

THESE DRAFT MINUTES ARE CONFIDENTIAL AND ARE RESTRICTED TO MEMBERS OF THE COMMISSION ON REGIONS, THE PLANNING COMMITTEE AND THE NEGOTIATING COUNCIL. THEY ARE STILL TO BE RATIFIED AT THE NEXT MEETING OF THE COMMISSION ON REGIONS.

**DRAFT MINUTES OF THE MEETING OF THE COMMISSION ON REGIONS HELD
AT 08H40 ON TUESDAY 8 JUNE 1993 AT THE WORLD TRADE CENTRE**

PRESENT: See Addendum A

1. Moment of Prayer/Meditation

A moment of prayer/meditation was observed by all members.

2. Welcome, presence and introduction

2.1 All members introduced themselves.

2.2 The Sub-Committee of the Planning Committee (consisting of M Maharaj, B Ngubane and SS van der Merwe) and the support staff were introduced to members.

3. Ratification of the agenda

The agenda was ratified with no amendments.

4. Briefing by the Co-Chairpersons and discussions on the terms of reference and mandate of the Commission, as well as the criteria the Commission has to take into account

4.1 Background information and a briefing was given to the members.

4.2 In response to a question, the mandate of the Commission and its relationship to the Technical Committee on Constitutional Issues was clarified (cf. Addendum B). Special note was taken of the fact that the Committee should not involve itself in the powers, duties and functions of the regions, but should take note of decisions and progress in the Negotiating Council.

4.3 It was noted that members of the Commission were appointed as experts in

their individual capacities.

- 4.4 Discussion followed on the mandate and objectives as referred to in the Briefing Memorandum (see Addendum B). Furthermore, the criteria was also discussed and documentation that was distributed was clarified to members. In general, the Briefing Document was accepted by members. Amongst others, it was noted that S Bodibe, F du Preez, R Mokate had been appointed as administrative staff to the Committee.
- 4.5 The Technical Administration was requested to prepare, if possible for the next meeting of the Commission, other criteria that have been used in other studies. Furthermore any other documentation that could assist the Commission should be made available to members. In this regard, the Administration was requested to prepare a briefing package on where the Multi-Party Negotiating Process is at the moment.

5. Work Programme of the Commission

5.1 First Phase : Information Gathering:

5.1.1 Notice to interested parties and persons

- 5.1.1.1 It was noted that notices would be issued as soon as possible. It was agreed that notices should be distributed as widely as possible.
- 5.1.1.2 It was agreed that notice should go out on vernacular radio and in local and national newspapers. It was also suggested that the medium of television should be made use of.
- 5.1.1.3 It was noted that if submissions received are not in English, these will be translated.

5.1.2 Public Hearings

- 5.1.2.1 Only when notifications of oral submissions are received, will the venues for public hearings be determined.
- 5.1.2.2 It was agreed that if any oral submission was given in a language other than English, the submission would be translated and/or interpreted.

5.2 Second Phase : Information Processing:

- 5.2.1 It was agreed that all written submissions must be distributed to members and the minutes of public hearings must be made available to all members.
- 5.2.2 It was noted that technical staff, when appointed would be responsible to summarise the written and oral submissions. Information processing would therefore be the responsibility of the technical staff.
- 5.2.3 It was therefore agreed that the Administration should have ready for the next meeting of the Commission a menu of the following information available on regions. This should include, for example, the following:
- * Economic information
 - * Historical information
 - * Demographic information (the following may be approached for assistance in this regard - the Urban Foundation, the Development Bank of South Africa and Professor du Pisani of Unisa)
 - * Constitutional matters with regard to regions (Dr Bertus de Villiers from the HSRC may be approached to assist)
 - * Infrastructure - social and physical.
- 5.2.4 It would be decided at the next meeting of the Commission in which field more information is needed and who should be responsible for obtaining it.
- 5.2.5 It was agreed to mandate the Technical Secretary to do a provisional draft on this issue for the next meeting of the Commission. In the menu of information it should be stated what information is available on request and how readily available it is.
- 5.2.6 It was further suggested that relevant Government departments be contacted to establish what regional breakdowns of information are available, e.g. on schools and hospitals.
- 5.2.7 The further names of the Technical support staff would be finalised at the next meeting of the Commission.

5.3 **Third Phase : Preparation of the Report:**

It was suggested that the Commission should, by the second week of July be in a position to start drafting the report for the Negotiating Council.

6. **Infrastructure and support staff**

6.1 **Facilities:**

6.1.1 The facilities as listed in the Briefing Memorandum were noted (see Addendum B).

6.2 **Support Staff:**

6.2.1 **Administrative and Secretarial Support Staff**

Item 7.2 of the Briefing Memorandum was referred to (see Addendum B). Other administrative and secretarial staff would be supplied as and when needed.

6.2.2 **Technical Support Staff**

It was agreed that this would be finalised at the next meeting of the Commission.

7. **Media release and conference**

7.1 It was agreed that all Commission members be present at the media conference.

7.2 The media release as amended was agreed to (see Addendum C).

8. **Travel and Accommodation Arrangements**

The Briefing Memorandum and Addendum C of the documentation distributed were referred to.

9. **Meetings Schedule**

9.1 It was agreed that the Commission meet on Saturday 12 June at 08h30 - 13h00.

9.2 It was agreed to decide on future meetings on Saturday 12 June 1993.

9.3 A proposed meetings schedule and function should be drafted by the Co-Chairpersons in liaison with the Administration.

10. **Closure**

The meeting was adjourned at 12h35.

Addendum A

The following were present at the meeting on Tuesday 8 June 1993:

B Nomevete : Co-Chairperson
F Smit : Co-Chairperson

D Basson
A Bernstein
P Daphne
AS du Plessis
B Govinden
L Gwagwa
B Malefo
Y Muthien
S M Burns-Ncamashe
W Nkuhlu
I Rautenbach
K Reyneke
A Steyn

M Maharaj : Sub-Committee on the Planning Committee
B Ngubane : Sub-Committee on the Planning Committee
SS van der Merwe : Sub-Committee on the Planning Committee

T Eloff : Administration
G Hutchings : Minutes
F du Preez : Administration
R Mokate : Administration

**MEMORANDUM FOR BRIEFING OF
THE COMMISSION ON THE DEMARCATION/DELIMITATION OF REGIONS
AT ITS FIRST MEETING ON TUESDAY 8 JUNE 1993 AT 08H30
AT THE WORLD TRADE CENTRE, KEMPTON PARK**

1. Background

After the issue of the advisability of a Commission/Committee on regions was referred by the Planning Committee to the Technical Committee on Constitutional Issues, and after having received a recommendation from the Technical Committee and the Sub-Committee of the Planning Committee, the Planning Committee decided to recommend to the Negotiating Council that a Commission on the Demarcation of Regions should be established. The Terms of Reference as well as the names of the proposed Commissioners were put to the meeting of the Negotiating Council on Friday 28 May 1993 and accepted. After one nominee had withdrawn, two additional persons were added to the list, Dr Helen Ngobese and Dr Beauty Malefo. The accepted resolution is annexured as Addendum A.

The Sub-Committee of the Planning Committee (consisting of M Maharaj, B Ngubane, SS van der Merwe) and the Administration were mandated by the Planning Committee to liaise with the Commission, and more specifically its two Co-Chairpersons, with regard to logistical and administrative arrangements for the work of the Commission. The Sub-Committee was further mandated by the Planning Committee to give guidance to the Commission about its Terms of Reference and work programme.

After consultation with the two Co-Chairpersons, Dr Bax Nomvete and Professor Flip Smit, a meeting took place between the Co-Chairpersons, the Sub-Committee and the Administration. The agenda for the first meeting was agreed to at this meeting.

2. Objectives and Mandate

As is clear from the resolution of the Negotiating Council meeting of 28 May 1993, the main objective of the Commission is to report back to the Negotiating Council in six weeks time with recommendations on the demarcation of South Africa in regions, realising that regional boundaries will be relevant to the electoral process, as well as to the structures of the Constitution. The factors that the Commission should take into account are listed in the annexured resolution. It should be noted that the question of structures, powers and functions of regions is not included in the Commission's Terms of Reference, but assigned to the Technical Committee on Constitutional Issues.

The Commission was furthermore mandated to "hear representations from the public at large and from different areas of the country", and in this process to "allow interested parties and persons to submit their views within a specific period, which should not be less than one month after an invitation in this regard has been published, and take these into account".

The Commission was, finally, mandated to take cognisance of any material it might wish to collect and of any progress made in the Negotiating Council by way of agreements on constitutional matters. For this reason, four reports of the Technical Committee on Constitutional Issues are annexured as Addendum B.

3. Time Frames

It is therefore clear that, from the date of its first meeting, the Commission has six weeks to report to the Negotiating Council, four of which will have to be used for gathering of submissions, evidence and information.

4. The First Stage of the Commission's Work : The Gathering of Information and Hearing of Evidence

4.1 An urgent decision to be taken by the Commission is in which way to publish invitations to interested parties and persons to submit evidence to the Commission. It is recommended that this be done through the media both printed and electronic, as well as to the participants in the Multi-Party Negotiating Process.

4.2 A second decision is required about the form of the submissions so tendered. It is recommended that this should principally be in writing, but that parties and persons should be free to apply to the Commission to address the Commission (or its representatives) on a written submission.

4.3 Given the issue at stake, it is further recommended that the Commission (or its representatives) receives submissions and hears evidence at the World Trade Centre, but also in other parts of South Africa. For this reason, it will be necessary to set up two day meetings in the following centres:

- * Cape Town
- * Port Elizabeth
- * Upington
- * Bloemfontein
- * Durban
- * Ladysmith/Newcastle
- * Pietersburg

The Second Stage of the Commission's Work : The Processing of Evidence

After the first stage, and indeed while it is happening, the Commission (or its professional staff appointed on recommendation by the Commission) will have to process the information that has been gathered. This information will have to be put in a form which is conducive to the Commission drawing up a final report in the third stage of its work.

6. The Third Stage of the Commission's Work : The Preparing of the Final Report

After the four weeks for the gathering of evidence have elapsed, the Commission will have another two in which to prepare its report to the Negotiating Council. Given the date of the first meeting of the Commission this will be in the week commencing 19 July 1993.

7. Support Staff Required

7.1 Given the technical nature of the Commission's work, it is recommended that a distinction should be made between two categories of support staff:

- * Administrative and Secretarial support staff, who will be provided by the Administration of the Multi-Party Negotiating Process and who will be based at the World Trade Centre. This category will, from time to time, be assessed and provided as needs arise.
- * Technical support staff, who will have knowledge and expertise required to support the Commission in their task. These persons could be, as the need arises, be acquired on recommendation of the Commission to assist it in specific aspects of its work, drawn from amongst professional people.

7.2 Mr Saul Bodibe, Administrative Manager of the Multi-Party Negotiating Process will act as Administrative Secretary. He will be assisted by Mr Frans du Preez of the Constitutional Development Service.

7.3 In accordance with a decision of the Planning Committee, Dr Renosi Mokate of the Development Bank will act as the Technical Secretary to the Commission, working in close liaison with Mr Bodibe.

Finances

The proceedings of the Commission will be financed by the Constitutional Development Service, through the Administration at the World Trade Centre. Members of the Commission will be remunerated in accordance with the guidelines laid down for statutory commissions. Accommodation and travel arrangements can be made on a prepaid basis through the Travel Office of the Administration at the World Trade Centre or claimed afterwards. Please see Addendum C for full details.

9. Facilities Required

Although it is difficult to determine what exact facilities will be required for the work of the Commission over the next six weeks, the following are available:

- * Offices for both administrative and technical staff;
- * Word processing facilities;
- * Photocopying facilities;
- * Faxing facilities;
- * Telephones
- * A meeting room for the Commission; and/or a room for hearing public evidence
- * Two offices where commissioners can work
- * Travel and accommodation facilities
- * Security on the World Trade Centre premises
- * If necessary, limited office space for Commissioners.

The Administration at the World Trade Centre will do everything in its power to provide the Commission with everything its needs to complete its heavy workload in the time required.

10. Members of the Commission

For the convenience of the members of the Commission, curriculum vitae of as many Commission Members as were available are included as Addendum D.

**MEDIA STATEMENT AFTER THE FIRST MEETING OF
THE COMMISSION ON THE DEMARCATION/DELIMITATION OF REGIONS
ON TUESDAY 8 JUNE 1993 AT THE WORLD TRADE CENTRE**

Preamble:

All South Africans must have a chance to participate in deciding the country's future. The Commission on the Demarcation/Delimitation of Regions is an important mechanism to widen the negotiating process beyond only the political parties.

The regional question is very important for South Africa's future economic, political and social prospects.

The Commission and all its members would like to encourage all relevant interest groups - cities, towns, regions, civics, community organisations, business groups, shack communities and other interest groups especially those close to proposed borders - to participate in the Commission's work by making submissions.

1. Background and mandate of the Commission

At its meeting of Friday 28 May 1993 the Negotiating Council of the Multi-Party Negotiating Process appointed a Commission to report back to the Negotiating Council in six weeks time with recommendations on the demarcation of South Africa in regions, realising that regional boundaries will be relevant to the electoral process, as well as to the structures of the Constitution. The factors that the Commission should take into account are listed in the annexured resolution. It should be noted that the question of structures, powers and functions of regions is not included in the Commission's Terms of Reference, but assigned to the Technical Committee on Constitutional Issues.

The Commission was furthermore mandated to "hear representations from the public at large and from different areas of the country", and in this process to "allow interested parties and persons to submit their views within a specific period, which should not be less than one month after an invitation in this regard has been published, and take these into account".

The Commission was, finally, mandated to take cognisance of any material it might wish to collect and of any progress made in the Negotiating Council by way of agreements on constitutional matters.

Names of the Commission Members

The following persons have accepted their nominations to the Commission:

Dr Bax Nomvete and Professor Flip Smit as Co-Chairpersons, and

* Basson Dion, Prof	* Bernstein Ann, Ms
* Daphne Paul, Mr	* Du Plessis Attie, Mr
* Govinden Betty, Ms	* Gwagwa Lulu, Ms
* Malefo Beauty, Dr	* Muthien Yvonne, Dr
* Burns-Ncamashe, Chief	* Nkuhlu Wiseman, Professor
* Rautenbach Ignus, Professor	* Reyneke Koos, Mr
* Steyn Anna, Professor	

(CV's are available on request)

3. Time Frames and Work Programme of the Commission

It is therefore clear that, from the date of its first meeting, the Commission has six weeks to report to the Negotiating Council, four of which will have to be used for gathering of information.

In this regard, the Commission wants to ensure that evidence is submitted by all cities, towns, regions and communities from across the country.

Where possible, submissions to the Commission should be in writing and faxed, mailed or delivered to the Commission at its office at the World Trade Centre Kempton Park. Interested parties or communities may, however apply to the Commission to give oral evidence.

For this purpose hearings will be scheduled, where necessary in other parts of the country. It will, for instance, be possible for a local community in a rural area to address the Commission (or its representatives) in a centre close to that community and in a language of their preference.

The Commission sees its work in three stages:

- * First stage: the gathering of information (8 June - 6 July 1993)
- * Second stage: the processing of information (15 June - 13 July 1993)
- * Third stage: the preparing of its report to the Negotiating Council (14 - 26 July 1993)

3. Deadlines for submissions and information

To complete its work in time, the Commission has decided on the following deadlines:

- * All written submissions should reach the Commission at the World Trade centre not later than **12h00 on Tuesday 6 July 1993;**
- * If, however, an interested party or persons wants to supplement a written submission by oral evidence, notice of this should be given before **12h00 on Tuesday 22 June 1993.** This will enable the Commission to set up meetings to hear supplementary oral evidence. It should be pointed out, however, that parties or persons will only have limited time for oral evidence.

Written submissions can be faxed to (011) 397 2105 (tel 011 397 1198)

OR

Mailed to: The Commission, PO Box 307, Isando 1600

4. **Invitation to submit evidence**

As the delimitation/demarcation of regions is an issue of national importance, all interested parties or persons are hereby invited to make submissions to the Commission as soon as possible.

Further enquiries can be addressed to:

- * Mr Saul Bodibe (Administrative Secretary of the Commission) or
 - * Dr Renosi Mokate (Technical Secretary of the Commission)
- at (011) 397 1198.