Good morning Ladies and Gentlemen. Welcome back at the Second Plenary Session of CODESA. The remaining two speakers on The Way Forward, are the Leaders of the Delegation of the South African Government and of the African National Congress. Their contributions have been eagerly awaited here.

Dames en Here, die Staatspresident.
Honourable Judges Chairmen, eminent visitors from overseas in various missions, your Excellencies, Ambassadors to South Africa, Leaders of Delegations and Members of Delegations, Ladies and Gentlemen.

Before turning to the issues at stake, I would just like to make a short announcement which I think is of great interest to many delegations here, in the presence of our foreign visitors. I am pleased to announce that in response to the request of the Minister of Foreign Affairs to the Commission of the European Community for Drought Aid, the Senior Vice-President of the Commission informed us yesterday that outside and in addition to assistance to the Southern African region, the Commission is prepared to consider providing emergency relief to some of the worst affected population groups and areas in South Africa. The Government, Ladies and Gentlemen, will follow this up as a matter of urgency to make the necessary arrangements, if details can be arranged, and we thank the mission of the European Community and ask them to transmit South Africa's appreciation for this gesture.

Mr Chairmen, I have been tempted to react in detail to some of the statements made yesterday but have decided to resist the temptation. However, I want to make one clear statement in reply to the accusations and innuendos that the Government promotes continued minority domination or privilege. I cannot allow that to stand. It is simply not true. When we say that the book on apartheid has been closed, we mean it. When we say Mr Chairmen, that we - all of us - must now build the South African nation,
we are in earnest about it. When we say that in our attempt to build a new Constitution we must assure that there is no discrimination built into that new constitutional system, and that also in other spheres South Africa will be freed of discrimination, we mean it; we are totally committed to it.

En daarom Meneer, wanneer ons praat in hierdie onderhandelings-situasie oor die probleem van verskeidenheid, dan praat ons nie in h rassesin daarvan nie; dan praat ons van die werklikheid van Suid-Afrika, dan praat ons soos wat soveel ander afvaardigings gepraat het, van die bekommernis in die harte van bepaalde taalgroepe, kultuurgroepe, belanggroepe, gebiedere, dat hulle wil verseker wees dat hulle ruimte om te lewe, veilig en beskerm sal wees; dat een vorm van onderdrukking nooit deur h ander vorm van onderdrukking vervang sal word. Dan praat ons soos ons praat as gevolg van die ingewikkeldheid van ons probleme. In talle ander lande wat nie eers so 'n komplekse samelewing soos ons s'n het nie, was dit nodig gevind om ook met wigte en teëwigte op allerlei maniere seker te maak dat ook die belange van kleiner belanggroepe in daardie lande effektief beskerm word teen die misbruik van mag.

Ons wil op geen wyse 'n voortsetting van diskriminasie hê nie en ons wil op geen wyse spesiale voorkeure en spesiale voorregte vir enige minderheidsgroep, nie die Blankes of enige ander minderheids-groep, inbou in die nuwe grondwet of in die nuwe Suid-Afrika nie.

The Government, the National Party and the many other delegations

/Mr Chairmen ...
Mr Chairmen, who insist upon proper checks and balances do so, not to subject any majority to minority whims. They do so in the spirit in which the American Founding Fathers have instituted their checks and balances. That spirit was the spirit that no majority should ever be able to misuse its power to undermine the constitution or to dominate or to damage the interests of minorities, however that may be defined. We in Government are not defining the concept of minorities in any way in terms of race, or colour, or any other discriminatory norms.

Mr Chairmen, we are speaking about The Way Forward. From the reports of the various Working Groups and also from the progress which has been made in Working Group 2 - unwritten as yet - emanates fairly clear and laudable guidelines for the future; for The Way Forward; guidelines pointing all of us towards peaceful and attainable goals. Time does not allow me to go into detail. Important in the consensus which we have reached in many Working Groups, in the consensus which has been growing amongst all of us, are the following:

That we are jointly committed to continue with the levelling of the playing field. We must ensure a level playing field. We are jointly committed to the creation of an atmosphere and a situation on the ground which will make free and fair elections truly possible. We share with each other the conviction that the continuing violence must come to an end and we recommit ourselves, also within the framework of the Peace Accord, to attain that and to do that.
We jointly believe that we need to move forward in phases, and we have agreed upon frameworks in that regard. The frameworks are becoming clear, are crystallizing and are materialising. And from what we have already attained, certain common practical goals are materialising. Thus it is materialising that there is a need for specific legislation on a basis of urgency, and certain legislative necessities have already been identified.

A common practical goal which has materialised is that we must have a transitional executive council with sub-councils doing the important preparatory work in many fields without which in any event, we can't really move forward. A common practical goal which is materialising is that we need a CODESA-inspired and negotiated transitional or interim constitution, and from that will result a democratically elected, transitional multi-party Government which will govern in a spirit of national unity, and from that will emerge and will flow also a transitional parliament, fully representative of all South Africans, in which they all participate. From that, in turn, must flow a final constitution agreed upon in the transitional parliament in a manner yet to be finally negotiated between us here in CODESA; a final constitution which must serve this country and its people, hopefully, for centuries to come. A good constitution, a proud constitution, a constitution in step with the best which the rest of the world can offer.

We have made remarkable progress Mr Chairman, notwithstanding the one important setback which I do not want to underestimate. All of us I believe face a choice; do we go forward along these guide-
lines, striving for these goals in a spirit of reconciliation, or do we elevate the disappointment of delaying Working Group 2 to a cause for tension, in-fighting and even conflict? The Government has no hesitation in saying, let us move forward and build on the foundations of CODESA 1 and 2 with a sense of urgency. Let us identify that which is still outstanding and then use CODESA to reach agreement on such issues. There is no reasonable alternative for that.

Let us review our procedures and methods if necessary, in order to improve our productivity and our effectiveness. In the same breath one must emphasise - however much we may be in a hurry - what we do we must do well. A transitional or interim constitution cannot be a slapdash rickety affair. In itself it must already make all South Africans proud. We must strike a balance between speed and thoroughness, between the need for time frames and the avoidance of mistakes which will later cost us dearly.

Outside this venue there are millions of South Africans willing us, demanding from us to succeed. They want peace, they want development, jobs and food, they want the fighting to stop and the building of a better life for all South Africans to begin in earnest. They want poverty to be alleviated. They want us to succeed.

Our hearts go out to all our people. It is not for ourselves that we are working in CODESA. It is for our people, for our youth, for our country that we must work and that we must succeed. We /dare ...
dare not fall back into strife and confrontation and, therefore, we say let us move forward in faith and in hope, let us continue to reach out to all our people and to each other to bring our people together in peace and in harmony, and through reconciliation to forge here in CODESA also in the weeks to follow and the months to follow, to forge here a spirit of co-operation, a spirit and a unity of purpose which will lead this country out of the mistakes of the past, into a prosperous and a stable future.

Ons benader ons taak nie in h hoogheilige sin nie, maar in diepe nederigheid in die gees dat ons geroepe is tot geregtigheid, en dat alleen op die fondament van geregtigheid, van billikheid teenoor elke Suid-Afrikaner, alleen op daardie fondament h veilige en h voorspoedige toekoms vir hierdie land en al sy mense gebou kan word. Ek verklaar met oortuiging hier vandag, ons is gereed om vorentoe te beweeg. Die tyd vir magsdeling het gekom. Die tyd het gekom dat daardie nuwe grondwet gestalte kry en dat alle Suid-Afrikaners deel word daarvan en dat die Suif-Afrikaanse nasie as n nasie sy trotse plek inneem in die internasionale arena van state. In daardie gees sal ons positief en konstruktief bly saamwerk, bly hard werk, bly gee alles waaroor ons beskik ten einde te verseker dat ons so gou as moontlik - want ons aanvaar spoed is belangrik - time is of the essence - by finale oplossings en antwoorde uitkom wat blywende vrede in ons land kan verseker.

Ek dank u.

**MR JUSTICE MAHOMED**

Our next speaker has many titles, I will refer to his latest, Chancellor Mandela.

/Chairpersons...
Chairpersons, Distinguished International Guests, Fellow Leaders, Comrades, Ladies and Gentlemen. We gathered here yesterday and are meeting again today in a setting which suggests continuity, stable processes and a familiar and predictable environment. The physical circumstances in which we meet suggests that at the end of the day we will show progress built on what we achieved last December during the first historic session of the Convention for a Democratic South Africa. Yet the overwhelming message that was communicated from this hall yesterday both to our own people and to the international community at large, was that no progress towards the new South Africa that we all want had, in fact, been made over the last five months. The things we did and said conveyed this perception despite the valiant efforts that some amongst us made to demonstrate and insist that progress had indeed been achieved. So often the speeches that were delivered, carried the same refrain that could not but inspire gloom and despondency, as well as a sense that we, as politicians, could do no more than speak as I do now.

And yet the actual situation we face demands that we make a radical departure from many things which define the parameters of what we must do as these politicians. We meet here today as we did yesterday, not to play politics but because our country is in a very deep crisis. Our people continue to die as a result of brutal violence carried out by forces that are opposed to democratic change. Fear stalks our land because none of us seem to know when the identifiable as well as faceless assassins are going to strike; whether on the trains, in the townships and villages ...
villages, on the roads, or elsewhere. Many feel emboldened to carry and brandish guns, spears, battle-axes, pangas, knobkerries and other weapons of death as though to kill, to threaten and actually to perpetrate violence against other human beings were the most natural thing in the world. It even seems that political organisations have no problem whatsoever when their members and supporters or those who act in their name, take the lives of innocent people in the pursuit of one goal or another.

In addition the criminals who rob, rape and murder for personal benefit seem to grow in number every day and seem to get more desperate and brutal with each passing moment. The crisis facing our country is also expressed by the haunting reality of millions of people without jobs, without homes and without food. The lives of many of our people will be made even more miserable by the terrible drought which afflicts many parts of the country. After many years of gross mismanagement, the economy is in decline and holds no immediate or foreseeable prospect to address any of the urgent and pressing needs of our people. On the horizon we can therefore see nothing but even more misery and further deterioration of the fabric of society affecting all aspects of life including health, education, family life and everything else that defines human existence.

The question that faces us all is, how long can we who claim to be the leaders of our people, sit here, talk eloquently, spin out a complicated formula and enjoy the applause, while the country sinks deeper and deeper into crisis. From where can we claim the moral right...
right to assert that we need to move with less speed? Why do we put off until tomorrow solutions that we can reach today? The people cannot postpone their hunger. Similarly they do not want their freedom postponed. Anyone of us who acts to delay that freedom, only serves to perpetuate our bondage. This is a situation which none of us should be willing to accept. And let none of us make the mistake of thinking that the people will do nothing to change their condition. Not only do the masses have the right, they have the duty to engage in struggle to change their condition, change any government or leader they see as acting against their common good. We all know that it is the relentless struggle of these masses that has brought us to where we are today. Through their struggles they created the possibility for a negotiated resolution of the problems of our country.

And so, when we met here last December at the first session of CODESA and as we convened again yesterday, we held out the hope that indeed we were on course towards a peaceful resolution of the problems that have plagued our country for far too long. Clearly, we cannot gather here today and send out a message to our country and the world that we have taken no steps towards the goal of ending the misery of our people. That is clearly impermissible.

What is it that our people want? What is it that our country needs? We have to move as quickly as possible to arrive at a new constitution which must enshrine the principle of a united, democratic, non-racial and non-sexist South Africa. If there is anybody
in this room who is opposed to this objective, it would be good if they would let us know. To get to such a constitution we need an elected constitution-making body, a democratically constituted constituent assembly. Once again, if there is anybody in this room who is opposed to this objective, it would be good if they would let us know.

With regard to this matter there are a number of propositions that I would like to put to the Convention as a whole. To help our country and people move forward, I would like anybody with a dissenting view to speak out openly against any of these propositions. Firstly, let us all agree that we have to create a constitution-making body, elected on the basis of one person, one vote, with the votes being of equal value. Is there any party here today opposed to this? Let us all here agree that parties elected to this body will be represented within it, in proportion to the number of votes they obtain. Is there any participant who is opposed to this? Let us also agree that in addition to a national list, there will also be candidates who will be elected on a regional basis. Is there any participant who is opposed to this?

Let us further agree that the constitution-making body shall be a one chamber national assembly with sovereign powers to negotiate, draft and adopt a new constitution. Is there anybody who is opposed to this? Let us again agree that the work of drafting the new constitution will be carried out within the framework of constitutional principles that have been and will be agreed here at CODESA. We cannot allow the interim constitution or any interim structure
to be imposed upon or to constrain the constitution-making body. Is there anybody who is opposed to this? Let us also agree that the elections we talk about shall be conducted and supervised by an independent electoral commission made up of respected members of our community, and assisted by representatives of the international community. Is there anybody who is opposed to this?

The present Government of our country has admitted to the fact that it is not sufficiently representative of the people of our country. For the majority of our people the matter, however, goes beyond this. These masses consider this regime to be illegitimate. They accuse it of having brought the country to the sorry state in which it is through the pursuit of the evil and immoral system of apartheid. They are, therefore, convinced that it has neither the legitimacy nor the moral authority to take the country through its democratic transformation. The shocking recent revelations about the theft of public funds, the assassination of leaders of the Democratic Movement, coming on top of previous disclosures, confirm the view that the sooner all our people are able to decide who should govern the country, the better.

In the meantime, let us again agree on a number of matters. Let us agree that by the time it adjoins, the tricameral parliament will have passed the necessary legislation to create as a statutory body with executive powers, a multi-party transitional executive council charged with the task of moving the country towards the adoption of a democratic constitution, levelling the playing field and creating the climate of free political activity that will enable
free and fair elections to take place. Is there anybody who is opposed to this? Let us further agree that once the elections have taken place, the elected body will also be the interim parliament operating with a new executive together constituting an elected interim government, which will remain in power until a new constitution has been adopted. Is there anybody who is opposed to this?

Our people want to hear our answers to these propositions. Without the clear commitment of each and every participant in CODESA, we shall be unable to overcome the deadlocks, unable to give the leadership our people are looking for and unable to establish the basis for negotiations to succeed.

Having agreed to all these matters, where next should we go? We must move speedily to conclude all outstanding matters concerning the elected constituent assembly, begin discussion about the composition and other matters related to the elected interim government and, therefore, agree on the interim constitution according to which this transitional government will function. For these purposes the Management Committee should meet soon after the conclusion of this session of CODESA, to look at how it can restructure the Working Groups to ensure that we move forward urgently with regard to all these outstanding matters. The Management Committee will also have to look very closely at the question of timeframes in particular to determine when the election should take place, and how long the process of drawing up the new constitution should take. Other outstanding matters must also be resolved.

/In this ...
In this instance I refer in particular to the release of remaining political prisoners. It is quite intolerable that these fellow countrymen remain in prison while we sit here and talk piously about creating a climate of free political participation.

Let me conclude by thanking you for your patience and by urging everybody in this room with all the force at my disposal, to commit themselves in word and deed to the speedy transformation of our country into a peaceful, stable, prosperous, non-racial and non-sexist democracy.

And finally, a word to the Government of the day; the time has come that you should truly cross the Rubicon. You must understand clearly that the days of White minority domination are over. During the period of change and while you remain in power, you cannot and will not be both player and referee. Whether you are genuine about change will be judged not by what you say, but by what you do. Let us all move forward together to arrive as speedily as possible at our common objective of a democratic South Africa. I thank you.

MR JUSTICE MAHOMED

Ladies and Gentlemen, after those two contributions and the contributions of yesterday, the Management Committee needs to consider its recommendations and we have agreed to have a tea break of between thirty and forty-five minutes to enable them to consider a report which will then be presented after tea.

CONVENTION ADJOURNED FOR TEA
CONVENTION RESUMED

MR JUSTICE SCHABORT

Your patience has been tested again but luckily we are back in this hall to proceed with the agenda.

Ladies and gentlemen, it has been felt that you have probably heard enough for the time being, and that it is time that you should also see something; after all, seeing is believing.

I now call upon Mr Gordhan, the Chairman of the Management Committee, who will perform a certain task here - he will present certain slides.

/SLIDE PRESENTATION ...
The Chairpersons, Ladies and Gentlemen. Yesterday I, on behalf of the Management Committee, presented to you the Management Committee report on the progress made in respect of agreements in the various Working Groups. What we do today is to try to graphically capture that report with a view to capturing the vision that has been developing in CODESA on the transition process. It will give us, and indeed the people outside who are observing this, an opportunity to assess what has been accomplished in the five months that we have been working in CODESA on the one hand, and what remain as outstanding matters on the other hand.

At the Management Committee there has been a consistent concern on your behalf that marketing CODESA and the negotiating process, is a vital aspect of our work and marketing, of course, means that we have to take CODESA and the negotiation process to our people and they should understand what is it that we are doing in this mysterious place called the World Trade Centre, and are we indeed reaching agreements which can affect their lives and take them forward to a secure and peaceful future.

On the next slide we begin to capture the CODESA objectives. What is it that CODESA was actually set up for? CODESA was established, as we understand it, to move us from the current situation in South Africa to a democratic future and a democratic South Africa, that the crucial aspect that we need to resolve within the CODESA forums, is the aspect of drafting a democratic constitution on which a future South Africa would be based, and that remains today the key objective that guides us in the processes that follow even
On the next slide we examine the various aspects that emerge from the Declaration of Intent by CODESA 1, and the work that has been established as the terms of reference of the various Working Groups. In the first instance, that of constitution-making; in the second instance agreement on a Transitional Executive; thirdly, levelling of the playing fields, some agreement on the future of the TBVC States and then, finally, having reached these agreements, agreement on how do we implement them and within what kind of time frame. And it is these agreements that will finally take us to the democratic future.

On the next slide we begin to examine the process that has been involved in taking us to this future, that at CODESA 2 we will reach agreements on those various aspects, on the aspects of constitutional matters, the Transitional Executive, the levelling of the playing fields, and the TBVC States, and that these agreements would result in implementation according to time frames that we agree upon.

On the next slide we capture the total process from the past, so to speak, to the future. In other words, how do we move from present-day South Africa to a democratic South Africa? The blue on your left-hand side, reflects what we have become used to calling Phase 1 of the transition process, and in that process we are to resolve the issues indicated there, in particular the levelling of the playing fields and creating the climate for free political participation ...
participation, and that task will be performed by the transitional executive structure that we put in place. One of the principal tasks of the Transitional Executive Council is to establish the conditions for, and via the Independent Elections Commission, the machinery for democratic elections in this country. The green head of the arrow tells us that these elections will result in the establishment of a constitution-making body, which has two other aspects associated with it: The first, constitutional principles which will guide the constitution to be drafted, and the second, the election and establishment of an interim parliament and executive. And it is this which will take us to the democratic future. The period between the elections and the ultimate establishment of a democratic South Africa will be based on an interim constitution.

In the next slide we begin to examine Phase 1 of this process and Phase 1, as I indicated, involves those three elements, levelling, the climate for free political participation, and the establishment of a Transitional Executive Council which Working Group 3 has already agreed upon. It is the task of the TEC to create that appropriate climate and it is the task of the Independent Election Commission, to set up the machinery for democratic elections in this country. Of course, during this period, as indicated above the arrow head, the current Government and the Tricam Parliament continue, as do the TBVC States.

What then, are the structures of the Transitional Executive Council? And in the next slide we see that this structure will
consist of what has been called "the overarching body", the Transitional Executive Council itself, it will consist of Sub-councils and there are four Sub-councils that we have agreed upon, and there will be two independent bodies. The first, the Independent Elections Commission whose task, as I have said already, is to create the conditions for, and the machinery for, elections in this country; and secondly, an Independent Media Commission whose terms of reference still need to be defined.

What then happens in Phase 2, as reflected in the next slide? In Phase 2 we see that the elections, on your left-hand side, usher in the constitution-making body, and its task is to draft the new constitution, on the one hand, on the basis of constitutional principles that we have already agreed upon in what was Working Group 2 and, secondly, via the elected body, to create an Interim Executive. There is, however, as a result of the events of yesterday, still uncertainty about what the National Assembly will be, what its association within a Senate would be and whether there will be a Senate, and how the interim legislature will actually work. Nonetheless, these are some elements that have developed as a result of discussions in the past and, as you are aware, this still remains a matter for agreements to be arrived at.

As we move on to the next slide, which is actually a repeat of the first one, we will see that the period between the elections and the constitution-making phase, is a period which will be based on an interim constitution to be agreed upon in the prior phase.

/In the ...
In the next slide, at the top of the slide you see a reflection of possible constitutional changes that would underpin this whole process. The existing 1983 Constitution still remains the constitution of this country. It is proposed that during Phase 1 of the transition process, there would be either changes in legislation, or changes in the constitution - and that is still to be decided - which will facilitate the establishment of the Transitional Executive Council. Thirdly, that in the period of the elections and the subsequent period, there would be an interim constitution on which these structures and processes would actually be based and, finally, once the constitution-making body has accomplished its task, a democratic constitution will be established.

The Government and the Tricam Parliament continue up to the point that we have elections in this country, but you will notice that the future of the TBVC States will only be resolved after the elections. The yellow frame around the elections and the constitution-making body phase, indicates that these are matters to be resolved by processes that we establish at CODESA 2 itself.

Let me then summarise in the next slide, what we have established as the parameters of Phase 1. Firstly, the Transitional Executive Councils, or the Council and its Sub-councils. Next the Independent Media Commission. The question marks indicate that the precise terms of reference of the Independent Media Commission are still to be determined. Thirdly, the Independent Election Commission which, as we said, will establish the machinery for elections but also in terms of Working Group 3's proposals, could act as an arbitrator ...
arbitrator in the event that there are disputes within the Transi­
tional Executive Council as well. Then we have the task of level­
ing the playing fields, the future of the TBVC States, and their participation in this particular phase and in the Transitional Executive structure, drafting of the interim constitution and elections based on this constitution.

Following on this, this is what Phase 2 could look like, in the next slide, that we need to agree on constitutional principles which would underpin the drafting of the constitution and provide a framework for that. Secondly, the elections will establish a constitution-making body. The task of this body would be to draft a new democratic constitution. The elections will also establish an interim Parliament. The precise relationship between the interim Parliament and the constitution-making body, still remains a matter for discussion. Emerging from the interim Parliament will be an interim Executive. Some call it a Government of National Unity, or an interim Government of National Unity. And once the democratic constitution has been drafted, it is for this body to then adopt the constitution as the foundation of a new democratic South Africa.

If we then take an overview in the next slide, of both the processes, we will see that CODESA 1 as of December 1991, took place in the context of what we might call present day South Africa. That following on CODESA 2 there was the hope that we would move on to the tasks of Phase 1, that is levelling of the playing fields and creating the conditions for free political participation, and
the establishment of a Transitional Executive Council.

The question that just still faces CODESA 2, and future plenary sessions of CODESA, is what is the time frame for these future processes, as indicated in the block above the slide, and it is at this stage very difficult to anticipate what that time frame would be, but hopefully as we discuss The Way Forward, we will be able to address this issue.

Ladies and Gentlemen, that is the graphic summary of the processes in CODESA on the one hand, of an overview and a vision of how we could move into the future. It indicates very clearly areas in particularly Phase 1, where we have agreement in the Working Groups that have been established by CODESA 1. It also indicates very clearly the outstanding tasks to which CODESA 2 has to address itself, and it is in this context that the Management Committee will present to you certain proposals on The Way Forward, as we move to the next item on the agenda.

Thank you very much.

MR JUSTICE MAHOMED

The next item is a purely formal one. It is to note the report of the Working Groups, and the report of the Management Committee on their activities. It is not to adopt, it is not to discuss, it is just to note and that is just a formality. After which, having noted this, Mr Z Titus from the Daily Management Committee, will give us the results of their deliberations during the tea interval by telling us what the recommendations of the Management Committee are in relation to the reports of the Working Committee, which you all have before you. I will call upon Mr Titus.

/MR Z TITUS ...
Thank you, Chairpersons. Distinguished Guests, Honoured Delegates, Leaders of our country, Fellow Countrymen, Ladies and Gentlemen.

Flowing from the discussions we had yesterday and today, regarding the manner in which the various Working Group Reports would be handled, the Management Committee had to consider the way in which the CODESA negotiating process would be taken further, taking into account in particular the difficulty which CODESA Plenary has had with the further consideration of the work of Working Group 2. We have analysed carefully the different remarks made by the various leaders who addressed Plenary yesterday and today.

Without going into detail, it has been observed that despite varying views on this matter, not a single leader has rejected negotiation as the best acceptable option for South Africa. A number of speakers have emphasised the urgency of the matter under discussion, and expressed the view that unless an acceptable solution is found as soon as possible, difficulties may arise. We are conscious of the fact that the impasse which retarded progress yesterday, may endanger the whole negotiation process and consequently as the Management Committee we are committed to finding an acceptable way in which the views and aspirations of all can be accommodated. The Management Committee has taken all the above considerations into account and after having had recourse to the Working Groups views on The Way Forward, we have now formulated a Way Forward which we think will meet the requirements of all concerned, and the people of South Africa in particular.

We are mindful of the fact that the outside world too is anxiously
awaiting the final outcome of CODESA negotiations. But before I can deal with specifics, I would like to make a few brief comments on the reports of the other Working Groups, for the recommendation to be made hereafter does not only relate to Working Group 2, but to all CODESA negotiation structures.

The Working Group Reports which have been tabled, indicate clearly that there is still a lot of ground which needs to be covered before it can be said that we have reached the goals we set for ourselves when we agreed and appended our signatures to the Declaration of Intent. The question which now arises for consideration is: What kind of structures should be put in place to ensure that outstanding work is processed properly and on a coherent and urgent basis. It is clear from the reports referred to that a number of decisions and agreements need to be implemented. CODESA needs to devise a way which will ensure that the implementation process goes on smoothly and in a well-structured and well co-ordinated manner which will be worked out by the Management Committee, at which all the CODESA participants are represented.

As has already been said, the Management Committee has given careful consideration to the views expressed by the leaders. In the light of the above, the Management Committee recommends that for purposes of promoting co-ordination and improving the efficiency and effectiveness, CODESA 2 approves of a complete review by the Management Committee of the structures currently in place. The structures currently in place were created at a time when we were ignorant of the programme which would be encountered during the course of
the negotiation process. The Management Committee is of the view that with the experience that we now have, we are in a position to improve on the existing situation. As has already been indicated by the Chairperson of the Management Committee in the report presented yesterday, the present structures do not take into account the overlapping functions as between the various Working Groups. With the benefit of hindsight, it is our view that we are now in a position to make structural adjustments which will ensure at the end of the day that we will glean the desired results, and that agreements will be implemented in a well-structured form and with the minimum of delay. As lawyers say: Justice delayed is justice denied.

I now turn to the recommendations. Copies are in front of the representatives here and I will go through them quickly. We'll have an opportunity at a later stage to go through them seriatim and to have discussion on them.

RECOMMENDATIONS:

We, therefore, recommend that:

2. In order to promote better co-ordination and improve efficiency and effectiveness, CODESA 2 mandates the Management Committee as follows:

2.1 The Management Committee shall suspend the work of the Working Groups with the mandate to convene any Working Group if necessary.

/2.2 The ...
2.2. The Management Committee shall be given responsibility for resolving all outstanding matters flowing from the work of Working Groups.

2.3 The Management Committee shall examine all Working Group agreements with a view to establishing what work can be done in order to facilitate implementation.

2.4 The Management Committee shall establish such structures (e.g. technical committees, sub-committees, Working Groups) as are necessary to assist the Management Committee in accomplishing the tasks allotted to it.

2.5 The Management Committee shall call a CODESA plenary with suitable representation as a matter of urgency to adopt all agreements and to receive a report on all matters which have been assigned to it by CODESA 2.

2.6 The Management Committee shall be given the authority to constitute a mechanism which will draft all the legislation required as a result of agreements reached at CODESA.

2.7 Subject to 2.5 above, the Management Committee be authorised to exercise such authority as is necessary, to ensure that the objectives of the Declaration of Intent are attained; including the power to implement /any ...
any agreement reached by Working Group 1, and also
any other agreement falling within its mandate.

3. CLOSING REMARKS

3.1 The Management Committee is extremely conscious of
the fact that the participants in CODESA entered
the negotiation process in the belief that it can
take our country to a stable order. We have a
responsibility to approach our task in such a manner
that the confidence of the participants, and our
people, in the negotiation process is reinforced.
The Management Committee's commitment in this regard
has been made public on a number of occasions.

3.2 I accordingly move the adoption of these recommenda-
tions. The recommendations, it will be observed,
are inclined more towards flexibility. They also
take into account the dynamics of the negotiation
process. I also attach hereto a summary of the
substantive agreements reached so far at CODESA, and
also to my report will be attached a list of all the
matters which are still outstanding and which, therea-
fore, deserve further consideration by the Management
Committee.

I thank you, Mr Chairman.

/MR JUSTICE MAHOMED ...
Thank you, Mr Titus.

Ladies and Gentlemen, you have heard the recommendations. Mercifully "MC" does not mean my learned friend or me; it means the Management Committee is going to be given all these powers. You will see that it is not a recommendation dealing with the specifics of the reports of the Working Committees.

Ladies and Gentlemen, we shall call the speakers forward in tandem so that the one is waiting here to commence his speech as soon as the other one has finished.

The first speaker is Dr Zach De Beer of the Democratic Party and after him, Mr Reddy of Solidarity.
Gentlemen of the Chair, Distinguished Guests, Ladies and Gentlemen.

A few months ago we - all of us - came to know and to use and to believe in, a new phrase. That was: The spirit of CODESA. What was this spirit? It was simply the acceptance and the application in our work, of the idea that it is more important to obtain agreement about the new South Africa than it is to score political points on behalf of our parties.

Now, of course, this is not to ask anyone to sell his or her moral principles, but it does suggest an approach, an attitude, a style, which strives for agreement. Yesterday the spirit of CODESA seemed to have evaporated. It was regrettable but perhaps understandable, that Group 2 could not reach agreement. It was very sad indeed that there was a great deal of public recrimination between two very important organisations in the sight of all the world. South Africa was ill-served by those events.

This morning we listened to the leaders of these two organisations. I select from the President's speech the key phrase:

"There is no reasonable alternative to CODESA."

I believe he spoke for us all when he said that. Mr Mandela's speech contained a list of extremely important matters on which he believes we are all agreed. Subject perhaps to interpretation here and there, I think we all support those views.

We see, therefore, that CODESA is the vehicle we must use and that we have an urgent agenda of vitally necessary things we must do. The Management Committee has just put forward workable proposals
to make this possible and we urge Plenary Session to endow that Committee with the authority and the responsibility it needs, to bring us back on track as soon as possible. I hope the spirit of CODESA is coming back into our hearts.

/Chairpersons ...
Chairpersons, following upon yesterday's presentation here, a gloom had descended over our land and thank God that this morning the State President and Dr Mandela, demonstrated beyond any doubt that deep in their hearts there was a concern for the future of our people. Mr Mandela talked about the unemployed, the starving, the sick; yes, about that we haven't got to be told anything, it's there, a reality right around where we look.

And therefore, Ladies and Gentlemen, calling people names or trying to open up old wounds, will serve no purpose. We must bury the past and leaders have demonstrated over and over again that we need to kindle the flame of reconciliation. Because you cannot with anger and hurt go forward to find solutions when you have to work with those with whom you have disagreed in the past. So we need that spirit of reconciliation. That should become the 11th Commandment of South Africa: Reconciliation. And we must go forward.

And to those of you who are critical of what has been happening here in the past few months, and who were prepared to lay blame /on ...
on some because an agreement had not been reached at Committee 2, you had before you the developments of a number of other Committees who are the very same people working together through a process of compromise, give and take, and have found answers. So, therefore, in pointing a finger because there was a measure of failure in Committee 2, was not entirely right. We will have failures but failures must be a challenge to cause us to approach the matter with much more determination to succeed, and we will have many failures but every failure has to be made a stepping stone to success.

And I want to again say to Dr Mandela: We need that reinforcement from you. At the moment when there seems to be no hope, you have come forward with words of encouragement. This country needs that from you regularly and it also needs it from the State President. Both you gentlemen have a task. This country cannot succeed without a partnership between Black and White both politically and economically, and anybody who has any ideas that one group can go alone, is in a dreamland. South Africa's future depends on a political and economic partnership between Black and White and to that this nation must commit itself. It means sacrifices, it means a process of give and take. That alone will bring success, prosperity, peace in our land. To that I pray Almighty God will commend this land and all its leadership. Thank you.

/Chairpersons...
Chairpersons, Leaders of Delegations, Ladies and Gentlemen. I wish to speak on point 2.5 of The Way Forward and propose an amendment so as to be very specific about the time frames, because it is our feeling that we need to strike a balance between urgency and the proper resolution of the remaining matters at this Convention. Our belief Mr Chairman, is that a clear target date for the completion of our work, concentrates our mind to achieve that objective. We believe that the remaining matters can be completed by June, and we therefore propose that the date of the end of June should be our target for the next Plenary Session. If this particular clause, Clause 2.5 could read:

"2.5 The Management Committee shall call a CODESA plenary with suitable representation before the end of June 1992 to adopt the agreements and to receive a report on all matters which have been assigned to it by CODESA 2, and to confirm the composition of the Transitional Executive Committee."

We need to see those delegates or those persons who will be serving as members in the TEC. That is my proposal to this Convention, that by the end of June we have CODESA 3. Thank you very much.

/The Chairpersons...
The Chairpersons, members of the various participating organisations. All of us want our task to be concluded urgently and the necessary actions must follow. These recommendations of the Management Committee are designed to improve upon the structures and the procedures to reach our goals within the shortest possible time.

In addition to deliberations in the structures of CODESA, we exhort participants to have more bilateral or trilateral talks. My party wants to emphasise that while there has been a tremendous measure of emphasis on nation building, we must apply equal or sometimes more emphasis, on foundation building.

These proposals ladies and gentlemen, have a message of urgency, a message that the deliberations of Working Group 2 must be concluded on an urgent basis, so that South Africa can have the first and second phase of the transitional arrangements implemented urgently.

Accusations against each other about police matters or police actions, or the actions of the security forces, or the actions of the private armies, will cease if there is a joint control of key matters in South Africa, especially the security matters.

/The ...