEGFORUM/DOCUMENT/STAN.RUL

1 23 June 1993

Agreements and Decisions

4.1

4.2

4.3

4.4

4.5

All agreements are to be arrived at and decisions taken by general consensus.

If general consensus cannot be achieved, the method of sufficient consensus will be used.

Sufficient consensus means that:

4.3.1 There is a lack of general consensus;

4.3.2 There is enough agreement from enough participating parties to enable the process to move forward;

4.3.3 Parties who disagree can record their objections or rejections formally, but will, in the spirit of cooperation, not hinder the process from going forward.

The ruling that there is consensus/sufficient consensus or not, shall be taken by the Chair in his/her discretion. However, before ruling that there is sufficient consensus or not, the Chair shall ensure that the disagreeing parties, especially those who consider themselves materially affected, as well as the meeting, shall have had sufficient opportunity to utilise a variety of mechanisms in order to reach the widest possible consensus.

In particular, such mechanisms shall include adjournments to enable informal discussions between participants, setting up technical committees composed as the meeting deems appropriate for the particular matter under consideration, as well as allowing participants to consult their principals.

The Chair and the meeting shall decide upon the specific mechanism/s on the basis of the nature of the issues around which the disagreement exists, with the view to arriving at consensus/sufficient consensus. These mechanisms are intended for resolving substantive issues and not for formal and administrative decisions.

The ruling that there is consensus/sufficient consensus or not can however be challenged by any party who disagrees. The meeting will then deal with it as is appropriate.

Quorum

The Chair may declare a meeting open and permit the debate to proceed when delegates of at least two-thirds of the participating parties are present.

NEGFORUM/DOCUMENT/STAN.RUL

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Speeches and interventions

6.1

6.2

6.3

6.4

Every delegate shall be entitled to speak.

If a speaking order has been agreed upon, the Chair shall call the speakers in that order.

In general, the Chair shall call on speakers in that order in which they signify their desire to speak. The Chair however, shall ensure that each delegation is afforded a reasonable opportunity to speak.

The Chair shall apply the standard rules applicable to meetings, except as otherwise stipulated herein.

Chairing of meetings

7.1

d.2

Plenary meetings shall be chaired by an independent Chairperson/s to be decided upon by the Negotiating Council.

The Negotiating Forum and the Negotiating Council shall be chaired by a core panel of Chairpersons (assisted by two persons from within the Negotiating Council), appointed on merit and capability by the Negotiating Council from its own ranks and serving on a rotating basis. This principle of rotation should be applied from time to time as decided by the Negotiating Council, bearing in mind the principle of continuity.

Minutes and Documentation

8.1

8.2

8.3

Media

The proceedings of Plenary meetings shall be recorded and transcribed and copies of the transcript made available to all delegates.

The proceedings of meetings of the Negotiating Forum and Negotiating Council shall be recorded in full, but only agreements and decisions shall be minuted.

Where a member or members specifically request that their objection is noted, their objection will be so minuted.

All meetings of the Plenary, The Negotiating Forum and The Negotiating Council shall be open to the media, with the proviso that the Negotiating Council may, in terms of its own procedures, decide on which part of its meetings should be closed to the media

10. Amendment of the Rules of Procedure

10.1 These Rules of Procedure can be amended by the Negotiating Forum.

NEGFORUM/DOCUMENT/STAN.RUL

4 23 June 1993

LIST OF PARTICIPATING PARTIES

African National Congress
Afrikaner Volksunie
Bophuthatswana Government
Cape Traditional Leaders
Ciskei Government

Democratic Party
Dikwankwetla Party

Inkatha Freedom Party

Intando Yesizwe Party
Konserwatiewe Party

Inyandza National Movement
Kwazulu Government

Labour Party

Natal/Transvaal Indian Congress
National Party

National People's Party

Orange Free State Traditional Leaders
Pan Africanist Congress
Solidarity Party

South African Communist Party
South African Government
Transkei Government
Transvaal Traditional Leaders
United Peoples' Front

Venda Government

Ximoko Progressive Party

Annexure A

NEGFORUM/DOCUMENT/STAN.RUL
23 June 1993

REPORT ON THE NAME OF THE NEGOTIATING PROCESS

The Planning Conference mandated the Facilitating Committee to recommend a name for this negotiating process.

The Facilitating Committee/Negotiating Council has discussed this matter and also directed the Planning Committee to make recommendations in this regard.

To date it has not been possible to find consensus on a new name.

It has not been possible for the Planning Committee to reconcile two equally strongly held views on the retention/exclusion of the term CODESA in/from the new name. It must be pointed out that participants do not merely differ on a name, but rather what is perceived by constituencies to be associated with the name of the process.

Although many options have been generated in regard to the new name, none has met with general or sufficient consensus.

Accordingly the Negotiating Council is unable to recommend a name at this stage.

However, the Planning Committee recommends, that in order to assist the Negotiating Council to find consensus on this issue, participants are requested to indicate two preferences on a circular that will be distributed to the leader of each delegation. This will guide the Planning Committee in the formulation of a recommendation. Leaders of delegations are requested to return these forms as soon as possible to the Administration.

PLANCOMM/DOCUMENT/NAME.REP
23 June 1993

TO ALL LEADERS OF DELEGATIONS

PROPOSED NAME OF THE PROCESS

The following alternatives have been offered as proposals from the Negotiating Council:

* X K X X * * * * *

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o

* * *

CODESA

NEFSA (Negotiating Forum for South Africa)
CODESA/NEFSA

SACOF (South African Constitutional Forum)
COFSA (Constituional Forum for South Africa)
CONEDSA (Convention for Negotiating a Democratic South Africa)
CONESAD (Convention for Negotiating a South African Democracy)

DECOSA (Democratic Convention of South Africa)

MPCC (Multi Party Constitutional Convention)
MPDC (Multi Party Democratic Convention)
NEGOSA (Negotiating South Africa)

Please indicate your preference giving a first and second option. If none of the above apply,
please indicate your own proposal.

DELEGATION

FIRST PREFERENCE

SECOND PREFERENCE |

Addendum E

DRAFT SUMMARY OF COMPOSITION AND STRUCTURE

PLENARY

Composition : Leaders of Parties. Women must be included in the delegation.

Function : The formal adoption of agreements.

Frequency of Meeting : When necessary as proposed by the Multi-Party Negotiating Forum.

Chairpersonship : Independent chairperson(s), still to be decided

NEGFORUM/DOCUMENT/STRUCT.MPF

April 20, 1993

Â® MULTI-PARTY NEGOTIATING FORUM

Composition

Function

Frequency of Meeting

Chairpersonship

Four delegates and two advisers.
One delegate must be a woman.

Receives, confirms (with or without amendments) reports and proposals from the Negotiating Council for submission to Plenary. Also instructs and supervises the work of the Negotiating Council.

Fortnightly or as may be decided from time to time.

A core panel of chairpersons (approximately 6), decided on by the Negotiating Council from its own ranks on merit and capability. Each will chair a session on a rotating basis, aided by members of the Negotiating Council.

NEGFORUM/DOCUMENT/STRUCT.MPF

April 19, 1993

NEGOTIATING COUNCIL

Composition

Function

Frequency of Meeting

Chairpersonship

Two delegates and two advisers.
One delegate is to be the leader of the delegation, the other must be a woman and the advisers do not play a functionary role in the meeting. Substitutes are allowed.

To get on with the function of negotiations and to report to the Multi-Party Negotiating Forum.

Provisionally three or four days a week or as may be decided from time to time.

A core panel (approximately 6) elected from the ranks of the Negotiating Council on merit and capability, serving on a rotating basis, assisting one another continuously.

If a delegate becomes the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration.

NEGFORUM/DOCUMENT/STRUCT.MPF
April 19, 1993

PLANNING COMMITTEE

Composition

Function

Frequency of Meeting

Chairpersonship

Ten members of the Negotiating Council (no substitutes allowed as each member is appointed in a personal capacity and not as a representative of the parties/organisations/administrations. Flexibility should, however, be allowed.) The principles of rotation and continuity in the membership were accepted.

To work under the directives and supervision of the Negotiating Council. To plan and submit recommendations on procedural and substantive issues.

Available on a full time basis, meeting on an ongoing basis or as may be decided from time to time.

As decided by the Planning Committee itself (possibly on a rotating basis, using personal name in an alphabetical order).

NEGFORUM/DOCUMENT/STRUCT.MPF
April 19, 1993

TECHNICAL COMMITTEE(S)

Composition

Function

Frequency of Meeting

Chairpersonship

Any person appointed by the Multi-
Party Negotiating Council (non-
South Africans excluded).

These committees function as ad hoc
committees with specified tasks.

As decided according to need.

As decided by the Committee itself.

NEGFORUM/DOCUMENT/STRUCT.MPF

April 19, 1993

ADMINISTRATION

Accountable to the Planning Committee.

NEGFORUM/DOCUMENT/STRUCT.MPF

April 19, 1993

SUMMARY OF PROPOSED STRUCTURES

PLENARY
(10 PER PARTY)

NEGOTIATING FORUM
4 +2

NEGOTIATING
COUNCIL
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PLANNING
COMMITTEE
| | (10)

TECH TECH
COMM COMM
(5-6) (5-6)

" ADMINISTRATION â\200\234

NEGFORUM/DOCUMENT/STRUCT.MPF
April 19, 1993

. Addendum F

SUMMARY OF COMPOSITION AND STRUCTURE

PLENARY

Composition g Leaders of Parties. Women must be included in the delegation.

Function - The formal adoption of agreements.

Frequency of Meeting : When necessary as proposed by the Multi-Party Negotiating Forum.

Chairpersonship : Independent chairperson(s), still to be decided

NEGFORUM/DOCUMENT/STRUCT.MPF

April 19, 1993

@ MULTI-PARTY NEGOTIATING FORUM

Composition : Four delegates and two advisers.
At least one delegate must be a woman.

Function " Receives, confirms (with or without amendments) reports and proposals from the Negotiating Council for submission to Plenary. Also instructs and supervises the work of the Negotiating Council.

Frequency of Meeting : Fortnightly or as may be decided from time to time. '

Chairpersonship - A core panel of chairpersons (approximately 6), decided on by the Negotiating Council from its own ranks on merit and capability. Each will chair a session on a rotating basis, aided by members of the Negotiating Council.

If a delegate becomes the Chairperson or an assistant to the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration.

NEGFORUM/DOCUMENT/STRUCT.MPF
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NEGOTIATING COUNCIL

Composition

Function

Frequency of Meeting

Chairpersonship

Two delegates and two advisers.
One delegate is to be the leader of the delegation, the other must be a woman and the advisers do not play a functionary role in the meeting. Substitutes are allowed.

To get on with the function of negotiations and to report to the Multi-Party Negotiating Forum.

Provisionally three or four days a week or as may be decided from time to time.

A core panel (approximately 6) elected from the ranks of the Negotiating Council on merit and capability, serving on a rotating basis, assisting one another continuously.

If a delegate becomes the Chairperson or an assistant to the Chairperson of a meeting, an adviser can take his place as representative of the party/organisation/administration.

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April 19, 1993

PLANNING COMMITTEE

Composition : Ten members of the Negotiating Council (no substitutes allowed as each member is appointed in a personal capacity and not as a representative of parties/organisations/administrations. Flexibility should, however, be allowed.) The principles of rotation and continuity in the membership were accepted.

Function : To work under the directives and supervision of the Negotiating Council. To plan and submit recommendations on procedural and substantive issues.

Frequency of Meeting ; Available on a full time basis, meeting on an ongoing basis or as may be decided from time to time.

Chairpersonship) As decided by the Planning Committee itself (possibly on a rotating basis, using personal name in an alphabetical order).

NEGFORUM/DOCUMENT/STRUCT.MPF
April 19, 1993

TECHNICAL COMMITTEE(S)

Composition : Any person appointed by the Multi-Party Negotiating Council (non-South Africans excluded).

Function : These committees function as ad hoc committees with specified tasks.

Frequency of Meeting g As decided according to need.

Chairpersonship g As decided by the Committee itself.

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ADMINISTRATION

Accountable to the Planning Committee as mandated by
The Negotiating Council

NEGFORUM/DOCUMENT/STRUCT.MPF

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SUMMARY OF STRUCTURES

PLENARY
(10 PER PARTY)

NEGOTIATING FORUM
4+ 2

NEGOTIATING
COUNCIL
/7â\200\230 2+2

|| [PLANNING 11

COMMITTEE
(10) |
TECH TECH
COMM COMM
(5-6) (5-6)
|| ADMINISTRATION 11

NEGFORUM/DOCUMENT/STRUCT.MPF
June 23, 1993

REPORT ON PARTICIPATION

The Negotiating Council has to report that the issue of participation is still under consideration. A report has been submitted by the Planning Committee to the Negotiating Council, but it was found that this was not satisfactory. A further recommendation will be made to the Negotiating Council by Planning Committee at its first meeting after this Forum .

A proposal will be then be tabled at the next meeting of the Negotiating Forum.

The Negotiating Council and Planning Committee are grappling with the difficult issue of what objective criteria can be used to measure participation in the Multi-Party Negotiating Process. These include the participation of Traditional Leaders. Both the Planning Committee and the Negotiating Council are conscious of the extreme urgency and sensitivity of the matter. Present participants are hereby again invited to submit proposals in this regard to the Planning Committee, through the Administration.

Letters informing all new applicants of this state of affairs had been faxed to those concerned.

Although no recommendation can therefore be made to this Negotiating Forum, delegates are welcome to comment on this issue.

PLANCOMM/DOCUMENT/PART.REP

23 June 1993

Addendum H

DRAFT

THE NEGOTIATING FORUM, MEETING ON 1 AND 2 APRIL 1993

NOTING Â» The unfortunate/regrettable escalation in violence, and tension in South Africa;

CONCERNED . About the recent loss of life particularly of women and children;

The damage to relations among people and organisations and the consequent deepening divisions;

Do Hereby Unequivocally

COMMIT OURSELVES * To attaining peace in our country as soon as possible;

" To peaceful negotiations and resolution of difference;

" To effective joint action by all of us to usher in peace and democracy to our country;

And Therefore Resolve To

i Identify those issues which affect/impact negatively on the negotiations process and the implementation of the Peace Accord.

2. Mandate the Negotiations Council to establish a mechanism to resolve the above issues urgently.

NEGFORUM/RESOLUTE/VIOLENCE.RES
23 June 1993

Addendum I

THE NEGOTIATING FORUM, MEETING ON 1 APRIL 1993

RESOLUTION ON VIOLENCE

We, the participants at the Negotiating Forum meeting at the World Trade Centre on 1 And
2 April 1993:

NOTING Â» With revulsion the unacceptable escalation of violence
that is engulfing our country;

OUTRAGED - At the killings particularly of women and children;

CONCERNED * About the damage violence is inflicting on all aspects of
the economy, on relations among people and
organisations and the consequent deepening of divisions;

AWARE * That violence poses a threat to the negotiating process
which if it continues could wreck the process and
plunge our country into an era of unprecedented
conflict.

DO HEREBY UNEQUIVOCALLY

CONDEMN * Without reservation the wanton killing and maiming of
the citizens of our country;

EXPRESS * Our sympathy and condolences to all those who are

suffering in consequence;

COMMIT OURSELVES * To effective joint action by all of us leading to the
eradication of violence and to the attainment of peace in
our country as soon as possible;

* To peaceful negotiations as the only way to resolve differences.

AND THEREFORE RESOLVE TO

L. Identify those issues that cause violence and which threaten the negotiating process and the undermining of the effective implementation of the National Peace Accord.

2. Mandate the Negotiating Council to establish what urgent steps and mechanisms are required to resolve the above issues as a matter of national priority. The Negotiating Council shall report to the next meeting of the Negotiating Forum.

NEGFORUM/RESOLUTE/VIOLENCE.RES

23 June 1993

DRAFT RESOLUTION ON THE TRANSITION PROCESS

We, the participants at the Negotiating Forum meeting at the World Trade Centre, Johannesburg on 1st and 2nd April 1993, having,

L1

1.2

Received a report from the Negotiating Council on the CODESA reports and the transition process;

Identified some of the issues concerning constitutional matters which the Negotiating Council must consider.

Resolve to instruct the Negotiating Council to consider and report on all matters arising from the Consolidated Report including inter alia the following Constitutional issues:

X K X Â¥ X Â¥ Â¥ *

Constitutional Principles

Constitution-Making Body

Transitional Constitution

Form of State

Transitional Regional Government

Fundamental Human Rights during the Transition
TEC and Sub-Councils

Reincorporation

The Negotiating Council shall present reports on progress made on the above issues to the Negotiating Forum.

NEGFORUM/RESOLUTE/TRANSIT.RES
23 June 1993

RESOLUTION ON THE TRANSITION PROCESS

We, the participants at the Negotiating Forum meeting at the World Trade Centre, Johannesburg on 1st and 2nd April 1993, having,

: I

1.2

Received a report from the Negotiating Council on the CODESA reports and the transition process;

Identified some of the issues concerning constitutional matters which the Negotiating Council must consider.

Resolve to instruct the Negotiating Council to consider and report on all matters arising from the Consolidated Report, including the following and other Constitutional issues:

* X * * *

*

Form of State and Constitutional Principles

Constitution-Making Body/Constituent Assembly

Transitional/Interim Constitution

Transitional Regional/Local Government

Fundamental Human Rights during the Transition

Transitional Executive Council, its Sub-Councils, the Independent Elections Committee and the Independent Media Committee

Future of the TBVC States

Self-determination

The Negotiating Council shall present reports on progress made on the above issues to the Negotiating Forum.

NEGFORUM/RESOLUTE/TRANSIT.RES

23 June 1993