

game, he must be clear that we are not going to co-operate with him on this matter. He can do what he likes. We are not going to disband Umkhonto we Sizwe. We are not a political party. We are a political organisation, perhaps with more support worldwide than he has. We have used Umkhonto we Sizwe to help in the exertion of pressure on the Government to change its policies.

We have no illusions. It is not the operations of Umkhonto alone which have brought about these developments, but Umkhonto has had a very significant contribution towards the struggle and we cannot hand over that instrument to the National Party. I must appeal to him to work harmoniously and seriously with the African National Congress. This is our initiative. A number of people have paid him compliments. Very well, we agree with that. He has tried to undo what his brothers have done to us. Through the policy of apartheid, they have created misery beyond words. Nevertheless, we are prepared to forget and he has made a contribution towards normalising the situation because without him we would not have made this progress. I ask him to place his cards on the table face upwards. Let's work together, openly. Let there be no secret agendas. Let him not persuade us that he should be the last speaker because he wants to abuse that privilege and to attack us in the hope that he will get no reply.

I am prepared to work with him in spite of all his mistakes. And I am prepared to make allowances because he is a product of apartheid. Although he wants these democratic

/changes ...

changes, he has sometimes very little idea what democracy means and his statement here, many people will regard it as very harsh, where he is threatening us, where he says this cannot be done. He is forgetting that he cannot speak like a representative of a Government which has got legitimacy and which represents the majority of the population.

These are statements which can only be used by somebody who represents the majority of the population in the country. He doesn't represent us. He can't talk to us in that language, but nevertheless I am prepared to work with him to see to it that these democratic changes are introduced in the country and we can only succeed if we are candid and open with one another. This type of thing, of trying to take advantage of the co-operation which we are giving him willingly, is something extremely dangerous and I hope this is the last time he will do so.

Thank you very much, Mr Chairman.

/Chairman ...

MR JUSTICE SCHABORT

Thank you, Dr Mandela. Ladies and gentlemen, it is our task as the joint chairmen of this meeting to try and see that CODESA does not get bogged down in the quagmire of misunderstanding; that we don't land in any cul-de-sac, and the wheels are kept rolling in the direction of progress, peace and all those other ideals which we have heard so much about today.

It is the opinion of my esteemed colleague and myself that should Mr de Klerk at this stage wish to respond to what has been said, then it would be better to end this meeting on that note than to adjourn at this stage. The sun has presumably set outside. In here we've still got these glaring lights and as far as we are concerned, this is still an opportunity which we must avail ourselves of to try and resolve and deal with this issue.

/PRESIDENT F W DE KLERK ...

PRESIDENT F W DE KLERK
SOUTH AFRICAN GOVERNMENT

Thank you, Mr Chairman. Mr Chairman, I do not intend to attack Mr Mandela. I have never done so. I have never attacked his person, notwithstanding the fact that in other countries and inside South Africa, he made very, very hurtful allegations against me. I prefer to play the ball and not the man. Sir, this matter has been dragging along since August 1990, but specifically since February 1991. When we entered into an agreement at the DF Malan Airport with regard to that which should have come to an immediate end, and that with regard to which we agreed to in a phased manner, through negotiation, solve the problem of inter alia illegal arms caches.

There is only one party sitting in this room with a private army and with arms caches, illegal arms caches, admitting to it. All the other parties do not have a dualism. Sir, we constantly raised this issue which is an issue of deep concern because we believe one cannot be totally committed, totally committed to peaceful solutions if your major speakers constantly until two weeks ago from certain platforms, with arms caches, make an appeal for the struggle to continue and adhere to the concept of armed action. It is a matter of principle. And we have raised this. And shortly before 14 September we had a very long meeting for many hours one evening and we were convinced at that stage not to raise the issue at the Peace Conference. And we were given assurances that now the negotiation which has been

/dragging ...

dragging and which didn't make any advances and progress since February, would receive serious attention.

The discussion that Mr Mandela refers to a week or so ago in my office - I can't remember the exact date - at that discussion I said: Once again since 14 September I find myself in exactly the same position that I found myself a week before 14 September. And we agreed that he would assure that a strong delegation would meet with our members of that particular committee. Those meetings took place and documents were exchanged until 20h00/21h00 last night in that regard. I don't want to go into detail. I stuck to the principle and it is the principle involved. And the inter-changes of the frantic discussions which went on in the past few days resulted in an absolute stalemate, and once again the Government found itself on the point that once again we're entering a fundamental new stage without this problem having been solved, and this problem is not just a problem bothering the Government, it's a problem bothering everybody. It's a problem bothering everybody that there are so many, we don't know how many, AK47's in illegal caches. The very same weapons which are being used to kill people. I am as deeply concerned about the violence as anybody else.

And therefore sir, I said more or less a week ago to Mr Mandela: If we do not make sufficient progress, I will have to raise this. And last night, when it became apparent that we couldn't

/make ...

make sufficient progress timeously, the message to one of his senior advisers was: We will have to raise this, but we will stick to the principle and stay away from details. And I tried to do that, and I'm still trying to do that. And, sir, it is a matter which must be solved, and therefore if you analyse everything which I have said today, I have put the principle on the table; I have said that we must make progress with this and that unless we make progress, we will be inhibited to enter into further agreements. That is the essence of what I have said. And that is where the crunch will come. Yes sir, I said it.

I specifically said that unless this dualism is solved, the essential problem will remain that we will have a party or organisation, or whatever they prefer to call themselves, that we will have a party with a pen in one hand and claiming the right to still have arms in the other hand. And that in essence cannot be conducive to a really peaceful process and to real negotiations.

Therefore, I want to say we will continue to discuss this. We will have an open door, and I made it clear in my speech when I referred to these matters, that we recognise the urgency of this matter, we can no longer just deal with it on a bilateral basis. Special provision was made in the Peace Accord to accommodate this problem that not sufficient progress has been made. The time has come to say: This is a serious problem, and this serious problem now needs attention and it needs to be resolved because it will be a stumbling block

/in ...

in the way of real progress through to the logical consequences of what CODESA is about; unless it is solved. And I do not apologise sir, for putting this principle point of view on the table. I think it's a justifiable one. I do it with pride because I think that is how democracy should really work.

And therefore sir, I hope that having cleared the air, that we will find a way in the best interests of South Africa to now solve this problem. We have not been prescriptive. We have made proposals which are, in essence, reasonable. I don't want to discuss them here. I say let us get on with it and solve this problem. It is a problem which can no longer be shelved for later solution. It goes hand-in-hand because this start of CODESA is a momentous moment in the Constitutional process. The start of CODESA has changed South Africa inasmuch as 2 February 1990 has changed it. Because of this it is necessary that we solve all outstanding issues standing in the way of this Convention to make progress, to make fast progress, to solve the problems of South Africa. That sir, is my case.

May I say on the issue of violence, I am as deeply concerned as anybody else. Sir, it is an absolute over-simplification to say that because you are the Government you can solve the type of volatility and violent situations that we have in South Africa. Sir, we have taken initiative upon initiative to ensure

/that ...

that violence be curbed. We are all signatories as we sit here of the Peace Accord. We have agreed in the Peace Accord that we need mechanisms; that there is no quick-fix to stop violence. Why otherwise would we have created the mechanisms? We have agreed we need conflict-solving committees on the ground on a regional basis and on a national basis. We are busy implementing them through the Secretariat and through the National Peace Committee. All of us are working together to bring violence to an end. All of us, surely, should ask of ourselves, instead of pointing accusing fingers elsewhere: What can I do to bring violence to an end? That is my attitude, and the Government is constantly reviewing the position and if necessary - and I've said it publicly - we will take even more steps.

But sir, my hope and my plea is that this CODESA conference must show to all the people in South Africa that your leaders have started talking to each other, and if your leaders talk to each other, there is no need for you to kill each other. And so let us stop the violence. Let us be realistic about the deep-seated causes of that violence. And they're not simplistic. They're extremely complex. And let us on all fronts do everything which is possible to bring it to an end. And one of the things which we need to do is to get economic growth, because unemployment and poverty is making a contribution to the violence. It is one of the factors. And let us strengthen the hands of the Police instead of derogating them. And let us

/report ...

report if we have any evidence or any information about Police not playing a constructive and an impartial role in fighting violence. Report them to the Goldstone Commission which was the initiative of this Government; fortunately also adopted by the Peace Accord.

And let us in every sphere in the socio-economic sphere, in the security sphere, in every sphere, each one of us do what we can; leave no stone unturned to bring this problem to a solution. I found no pleasure in sounding a negative note about this big problem which I raised at this conference; and until the very last we tried to avoid having to do so.

Therefore sir, let us in the spirit in which CODESA has been founded - we are here to talk frankly and openly, but honestly, and we are here to find solutions to problems - let us also have the courage to accept that we have a problem with regard to the principle which I put on the table. My Government will play a constructive part in handling that problem through meaningful negotiation, but time is now of the essence. I thank you.

MR JUSTICE SCHABORT

Thank you, Mr de Klerk. Ladies and gentlemen, I would like to make an announcement. We will not solve South Africa's problems tonight. It has been known to us for long, and it must have become quite evident to all observers attending here today, that the problems of South Africa are real ones; profound ones; complex ones; some would say intractable ones. This is not only our burden; this is also our challenge, our good fortune and our calling as far as the future is concerned.

At this stage, I believe we have come to the end of these proceedings, except that there are certain announcements to be made.

MR JUSTICE MAHOMED

It's quite clear, and we have always known, that the journey from apartheid to freedom is going to be a rocky and hilly one, but the journey must be made. There is no other alternative. To the past we cannot retreat. Let the exchanges of the last half-an-hour or more not take away our perspective from what that declaration has said and to which people have committed themselves. It is indeed a non-negotiable commitment to negotiation towards an apartheid-free society. It is a mighty commitment and however hilly the road, however dark the night, the dawn must and will break for us. To end on a less serious note, we hope that all of you will partake immediately after this adjournment in the function which we have hosted and we want to

/make ...

make it clear that that itself is part of the negotiating process. I will call upon Mr Murphy Morobe to make a few logistical announcements on which he is an expert.

MR M MOROBE

There are several messages of support which have been received by CODESA office from various local and international organisations and among others, all the international organisations represented here today have also made a statement of support for CODESA, but we do regret that the agenda and time constraints do not allow us to read these messages of encouragement and support. However, we shall as far as possible find a place to announce the names of all these organisations which have sent messages.

In the meantime we do take this opportunity to inform you that messages have been received from amongst others the following:
A joint statement by International Observers of the first meeting of CODESA, who are here with us, from the Republic of Namibia, the Chinese Association of South Africa, the Embassy of Hungary, the National Anti-Apartheid Movement, and a number of others.

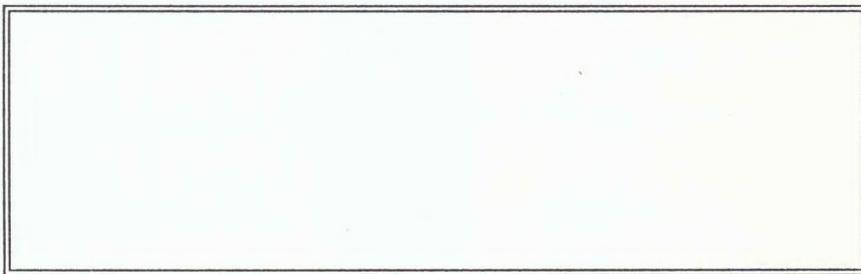


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CONVENTION FOR A DEMOCRATIC SOUTH AFRICA



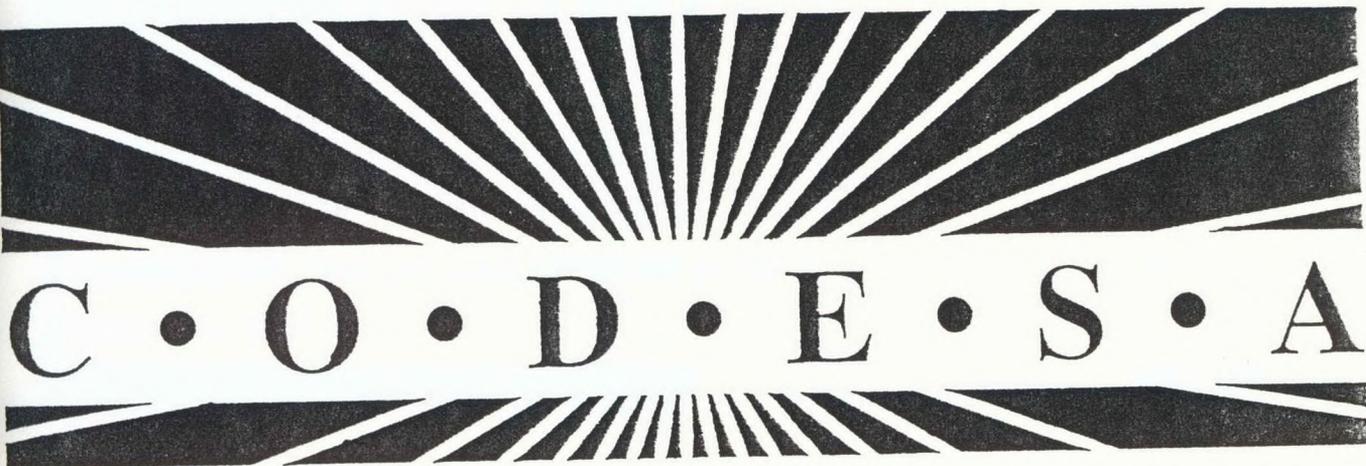
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FIRST PLENARY SESSION

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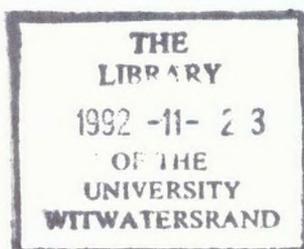
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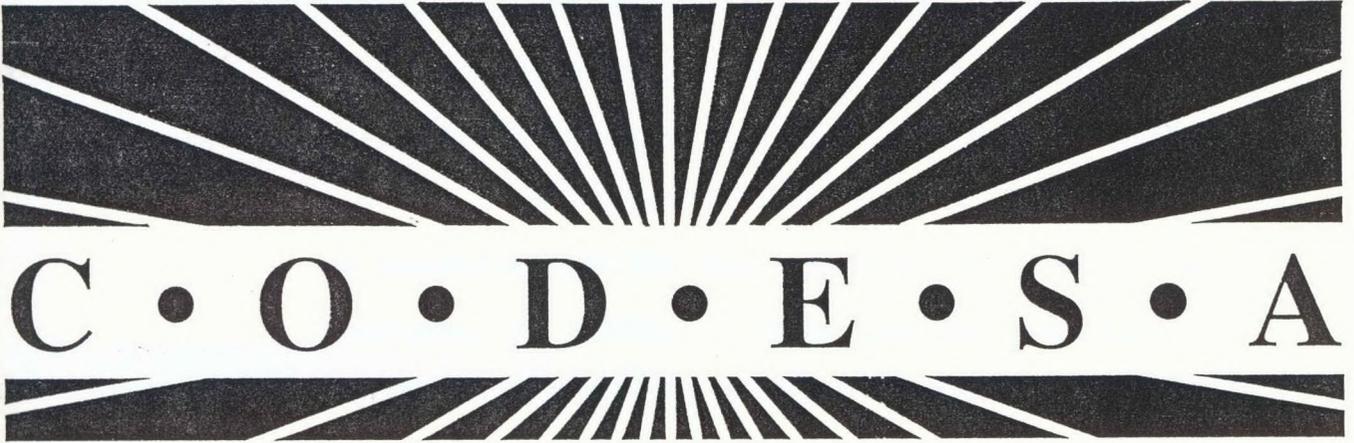
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CONVENTION FOR A DEMOCRATIC SOUTH AFRICA



FIRST PLENARY SESSION

CONVENTION RESUMED:

JUSTICE MAHOMED: Ladies and Gentlemen, when we were debating and signing the Declaration of Intent yesterday, it was made manifest by the organisations which had not signed it yet, that they were not necessarily against it in principle but they merely wanted more time to consider their positions. This was a perfectly legitimate perspective and a perfectly correct choice of their rights.

/Having...

Having had the benefit of maturation and reflection overnight, the Ciskei Government will now give us the benefits of the night of reflection.

O J GQOZO:

Thank you Messrs Chairpersons, Honourable Judges, Co-delegates, members of the international community and distinguished guests. I must express my appreciation for the opportunity given to me yesterday by CODESA to exercise our democratic right inasfar as the signing of the Declaration was concerned.

As we said, we do respect the contents of the Declaration in full but we had a problem with a little clause in the Declaration which wanted clarification both for the benefit of our country, and for the benefit of our satisfaction with the implications of having signed that without having looked into the pros and cons.

/It must...

It must have been noticed that we simply delayed the signing without giving reasons therefor. We had reasons why we did not want to do that; we did not want to influence other parties who were willing and ready to sign, and we did not want to delay the proceedings unnecessarily. We are now in a position, if you allow us Messrs Chairmen, to give reasons.

Our main reservation in the Declaration of Intent, was the binding effect of the decisions of CODESA. We wanted some clarity on the procedure to be followed in reaching decisions by CODESA. Because we believe Ladies and Gentlemen, that any decision which should be binding on us, should be reflected upon very seriously and the method by which that decision is being reached, is of paramount importance to us. We do not want to land in a situation where we may find ourselves being bulldozed into a situation without proper consideration given to the implications that might harm our country.

I am now going to say, in principle we feel that we have, after most intensive discussions and deliberations and consultations, found some comfort in what we got. We did not want to be bound by

/decisions ...

decisions to which we were not party.

After much deliberation with my delegation and other members of the Steering Committee last night, we are satisfied with the decision-making procedure proposed by the Steering Committee and we feel that if it is accepted by this Plenary Session this morning, as it stands, then we are comfortable with it. It has also been brought to our notice that all the parties of the Steering Committee are happy with the decision-making procedure.

In view of the above, we are now in a position to sign the Declaration of Intent without reservation.

JUSTICE SCHABORT: CONSIDERATION OF STANDING RULES:

Dames and Here, dit is vervolgens nodig om oor te gaan tot die oorweging van die voorgestelde Ordereëls vir die volle sittings van KODESA.

In a sense this is really harnessing the cart before the horses; before the whole of yesterday it was already possible to conduct the first session without the Standing Rules being operative.

We have according to the agenda between now, which

/is ...

is already about half-an-hour late, and 10h30 when we will have the tea break, for the consideration of the Standing Rules, and also the introduction of the terms of reference and the formation of the working groups. The draft document will be introduced to this gathering, by Mr N J Mahlangu. There will be a panel to assist with clarification and explanation of aspects of this document. Would all these persons please come forward.

N J MAHLANGU:

Mr Chairperson, members of various delegations, it is a pleasure for me to perform this duty entrusted to me by the Secretariat of CODESA, or by the Steering Committee.

Mr Chairman, I now beg to present the Standing Rules of procedure for Plenary Sessions of this Convention. However Mr Chairman, in limine I would like to state that these Rules are the product of long discussions and debates at Sub-committee, Task Group and Steering Committee levels, at which all participants present here, were represented. I may say that I have been the Chairman of the Sub-committee for the Standing Rules, which was under Task Group, drafting. The task of drafting was led by the convenor, Mr Felgate, and at all these levels the Standing Rules were accepted unanimously.

/This ...

This was brought then to the Steering Committee which was headed by Mr Zach de Beer, at which also there was complete consensus regarding the Standing Rules. Now at this point in time, may you give me the opportunity to give a short purview of the Rules Mr Chairman.

The first part deals with participants. The participants are political parties, organisations, the South African Government, and administrations present here with an option of admitting additional participants.

The second part deals with delegates. What is important there, twelve delegates and five advisers are allowed per delegation.

The third part deals with agreements. Agreements are to be reached by consensus, failing which sufficient consensus shall apply. Sufficient consensus is reached when consensus is of such a nature that the work of the Convention can be moved forward effectively.

Then the fourth part which I regarded as important, is the question of quorum. Two-thirds of participants will be able to carry on with a Convention meeting.

/Then ...

Then five concerns speeches and interventions. What is important there as far as I am concerned, is that each party will be afforded a reasonable opportunity to speak.

The sixth part of it concerns the Chair. The Chair is appointed by the Management Committee. The Chairman, of course, controls the meeting.

And the seventh part of it concerns minutes and documentation. What is important there is that proceedings of the Plenary Session shall be recorded and transcribed.

Eight concerns access of media. An important part there is that proceedings of Plenary Sessions are open to the media.

Nine, Additional Rules of Procedure. Additional Rules of Procedure can always be added as time or circumstances demand it.

Then we have a miscellaneous provision. The Convention may establish working groups, committees, and so forth.

/Mr Chairman ...

Mr Chairman, may I now pray to CODESA to approve this draft of rules which will form the basis of the comprehensive rules to be made later on. Mr Chairperson, as a jurist I am aware that there are no rules which will be static, which will not be amended at a later stage. So I hope CODESA will take into consideration that one does not need to make all the pros and cons of these rules to come to the imaginable situation, but as time goes on a need will arise and an amendment to these rules will be made.

Thank you, Mr Chairman.

JUSTICE SCHABORT: Thank you Mr Mahlangu, for this short and sweet introduction.

Ladies and Gentlemen, I take it that you have all read this document, you have perused it, you are au fait with the contents and that you have made up your minds as to whether it should be approved in this form, or not. Is there a proposal for the adoption of the Standing Rules of Procedure as presented?

Mr Rajbansi?

A RAJBANSI: Mr Chairman, I propose that the Standing Rules of Procedure be adopted.

M J MAHLANGU: Mr Chairman, I wish to second Mr Rajbansi.

/M C Zitha ...

M C ZITHA: Mr Chairman, before the adoption of the Rules of Procedure, I have a proposal to make on the Standing Rules of Procedure for Plenary Sessions, to add a new clause.

"Clause 6: That only motions which are seconded will be considered by the Convention."

That every motion should be seconded before it is considered by the Convention. That is our additional amendment to the Rules of Procedure. Thank you.

JUSTICE SCHABORT: Would it fit in at 6.3 suitably, Mr Zitha?
Paragraph 6.3.

M C ZITHA: That is correct, Mr Chairman.

JUSTICE SCHABORT: Do we perhaps have this proposal in writing? It is to the effect, as far as I could hear, that motions were to be seconded before they would be adopted by the Plenary Session as a whole. Is that the effect?

Z TITUS: I have a proposal to make Mr Chairman. I would like to draw your attention to the provisions of Clause 9 of the Standing Rules which reads as follows:

"9. The Convention shall adopt whatever additional Rules of Procedure or make such arrangements as are

/necessary ...

necessary for the better performance of its business or the conduct of its meetings."

This particular clause Mr Chairman, clearly envisages a situation where we might have to have additional rules, and also covers the situation where we might have to amend the existing rules or the rules that are in front of us today.

My proposal is that whatever proposals are made and whatever suggestions are made, should be submitted to the Steering Committee, or the Management Committee, which will then consider the proposals and then make further suggestions and recommendations to CODESA itself. Thank you, Mr Chairman.

H J S KAYSER:

Mr Chairman, when this was discussed at a Task Group and at the Steering Committee, it was the consensus of opinion that nothing should be put in the way to make it possible for delegations to be heard, to propose anything or table anything and any article in the Standing Rules that would restrict that sort of freedom, the consensus of opinion was that we were against that. I just want to remind the meeting of this. Thank you.

JUSTICE SCHABORT:

I trust that the delegates have heard the speaker. It was not possible to hear him from where I stand.

/Is...

Is it a proposal for any amendment or just an observation that you have made?

H J S KAYSER: Yes, we agree with the Transkei delegation that this can be re-discussed, but we are against the amendment.

JUSTICE SCHABORT: I see. The last-mentioned one?

H J S KAYSER: Yes.

JUSTICE SCHABORT: Gentlemen, are there any other suggestions, proposals, proposed amendments? Apparently not. Then as far as the first one is concerned, let us first deal with the first-mentioned motion, the precise wording of which I do have available in writing, but the effect of which I have told you. Is it agreed that there would be a Paragraph 6.3 added to the draft which would then be to the effect that all motions ought to be seconded before they are approved of by the Plenary Session as a whole? Any objection to this? Could this then be unanimously recorded as being accepted? Thank you.

As regards the second proposed amendment, namely that all suggestions for the addition or excision, or whatever, of rules, should first be submitted to the Steering Committee, there we have apparently conflicting views between the Transkei and the Ciskei on this particular point.

H J S KAYSER: Sorry Mr Chairman, they are not conflicting. We support that.

/Justice Schabort ...

JUSTICE SCHABORT: You support it.

Ladies and Gentlemen, I am told by the lady and gentleman sitting behind me, that they would be quite happy to accommodate in Rule 9, either as a sub-rule or as part of Rule 9, a term to the effect that suggestions would have to be submitted to the Steering Committee who would screen them, obviously, and would then take a decision on them, and then put them before the Convention as a whole - a Plenary Session.

Would this amendment also carry your approval?

A HENDRICKSE:

Mr Chairman, may I suggest that this particular clause must stand as it is, because your key word there is that it is the Convention itself that must adopt. The mechanics of how this is going to be adopted, need not be written into your rules here. Even if it goes to the Steering Committee, it is still right and necessary at times - it may not be possible for the Steering Committee to meet, and then the session, the Convention itself, must adopt any new procedures. So I don't see a problem.

JUSTICE SCHABORT: Thank you, Reverend.

I believe the motive behind the proposal of the

/amendment ...

amendment, is that it would be facilitating if proposed amendments are submitted timeously to the Steering Committee, so that there would be more opportunity to consider them and then to bring them before the Plenary Session. The principle that the Convention itself will have to approve, that remains undisturbed. Are you happy with that?

Ladies and Gentlemen, no more speakers on this point? Then I take it that we may now treat as unanimously accepted, this last-mentioned amendment to Rule 9.

Other than these two proposals, we have no others and may we then take it that the Standing Rules of Procedure for Plenary Sessions, have been accepted unanimously by the delegates? Thank you very much.

A RAJBANSI: Mr Chairman, before Mr Mahlangu leaves the rostrum I just want to make a proposal arising out of the adoption. I refer to Rule 1 where in respect of 1(1) and 1(2), there was a thought that in order to effect the smooth functioning of CODESA relating to additional participants, or inviting observers to attend, the real authority now vests with the Convention. Now the idea of the Steering Committee - and Mr de Beer can confirm this - that once these Rules of Procedure are adopted, that in order to effect mediation and facilitation, the Convention will delegate some of this responsibility to the

/Steering ...

Steering Committee which is likely to be called the Management Committee.

So Mr Mahlangu is aware of that. So what we need is a decision of the Convention that some of this responsibility be delegated to the Management Committee.

JUSTICE SCHABORT: Yes, let me ask Mr Mahlangu about that.

Mr Mahlangu will address this.

N J MAHLANGU: Thank you Mr Chairman. Mr Chairman, the Steering Committee is the administrative arm of CODESA. Now normally, as you know, those who have been in political circles, you have your administration to make an infrastructure for the matters to be discussed at parliamentary level, which I will call CODESA in this case, not meaning that CODESA is Parliament but I am just saying that the preparation is at administrative level and then the decision is at CODESA level.

In this case CODESA is having enormous powers regarding the procedure. CODESA can give a ruling in terms of Rule 9, it can make other arrangements, that in this matter we consider directly at CODESA, or it must go to the Steering Committee. In other words, it is an open cheque regarding CODESA.

/CODESA ...

CODESA is not restricted that it cannot consider any matter - that any matter must be considered by the Steering Committee. CODESA has the supreme word in that regard. Thank you, Mr Chairman.

JUSTICE SCHABORT: Does this satisfy you, Mr Rajbansi?

A RAJBANSI: It does satisfy me, Mr Chairman.

JUSTICE SCHABORT: Very well, then we have now disposed of this item on the agenda. We excuse Mr Mahlangu and his retinue. I call on my esteemed colleague.

JUSTICE MAHOMED: I think our thanks are really due to the panel which put in so much effort to reach the stage where we could get agreement so soon and so efficiently.

The next item is the "Formation and Terms of Reference of Working Groups." Even the most cursory glance at this document manifests an enormous amount of energy and thought which has gone into it. It is, as you all know, broken up into sections and the Working Group 1 introduction will be dealt with by Mr Meyer, Working Group 2, Mr Cyril Ramaphosa, and Working Groups 3, 4 and 5 by Dr de Beer. If they will be kind enough to come forward and the panelists who are going to assist if we have any problems or explanations, are also indicated. Would the panelists concerned also be available.

I think the logistically most efficient way of dealing with it would be section by section and I will, therefore, ask Mr Meyer to deal with the introduction to Working Group 1.

FORMATION AND TERMS OF REFERENCE OF WORKING GROUPS.

WORKING GROUP 1.

R P MEYER:

Thank you Mr Chairman. At the time of the preparatory meeting at the end of November, nine topics were identified for consideration by CODESA. Subsequently, through the work of the Steering Committee and the particular Task Group on this, eight items were identified and five Working Groups accordingly are going to be proposed to you now, to attend to these eight items altogether.

The ninth item, the very last one that was identified by the preparatory meeting, namely other items identified by the Steering Committee and decided upon by CODESA, is at this moment not appropriate because we believe that in the way forward CODESA will be able to actually identify further items for consideration, if it so wishes, but we have no further proposals at this stage in this connection.

So actually only eight items have been considered

/by ...

by the Steering Committee for reference to five Working Groups, and those you have in front of you, which is a particular document in your folder.

I am going to deal now with the first Working Group's assignments. Referring particularly to the first Working Group, the proposal is that this Working Group will deal with:

Firstly, the creation of a climate for free political participation: and

Secondly, the role of the international community.

As far as the first assignment is concerned Mr Chairman, we believe that it is absolutely necessary with a view to ensuring a free political process in South Africa, both on the way towards a new Constitution as well as in a new democratic South Africa, that we have a free political climate for participation.

Secondly, we believe that democracy requires that all participants in the political process should be free to participate in that process without fear, and on an equal footing and on the basis of equality with the other participants.

It is therefore recorded Mr Chairman, that the terms of reference of the Working Group on the

/creation ...