

CODESA: TASK GROUP 3

RSA GOVERNMENT PROPOSALS

Working Group 1

Creation of a climate for free political participation

Assignment

To make recommendations regarding the creation of a climate for free political participation.

Terms of reference

The status of existing agreements (such as the Pretoria Minute, D F Malan Accord and the National Peace Accord and consequential agreements/arrangements); the fostering of an acceptable political climate which is prevented by continuing violence, intimidation, mass action and other related issues.

Role of international community

Assignment

To make recommendations, if any, regarding the role of the international community in the process.

Terms of reference

International inter-action to involve the normalisation of relations with South Africa; status and privileges of international representatives/community; legal implications, if any.

Working Group 2

General constitutional principles

Assignment

To advise on what elements of a Constitution are to be considered; to propose to the Convention a set of basic principles upon which a new constitution may be founded.

Terms of reference

Possible content of a new constitution:

Pre-amble; status of constitution; separation of powers; judiciary; tiers of government; electoral systems; financial control; state security; national symbols; language rights; charter of fundamental rights; economic principles; diversity of interests; constitutional continuity.

Constitution making body/process

Assignment

To make recommendations to the Convention regarding the process through which a new constitution may be formulated.

Terms of reference

Content of a new constitution.

Working Group 3

Transitional arrangements/Interim Government/Transitional authority

Assignment

To make recommendations to the Convention regarding possible transitional arrangements and their application, such an assignment to canvass all possibilities.

Terms of reference

Should the negotiations conducted within the framework of Codesa result in agreement(s), requiring the making of transitional arrangements, such arrangements

will have to be made according to powers and legislative facilities to which the Government has access.

Working Group 4

Future of the TBVC states

Assignment

To make recommendations to the Convention regarding the manner in which the constitutional status of the TBVC states may be affected by the outcome of the negotiations within the framework of Codesa.

Terms of reference

Constitutional status of TBVC states; process of re-incorporation, if any; constitutional arrangements required for the change of status quo and their application.

Working Group 5

Time frames and implementation of Codesa's decisions

Assignment

To recommend to the Convention a set of basic principles regarding the implementation of Codesa's agreements and the implementation of such decisions within realistically attainable time frames.

Terms of reference

Legality of the process; practical implementation of agreements; time frames to be negotiated within the context of constitutional continuity.