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CC(79)38
SEVENTEENTH PLENARY SESSION

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CONSTITUTIONAL CONFERENCE
LANCASTER HOUSE
LONDON

Summary of the proceedings of the
Seventeenth Plenary Session of the
Conference, Friday 26 October 1979

Lancaster House
26 October 1979

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PRESENT:

UK Delegation

Lord Carrington (in the Chair)

Sir I Gilmour Bt

Mr R Luce

Sir J Graham

Mr D M Day

Mr R W Renwick

Mr P R N Fifoot

Mr N M Fenn

Mr C D Powell

Mr P J Barlow

Mr A M Layden

Mr R M J Lyne

Mr S J Gomersall

Mrs A J Phillips

Mr M C Wood

Bishop Muzorewa and Delegation

Bishop A T Muzorewa

Dr S C Mundawarara

Mr E L Bulle

Mr F Zindoga

Mr D C Mukome

Mr G B Nyandoro

Rev N Sithole

Mr L Nyemba

Chief K Ndiweni

Mr Z M Bafanah

Mr I D Smith

Mr D C Smith

Mr R Cronje

Mr C Andersen

Dr J Kamusikiri

Mr G Pincus

Mr L G Smith

Mr D Zamchiya

Mr Mugabe, Mr Nkomo and Delegation

Mr J M Nkomo	Mr R G Mugabe
Mr T G Silundika	Mr S V Muzenda
Mr A M Chambati	Mr J M Tongogara
Mr L Baron	Mr H Ushewokunze
Mr S K Sibanda	Mr D Mutumbuka
Mr W Musururwa	Mr J Tungamirai
Mr D N Madzimbamuto	Mr E Zvobgo
Mr C G Msipa	Mr S Mubako
Miss T Siziba	Mr W Kamba

Secretariat

Mr J M Willson

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The session started at 10.04.

THE CHAIRMAN asked whether Mr Mugabe or Mr Nkomo would like to present their paper. MR MUGABE said that his and Mr Nkomo's delegation had carefully studied the British proposals (CC(79)32) and their reply was contained in two documents which they would submit to the Conference. Mr Mugabe then read a statement entitled "Analysis of British Proposals For Interim Period", which was subsequently circulated as Conference Paper CC(79)39.

When Mr Mugabe had finished his statement, MR NKOMO then read a further statement entitled "Essential Requirements for the Transition", which was subsequently circulated as Conference Paper CC(79)40. In amplification of paragraph 5.1(a) he added that he supposed that those people who were forcibly being held in Zambia and Mozambique should also return to Zimbabwe. When he had completed his statement Mr Nkomo said that he wished to stress that all the requirements outlined in the two papers were considered by his delegation to be necessary for free and fair elections; he could not see how they could be held within the period suggested by the British - i.e. two months.

MR MUGABE said that his delegation had now given the Chairman not only its detailed plan for the interim period (Conference Paper CC(79)16), but also an amplification of the original paper (CC(79)40) together with its criticisms (CC(79)39) of the British document (CC(79)32). Taken

/together

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together, his delegation's proposals would provide a proper basis for peace.

THE CHAIRMAN said that his delegation would need to study the papers before replying. He wished, however, to put one thing on the record immediately. The British Government was not prepared to accept arrangements which went beyond what was agreed at Lusaka. It was the British Government's responsibility to bring Rhodesia to legal independence and they would carry out that responsibility. It would be for the British Government to supervise elections, which would be held under their authority. The Lusaka communiqué stated without any ambiguity that elections should be properly supervised under British Government authority, and with Commonwealth observers. There was therefore no question of the British Government agreeing to supervision by the United Nations or by any other body.

MR NKOMO said that, in view of the Chairman's statement, his delegation considered it necessary to appeal to the Commonwealth countries quoted by the Chairman to state exactly what was meant in the Lusaka Communiqué. It was important for the Commonwealth to state clearly what its position was in this matter. THE CHAIRMAN said that he himself had been in Lusaka during the discussions and the drafting of the Communiqué and that the 39 Heads of Government had agreed there that the elections should be held under British Government authority.

MR MUGABE asked why the Chairman had said that he was not prepared to go beyond the terms of the Lusaka Communiqué.

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He did not feel that the document agreed at Lusaka should be regarded as immutable. If it did not allow a sufficient basis for peace, and if his delegation's recommendations enhanced or amplified what had been agreed at Lusaka was the Chairman going to object merely on the grounds that the Lusaka communiqué had given certain terms of reference - terms which he (Mr Mugabe) did not consider were binding on the Chairman.

THE CHAIRMAN said that both before and at Lusaka there had been discussion of how to proceed. Other solutions had been put forward over the years and had failed. That was why it had been decided in Lusaka that it should be the British Government's responsibility. This was a matter of principle. If proposals were put forward outside the Lusaka Communiqué which did not constitute matters of principle, and which would improve what had been agreed at Lusaka, he would be happy to consider them. But the principle was something on which the British Government would stand absolutely and resolutely firm.

MR NKOMO suggested that the interpretation of British authority in the Lusaka Communiqué differed from that offered in the British proposals. Those who were interested in seeing peace and security in Zimbabwe would strive to enhance what was done in Lusaka. THE CHAIRMAN reiterated that there could be no question of any departure from the fundamental basis on which the Lusaka Agreement had been signed. His Government had in recent days been in touch with a great many

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Commonwealth leaders and, as far as he knew, not one had disputed this.

In reply to a question from the Chairman, BISHOP MUZOREWA said that he had nothing to say at this stage.

THE CHAIRMAN said that he would examine the proposals put forward by Mr Mugabe and Mr Nkomo, and it would then be decided through the usual channels when next to meet. Provisionally, he suggested 10.00 on Saturday 27 October.

The session ended at 10.40.

- 4 -

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