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CC(79) 9
THIRD PLENARY SESSION

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CONSTITUTIONAL CONFERENCE
LANCASTER HOUSE
LONDON
SEPTEMBER 1979

Summary of the proceedings of the Third Plenary
Session of the Conference, Thursday 13 September

Lancaster House
13 September 1979

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Present:

UK Delegation

Lord Carrington (in the Chair)

Sir I Gilmour Bt

Sir M Havers

Lord Harlech

Mr R Luce

Sir M Palliser

Sir A Duff

Mr D M Day

Mr R A C Byatt

Mr R W Renwick

Mr P R N Fifoot

Mr N M Fenn

Mr G G H Walden

Mr C D Powell

Mr P J Barlow

Mr R M J Lyne

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

Mr L Nyemba

Chief K Ndiweni

Mr Z M Bafanah

Mr D C Smith

Mr C Andersen

Dr J Kamusikiri

Mr G Pincus

Mr L G Smith

Air Vice Marshal H Hawkins

Mr Mugabe, Mr Nkomo and Delegation

Mr R G Mugabe	Mr J M Nkomo
Mr S V Muzenda	Mr J M Chinamano
Mr E Z Tekere	Mr J W Msika
Mr J M Tongogara	Mr T G Silundika
Mr H Ushewokunze	Mr A M Chambati
Mr J Tungamirai	Mr L Baron
Mr E Zvobgo	Mr C Ndlovu
Mr S Mubako	Miss T Siziba
Mr W Kamba	

Secretariat

Mr J M Willson

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The session commenced at 1505 hours.

THE CHAIRMAN said that he appreciated delegates' wishes to have time to study the proposals circulated by the UK delegation the previous evening (Conference Paper CC (79) 6). He proposed to say a few words on the draft constitution and then to adjourn for tea with the Prime Minister, who was anxious to meet Conference delegates.

The Chairman said that when the British Government invited those present to attend, they had been given an outline of the British proposals (Conference Paper CC(79) 2) which took full account of consultations which had taken place over the previous three months. These proposals were designed to provide genuine majority rule and to bring Rhodesia to independence, comparable with that granted to former dependent territories but taking into account the special circumstances of Rhodesia. Both delegations had asked for the British proposals to be made more specific and it was in response to this that a fuller outline (Conference Paper CC(79)6) had been circulated.

The Chairman thought it might be helpful to explain the basis of that document. Any agreement reached would have to be translated into the language of constitutional draftsmen, and he proposed to leave such discussion to the legal experts. There was a need for the Conference to reach agreement, in its own terms, on what it regarded as essential. The document set forth clearly an outline which corresponded to the chapters in a legally drafted independence constitution. A great

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deal of the outline would, he expected, present little difficulty. The British Government did not wish to pre-empt decisions or inhibit discussion and were ready to consider alternative solutions which were acceptable to the parties concerned. The Chairman reiterated the British Government's responsibility to make clear the basis on which it was prepared to present its independence proposals to Parliament. For example, the parliamentary representatives of minorities should not, on their own, be able to block amendments to the constitution.

The Chairman asked delegates to indicate those points in the document which were acceptable and those which were not. Difficulties were bound to arise, but these could and must be resolved. He thought that Section A would not cause difficulties, but that Section B, which concerned technical questions of citizenship, might usefully be delegated to experts who could report back to the Conference. Discussion round the table should focus on the major political issues in an attempt to build up areas of agreement. The Conference should do all in its power to grasp this opportunity to create genuine majority rule.

MR NKOMO questioned the Chairman's statement that the British proposals had been circulated to the parties after three months of consultation; they could not be said to have emerged from Lord Harlech's visit. He said that his delegation had its own constitutional proposals which would cover all the relevant issues and would be tabled in due course. It was not a question of simply going through the British document; the Conference should consider all the documents tabled. Britain's
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invitation to the Conference did not give the Chairman the sole responsibility for deciding what should be discussed.

THE CHAIRMAN looked forward to receiving the proposals of Mr Nkomo and his delegation which the Conference could then discuss; but as these had not yet been tabled he hoped the Conference could begin by considering those proposals already circulated.

MR NKOMO said that his delegation would comment in due course on the British proposals. In response to THE CHAIRMAN'S request for an early response, MR MUGABE said that his delegation shared the sense of urgency. Some not directly concerned with the Conference had been given both the outline and the detailed British proposals before his delegation had seen them. His delegation had to take time to digest the proposals. He asked the Chairman to be tolerant and to recognise that this matter, which affected the very constitutional existence of his country, was crucial. He thought that it might be possible to comment by the following day.

THE CHAIRMAN explained that the detailed British proposals had not been circulated earlier because he had not wished to give the impression that proposals were being put forward on a "take it or leave it" basis. The British had therefore presented outline proposals only, to be fleshed out at the Conference.

BISHOP MUZOREWA said that his delegation was not ready to comment. THE CHAIRMAN asked if he would be ready to make a statement the following day. BISHOP MUZOREWA replied that he might be ready to ask questions about the proposals.

/THE CHAIRMAN

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THE CHAIRMAN remarked that little of substance had so far emerged, although the Conference had been in session for almost a week. He hoped that at least preliminary views on his proposals would be put forward the following day. MR NKOMO said that much had been achieved over the past few days, but agreed with the Chairman that more remained to be done.

THE CHAIRMAN suggested that the Conference should adjourn until the following afternoon to allow both sides to prepare a general statement on the British proposals. This would be followed after the weekend by detailed discussion. BISHOP MUZOREWA agreed, but felt that this should not imply lack of progress.

It was agreed to adjourn until 1500 hours on Friday 14 September.

The session closed at 1535.