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MINUTES OF WORKING GROUP 4

MINUTES OF WORKING GROUP
STEERING COMMITTEE 4

MINUTES OF WG4 SUBGROUP 1
MINUTES OF WG4 SUBGROUP 2
MINUTES OF WG4 SUBGROUP 3
MINUTES OF WG4 SUBGROUP 4

JANUARY 1992 - MARCH 1992

CONVENTION FOR A DEMOCRATIC SOUTH AFRICA

mRKGROU\PUTTSVC\MIN. JAN (2)

THESE WERE MINES: THESE ARE CONFIDENTIAL ~ AND RESUBMITTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE APPROVAL OF

THE WORKING GROUP AND TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

MINUTES OF THE FIRST MEETING OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 20 JANUARY

1992

AT 10H30

PRESENT: Delegates and advisers (see Addendum _ A)

Dr F Mdlalose (chair)

S Albertyn (Secretary)

G Hutchings (minutes)

16 Convenor's opening remarks

The Delegates and advisers were introduced by Dr. Mdlalose, the Convenor.

It was noted that some parties did not receive material until the evening before the

meeting while others received the material during the meeting of 20 January 1992.

The meeting agreed that it needed to discuss approach to work and a programme according to which it will function between now and next meeting on 6 February.

a Press statements

It was agreed that DMC should issue a press statement in respect of today's meetings.

For future press statements, guidelines should be formulated by the DMC.

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Adjournment

Participating organisations adjourned to meet and discuss the guidelines and rules. The meeting reconvened at 11h30.

4. Agenda

4.1 The agenda was proposed by the Convenor and adopted by the meeting.

2 Terms of Reference, Guidelines and Additional Guidelines

o) The following documents were read out:

Terms of Reference for Working Group 4 (Addendum C4)

Seles Guidelines for Chairpersons of Working Groups (Addendum F)

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Additional Guidelines for Chairpersons of Working Groups

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Oral submissions by interested groups

6.1 it was agreed that oral submissions should be avoided or minimised.

Research

pel It was agreed that research will be necessary and that mechanisms for how research is to be carried out are still to be discussed by the Working Group Steering Committee (WGSC) which will be established by the Working Group.

ee Proposals for organisations to be approached can be submitted by Working Group members to the WGSC.

eS It was agreed that SECOSAF could be one of the sources of information asked to assist with information but that additional sources would have to be used.

Adjournment

8.1 The meeting adjourned for lunch at 13h00 and reconvened at 14h00.

Working Group Steering Committee (WGSC)

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It was agreed that the Chairperson should be drawn from the WGSC and rotated.

There was consensus that the WGSC should consist of 8 people.

It was agreed by consensus that each participating organisation would nominate the names of 8 participating organisations and submit these to the Convenor. Nominations would remain secret. The Convenor would count the votes with the help of the Minute-Secretaries. Organisations would then give the names of the individuals who would represent them.

The Convenor stressed the importance of reaching consensus on this method of appointment of the WGSC.

It was agreed to extend the number on the WGSC to 9 members so as to include the Ciskei government.

The following are the members of the WGSC:

Ms SN Sigcau - Transkei

Mr SE Moeti - Venda

Mr M Phosa - ANC

Dr FT Mdlalose - IFP

Mr BE Keikelame - Bophuthatswana

Mr J Matsana - INM

Mr RF Botha - SA Government

Mr. N. Nogcantsi - Ciskei

Mr T Abrahams - Labour Party

Dates of Working Group meetings

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10.1 It was agreed that the Working Group meet on 6 February; then on Monday 10 February; and then on every Monday thereafter.

Agenda

olor The agenda will be decided by the WGSC for each Working Group meeting.

Minutes

a Minutes will be drafted by the two Minute-Secretanes and sent to the members of the WGSC for comment. Thereafter, a copy of the minutes will be sent to each participating organisation.

12.2 It was noted that the minutes to be sent are under embargo and are only a draft. The minutes can only be confirmed af the next meeting of the Working Group.

Tasks of the WGSC

eS The WGSC is to facilitate the functioning of the Working Group through the provision of information, co-ordination, and so on.

Programme of work of the Working Group

14.1 The WGSC is to propose a programme of work to the Working Group meeting oa 6 February.

Closure

15.1 The Convenor then closed the meeting asking the WGSC to remain behind to decide when it would meet prior to oth February.

15.2 Working Group members were asked to leave name tags for the Administration.

The following persons attended:

Organisation

ANC

Bophuthatswana Govt
Ciskei Govt
Democratic Party
Dikwankwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza Nat Movement
Labour Party

NIC/TIC

National Party
National People's Party
Solidanty Party

SACP

SA Govt

Transkei Govt

United People's Front
Venda Govt

Ximoko Progressive Party

The following did not complete registration forms:

Bophuthatswana Gvt

Inkatha Freedom Party

Delegate

A Nzo

M Phosa

B Keikelame
S Seane

N Nogcantsi
B Tokata

J Jordaan

E Moorcroft
S Manyane
S Marla

F Mdlalose
V Zulu

J Mahlangu
J Mabena

D Mkhwanazi
J Matsana
T Abrahams
J Douw

N Patel

Y Carmm

J Menrz

P Farrell

M_ Govender

L Dwarkapersad

M Cassim

G Naidoo

T Mtintso

S Mufamadi

A Meyer

R Botha

S Sigcau

M Titus

N Malekane

L Mokoena

S Makhuvha

S Moeti

C Marivate

C Khosa

S Seane

F Mdlalose

v Zulu

me@KGROUP\FUTTBVC\MIN. JAN (2)

Addendum A

Adviser

B Mabandla

A Omar

J Tlholoe

D Schoeman

N Olivier

G Simkins

D Thejane

M Molapo

B Anderson

N Ngubane

W Mohapi

M Mahiangu

J Mahlalela

N Mokoena

W Whyte

V Hardy

M Aziz

J Yawitch

A Julies

R Radue

S Naidoo

R Panday

D Bagwandeen

Y Seedat

L Nyembe

S Ngonyama

N van Heerden

G Croeser

L Bengu

S Matebese

E Maponya

J Nonyane

N Nefale

R Sumbana

W Kleynhans

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Intando Yesizwe Pty J Mahlangu
J Mabena

NIC/TIC J Yawitch

MINUTES OF THE SECOND MEETING OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON THURSDAY 6 FEBRUARY 1992 AT 10H50

ADOPTED AT THE THIRD MEETING OF WORKING GROUP 4
ON MONDAY 10 FEBRUARY 1992

PRESENT: Delegates and advisers (See Addendum A)
S Sigcau (chair)

S Albertyn (Secretary)
G Hutchings (minutes)

APOLOGIES: Labour Party Delegation

Ie Chairperson's opening remarks

ial The Chairperson explained that she was chairing in the place of Dr Mdlalose for continuity,

as Dr Mdlalose had been ill and unable to attend the Working Group Steering Committee 4 (WGSC 4) meeting of 27 January 1992.

oe Minutes

Ni The minutes of the first meeting of Working Group 4 (WG 4) were adopted with corrections.

ee It was noted that WGSC 4 minutes are submitted to the WG 4 for information only, not for adoption. ;

Be Agenda

So Ik The agenda for the WG 4 meeting of 6 February 1992 was drafted by the WGSC 4 on 27 January 1992.

3.2 It was agreed that at the next meeting of WG 4 on 10 February 1992, the issue of "Consensus" and the principle of reincorporation be discussed.

4. Reincorporation/Opening Statements

4.1 The Chairperson requested that the opening statements of, firstly, the TBVC States and the South African Government and secondly, by any other parties who wanted to state their positions, be made.

4.2 It was agreed that each party would just state their position on reincorporation and no discussion/debate would follow.

4.3 The submissions made were as follows:

4.3.1 Transkei submission - See Addendum B.

4.3.2 Bophuthatswana submission - See Addendum Cc

4.3.3 Venda submission - See Addendum D.

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4.3.4 Ciskei submission - See Addendum E.

4.3.5 South African Government submission - See Addendum F.

4.3.6 ANC submission - See Addendum G.

4.3.7 IFP submission - See Addendum H.

4.3.8 INM submission - See Addendum I.

4.3.9 Democratic Party submission - See Addendum J.

4.3.10 National Party submission - See Addendum K.

4.3.11 Dikwankwetla Party submission - See Addendum L.

4.3.12 SACP submission - See Addendum M.

4.3.13 TYP submission - See Addendum N.

4.3.14 NIC/TIC submission - See Addendum O.

4.3.15 NPP submission - See Addendum P.

4.3.16 UPF submission - See, Addendum Q.

4.3.17 Solidarity Party submission - See Addendum R.

4.3.18 Ximoko Progressive Party submission - See Addendum S. (This submission was made when the meeting reconvened after lunch.)

Adjournment

The meeting adjourned for lunch at 13h15.

Research

It was agreed that the question of research and the advertisements to be placed, could not be properly addressed until the debate on the opening statements on reincorporation had been completed. This debate is to be part of the agenda for the next WG 4 meeting on 10 February 1992.

Formation of sub-committees and discussion thereof

It was agreed that the formation of sub-committees should be delayed until the debate on the opening statements on the principle of reincorporation had been completed. This would equip WG 4 with the information necessary to form the necessary sub-committees.

Frequency and dates of future meetings

It was agreed, in principle, that WG 4 would meet on Mondays and if necessary on Tuesdays. Guidance would be required on this point by the WGSC 4. A decision on whether it is necessary to meet on Tuesday 18 February 1992 will be made on the meeting of WG 4 on Monday 10 February 1992.

Rapporteurs

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It was suggested that the question of rapporteurs be delayed until the debate on the opening statements on reincorporation has been completed. It would then be clearer to WG 4 what type of persons are needed as rapporteurs. (The additional guidelines (Addendum C) were referred to with reference to what is expected of a rapporteur.)

Confirmation of next meeting of WG 4

It was confirmed that the next meeting of WG 4 will be on 10 February 1992 at 10h00 at the World Trade Centre.

Closure

11.1 The Chairperson then closed the meeting.

11.2 Working Group members were asked to leave name tags for the Administration.

The following persons attended:

Organisation

ANC

Bophuthatswana Govt
Ciskei Govt
Democratic Party
Dikwankwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza Nat Movement
Labour Party

NIC/TIC

National Party

National People's Party
Solidarity Party

SACP

SA Govt

Delegate

A Nzo
M Phosa
(later substituted by A Omar)

J Tlholoe
S Seane

N Nogcantsi
B Tokata

J Jordaan
E Moorcroft

S Manyane
S Matla

F Mdlalose
V Zulu

J Mahlangu
J Mabena

DZ Mkhwanazi
J Matsana

T Abrahams
J Douw

P David
NG Patel

J Mentz
P Farrell

D Governder
L Dwarkapersad

M Cassim
G Naidoo

T Mtintso
S Mufamadi

A Meyer

(later substituted by

D Auret)

RS Schoeman (Substitute for
RF Botha)

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Addendum A

Adviser

B Mabandla
A Omar

D Schoeman

MF Sondiyazi
GE Godden
N Olivier

G Simkins

D Thejane

M Molapo

B Anderson
N Ngubane

W Mohapi
M Mahlangu

J Mahlalela
N Mokoena

W Whyte
V Hardy

J Yawitch
Y Carim

A Julies
R Radue

S Naidoo
RC Panday

D Bagwandeen
Y Seedat

L Nyembe
S Ngonyama

G Croeser
R Burton

Transkei Govt

United Peopleâ\200\231s Front

Venda Govt

Ximoko Progressive Party

S Sigcau

M Titus

N Malekane

L Mokoena

S Makhuvha

S Moeti

C Marivate

C Khosa

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L Bengu

S Matebese

E Maponya

J Nonyane

N Nefale

R Sumbana

W Kleynhans

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF THE THIRD MEETING OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 10 FEBRUARY 1992 at 10H00
PRESENT: Delegates and advisers (See Addendum A)

S Sigcau (chair)

S Albertyn (Secretary)

G Hutchings (minutes)

I Chairperson's opening remarks

Delegates and advisers were welcomed by the Chairperson.

on Minutes

The minutes of the second meeting of Working Group 4 (WG 4) held on 6 February 1992 were adopted.

Bs Agenda

The agenda was adopted with the following changes:

* Item no. 7 was moved to become item no. 5, and

3 Item no. 5 was moved to become item no. 7.

4. Consensus

4.1 The question of what is meant by "consensus" was raised.

4.2 It was agreed that WG 4 is bound by the Standing Rules of Codesa and decisions are to be

reached by consensus or by sufficient consensus. The Standing Rules of Procedure on Agreement, for Plenary Sessions of Codesa were referred to:

4.2.1 "Every delegation shall, when called by the Chair to express its position on a proposal or matter before the meeting, have such position stated by the leader of the delegation or a spokesperson appointed by the leader of the

delegation.

4.2.2 Agreement will be arrived at by consensus.

4.2.3 Agreement by sufficient consensus will have been reached when consensus

is of such a nature that the work of the Convention can move forward effectively.

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4.2.4 Disagreeing participants shall have the right to record their objections or dissent.

AAS When disagreement exists, the Chair will allow parties adequate time to consult amongst each other and with their principals before recording any position."

4.3 It was agreed that if any party/organisation does not agree with any decision reached in WG

4, their objections would be noted.

4.4 The SA Government and the Bophuthatswana Government noted their objection to this view

of consensus for WG 4. They stated that there could only be consensus in WG 4 if the TBVC

Governments and the SA Governments were in agreement.

Reincorporation/Opening Statements : Debate

i Various political formations stated their positions on this matter. Several of the groupings

expressed themselves favourably disposed in principle to reincorporation.

DE, The implications of reincorporation and non-reincorporation were referred to the sub-

committeeâ\200\231s to investigate.

Citizenship

6.1 It was agreed that the question of citizenship should be linked to the testing of the will of the

people.

6.2 A sub-committee, guided by the Terms of Reference for WG 4, was established to address

the issue of citizenship.

Formation of sub-committees and discussion thereof

e1 The following sub-committees were formed:

ele Testing the will of the people;

= EN Citizenship;

eles The administrative, financial and practical implications of the

reincorporation of the TBVC states into South Africa;

7.1.4 The political, legal and constitutional implications of the reincorporation of the TBVC states into South Africa.

Vez The necessity of forming a sub-committee to look into the effects and implications of non-

reincorporation of the TBVC states into South Africa was referred to the Working Group Steering Committee for Working Group 4 (WGSC 4).

(eS It was agreed that all 19 parties/organisations would be represented on each sub-committee.

Each party/organisation would submit the name of one person per sub-committee by 10h00

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on 11 February 1992. A party/organisatioa can submit names outside the delegates and advisers of WG 4.

Research

It was agreed that the sub-committeeâ\200\231s would co-ordinate the research they require.

Rapporteurs

This was deferred to the next meeting of WG 4.

Documents Circulated

The following documents were circulated at the meeting:

10.1 Submission by the Democratic Party to the WGSC 4 - Addendum B;

10.2 Submission to WG 4 by the National Party on the future of the TBVC states - Addendum C;

10.3 Submission to WG 4 by the ANC on the resolution on restoration of nationality and citizenship
- Addendum D;

10.4 Submission to WG 4 by the National Peopleâ\200\231s Party oa citizenship - Addendum E.

Future meetings

It was agreed that meetings of the WG 4 or the sub-committees would be held on both Mondays and

Tuesdays from the week commencing 17 February 1992. The WGSC 4 will decide on the dates, times and agendas for the various meetings.

Chairperson

Ms Sigcau was congratulated on the way she had chaired the meetings of WG 4. The SA Government proposed that Ms Sigcau act as chairperson of WG 4 until Codesa 2. WG 4 referred this proposal to the Working Group 4 Steering Committee (WGSC 4).

Closure

The Chairperson closed the meeting at 16h00.

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The following persons attended:

Organisation

ANC

Bophuthatswana Govt

Ciskei Govt

Democratic Party

Dikwankwetla Party

Inkatha Freedom Party

Intando Yesizwe Party

Inyandza Nat Movement

Labour Party

NIC\TIC

National Party

National People's
Party

Solidarity Party
SACP

SA Govt

Transkei Govt

Delegate

Alfred Nzo
Matthew Phosa

SS Seane
JJ Tlholoe

N Nogcantsi
GF Godden

J Jordaan
EK Moorcroft

SP Matla
S Manyane

VT Zulu
BT Anderson

JL Mahlangu
JS Mabena

DZ Makhubela
JM Matsana

Jannie Douw
William Whyte

P David
NG Patel

J Mentz
P Farrell

D Govender
L Dwarkapersad

MF Cassim
GN Naidoo

S Mufamadi
T Mtintso

RF Botha
AT Meyer

LM Bengu

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ADDENDUM A

Adviser

Brigitte Mabandla
Dullar Omar

DW Schoeman
MJ Sonyiyazi
N Olivier

C Simkins

MJ Molapo
DA Thejane

NJ Ngubane
MS Mahlangu
WM Mohapi

ND Mokoena

Y Carrim
J Yawitch

R Radue
A Julius

S Naidoo
RC Panday

D Bagwandeem
Y Seedat

L Nyembe
S Ngonyama

NP Van Heerden
DT Brand

WG Makanda

United Peopleâ\200\231s Front

Venda Govt

Ximoko Progressive Party

M Titus

NM Malekane

JM Nonyane

SE Moeti

N Nefale

CD Marivate

C Khosa

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X Maybela

ER Maponya

RR Sumbana

Prof Kleynhans

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the Democratic Party proposes that the GHG Gre SNOW nce comic and cin
the following issues and response to the WG. on the initiative of the

(a) the views of those members who support re-incorporation,
there appear to be three alternative procedures:

(i) a Special Committee of the part of the S.A. Government

(ii): assuming that the governments of the TBVC States are
represented by the people of these States,
their decision should be accepted as final.

the participants have indicated that the people
themselves should indicate whether they are in favour
of incorporation. In connection with this point, the
following issues arise:

A. What method should be employed to test the
feelings of the people:- referendum?, opinion poll?,

election?

B. Who will be entitled to express an Opinion: =
citizens?, residents of TBVC States?, and/or
citizens also resident outside these States
PUBLIC etc

(GS) the WE should also have to consider the implications of
the attitude taken by e.g. Bophuthatswana. The
Bophuthatswana Government is not in favour of re-incorporation.

(c) How to Clean the attitude taken by some participants that
before the governments of people of the TBVC states be called
upon to express an opinion, clarity must first be achieved

about the type of state into which these states may be
re-incorporated. In particular, the extent to which there

will be strong regional features and new elements of the Constitution

Greece

Introductory remarks

In approaching the whole question of the future of the TBVC states, the National Party has noted, from the preamble to the Terms of Reference of Working Group

4, that there is a "need to provide for the meaningful and democratic participation

of all the people living in the TBVC states in the process of drawing up and adopting a new constitution for South Africa."

It follows that the National Party in working towards a new democratic South Africa believes that democratic principles should also be applied in the TBVC states during the transitional process. Â©

Reincorporation or Otherwise

The decision as to whether or not each of the TBVC states is to be reincorporated rests in the first place with the wishes of the people of the affected state. The National Party holds the view that the will of the people of that state should be tested democratically. We are in agreement here with the Terms of Reference that some "acceptable democratic means" be employed.

The National Party also agrees with many of the delegations that one of the most practical means of testing the will of people is by way of a referendum.

We refer specifically to the Republic of Transkei which on page 38 of their initial statement referred to the fact that a referendum is accepted by the international

community as the best means of testing the will of the people democratically.

The delegation from the Republic of Bophuthatswana in paragraph 1.4 of their founding statement also emphasised that they favoured "the application of democratic principles and approaches in allowing the people themselves a final say

in determining the desired outcome."

We emphasise, however, that the initial choice to opt for reincorporation or otherwise must be exercised by the people of each of the TBVC states.

RSA Participation

Since the TBVC states achieved independence by virtue of bilateral agreements with the South African government, it is constitutionally and legally necessary that, if they opt for reincorporation, they will have to re-negotiate this with the South African Government.

Non _ interference

The National Party is not in favour of the coercion of the people of any TBVC state to come to a decision to be reincorporated or otherwise and believes that they have a free and inalienable right to decide for themselves. No other party, including Codesa, has the right to decide for them: Provided the choice is

democratic, free and fair the National Party will abide by any such decision.

Conclusion

While it might appear desirable to reach early decisions in regard to the reincorporation issue, the NP must caution against overhasty action. If reincorporation is decided upon by individual TBVC states and the South African Government, the South African Parliament and the legislatures of the TBVC states concerned will have to pass enacting legislation. Many other complicated factors will come into play e.g. time frames, use of existing infrastructure, interim administration, the civil service, taxation, financial implications, development projects, priorities, etc. These are all set out in paragraph 1.1.5 of the Terms of Reference of Group 4.

This will be a huge and responsible task. There are many complicated issues involved. We will be obliged to call in experts in these fields to advise us so that we make the correct decisions. This task will be Working Group 4's greatest challenge.

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AFRICAN NATIONAL CONGRESS

RESOLUTION ON RESTORATION OF NATIONALITY AND CITIZENSHIP THIS WORKING GROUP ON "THE FUTURE OF THE TBVC STATES":

NOTING

That various laws creating Bantustans and in particular the four Status Acts which conferred independence on the TBVC states, have DENATIONALIZED millions of persons to whom homeland citizenship was allocated and have deprived them of South African citizenship;

That such denationalization and deprivation of South African citizenship was imposed upon a disfranchised people against their wishes and without any form of real

consultation.

Further that the international community (through the United Nations Organisation, Commonwealth, European

Economic Community and the Organisation of African Unity) has expressed its deep concern at the actions of the South African government and has declared such action to be illegal and in violation of international law.

BELIEVING

That persons thus deprived of their South African nationality and citizenship are entitled to the restoration thereof and

that all citizens of South Africa (including the people of the TBVC states) are entitled to participate in the

process of constitution-making and in all transitional processes;

AND BELIEVING FURTHER

That such participation will be rendered meaningless unless the South African citizenship of all affected persons is restored with immediate effect

THIS WORKING GROUP THEREFORE RECOMMENDS

That South African citizenship should be restored to all persons who lost their citizenship as a result of the enactment of the various Status Acts, provided also that any child born after independence to any such person, shall also automatically become a South African citizen, and that any person born of a South African parent in a TBVC state shall also automatically be a South African citizen.

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NATIONAL PEOPLE'S PARTY SUBMISSION TO WORKING
GROUP 4
RE: CITIZENSHIP

If the TBVC states were spawned by an error of the past. that should not be the cardinal consideration for saying there should now be automatic restoration of citizenship. A great deal of water has flowed under the bridge since then, so it is imperative that the man in the street be allowed to say what he favours at this point in time and according to the exigencies of the present situation.

The National People's Party feels that the question of citizenship is mightily reflected in the Terms of Reference as the penultimate topic for discussion on the subject of re-incorporation of TBVC states.

The members of this Working Group cannot stipulate for the rights of millions of people who will be affected by the deliberations carried out here.

We strongly believe that the will of the people be tested first and then the question of citizenship be decided.

There are those who are against re-incorporation. What if these people are given South African citizenship but decide to reject it in the ultimate analysis?

Finally, the new constitution will embody the necessary clauses that will effect the inclusion of the country concerned as citizens of the New South Africa.

We support the idea of dividing into two sub-groups that will go into the implications and consequences of incorporation or otherwise.

WG4/MINUTES/17 FEBRUARY

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF THE FOURTH MEETING OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY 1992

ADOPTED BY WORKING GROUP 4 MEETING ON MONDAY 24 FEBRUARY 1992

PRESENT: Delegates and advisers (See Addendum A)
S Sigcau (chair)

S Albertyn (Secretary)
G Hutchings (minutes)

ie Chairperson's opening remarks

Delegates and advisers were welcomed by the Chairperson.

Ze Agenda

The agenda for the day was adopted with the following additions/alterations:

al Point 2 became - adoption of the minutes of WG 4 meeting of 10 February 1992
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DL Point 3 became " report back to meeting by Chairperson on WGSC 4 meeting of 11 February 1992";

ZR Point 4 became "report back from WGSC 4 representatives who met with the Codesa Secretariat on 17 February 1992";

2.4 Point 5 became "sub-committees";

2.5 Point 6 became " rapporteurs"

3. Minutes of WG 4 of 10 February 1992

Real SA Government questioned the way the minutes in paragraph 4 and 5 were worded. It argued that there had not been sufficient consensus on these issues. The SA Government argued that Working Group 4 (WG 4) is unique with reference to the issue of "consensus". It proposed

that if either the SA Government or any of the TBVC Governments disagreed on any point, then sufficient consensus or consensus would not exist in respect of a decision of the relevant government. The Bophuthatswana Government endorsed this view that in the case of WG 4 consensus between the SA Government and the TBVC Governments was needed. The SA Government based its view on the fact that these TBVC states are independent and they cannot

be forced to change their status unless they do so voluntarily, in a democratic manner, through

constitutional change.

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Some delegations disagreed with the SA Government and Bophuthatswana Governments view on consensus arguing that the Standing Rules of Codesa on consensus and sufficient consensus should be applied.

The Democratic Party pointed out to the SA Government that point 4 of the minutes is a restatement of the Standing Rules of Codesa, which the SA Government had already agreed to. The principle of consensus should be kept separate from point 5, the reincorporation debate.

It was also noted that the SA Government believes that reincorporation is dependent on the will of the people being democratically tested. SA Government stated that this view is supported in one way or another by the majority of the parties. It was the opinion of the SA Government that point 5.1 of the minutes should be deleted or amended.

The ANC stated that the principle of reincorporation had been accepted by WG 4 and that the subcommittees had been formed specifically to look at the modalities of how this should happen. WG 4 should wait for the results of the subcommittees before any other decisions are reached.

It was noted that several parties/organisations objected to the wording of point 5 of the minutes. This was debated and the meeting adjourned. A compromise in the form of a proposal put forward by the Labour Party was decided upon (by sufficient consensus). The minutes for point 5 of the minutes of WG 4 of 10 February 1992 would now read as follows:

Reincorporation/Opening Statements : Debate

Boll Various political formations stated their positions on this matter. Several of the groupings expressed themselves favourably disposed in principle to reincorporation.

ee The implications of reincorporation and non-reincorporation were referred to the subcommittee to investigate.

The SACP noted its objection to amend paragraph 5 of the minutes as the amendment did not cover the debate which occurred during the meeting of 10 February 1992. The SACP argued that sufficient consensus was reached at the meeting of 10 February 1992 and it was unprocedural to amend the minutes in the way agreed to by WG 4.

Point 11 in the minutes was amended to read as follows:

Chairperson

Ms Sigcau was congratulated on the way she had chaired the meetings of WG 4. The SA

Government proposed that Ms Sigcau act as chairperson of WG 4 until Codesa 2. WG 4 referred this proposal to the Working Group 4 Steering Committee (WGSC 4).

4. Report back to WG 4 by the Chairperson on WGSC 4 meeting of 11 February 1992

4.1

4.2

It was noted that the minutes of WGSC 4 are provided for the information for WG 4.

WGSC 4 supported the proposal that Ms Sigcau act as chairperson for all WG 4 and WGSC 4 meetings until Codesa 2.

4.3

4.4

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WGSC 4, as mandated by WG 4, read out the Terms of Reference it had formulated for each of the sub-committees. The chairperson explained that the Terms of Reference for each sub-committee were taken from the Terms of Reference for WG 4 as well as from proposals submitted by the parties. It was agreed that the various sub-committees could make any additions or amendments to their Terms of Reference if need be.

It was agreed that each sub-committee would elect their own chairperson. It was suggested that the chairperson for each of the sub-committees be from parties/organisations that are not represented on the WGSC 4.

Adjournment

The meeting adjourned for lunch at 13h10 to reconvene at 14h00.

Chairperson

6.1

The Dikwankwetla Party said that they needed clarification on the decision taken by the WGSC 4 on the issue of the chairperson. It was argued by Dikwankwetla that this proposal should have been brought back to WG 4 for a final decision.

6.2 Ms Sigcau recused herself from the meeting while WG 4 debated the issue of whether there should be a permanent chairperson until Codesa 2 or a rotating chair. Mr Nogcantsi assumed the position of chairperson.

Ons After an adjournment it was agreed to ask Ms Sigcau to continue as chairperson for all WG 4 and WGSC 4 meetings until Codesa 2.

6.4 Ms Sigcau was called back to the meeting and notified of WG 4's decision.

Sub-committees

WG 4 then broke up into sub-committees.

The sub-committees elected their chairperson as follows:

7.2.1. testing the will - EK Moorcroft (Democratic Party):
7.2.2. citizenship - C Marivate (Ximoko Progressive Party):
7.2.3. administrative, financial and practical effects of reincorporation - JL Mahlangu (Intando Yesizwe Party) and C Simkins (Democratic Party):
7.2.4 political, legal and constitutional effects of reincorporation - D Govender (National Peoples Party):
703 After the elections of the chairpersons, the sub-committees adjourned and arranged to meet

on 18 February 1992 at 09h00 at the World Trade Centre.

Documents Submitted

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Resolution on restoration of nationality and citizenship - Addendum B. Submitted by the ANC

Status of independence acts between TBVC states and the South African Government - Addendum C. Submitted by the ANC.

Testing the will of the people - Addendum D. Submitted by the ANC.
Citizenship - Addendum E. Submitted by the ANC.

The administrative, financial and practical effects of reincorporation of the TBVC states - Addendum F. Submitted by the ANC.

Political, legal and constitutional implications of the reincorporation of the TBVC states into South Africa - Addendum G. Submitted by the ANC.

Political, legal and administrative implications of incorporation of the TBVC states. - Addendum H. Submitted by the National Peoples Party.

The future of the TBVC states - Addendum I. Submitted by Inyandza National Movement.

Comments on the reincorporation of Bophuthatswana - Addendum J. Submitted by Ximoko Progressive Party.

Delegate fact sheet - No. 1 - Addendum K.

Bilateral and multilateral agreements between the Republic of South Africa and the TBVC states - Addendum L. Submitted by the South African Government. (Copies of this document were circulated at the meeting and have not been reproduced given the size of the document.)

Areas of research required if reincorporation of the TBVC states into South Africa is agreed

upon - Addendum M. Submitted by the South African Government. (Copies of this document have been handed out and have not been reproduced given the size of the document.)

Report Back of meeting between representatives of the WGSC 4 and the Codesa Secretariat

—

This was referred to the next WG 4 meeting on 24 February 1992.

Rapporteurs

This was referred to the next WG 4 meeting on 24 February 1992.

Closure

The meeting closed at 16h00.

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Organisation

ANC

Bophuthats wana

Ciskei Government

Democratic Party

Dikwankwetla Party

Inkatha Freedom Party

Intando Yesizwe Party

Inyandza National Movement

Labour Party

NIC/TIC

National Party

National People's Party

Solidarity Party

SACP

SA Government

Transkei Government

United People's Front

Delegate

Alfred Nzo

Matthew Phosa

BE Keikelame

SS Seane

N Nogcantsi

BR Tokota

JA Jordaan

EK Moorcroft

SP Matla

S Manyane

FT Mdlalose

VT Zulu

JL Mahlangu

JS Mabena

DZ Makhubela

JM Matsana

T Abrahams

J Douw

PB Soobrayam

NG Patel

J Mentz

P Farrell

D Govender

L Dwarkapersad

MF Cassim

GN Naidoo

S Mufamadi
T Mtintso

RF Botha
AT Meyer

SN Sigcau
M Titus

LM Mokoena

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Addendum A

Adviser

Brigitte Mabandla
Dullah Omar

JJ Tlholoe
DW Schoeman

GF Godden
MJ Sondiyazi

N Olivier
C Simkins

MJ Molapo
DA Thejane

B Anderson
NJ Ngubane

MS Mahlangu
WM Mohapi

HA Motaung
ND Mokoena

W Whyte
S Verveen

Y Carrim
J Yawitch

R Radue
A Julius

S Naidoo
RC Panday

D Bagwandeen
Y Seedat

L Nyembe
S Ngonyama

NP Van Heerden
R Prins

LM Bengu
WG Makanda

Venda Government

Ximoko Progressive Party

NM Malekane

S Makhuvha
SE Moeti

CD Marivate
C Khosa

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ER Maponya

MJ Mushasha
RR Sumbana

TB Shibambu
TW Tshabala

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT

COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF THE FIFTH MEETING OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 24 FEBRUARY 1992

PRESENT: Delegates and advisers (See Addendum A)
SN Sigcau (chair)

S Albertyn (Secretary)
G Hutchings (minutes)

Lr Chairperson's opening remarks

The meeting was opened at 11h00 with apologies from the chairperson for the late start. Delegates and advisers were then welcomed by the chairperson.

Oe Minutes

ZN The Bophuthatswana delegation expressed concern that they had not received their minutes timeously.

Dep? The minutes of the meeting of Working Group 4 (WG 4) of 17 February 1992 were adopted with the following amendments:

pal Paragraph 3.1 of the minutes should now read as follows:

SA Government questioned the way the minutes in paragraph 4 and 5 were worded. It argued that there had not been sufficient consensus on these issues. The SA Government argued that WG 4 is unique with reference to the issue of "consensus". It proposed that if either the SA Government or any of the TBVC Governments disagreed on any point, then sufficient consensus or consensus would not exist in respect of a decision of the relevant government. The Bophuthatswana Government endorsed this view that in the case of WG 4 consensus between the SA Government and the TBVC Governments was needed. The SA Government based its view on the fact that these TBVC states are independent and they cannot be forced to change their status unless they do so voluntarily, in a democratic manner, through constitutional change.

2.2.2 Point no 3.2 - the word "other" is now substituted by "some".

2.2.3. Point no 7.2.3 was amended to read - "administrative, financial and practical effects of reincorporation."

Des It was noted that the meetings of WG 4 are tape recorded and these recordings will be available to settle any future disputes about the content of the minutes of WG4 meetings.

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2.4 The Bikwankwetla Party asked for clarification on the last sentence in point no. 4.3 of the minutes. (It was agreed that the various sub-committees could make any additions or amendments to their Terms of Reference if need be.) The Dikwankwetla party proposed that this sentence be rephrased. The Chair requested that Dikwankwetla's proposal be submitted in writing and would be discussed at the WGSC 4 meeting.

eS) The minutes were formally adopted by WG 4.

Substitutes

It was agreed that it is accepted practice for substitutes to attend meetings on behalf of delegates or advisors if delegates\advisors are unable to attend a meeting. This applies to all Working Group and Working Group sub-committees.

Schedule of submitted documents

4.1

4.2

It was agreed that a schedule should be drawn up by the Secretary of all the documents that have been submitted to WG 4 and its sub-committees. This list would be updated on a regular basis.

It was requested that all documents submitted by delegations should have clearly marked headings.

Report back from WGSC 4 representatives on meeting with Codesa secretariat

Dr Mdlaalose reported on a meeting held with the Codesa Secretariat and 2 representatives of WGSC 4 on 17 February 1992.

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oe

Communication links between the DMC and the working groups was discussed and how overlap of work could be avoided. It was suggested that one member from the DMC and the Codesa Secretariat should scrutinise the minutes of each working group, on a weekly basis to communicate any relevant information to the relevant working groups. It was explained that WG 5 needs an effective flow of information from the other working groups to fulfil its mandate. It was agreed that WGSC 5 and the DMC will continue to discuss the needs of WG 5.

The following was reported back about the media:

5.2.1 There is no urgent need for advertisements or submissions - this issue can be looked at later if necessary

5.2.2 Press statements should be handled by the DMC. The importance of keeping the

public informed about Codesa was stressed as well as the need to develop a strong relationship with the media generally.

5.2.3 The DMC or its mandated representative will hold a press briefing every Tuesday.

5.2.4 WGâ\200\231s can submit press statements to the DMC for inclusion in the briefing by 12h00 on Tuesdays

5.2.6 A party can make their own position clear to the media but discretion and integrity is called for - proceedings should not be reported on even if the proceedings do affect the party itself.

SS Dr Mdlalose explained that the CODESA Secretariat has agreed that each working group should decide, on their own, whether or not to have a rotating or permanent chairperson. [t

was suggested that the decision on the chairperson should apply until CODESA 2.

5.4 Rapporteurs:

5.4.1 WG 3 has appointed two outside rapporteurs

5.4.2 The other working groups are still discussing rapporteurs. WG 5 will appoint rapporteurs as and when they are needed

SS) Documents submitted by parties/organisations:

5.5.1 The handling and copying of documents are the responsibility of the parties/organisations.

5.5.2 An additional photocopier will be provided with an access card utility entitling the user to make copies.

5.6 Substitutes:

5.6.1 It was suggested by the Codesa Secretariat that substitutes should not be allowed to attend the WGSC meetings.

5.6.2 After a brief discussion, it was agreed that because parties were nominated to serve on the steering committee (and not individuals), substitutes should be allowed to attend WGSC 4 meetings. This will be reported back to the Secretariat.

Se Recordings of meetings:

5.7.1 No individual parties/organisations are to make recordings of any meetings of Codesa.

5.7.2 Recordings of meetings made by the group secretary are to be sent to the DMC and will be kept for posterity

5.7.3. The question of whether or not rapporteurs could make recordings of meetings was referred to the DMC.

Rapporteurs

6.1 It was agreed there should be four rapporteurs for WG 4 - one for each working group sub-committee.

6.2 It was agreed that each of the sub-committees would choose their own rapporteur.

6.3 The choice of a rapporteur would not be confined to the group itself - outside people could

also be used. It was agreed that the sub-committees should try and choose rapporteurs from parties that are not involved on the WGSC 4 or as a chairperson on any of the sub-

committees. The final decision on who to appoint as a rapporteur will rest with the sub-committee.

Adjournment

The meeting adjourned for lunch at 13h00 and reconvened at 14h00.

Sub-committee report back

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8.3

Sub-committee 1:

[It was reported that progress had been made in this sub-committee. Two key issues had been identified:

- * is it desirable to support re-incorporation,
- * is it desirable to test the will of the people.

All delegates, with the exception of Bophuthatswana, are in favour of re-incorporation.

All delegates are in favour of testing the will of the people. It was agreed that a referendum is the best means of testing the will of the people. The referendum should not be based on race or on ethnicity in any way. It should be a question along the lines of acceptance or rejection of the constitutional proposals from Codesa. It was generally agreed that the referendum should be a national one but debate is still in progress on the last two points.

Sub-committee 1 only wants to meet on Mondays and not Tuesdays. It was suggested that the sub-committees should all meet on Monday morning and the working group, if necessary, on Monday afternoon.

Sub-committee 2:

Each TBVC state stated their position with reference to citizenship. It was agreed that there is a need for information and submissions to be obtained from the TBVC states and the S A Government. The method of how this information should be obtained should be referred to the WGSC 4.

The sub-committee is discussing a statement on consensus which will be finalised at the next meeting.

The question of substitutes to sub-committee meetings was referred to the WGSC 4.

Sub-committee 2 only wants to meet on Mondays and not Tuesdays and supports the suggestion that the sub-committees meet on Monday mornings and if necessary report back to the WG in the afternoon.

Sub-committee 3:

It was reported that the first meeting of sub-committee 3 was successful. Each party/organisation is to make a submission to the sub-committee at the next meeting. Various parties put forward their standpoints on the different issues. It was agreed that it is necessary

to make distinctions between administrative matters, financial matters and practical effects.

The areas of research required under each distinct category was agreed upon and possible

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sources for this information identified.

Sub-committee 3 will meet on Mondays and Tuesday if necessary as there is a lot of work to be done in this sub-committee. It was agreed that the availability of the information needed will determine the progress of these meetings.

The issue of land moratoriums was referred to sub-committee 3 for urgent discussion. The sub-committee should report back on this issue to the WG with proposals, for further deliberation. The SA Government will present its standpoint, with reference to land transfers at the next WG4 meeting after sub-committee 3 has reported on this issue.

The SA Government suggested that the issue of taxation be added to the tasks of sub-committee 3 (it is already included in sub-committee 4's tasks)

8.4 Sub-committee 4:

The need to appoint a rapporteur for the sub-committee was raised, however, since this item had not been disposed of by WG 4. it was agreed that this matter be held over for report to the WG for the expeditious appointment of rapporteurs.

It was agreed that the merits and demerits of incorporation or otherwise would not be debated in the sub-committee, however, all proposals concerning the relationship between South Africa and the TBVC states would be investigated.

It was agreed that in order to get an overall view of the structure and functioning of the TBVC states, the delegate from each state would present an information paper in regard thereto.

A fairly comprehensive set of guidelines on the format of the submissions was drawn up by the delegate for the NIC and for the ANC. This would enable the members to frame sufficiently comprehensive papers for discussion.

It was agreed that a fortnight would be needed for the assignment to be completed and the other members of the sub-committee to be circulated. It was consequently agreed that the next sub-committee meeting would be held on Tuesday 3 March 1992. Section 1.4 of the terms of reference was then discussed as the most factual of the terms of reference and therefore a good starting point. It was agreed that further elucidation on this section would be possible after the presentation of profiles.

Future Meetings

The WGSC would be meeting on 24 February to decide on the next meeting of the WG 4. It was

agreed that the sub-committees needed time to complete their work.

Documents submitted

The Bophuthatswana Government circulated a document headed 'Reservations' 200

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ile Closure

The meeting closed 15h00.

The following people were present at the meeting:

Organisation

ANC

Bophuthatswana

Ciskei

Democratic Party

Dikwankwetla Party

ESE

Isak

INM

Labour Party

NIC/TIC

National Party —

NPP

Solidarity Party

SACP

SA Government

Delegate

A Nzo

M Phosa

BE Keikelame

SS Seane

N Nogcantsi

MJ Sondiyazi

JA Jordaan

EK Moorcroft

SP Matla

– Â\$ Manyane

FT Mdlalose

VT Zulu

JL Mahlangu

JS Mabena

DZ Makhubela

JM Matsana

T Abrahams

J Douw

P David

NG Patel

J Mentz
P Farrell

D Govender
L Dwarkapersad

MF Cassim
GN Naidoo

S Mufamadi
T Mtintso

RF Botha
AT Meyer

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Addendum A

Adviser

B Mabandla
D Omar

JJ Tlholoe
DW Schoeman

GF Godden
N Olivier
C Simkins

MJ Molapo
DA Thejane

B Anderson
NJ Ngubane

MS Mahlangu
WM. Mohapi

HA Motaung
ND Mokoena

W Whyte
S Verveen

an Galnntm
J Yawitch

R Radue
A Julies

S Naidoo
RC Panday

D Bagwandeem
Y Seedat

L Nyembe
S Ngonyama

NP Van Heerden
G Croeser

Transkei

OES

Venda

xP

SN Sigcau

M Titus

LM Mokoena

NM Malekane

S Makhuvha

SE Moeti

CD Marivate

C Khosa

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LM Bengu

SHL Matebese

JM Noryane

ER Maponya

N Nefale

RR Sumbana

TB Shibambu

TW Tshabalala

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. TUE mee esr)
CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP 4, THE DAILY
MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT
TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING

MINUTES OF THE MEETING OF WORKING GROUP 4 (FUTURE OF THE TBVC STATES) HELD
AT THE WORLD TRADE CENTRE OF MONDAY 9 MARCH 1992 AT 14H00

PRESENT: Delegates and Advisers (See Addendum A)
SN Sigcau (chair)

S Albertyn (Secretary)
G Hutchings (Minutes)

APOLOGIES: BE Keikelame
J Jordaan
JHW Mentz
S Mufamadi
Io Opening by Chairperson

The delegates and advisers were welcomed by the chairperson.

2s Agenda

al The agenda for the day was presented to Working Group 4 (WG 4) as drawn up by Workin
g
Group 4 Steering Committee (WGSC 4), mandated by WG 4.

oe One addition was made to the agenda with the approval of WG 4 : Report back from WGS
C

4 on meeting with DMC on consensus. This became point 4 of the agenda. :

3, Minutes

The minutes of the meeting of WG 4 of 24 February 1992 were adopted with the following
change:

Point 8.1, paragraph 4 should now read : "All delegates, with the exception of
Bophuthatswana, have no objection to re-incorporation. "

4, Matters Arising

4.1 The IFP noted its objection that their minutes are still being received late. It wa
s suggested
by the IFP that an urgent proposal be put forward to the DMC for WG 4 to meet for two d
ays
fortnightly.

4.2

4.3

4.4

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The chair and various parties/organisations noted their reservations in respect of this proposal given the large workload still facing WG 4 and the sub-groups of WG 4.

It was proposed that the WGSC 4 put forward the proposal to the DMC for their comments .

The house was divided on this issue.

Report from WGSC 4 to WG 4 on meeting with DMC on consensus

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The WGSC 4 reported back on the meeting with the DMC on consensus. See Addendum B.

The report was adopted by WG 4.

Report back from each sub-group

6.1

6.2

6.3

Report from sub-group 1:

A written report was submitted - See Addendum C.

Report from sub-group 2:

It was reported that the following was agreed to:

6.2.1 Sub-group 2 (citizenship) of WG 4 has reached sufficient consensus that South

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African citizenship be restored. In this regard there are two views:

(a) Citizenship should be restored immediately.

(b) Citizenship should be restored after the testing of the will of the people and if such expression of the will is in favour thereof.

Reservation:

The Bophuthatswana Government records its position that:

(a) Citizenship should not be imposed on people.

(b) The will of the people at all times be tested in terms of the procedures that might be agreed upon.

It was agreed that Geoff Budlender be asked to act as the rapporteur of sub-group 2 as the nomination of Marius Rezelman had been withdrawn.

It was agreed that the statement on "sufficient consensus on citizenship" should

d be
submitted to WG 4 to submit to the DMC as a press statement.

Report from sub-group 3:

The minutes of sub-group 3 were referred to:

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6.3.6

WGAMINOSO3.WS (3)

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The following was noted:

6.3.1.1 The process of gathering information from the various governments was continuing, with the exception of information from the Ciskei, who had not submitted any.

6.3.1.2 The chairperson of WG 4 appealed to the Ciskei to submit their reports timeously to facilitate the work of sub-group 3.

6.3.1.3 Liaison was needed with sub-group 2 and WG 2 and 3. Their minutes have been requested by sub-group 2.

It was agreed that N Memele be asked to act as the rapporteur for sub-group 3. Initially sub-group 3 deadlocked over the issue of rapporteurs, but this was resolved when the National Party withdrew their nomination.

Sub-group 3 asked that advisers be allowed speaking rights in WG 4 meetings when areas involving their particular speciality or expertise is debated.

Land Moratoriums:

The minutes of sub-group 3 of 24 and 25 February were referred to and the following points were noted:

6.3.4.1 Sub-group 3 recommended that no new land be transferred to the TBVC Governments.

6.3.4.2 Sub-group 3 recommended that where the Development Trust is in the possession of land, the land should remain in the Trust's possession until the Trust is wound up.

6.3.4.3 In the case of privately owned land, no arrangements for transfer of land between the SA Government and the TBVC states should be made.

6.3.4.4 Transkei and Venda do not regard further land transfer as important.

6.3.4.5 Ciskei wants to get more information, assess it and report back to the sub-group.

6.3.4.6 Bophuthatswana intends to pursue more land claims.

It was agreed that sub-group 3 will receive reports from the TBVC states on the question of the Land Moratorium at their next meeting.

It was noted that all the governments, with the exception of the Ciskei had presented submissions on the position of land transfers which were in the final stages of completion. Certain conflicts of fact had emerged from these submissions and it was agreed that the respective governments would sort out these differences through bilateral negotiations so that the matter would be resolved at the next sub-group 3 meeting.

Report from sub-group 4:

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6.4.1

6.4.2

Rapporteurs

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A written report was submitted by sub-group 4. See Addendum D.

The following correction in the report was noted:

The Dikwankwetla Party and not the Venda Government nominated Mr AL Ramone as a rapporteur for sub-group 4.

It was noted that the SA Government had withdrawn their nomination of MDB Rezeiman of Secosaf as a rapporteur.

eM The communication to WGSC 4 from the DMC on rapporteurs was referred to.

Vee It was noted that WG 4 is allowed two rapporteurs. A decision on the appointment of the two rapporteurs was referred to the next WG 4 meeting.

VES: It was noted that all Secosaf nominations had been withdrawn.

7.4 The following rapporteurs have been decided upon:

7.4.1

7.4.2

7.4.3

7.4.4

Future Meetings

Sub-group 2 - G Budlender

Sub-group 3 - N Memele

Sub-group 4 - AC Ramone

Sub-group 1 have decided not to nominate a rapporteur as the chairperson of sub-group 1, Mr Moorcroft, will fulfil this function for sub-group 1.

It was agreed that no meetings would be held in the week commencing 16 March 1992.

Documents Circulated

The Ximoko Progressive Party circulated a document entitled "Summary Position on the TB VC States". This document was circulated for information only, and not for discussion. See Addendum

2.

Closure

The meeting was closed at 15h30.

The following people were present at the meeting:

Party/Organisation

ANC

Bophuthatswana

Ciskei

Democratic Party

Dikwankwetla Party

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INM

Labour Party

NIC/TIC

National Party

NPP

Solidarity Party

SACP

SA Government

Delegate

A Nzo

M Phosa

SS Seane

N Nogcantsi

BR Tokota

EK Moorcroft

SP Matla

S Manyane

FT Mdlalose

VT Zulu

JL Mahlangu

JS Mabena

DZ Makhubela

JM Matsana

T Abrahams

J Douw

P David

NG Patel

P Farrell

D Govender

L Dwarkapersad

MF Cassim

GN Naidoo

T Mtintso

AT Meyer
NP van Heerden

WGAMINOSO3.RS (3)

WGA /MINUTES/9 MARCH

Addendum A

Adviser

B Mabandla
D Omar

JJ Tlholoe
DW Schoeman

GF Godden
BC Silivadya

N Olivier
C Simkins
MJ Molapo
DA Thejane

B Anderson
NJ Ngubane

MS Mahlangu
WMB Mohapi

JM Mahlalela
ND Mokoena

W Whyte
S Verveen

Y Carrim
J Yawitch

R Radue
P Mackenzie

S Naidoo
RC Panday

D Bagwandeem
Y Seedat

L Nyembe
S Ngonyama

RW Burton
CC Prins

Transkei

UPF

Venda

WG Makanda

M Titus

LM Mokoena

NM Malekane

S Makhuvha

SE Moeti

CTD Marivate

C Khosa

WGAMINOS03. KS (3)

WG4/MINUTES/9 MARCH

LM Bengu

SHL Matebese

JM Nonyane

ER Maponya

N Nefale

RR Sumbana

Prof Kleynhans

TW Tshabalala

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP 4, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

MINUTES OF THE MEETING OF WORKING GROUP 4 (FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 30 MARCH 1992 AT 10H00

PRESENT: Delegates and advisors (See Addendum A)

to

Nn

SN Sigcau (Chair)

S Albertyn (Secretary)

M Durrheim (Minutes)

Opening by Chairperson

The delegates and advisors were welcomed by the chairperson.

Agenda

The agenda for the meeting, as drawn up by Working Group 4 Steering Committee (WGSC 4), mandated by Working Group 4 (WG 4), was adopted by Working Group 4.

Adoption of minutes

The minutes of meeting of WG 4 of 9 March 1992 were adopted with the following changes:

Pall Point 7.4.2: The spelling of the rapporteur's name is incorrect and is M M emela.

BED. Point 7.4.3 should read: Sub-group 4 - AC Ramone or N Ngcuka.

Matters arising

There were no matters arising.

Report on joint meeting of the steering committees of Working Groups 3 and 4 held on 24 March

1992.

5), 11 The chairperson read out the draft minutes of the joint meeting, copies of which were circulated. The chairperson brought to the attention of the meeting that WG 3 had pointed out in the joint meeting that if there is a delay in reaching consensus in WG 4, WG 3 would go ahead and make decisions regarding interim arrangements for the TBVC states.

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There was considerable discussion regarding the status of point 2.5 of the draft minutes.

5.2.1 A number of delegations expressed their disquiet that points of view had been presented to the joint meeting before such views had been presented to WG 4 and therefore without the endorsement of WG 4.

2,2 It was proposed that only minutes and reports already submitted to and approved by the group

WG 4 and its sub groups should be reported on at these joint meetings. In urgent cases, reports by the rapporteurs for the sub groups of WG 4 could be relied upon.

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3. It was agreed that this mistake and the approach to be adopted regarding reports to future joint meetings would be discussed at the next meeting of WGSC 4.

Position statements from each of the TBVC states and SA Government

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Delegates from the TBVC states and the SA Government requested more time for the preparation of their position statements in order to allow for further consultation with their principals and with each other.

It was agreed to set a deadline for the submission of position papers by the TBVC states and the SA Government:

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to

2.1 Position papers will be presented at the next meeting of WG 4, scheduled for 13 April 1992.

6.2.2 Position papers must be received by the Codesa secretariat by Wednesday 8 April, in order that they may be circulated to all delegations by Friday 10 April 1992.

Report-back from each sub group

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Report-back from sub group | (Testing the Will of the People)

7.1.1. The chairperson of sub group | paraphrased the Preliminary Summary of Proceedings of Sub group 1 (Addendum B) which had been presented to WG 4 on 9 March 1992. Copies of Addendum B were circulated at the meeting. He reported that at a subsequent joint meeting of sub groups | and 2 certain delegations had stated their objection to the separate counting of votes in the TBVC states. The effect of these objections meant that sub group | had deadlocked. These objections also challenged the terms of reference of sub group | which implied a separate counting of votes in the TBVC states on the question of reincorporation. The chairperson reported to WG 4 that sub group | could not continue with its brief as long as the position adopted by these parties remains unchanged.

7.1.2 After discussion, it was agreed not to discuss the reports of the various sub groups at this meeting of WG 4, and that, in view of the present deadlock, sub groups | and 2 would not meet again until after new position papers had been presented by the TBVC states and the SA Government.

7.1.3. The chairperson of sub group | raised his concern regarding the increasingly negative public perception of Codesa and pointed to the suggestions already made in this regard by sub group | urging that the matter be pursued with the DMC.

Report-back from sub group 2 (Citizenship)

7.2.1. The acting chairperson of sub group 2 read from the written report submitted to the joint meeting of sub groups 1 and 2, copies of which were circulated at the meeting.

Report-back from sub group 3 (The Administrative, Financial and Practical Effects of Re-
incorporation of the TBVC states)

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WG4/MINUTES/30 MARCH

7.3.1 The chairperson of sub group 3 gave a verbal report and noted that the collection of information regarding technical aspects of re-incorporation had nearly been completed.

7.3.2 It was agreed that sub group 3 would meet after the WG 4 meeting to discuss the way ahead.

7.4 Report-back from sub group 4 (The Future of the TBVC States)

7.4.1. The chairperson of sub group 4 presented a document headed "Synthesis of Attitudes to Re-incorporation by TBVC States", copies of which were circulated at the meeting, which had been accepted by sub group 4 as a correct reflection of discussion to date.

Appointment of two Rapporteurs for Working Group 4

It was agreed to appoint the following two rapporteurs for WG 4:
G Budlender
M Memela

Date of next meeting of Working Group 4

It was pointed out that flights on Monday 13 April 1992 were already fully booked. It was agreed to schedule the next meeting of WG 4 for Tuesday 14 April 1992.

Note: The Management Committee subsequently decided to grant Codesa staff a holiday for the week commencing Monday 13 April. WGSC 4 therefore decided that the next meeting of WG 4 will take place on Tuesday 21 April 1992 at 10h00.

General

10.1 Press interviews

WGSC 4 was requested to discuss whether an article appearing in "Horizon" in which an ANC delegate to WG 4 gave an interview was in the spirit of Codesa.

10.2 Date for Codesa II

The WGSC 4 representative on the DMC reported that the request from WGSC 4 that Codesa II be held on 13 and 14 May 1992 had been turned down by the DMC, and that a decision is still pending.

Closure

The meeting was closed at 13h15.

Party/Organisation

ANC

Bophuthatswana

Ciskei

Democratic Party

Dikwankwetla Party

lige

INA?

INM

Labour Party

NIC/TIC

National Party

NPP

. Solidanty Party

SACP

SA Government

Transkei

Delegates

A Nzo

M Phosa

BE Keikelame

N Nogcantsi

JA Jordaan

EK Moorcott

SP Matla

S Manyane

FT Mdlalose

VT Zulu

JL Mahlangu

JS Mabena

DZ Makhubela

JM Matsana

A Dick

J Douw

P David

NG Patel

JHW Mentz
P Farrell

D Govender
AA Koobair

MF Cassim
K Reddy
AS Akoob
T Mtintso
RF Botha

AT Meyer

M Titus

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WG4/MINUTES30 MARCH

ADDENDUM A

Advisors

B Mabandla
E Moosa

JJ Tlholoe
DW Schoeman

GF Godden
MJ Sondiyazi

N Olivier
C Simkins

MJ Molapo
DA Thejane

B Anderson
NJ Ngubane

MS Mahlangu
WMB Mohapi

HA Motaung
ND Mokoena

S Verveen

G Singh
J Yawitch

R Radue
PC McKenzie

S Naidoo
A Ramulu

N Singh
Y Seedat

L Nyembe
S Ngonyama

NP van Heerden
G Croeser

LM Bengu
SHL Matabese

UPF

Venda

Nee

Rapporteurs

G Budlender

B Ngcuka

LM Mokoena

NM Malekane

S Makhuvha

SE Mveti

C Khosa

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WG4/MINUTES30 MARCH

JM Nonyane

ER Maponya

RR Sumbana

TB Shibambu

MONEE

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THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF THE FIRST MEETING OF THE STEERING COMMITTEE OF WORKING GROUP
4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY
20 JANUARY 1992 AT 15H30

PRESENT: Delegates (See Addendum A)
â\200\231 Dr FT Mdlalose (chair)
S Albertyn (secretary)
G Hutchings (minutes)
1 Chairperson

lp It was agreed that the chairperson should chair three consecutive meetings which would include the WGSC and the Working Group.

eZ The following are to chair the next three consecutive meetings of the WGSC and/or the Working Group:

FT Mdlalose - Inkatha Freedom Party

SN Sigcau - Transkei Government

RF Botha - SA Government

SE Moeti - Venda Government

JM Matsana - Inyandza National Movement
BE Keikelame - Bophuthatswana Government
N Nogcantsi - Ciskei Government

T Abrahams - Labour Party

M Phosa - African National Congress

Ds Date of Working Group Steering Committee Meeting:

It was agreed that the WGSC4 meet on 27 January at 09h00.

Rie Closure

The convenor then closed the meeting.

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PRESENT:

M Phosa

BE Keikelame

N Nogcantsi

FT Mdlalose

JM Matsana

T Abrahams

AT Meyer

SN Sigcau

SE Moeti

African National Congress

Bophuthatswana Government

Ciskei Government

Inkatha Freedom Party

Inyandza National Movement

Labour Party

SA Government

Transkei Government

Venda Government

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Addendum A

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MEMBERS OF THE WORKING GROUP STEERING COMMITTEE, ee ents
MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. STON air wines
STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP STEERING COMMITTEE
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MINUTES OF THE SECOND MEETING OF THE STEERING COMMITTEE OF WORKING
GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE
ON MONDAY 27 JANUARY 1992 AT 09H00
PRESENT: Delegates (See Addendum A)

Ms SN Sigcau (chair)

S Albertyn (secretary)
G Hutchings (minutes)

APOLOGIES: FT Mdlalose

1: Chairperson's opening remarks

It was agreed that the purpose of this meeting should be to decide what is required of
the
Working Group 4 (WG 4) and to help facilitate the WG 4.

2s Agenda of Working Group Steering Committee (WGSC 4)
The agenda was proposed by the Chairperson and adopted by the meeting.

Be Agenda of WG 4

Be The WGSC + will draft an agenda for each WG 4 meeting. Written submissions
from WG members will be considered for the agenda.

Ga
N

A draft agenda for the meeting of WG 4 was drawn up copies of which will be
circulated to delegates and advisers.

4. Minutes

The meeting amended the draft minutes of WG 4 held on Monday 20 January 1992, noting
that these minutes have yet to be approved by WG 4.

Ds Research
ee The need for further research and information, as guided by the Terms of
Reference was noted. It was agreed that research should be conducted into:

3.1.1. the effect of re-incorporation, if this is decided upon,
3.1.2 the effect if re-incorporation is not decided upon

so that WG 4 will be able to make the necessary recommendations. @

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Se It was agreed that research and information should not be limited to any particular organisation. The TBVC States themselves. the SA Government and other groupings could all be drawn upon for contributions. At the next WG 4 meeting the procedure and areas for research will be decided upon.

Reincorporation

It was agreed that each of the TBVC states and the South African government should state their positions on reincorporation at the next meeting of WG4.

Formation of sub-committees

The need for sub-committees was agreed by WGSC4 and the following proposal will be made to WG 4:

71.1 That three sub-committees should be formed to investigate:

the implications of a decision not

to reincorporate the
TBVC states into South Africa;

~)

to assess the administrative, financial and practical implications of the reincorporation of the TBVC states into South Africa;

and to

assess the political, legal and constitutional implications of the reincorporation of the TBVC states into South Africa.

>)

to

Sub-committees will submit their findings to WGSC 4.

03 It was suggested that each sub-committee should comprise approximately nine members.

7s WGSC 4 to co-ordinate sub-committees activities.

2 Sub-committees may use their discretion regarding organisations to approach for information.

Rapporteurs

8.1 Proposal to be submitted, by the Secretariat to the DMC, that individuals (including, but not necessarily limited to, delegates and advisers) be used as rapporteurs. It was suggested that 1 - 3 people could be used as rapporteurs.

8.2 Rapporteurs should strengthen the lines of communication between all parties/organisations and between the WGs themselves.

Press Statements

D3 Press Statements should be handled by the DMC.

SB Information regarding attendance at WGSC4 meetings, together with the times of those meetings, may be made known to the media by any WGSC4 member.

Chairperson

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It was agreed that SN Sigcau would chair the next meeting of WG 40n 6 February 1992.
Meeting of WGSC

The next meeting of the WGSC 4 will be determined after the meeting of WG 4 00 5
February 1992.

Closure

The meeting closed at 13h00

The following persons attended the WGSC 4 meeting of 27 January:

Onpmmnicen
ANC
Bophuthatswana
Ciskei

INM

Labour Party
SA Government
Transkei

Venda

Delegate

M_ Phosa

BP Keikelame
N Nogcantsi
JM Matsana
T Abrahams
RF Botha
SN Sigcau

SE Moeti

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Addendum A

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF THE THIRD MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON TUESDAY 11 FEBRUARY 1992 AT 09H45

PRESENT: Delegates (See Addendum A)

Ms SN Sigcau (chair)

S Albertyn (secretary)

G Hutchings (minutes)

Me Chairperson's opening remarks

The delegates were welcomed by the chairperson.

2. Chairpersonship

It was agreed that Ms SN Sigcau would chair all meetings of the Working Group 4 (WG 4) and the Working Group 4 Steering Committee (WGSC 4) until Codesa 2._

3 Minutes

B1 The minutes of WGSC 4 of 27 January 1992 were adopted.

3.2 The minutes of WG 4 held on 10 February 1992 were amended by WGSC 4. It was noted that these minutes had to still be adopted by WG 4.

4. Matters arising from WGSC 4 meeting of 27 January 1992:

4.1 It was noted that the WGSC 4 proposal on the formation of sub-committees had been accepted by WG 4 with amendments.

4.2 It was noted that individuals, including but not limited to delegates/advisers could be used as rapporteurs.

4.3 It was further noted that WG 4 had taken a different approach to the question of research to that suggested by WGSC 4.

Ds Sub-Committees

e1 It was agreed that the Terms of Reference for each sub-committee would be drawn from the

Terms of Reference for WG 4 and from proposals made by the parties. The Terms of Reference for each sub-committee should be:

5.1.1 Sub-committee 1 - Testing the will of the people:

(a) Testing the will of the people concerned regarding reincorporating or otherwise, of the TBVC states, by acceptable democratic means;

Sf

(b)

(c)

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Strategies to keep the people of the TBVC states fully informed, especially to avoid unfortunate misunderstandings; and

Proposal by the Democratic Party - items no. iii, A and B.

5.1.2 Sub-committee 2 - Citizenship:

(a)

(b)

(c)

The question of single or dual citizenship;
Proposal from the ANC; and

Proposal from the NPP

5.1.3 Sub-committee 3 - The administrative, financial and practical implications of the reincorporation of the TBVC states into South Africa:

(a)

(h)

(i)

The retention of business confidence, particularly in relation to existing investments in the TBVC states;

Land transfers by South Africa to these states;

Disposal/transfer of assets of TBVC governments,

Optimal use of existing infrastructure,

Review of development project priorities;

Good administration during transition;

The formulation of appropriate measures and steps to be taken to ensure that in the process of reincorporation of a TBVC state, interruption or disruption in administration and the rendering of services and in the daily lives of people in the affected areas are reduced to an absolute minimum,

Consider future of civil service in such states;

Servicing and repayment of TBVC state debts.

5.1.4 Sub-committee 4 - The political, legal and constitutional implications of the reincorporation of the TBVC states into South Africa:

(a)

(b)

(c)

(d)

(e)

The exact form of authority in the TBVC territories;
Harmonisation of legislation and taxation;

Orderly termination of bilateral and multilateral agreements and treaties;

Ensuring public accountability of actions taken for the purposes of reincorporation;

the identification of specific constitutional, legal and political measures and steps which will have to be taken to effect reincorporation.

The chairperson of WG 4 will report back to WG 4 on suggestions made by the WGSC 4 for the smooth running of the sub committees. These suggestions include:

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5.2.1 Sub-committees should be aware of potential overlap in their activities.

5.2.2 Sub-committees should report back to WG 4 on their suggestions so that WG 4 can debate the proposals.

5.2.3. Any difficulties experienced by sub-committees should be referred to WG 4.

5.2.4 Sub-committees should determine their own programme.

a3 Each sub-committee will look at both the implications within their Terms of Reference for reincorporation and non-reincorporation assisted by the Democratic Party proposal.

S05) It was suggested that all sub-committees would agree on their own programmes of work

Land Moratoriums

This is to be referred to the next meeting of WG 4 on Tuesday 18 February 1992.

Nomination of two WGSC members to attend meeting with Codesa Secretariat

Ms SN Sigcau and Dr FT Mdlalose were nominated to attend the above meeting on Monday 17 February 1992 at 08h00.

Agenda

8.1 An agenda for the first meetings of the sub-committees on Monday 17 February 1992 was drafted. â\200\230

8.2 The agenda for WG 4 meeting on Tuesday 18 February 1992 was drafted.
Future WGSC 4 meeting

The WGSC 4 will meet on Tuesday 18 February 1992 after the WG 4 meeting.
Closure

The chairperson closed the meeting at 12h30.

Addendum A

The following persons attended:

Organisation Delegate
African National Congress M Phosa
Bophuthatswana Government DW Schoeman
Ciskei Government N Nogcantsi
Inkatha Freedom Party FT Mdlalose
Inyandza National Movement JM Matsana
Labour Party T Abrahams
SA Government RF Botha
Transkei Government SW Sigcau

Venda Government SE Moeti

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WGSC4/MINUTES/18 FEBRUARY

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP STEERING COMMITTEE AT ITS NEXT MEETING.

DRAFT MINUTES OF THE FOURTH MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON TUESDAY 18 FEBRUARY 1992 AT 15H00

PRESENT: Delegates (See Addendum A)

Ms SN Sigcau (chair)

S Albertyn (secretary)
G Hutchings (minutes)

APOLOGIES: T Abrahams
RF Botha
Ie Opening by Chairperson

The delegates were welcomed by the Chairperson and the relevant apologies made.

ay, Minutes

The minutes of Working Group 4 Steering Committee (WGSC 4) of 11 February 1992 were adopted.

3. Agenda

3o 1h The agenda for WGSC 4 for 18 February 1992 was adopted.

37 The agenda for Working Group 4 (WG 4) meeting for 24 February was drafted.
4, Sub-committees

4.1 It was agreed that the WGSC 4 should give guidance and direction, where needed, to the sub-committees.

4.2 It was suggested that WG 4 would meet on Monday mornings and the sub-committees on Monday afternoons, and if necessary on Tuesdays.

4.3 It was agreed that, as the sub-committees do overlap, they will have to be properly co-and meetings arranged between the sub-committees to discuss the relevant points.

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WGSC4#/MINUTES/18 FEBRUARY

It was suggested that the report backs to the WG 4 from the sub-committees should be written so that the time taken for each report back could be controlled.

It was agreed that rapporteurs are now crucial to assist the sub-committees (in the generation of reports needed).

It was agreed to not place time frames on the work of the sub-committees at this point.

A decision regarding time frames will be made after the report back of the sub-committees on Monday 24 February at WG 4.

It was agreed that the sub-committees should submit at least some concrete proposals for Codesa 2.

Dates of future meetings

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Closure

Working Group 4 - 24 February at 10h00

Working Group 4 Steering Committee - 24 February 1992 at 16h30

Sub-committee 1 - 24 February 1992 at 14h00

Sub-committee 2 - 24 February 1992 at 14h00

Sub-committee 3 - 24 February 1992 at 14h00

Sub-committee 4 - 2 March 1992 at 14h00

The chairperson closed the meeting at 16h00.

The following persons attended the WGSC 4 meeting on 18 February 1990

Organisation

African National Congress
Bophuthatswana Government
Ciskei Government

Inkatha Freedom Party
Inyandza National Movement
Transkei Government

Venda Government

Delegate

M Phosa

BP Keikelame
N Nogcantsi
FT Mdlalose
JM Matsana
SW Sigcau

SE Moeti

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WGSC4/MINUTES/18 FEBRUARY

Addendum A

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP STEERING COMMITTEE, THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUPS STEERING COMMITTEE AT ITS NEXT MEETING.

DRAFT MINUTES OF THE FIFTH MEETING OF THE WORKING GROUP 4 STEERING COMMITTEE HELD AT THE WORLD TRADE CENTRE ON MONDAY 24 FEBRUARY 1992 AT 16H30

PRESENT: Delegates (See Addendum A)

SN Sigcau (chair)

S Albertyn (Secretary)
G Hutchings (minutes)

APOLOGIES: FT Mdlalose

1. Opening by chairperson

Delegates were welcomed by chairperson.

De Agenda

The agenda for WGSC 4 meeting of 24 February was adopted.

Sr Minutes

The minutes of Working Group 4 Steering Committee (WGSC 4) of 18 February 1992 was adopted

4. Future meetings

4.1 It was agreed that Working Group 4 (WG 4) would not meet in the week commencing 2 March 1992 to allow the sub-committees time to make progress in their meetings.

4.2 It was agreed that the WGSC 4 would establish the date for the future WG 4 meeting once the sub-committee had made progress on which to brief WG 4.

4.3 It was suggested that the sub-committees meet on Mondays, and, if necessary on Tuesday. It was agreed that a flexible approach should be adopted and WGSC 4 and WG 4 should meet on Monday afternoons or Tuesdays.

Se Agenda

6.1 It was agreed that the word "draft" would not be added on the agendas that WGSC 4 draw up for the WG 4 as it was a final agenda and not a draft, according to the mandate given to the WGSC 4 by WG 4.

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WGSC4/MINUTES/24 FEBRUARY

On The WGSC 4 drafted the agenda for the next WG 4 meeting to be held 10 March 1992.

Consensus

It was agreed that representatives from the DMC should be invited to attend the next meeting of WGSC 4 meeting on Tuesday 3 March 1992 at 14h00 to discuss the issue of consensus, as discussed with the chairperson of WG 4 on 24 February 1992, so that the whole WGSC4 can report back to WG 4 on the issue.

Co-ordination

WGSC 4 debated how better co-ordination between the other working groups could be achieved. It was agreed that WGSC 4 would invite the chairperson of the other WGSCs to attend a meeting if and when the need arose. The chairperson of WG 4 would meet with the Codesa Secretariat to discuss better co-ordination between the WG's.

Submissions

8.1 It was agreed that all parties/organisations should give clear headings to the documents they submit to facilitate the smooth running of the sub committees.

8.2 It was agreed that all submissions must be submitted to the secretary of WG 4 so that they can be directed to the appropriate sub committee.

8.3 Submissions received from individuals or groupings outside of Codesa that are not relevant to WG 4 or its sub committees will be referred to the DMC by the secretary.

Sub-committees

8.4 It was agreed that the sub-committees would report directly to WG 4.

8.5 Rapporteurs are essential for the good inter-communication and liaison between sub-committees.

8.6 To establish time frames for the sub-committees, a meeting will have to be held with Working

Group 5 Steering Committee.

Rapporteurs

10.1 It was suggested that rapporteurs should draft reports of the sub committees which reports would be tabled in the plenary of WG 4.

10.2 It was agreed that the reports from WG 4 and from the sub committees needed to be professional and of a high standard as they would be scrutinised by the media and the public at large.

Terms of reference of the sub-committees

Wo It was agreed that the sub committees cannot amend Codesaâ\200\231s Standing Rules f
or WG 4.

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WGSC4/MIWUTES/24 FEBRUARY

WZ Sub committees can elucidate or substantiate their particular terms of reference provided that whatever is introduced does not derogate or vitiate the broad principles of the terms of reference for WG 4 or the principles of Codesa.

Substitutes

W201 It was suggested that substitutes be allowed to attend all sub committee meetings with the delegate to the sub committee, so that if the delegate was unable to attend the substitute would attend the meeting fully informed of the sub committees activities. This will be referred to the DMC for their guidance.

a The DMC would also be asked to decide whether or not the substitute to the sub committee could be paid for attending sub committee meetings by Codesa.

1S It was agreed that if any member of the WGSC 4 could not attend a meeting, a substitute could attend the WGSC 4 meeting.
Future meetings

The next meeting of WGSC 4 will be held on Tuesday 3 March 1992 at 14h00.

Closure

The chairperson closed the meeting at 18h00.

The following persons attended the meeting:

Organisation

African National Congress
Bophuthatswana Government
Ciskei Government

Inyandza National Movement
Labour Party

SA Government

Transkei Government

Venda Government

Delegate

M Phosa

BP Keikelame
N Nogcantsi
JM Matsana
T Abrahams
RF Botha
SW Sigcau

SE Moeti

WGSCMIN24602.WS (39

WGSC4/MINMUTES/24 FEBRUARY

Addendum A

WGSCA/MINUTES/2 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED SE MOETI AS MANDATED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP STEERING COMMITTEE, THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF THE SIXTH MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992 AT 16H15

PRESENT: Delegates (See Addendum A)
Ms SN Sigcau (chair)

S Albertyn (chair)
G Hutchings (minutes)

Ie Opening by Chairperson

The delegates were welcomed by the Chairperson.

De Minutes

The minutes of Working Group 4 Steering Committee (WGSC 4) of 24 February 1992 were adopted.

Bs Matters arising

Substitutes:

Bel A decision from the MC is still awaited on whether both substitutes and delegates can attend sub-group meetings and whether the substitutes can receive remuneration for attending these meetings.

Bee It was agreed that WGSC 4 would substitute delegates on the WGSC 4 as parties/organisations were nominated and not individuals.

4. Sub-group requests

4.1 The request from sub-group 2 that it appoint 2 rapporteurs has been referred to the next Working Group 4 (WG 4) meeting on 9 March 1992 for discussion.

4.2 It was agreed that the Ximoko Progressive Party could send a substitute delegate to sub-group 2 to stand in for Professor Marivate who is the acting chairperson.

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WGSCA /MINUTES/2 MARCH

4.3 It was agreed that the minutes of Working Group 2 and Working Group 3 would be made available for sub-group 3. Sub-group 3 requires these minutes to facilitate its work and to

ensure co-ordination between the working groups.

Submissions

Sal The following submissions were received:

5.1.1. The submission from Inyandza National Movement which was responding to the Bophuthatswana Governments decision circulated at the last WG 4 meeting was

referred to the DMC.

5.1.2 The submission from the South African Communist Party which was responding to the Bophuthatswana Governments decision circulated at the last WG 4 meeting was referred to the DMC. It was agreed that any other responses received on the Bophuthatswana Government's position will be referred to the DMC.

5.1.3 Submissions from Women for Peace - This was noted and referred to the Codesa Secretariat to act upon.

5.1.4 Submission from M Luther - This was referred to Working Group 2 and 3.

5.1.5 Submission from A Clark - This was referred to the DMC.

5.1.6 It was agreed that all late submissions would be discussed at the next meeting of WGSC 4.

Future Meetings

It was agreed that:

6.1 Sub-group 1 of WG 4 will meet on Monday 9 March at the World Trade Centre at 09h30.

6.2 Sub-group 2 of WG 4 will meet on Monday 9 March at the World Trade Centre at 10h00.

6.3 WG 4 will meet on Monday 9 March 1992 at the World Trade Centre at 14h00.

6.4 WGSC 4 will meet on Monday 9 March 1992 after the WG 4 meeting at approximately 16h30.

6.5 At the next WG 4 meeting, the question of future meetings of WG 4 and the sub-groups should be discussed to streamline communications about meetings.

Discussion on Consensus with the Codesa DMC

After extensive discussion of the problems around consensus in WG 4, the following was agreed upon:

W1 Codesa is an important and historic process which requires flexibility, generosity and imagination.

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Closure

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WGSCA/MINUTES/2 MARCH

In order to facilitate this process, certain standing rules were approved. An appeal is made to all participants to, in all fairness and good faith, comply with these rules. All parties, including the SA Government, should interpret these rules to create an atmosphere in which

progress is possible.

No participant in this process has any special status. No participant in the process has any veto power. Special circumstances may, nevertheless, be taken into account where applicable.

If sufficient consensus has been reached, the party/s that is not part of that consensus can have their reservations recorded.

All participants were encouraged to return to the task in hand in this spirit and not to create variations of interpretation that will create, rather than solve problems. The point of departure should be to seek consensus rather than pointing out differences.

The DMC expressed the view that it would also be available to discuss this, and other, issues further. The WGSC 4 expressed its gratitude to the DMC for the constructive and positive manner in which the problems were approached.

It was also pointed out that the problems that the Bophuthatswana Government had with signing the Declaration of Intent were already being discussed in the Management Committee.

It was agreed that the whole of WGSC 4 will report back to WG 4 at the next meeting of WG 4 on 9 March 1992.

The meeting closed at 18h30

Party/Organisation

African National Congress
Bophuthatswana Government
Ciskei Government

Inkatha Freedom Party
Inyandza National Movement
Labour Party

SA Government

Transkei Government

Venda Government

SCMINOZ03.WS (3)

WGSCA/MINUTES/2 MARCH

Addendum A

Delegate

M Phosa

BE Keikelame
N Nogcantsi
FT Mdlalose
JM Matsana

J Douw

AT Meyer

S Sigcau

SE Moeti

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP 4 STEERING COMMITTEE. THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY WORKING GROUP 4 STEERING COMMITTEE AT ITS NEXT MEETING.

DRAFT MINUTES OF THE SEVENTH MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 16H00

PRESENT: Delegates (See Addendum A)

SN Sigcau (chair)

S Albertyn (Secretary)
G Hutchings (Minutes)

APOLOGIES: FT Mdlalose

i. Opening by Chairperson

The delegates were welcomed by the chairperson.

Ds Minutes

The minutes of Working Group 4 Steering Committee (WGSC 4) were adopted.

3 Matters arising
3.1 Ad Paragraph 4.1:

It was noted that the request of sub-group 2 to have two rapporteurs had fallen away as the National Party had withdrawn their nomination for a rapporteur.

3 Ad Paragraph 4.3:

It was noted that the minutes of WG 2 and WG 3 had been given to the minute taker of sub-group 3.

4. Agenda

It was agreed that WGSC 4 would draft the agenda for the next Working Group 4 meeting at the next meeting of WGSC 4 on 24 March 1992.

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Telephone (011) 397-1198/99. Fax (011) BOS 1el

Future Meetings

It was agreed that:

Sal The next meeting of WG 4 will be held on Monday 30 March 1992 at 10n00.

See The next meeting of WGSC 4 will be held on Tuesday 24 March 1992 at 16h30 or as soon as the various sub-groups end their meetings.

DES The next meeting of sub-group 1 will be held on Tuesday 24 March 1992 at 09h30. This will be a joint meeting with sub-group 2.

5.4 The next meeting of sub-group 2 will be held on Monday 23 March 1992 at 10h00 and on Tuesday 24 March 1992 at 09h30.

5:5 The next meeting of sub-group 3 will be held on Monday 23 March 1992 at 10h00 and on Tuesday 24 March 1992 at 09h30.

5.6 The next meeting of sub-group 4 will be held on Monday 23 March 1992 at 10h00 and on Tuesday 24 March 1992 at 09h30.

Submissions

It was agreed that the submissions received should be dealt with as follows:

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Letter from Strategy management services (on libraries) : Referred to sub-group 3.

Letter from South African Institute for Librarianship and Information Service : Referred to sub-group 3.

Document entitled "Problems in the Creation of a Climate for Free Political Expression in Bophuthatswana" by Mafikeng Anti-Repression Forum (Maref) : To be circulated to WG 4.

Letter from Federation of Mining Unions dated 28 February 1992 : Referred to the DMC.
Letter from Gideon Enoch Mestrimi dated 19 February 1992 - Referred to the DMC.
Letter from the Stinkwater Community Authority - Referred to WG 4.

Brochure from the NCRC - Just the relevant passage to be circulated to WG 4

Document from the African National Congress Women's League entitled "Codesa Ter

ms of
Reference" - to be circulated to WG 4

Press Statement

It was agreed that the statement from sub-group 2 on "consensus on citizenship" should be sent to the DMC as a proposed press release with the following sentence added at the end of the statement:

"Debate on the two views is still in progress". A copy of the press statement is attached. See

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WGSC4 OATNUTES (OÂ° MARCH

Addendum B.

8. Future Meetings

8.1 It was agreed to submit a proposal, as requested by some of the parties/organisations in the

WG 4 meeting, to the DMC about WG 4 meeting fortnightly and wait for the comments of the DMC.

8.2 The next meeting of WGSC 4 will be held on Tuesday 24 March 1992 at 16h30 or immediately after all the sub-groups end, whichever is the sooner.

9. Closure

The meeting was closed at 16h30.

NOTE:

AS REQUESTED, THE CHAIRPERSON OF WORKING GROUP 4, HAS SET UP A MEETING WITH WORKING GROUP 3 STEERING COMMITTEE FOR TUESDAY 24 MARCH 1992 AT 17H00.

Organisation/Party

ANC

Bophuthatswana Government
Ciskei Government

INM

Labour Party

SA Government

Transkei Government

Venda Government

Addendum A

Delegate

M Phosa

JJ Tlholoe
N Nogcantsi
JM Matsana
T Abrahams
AT Meyer
SW Sigcau

SE Moeti

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WGSCA/MINUTES/9 ARCH

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Sub-group 2 (citizenship) of WG 4 has reached sufficient consensus that South African citizenship be restored. In this regard there are two views:

(a) Citizenship should be restored immediately

(b) Citizenship should be restored after the testing of the will of the people and if such expression of the will is in favour thereof.

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Monday 23 March 1992 :

Monday 23 March 1992 :

Monday 23 March 1992 :

Tuesday 24 March 1992:

16h00

Tuesday 24 March 1992 :

Tuesday 24 March 1992 :

Tuesday 24 March 1992 :

Tuesday 24 March 1992

Monday 30 March 1992 :

SCHEDULE CF MEETINGS

WG 4 Sub-group 2 at 10800 to 16h00

WG 4 Sub-group 3 at 10h00 to 1600

WG 4 Sub-group 4 at 10h00 to 16h00

WG 4 Sub-group 1 and Sub-group 2 to have a joint meeting from 09h30 to

WG 4 Sub-group 3 at 09h30 to 16h00

WG 4 Sub-group 4 at 09h30 to 16h00

WGSC 4 at 16h30 to 17h00

: WGSC 4 and WGSC 3 to meet at 17h00

WG 4 at 10h00 to 13h00

JOINT MEETING OF WGSC} AND WGSC4MINUTES/%4 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE STEERING COMMITTEES OF WORKING GROUPS 3 AND 4, WORKING GROUPS 3 AND 4, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE STEERING COMMITTEES OF WORKING COMMITTEES 3 AND 4 AT THEIR NEXT MEETING.

DRAFT MINUTES OF THE FIRST JOINT MEETING OF THE STEERING COMMITTEES OF WORKING GROUPS 3 AND 4 HELD AT THE WORLD TRADE CENTRE ON TUESDAY 24 MARCH AT 13H00

PRESENT: Delegates (see Addendum A)

S Albertyn (Secretary)
M Durtheim (Minutes)

1. Appointment of chairperson

It was agreed that Mr L Landers would chair the meeting. At future such joint meetings the chairpersons of the two working groups would alternate.

ae Purpose of meeting

all The chairperson explained that the purpose of the meeting was to address the need to arrive at a satisfactory working arrangement between the two working groups in order to avoid unnecessary overlapping. This was necessary because both working groups had briefs to address issues relating to the "TBVC states in the interim".

Boe There was discussion during which delegates stressed the need for consultation between the working groups.

oS Delegates from Working Group 3 explained that their work was progressing rapidly, but

expressed concern that their progress may be retarded by working group 4 not having made sufficient progress of its own.

2.4 The delegates from working group 3 reported that if the TBVC states still existed as sovereign entities by the time an interim government was created, the TBVC states would obviously not be included in the interim South African government.

Bod It was reported from sub group 4 of working group 4 that the following suggestions had been made:

2.5.1 Each of the TBVC states should give up their independent and sovereign status by passing the necessary legislation. They would each automatically become self-governing states within South Africa with the effect that their citizens would again be South African citizens.

2.5.2 If a referendum is held the current citizens of the TBVC states would automatically be part of this process.

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Closure

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JOINT MEETING OF WGSC} AND WGSC4/MINUTES/%4s MARCH

To ensure that the TBVC states and their people do not suffer as a result of giving up their sovereign status, the South African government would be asked to maintain all the bilateral and financial agreements currently in place with the TBVC states.

There would be a need to harmonise the legislation between the TBVC states-and the South African government.

All the TBVC states should agree to these principles to prevent instability and the possibility of violence.

Recognition needed to be given to the fact that the people in the TBVC states wanted to be included in the Codesa process and any interim government agreed upon.

The Bophuthatswana government recorded its objection to the principle of re-incorporation and further recorded that it was not prepared to de-scale its status as an independent state.

The TBVC states agreed to discuss these proposals and report back at the next Working Group 4 meeting.

It was suggested that a meeting between the heads of state of the TBVC states and the South African government should be investigated.

After further input from various representatives it was agreed that

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The TBVC states representatives will consult as a matter of urgency with their principals and one another in view of developments in working group 3 in sub group 4 of working group 4.

Minutes of working groups 3 and 4 will be exchanged.

There will be regular liason between the chairpersons of working groups 3 and 4.

If and when necessary the steering committees of working groups 3 and 4 will re-convene.

The meeting was closed at 14h00.

Party/Organisation

ANC

Bophuthats wana
Ciskei

Democratic Party
Diwankwetla Party

IFP

INM

Labour

National Party
SA Government

Transkei

Venda

Rapporteurs

Delegate

T Mbeki

SS Seane

N Nogcantsi
KM Andrew
RH Mopeli

AJ Macaulay
FT Mdlalose

PMH Maduna
JM Matsana

T Abrahams
LT Landers

DJ de Villiers
AT Meyer

SN Sigcau
LL Mtshizana

SE Moeti
AD Gqokoma

BT Ngcuka
P Kleynhans

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JOINT MEETING OF WGSC3 AND WGSC4/MINUTES/24 MARCH

ADDENDUM A

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP 4 STEERING COMMITTEE, THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY WORKING GROUP 4 STEERING COMMITTEE AT ITS NEXT MEETING.

DRAFT MINUTES OF THE EIGHTH MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES HELD AT THE WORLD TRADE CENTRE ON TUESDAY 24 MARCH 1992 AT 14H00

PRESENT: Delegates (See Addendum A)

SN Sigcau (chair)

S Albertyn (secretary)

M Durtheim (minutes)

APOLOGIES: FT Mdlalose

Le Opening by chairperson

The chairperson welcomed delegates to the meeting.

ae Adoption of agenda

The agenda was adopted. It however was agreed to hear reports on the joint meeting of sub groups 1 and 2 before proceeding with the agenda.

Bs Reports on joint meeting of sub groups 1 and 2

The following persons were present for this item only:

Mr EK Moorcroft - Chair of sub group 1

Mr S Verveen - Chair of sub group 2

Mr G Budlender - Rapporteur for sub group 2

Mr B Ngcuka - Rapporteur for sub group 4

31 Rapporteur for sub group 2, Geoff Budlender, presented a report on the joint meeting of sub groups 1 and 2:

3.1.1 Sub group 2 had presented a written report to the meeting. There was general agreement within sub group 2 about the restoration of South African citizenship to the people of the TBVC states. There was not agreement about whether restoration of citizenship should be immediate or after having tested the will of the people.

The question of whether this amounted to sufficient consensus having been reached was raised

3.1.2 Sub group 1 had presented a written report to the meeting. During the presentation of the report it emerged that there was not consensus within sub group 1. While all parties agree that there should be one referendum to test the will of the people, some parties believe that the votes of the people of the TBVC states should be counted

separately, while others believe that there should be no separate counting of votes. In view of this lack of consensus within sub group | it had been decided not to continue with the joint meeting.

Bee It was agreed that at the next meeting of working group 4 the difficulty faced by sub group 1 will be spelt out.

Bao It was agreed that Geoff Budlender will report to working group 4 on the joint meeting of sub groups 1 and 2. He will submit a written report in advance to the secretariat.

Ms Sigcau handed over the chair to Mr SE Moeti for the rest of the meeting
4.

Adoption of minutes WGSC 4 meeting of 9 March 1992

The minutes of WGSC 4 of 9 March 1992 were adopted with no changes.

Matters arising from WGSC 4 meeting of 9 March 1992

Sell The ANC asked for clarification regarding how press statements (item 7) were handled by Codesa. The matter was discussed.

ee There has not yet been a response from the DMC regarding the proposal that WG 4 meet fortnightly (item 8.1). A reminder will be sent to the DMC.

Matters arising from WG 4 meeting of 9 March 1992

6.1 The problem of minutes being received late (item 4.1) had been addressed.

6.2 The appointment of two rapporteurs (item 7.2) will be placed on the agenda of the next meeting of WG 4.

Agenda for next WG 4 meeting scheduled for 30 March 1992

The agenda for the next meeting of working group 4 was drafted.

Submissions

It was agreed that the submissions received should be dealt with as follows:

8.1 Letter from Popcru: Referred to WG 1.

8.2 Letter from J.V. Desai: Referred to Codesa Secretariat

8.3 Letter from Pule Peter Moate: Referred to WG 4.

8.4 Letter from Bafokeng Action Committee: Referred to WG 1 and 4.

8.5 Letter from ML Sultan Technikon: Only the relevant section to be referred to Codesa Secretariat.

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WGSC4/MINUTES/24 MARCH

8.6 Letter from Dismissed Ciskei Civil Servants: This is a follow-up of a previous letter. The original has already been referred to the DMC. They will be requested to reply.

Future meetings

The following schedule of meetings was agreed to:

Monday 30 March 1992: Working Group 4 - 10h00 to 16h00

Monday 30 March 1992: Working Group 4 Steering Committee to take place after the conclusion of the Working Group 4 meeting

Tuesday 31 March 1992: Working Group 4 Sub Group 1 - 10h00 to 16h00

Tuesday 31 March 1992: Working Group 4 Sub Group 2 - 10h00 to 16h00

Tuesday 31 March 1992: Working Group 4 Sub Group 3 - 10h00 to 16h00

Tuesday 31 March 1992: Working Group 4 Sub Group 4 - 10h00 to 16h00

DMC meeting to discuss dates for Codesa 2

It was agreed to propose 14 - 16 May 1992 as dates for Codesa 2. Mr T Abrahams and Mr A T Meyer were nominated to represent WGSC 4 at the meeting of the DMC to discuss this matter.

Closure

The meeting was closed at 15h15.

Party/Organisation

ANC
Bophuthatswana
Ciskei

INM

Labour

SA Government

Venda

Delegate

M Phosa

SS Seane

N Nogcantsi:

JM Matsana

T Abrahams
S Verveen

AT Meyer

SE Moeti

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WGSC4/MINUTES/24 MARCH

ADDENDUM A

WG4 STEERING COMMITTEE/MINUTES/30 MARCH

THESE ARE DRAFT MINUTES. AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP 4 STEERING COMMITTEE, THE WORKINES GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE, THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP 4 STEERING COMMITTEE AT ITS NEXT MEETING.

MINUTES OF THE NINTH MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 30 MARCH 1992 AT 15H00

PRESENT: Delegates (see Addendum A)

SN Sigcau (chair)

S Albertyn (secretary)

M Durrheim (minutes)

1 Opening by Chairperson

The chairperson welcomed delegates to the meeting. Mr N Nogcantsi was requested to chair the rest of the meeting.

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Adoption of Agenda

The draft agenda was adopted.

3 Adoption of minutes of WGSC 4 meeting of 24 March 1992

The minutes of WGSC 4 meeting of 24 March 1992 were adopted with no changes.

4° Matters arising from WGSC 4 meeting of 24 March 1992

4.1 Point 5.1: The ANC asked for further clarification regarding statements to the press. It was reiterated that parties may not report on proceedings in meetings, but are free to clarify their own positions regarding matters discussed at Codesa. Delegates agreed that difficulties arise when a party is asked to respond specifically to the position taken by another party at Codesa.

4.2 Point 5.2: A reminder will be sent to the DMC regarding the proposal that WG 4 meet fortnightly.

4.3 Point 8: Concern was expressed that submissions referred to WG 4 were not being adequately

dealt with. It was agreed that this item would be placed on the agenda for the next meeting of WG 4 in order to give delegates the opportunity to address the issues raised in the various submissions which had been circulated to them.

4.4 Point 10: It was reported that the DMC had turned down the proposal from WGSC 4 that Codesa II be held from 14 - 16 May 1992, and that a decision by the DMC in this regard is still pending.

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WG4 STEERING COMMITTEE/MINUTES/30 MARCH

Adoption of minutes of joint meeting of WGSC 4 and WGSC 3 of 24 March 1992.

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Matters

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Agenda

It was agreed that these minutes should be adopted at the next joint meeting of WGSC 4 and WGSC 3.

Concern had been expressed in WG 4 regarding the views expressed at the joint meeting as recorded under point 2.5. It was agreed to amend the introductory sentence to point 2.5 to read "Mr T Abrahams, expressing his personal views, highlighted various suggestions being considered by sub group 4 of WG 4:"

It was agreed that an agenda should be drawn up well in advance of the next joint meeting of WGSC 4 and WGSC 3. This is in order to give WG 4 the opportunity to discuss beforehand the reports to be presented and, if necessary, to request that the chairs of the sub groups be present at the joint meeting.

arising from WG 4 meeting of 30 March 1992

Position statements by TBVC states and the SA Government

Gnleal It was agreed that:

6.1.1.1 the position statements will be sent to Codesa and then distributed to all WG 4 delegations.

6.1.1.2 the rapporteurs of WG 4 will be asked to summarise each of the position statements, drawing out areas of similarity and difference, and then to liaise with the chairs of the sub groups regarding how the statements affect the work of each sub group

6.1.1.3 the reports by the rapporteurs will be presented to the next meeting of WG 4, :

Role of WG 4 Rapporteurs

[t was agreed that Ms Sigcau will meet with Mr Budlender and Mr Memela in order to brief them regarding their roles as rapporteurs for WG 4.

Statements to the Press

WGSC 4 had been requested in the meeting of WG 4 to look at an article in which an ANC delegate to WG 4 is quoted with respect to re-incorporation of the TBVC states. It was agreed

to discuss the matter at the next meeting of WGSC 4 because delegates had not yet had

sufficient time to read the article.

for next meeting of WG 4

The agenda for the next meeting of WG 4 was drafted.

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WG4 STEERING COMMITTEE/MINUTES30 MARCH

Dates and times for next meeting of WG 4

[It was agreed that WG 4 would meet on Monday 13 April. If the Management Committee of Codesa

decides to grant Codesa staff a holiday for that week, WG 4 will meet on Tuesday 21 April 1992. The

sub groups will meet immediately after the WG 4 meeting. If the meeting lasts the whole day the sub

groups will meet on Wednesday 22 April 1992.

Submissions received

A submission had been received from the Braklaagte Community. It was agreed to circulate it to WG

4. to be discussed at the next WG 4 meeting if necessary.

Dates and times for next meeting of WGSC 4

The next meeting of WGSC 4 will take place after the next plenary session of WG4.

General

In view of the recent fuel price increase it was agreed to request that the DMC raise the transport claim allowance.

Closure

The meeting was closed at 16h10.

Party/Organisation

ANC

Cisket

ie

INM

SA Government

Venda

Delegate

M Phosa

N Nogcantsi

FT Mdlalose

JM Matsana

AT Meyer

SE Moeti

SCMN3003.WS

WG-4 STEERING COMMITTEE MINUTES/30 MARCH

ADDENDUM 4

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WGh SG1/MINUTES/18 FEBRUARY

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUB COMMITTEE. THE WORKING GROUP. THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TU RATIFICATION BY THE SUB COMMITTEE AT ITS NEXT MEETING.

MINUTES OF THE FIRST MEETING OF SUB COMMITTEE 1 (TESTING THE WILL OF THE PEOPLE) OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY 1992 AT 16H00 AND TUESDAY 18 FEBRUARY 18 FEBRUARY 1992 AT 09H00

PRESENT: Delegates (See Addendum A)
E Moorcroft (chair)
M Durrheim (minutes)

fe Election of chairperson

Mr EK Moorcroft assumed the chair having been nominated as the chairperson of the sub c ommittee
on 17 February 1992.

DP Agenda
The following agenda was agreed upon:

Introduction and domestic matters.

Approval of working document A (Addendum B).
Approval of working document B (Addendum Â©)
Discussion of points in working document B.
Any other matters.

Final statement.

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11 Approval of WORKING DOCUMENT A (Addendum B)

The chairperson submitted working document A. The document was discussed and it was ageeed that it would be useful as a basis for further discussion.

ae Approval of WORKING DOCUMENT B (Addendum Â©)

General agreement was reached on the desirability of using working document B as a framework for further discussion.

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Discussion of points in WORKING DOCUMENT B (Addendum C)

The sub committee discussed the three alternative procedures regarding re-incorporation :

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Option 1.1 (see Addendum C)

It was agreed that option 1.1 is not viable at this stage because no new dispensation exists yet in South Africa. The ANC, NIC/TIC, SACP and Venda government recorded their objections to the principle set out in option Ieee

Option 1.2 (see Addendum C)

Only the Bophutatswana government supported option 1.2 i.e. that it is the responsibility of the respective TBVC stateâ\200\231s government to decide regarding re-incorporation.

Option 1.3 A and B (See Addendum C)

2.3.3.1 there was broad agreement that a referendum would be the desirable means of testing the will of the people. The question arose as to whether the referendum should be on a national of TBVC state basis. There was substantial support from the NP, ANC and other delegates for the proposal that the referendum should be on a national basis. The IFP noted its objection.

2.3.3.2 it was agreed that race and/or ethnicity would not be criteria in the referendum.

Date and time of next meeting

The steering committee will be requested to advise members of the date and time of the next meeting of this sub committee. The steering committee will be advised that this sub committee s trongly objects

to meeting on a Tuesday.

Closure

The chairperson closed the meeting at 15h00.

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The following persons attended the meeting of sub comm
and Tuesday 18 February:

Organisation

ANC

Bohputatswana

Ciskei Government
Democratic Party
Dikwnakwetla Party
Inkatha

Intando Yesizwe Party
Inyandza National Movement
Labour Party of SA
National Party

NPP

NIC

SACP

SA Government
Solidarity Party
Transkei Gere:
UPF

Venda Government

Ximoko Party

Delegate

M Phosa

SS Seane

N Nogcantsi
EK Moorcroft
MJ Molapo

B Anderson
M Mahlangu
J Matsana

W Whyte

PJ Farrell

RC Panday

J Yawitch

S Ngonyama
AT Meyer

Y Seedat

LM Bengu
NM Malekana
RR Subana

C Khosa

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WG4 SG1/MIMUTES/18 FEBRUARY

ADDENDUM A

ttee 1 of working group 4 on Monday | 7 February

ADDENDUM C

WORKING DOCUMENT B OF WG4 SUBGROUP 1 (TESTING THE WILL OF THE PEOPLE)

Whereas the parties at Codesa have committed themselves in the terms set out in the Declaration of Intent as amended from time to time

nN

In respect of those members who support re-incorporation, there appear to be three alternative procedures:

1 a unilateral action on the part of the S.A. government,

2 assuming that the governments of the TBVC States are sufficiently representative of the people of these States, their decision should be accepted as final:

3 a number of participants have indicated that the people themselves should indicate whether they are in favour of incorporation. [In connection with this point, the following issues arise:

A. What method should be employed to test the feelings of the people:- referendum? opinion poll? election? etc.

B. Who will be entitled to express an opinion:- citizens? residents of the TBVC States? and/or citizens also resident outside these States within RSA? and/or all South Africans?

The W.G.S.C. will also have to consider the implications of the attitude taken by e.g. Bophutatswana - that the Bophutatswana Government is not in favour of re-incorporation.

How to deal with the attitude taken by some participants that before the governments or people of the TBVC States be called upon to express an opinion, clarity must first be achieved about the type of state into which these states may be re-incorporated. In particular, the extent to which there will be strong regional features in the S.A. Constitution.

Strategies to keep the people of the TBVC states fully informed, especially to avoid unfortunate misunderstandings.

Addendum B

WORKING DOCUMENT A OF WG4 SUBGROUP 1 (TESTING
THE WILL OF THE PEOPLE)

Consequent to considerable time and effort having already been spent in plenary session, investigating and reporting on all proposals and recommendations with regard to the relationships between South Africa and the TBVC states under a new constitution, the following key issues and problems have been identified:

Is it desirable to support the reincorporation of the TBVC states into the new South Africa?

and

Is it desirable to test the will of the people regarding reincorporation?

Furthermore, as a consequence of the debate which has already been conducted, together with the written submissions made, the following areas of commonality have been identified:

I. All delegations, with the exception of Bophuthatswana, have no objections to reincorporation.

Bophuthatswana does not consider reincorporation at the present time, and is still considering constitutional options.

N

All delegations, with the possible exception of Ciskei, have agreed that the people themselves must have a deciding voice in this matter.

In its written submission, Ciskei is of the opinion that the people have already spoken. However, subject to decisions taken at CODESA, Ciskei will have no objections to testing the will of the people.

The ANC believes that it is the will of all the people of South Africa, including the TBVC states, to be tested on a non-ethnic and non-racial basis.

In terms of broad principles, therefore, there is substantial (but not unanimous) agreement that it would be desirable to reincorporate the TBVC states and that some sort of testing of the will of the people will be part of this procedure.

SG1MN2402.. WS(3)

WGA SG1/MINUTES/24 FEBRUARY

THESE ARE DR AFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUB COMMITTEE, THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB COMMITTEE AT ITS NEXT MEETING.

DRAFT MINUTES OF THE SECOND MEETING OF SUB COMMITTEE 1 (TESTING THE WILL OF THE PEOPLE) OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 24 FEBRUARY 1992 AT 15H00

PRESENT: Delegates (see Addendum A)

E Moorcroft (chair)

M Durtheim (minutes)

ie Chairperson's opening remarks

Delegates were welcomed by the Chairperson.

0c Agenda

The agenda for the meeting was adopted.

3c Confirmation of minutes

Bell The IFP recorded its objection to the inclusion of working document A in the minutes.

Bee, Point 2.3.1 was amended to read as follows:

Option 1.1 (see Addendum C)

It was agreed that option 1.1 is not viable at this stage because no new dispensation exists yet

in South Africa. The ANC, NIC/TIC, SACP, Venda government and UPF moved for action by the South African government.

WEA SG1/MINUTES/24 FEBRUARY

3.3. Point 2.3.2. was amended to read as follows:
Option 1.2 (see Addendum C)

Only the Bophuthatswana government supported option 1.2 i.e. that it is the responsibility of the Bophuthatswana government to decide regarding re-incorporation. The SA Government and National Party refrained from commenting on this point.

3.4 Item 2.3.3.1. was amended to read as follows:

there was broad agreement that a referendum would be the desirable means of testing the will of the people. The question arose as to whether the referendum should be on a national or TBVC state basis. The SACP requested that it be noted that while they would prefer reparation to a referendum, they are not averse to a referendum.

The debate continues.

3.5 Point 2.3.3.2 was amended to read as follows:

it was agreed that race and/or ethnicity would not be criteria in the referendum. The ANC proposed that the referendum should also be supervised by Codesa. The question of Codesa's involvement in the supervision of the referendum was raised. Some were in favour, others were not. The debate continues.

3.6 The minutes were adopted with the above-mentioned amendments.

37 The IFP recorded its dissatisfaction with the minutes.

360) It was agreed that minutes of meetings of sub group 1 should in future be adopted by the sub group before they are circulated to other committees.

Appointment of Rapporteur

Advocate Tladi, legal advisor to the Lebowa government, and Mr Montwedi of SECOSAF, were the

two names were put forward to the meeting to act as rapporteurs, but finality could not be reached.

It was therefore agreed that a brief CV of each person would be made available by the nominating parties to delegates in order to facilitate a decision at the next meeting of the subgroup.

NOTE:

SG1MN2402. KS(3)

WGA SG1/MINUTES/24 FEBRUARY

Documents distributed

The following documents were distributed:

3 Submission by the Venda government of Sub-committee 1 of W.G. 4 on Testing the Will of the People (Addendum B)

* Intando Yesizwe Party (Addendum C)

Date and time of next meeting

The next meeting of sub group 1 will be held on Monday 2 March 1992 at 09h30.

Closure

The meeting closed at 16h00.

Working Group 4 will not meet on Monday 2 March in order to give the sub committees time to meet.

The following persons attended the:

1992:

Organisation
ANC

Bohputatswana

Ciskei Government
Democratic Party
Dikwnakwetla Party
Inkatha

Intando Yesizwe Party
Inyandza National Movement
Labour Party of SA
National Party

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NIC

SACP

SA Government
Solidarity Party
Transkei Government
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Venda Government

Ximoko Party

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ADDENDUM A

meeting of sub committee | of working group 4 on Monday 24 February

Delegate

M Phosa

SS Seane (until 15h30)
JJ Tlholoe (from 15h30)
N Nogcantsi

EK Moorcroft

MJ Molapo

B Anderson

M Mahlangu

J Matsana

W Whyte

PJ Farrell

RC Panday

J Yawitch

S Ngonyama

AT Meyer

Y Seedat

LM Bengu

NM Malekane

RR Subana

C Khosa

GobenoOun

SUBMISSION BY THE VENDA GOVERNMENT TO SUB-COMMITTEE I ORM WII Gra Â© NESTE HMINN G:

THE WILL OF THE PEOPLE

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Suce en Seeshionens) edemencleusneleneeneNeusneNenensnencecks

As early as 1989 the people of Venda have clearly indicated to the govern
ment that they would favour re-incorporation back into their legitimate
country South Africa. This they pronounced through petitions, demonstra-â\200\224
tions etc. However this action did not come as a surprise because the
masses had already realized that by accepting independence which was pro-â\200\224
posed to the Venda authorities then, did not only mean that their citizen-â\200\224
ship was lost, but that Venda was not economically viable, not interna-â\200\224
tionally recognised, but continually obtained inadequate funds from the RSA

government.

The recent political developments in RSA, especially the coming into being
of CODESA were indeed exciting to the Venda citizens and the government
because we view CODESA an institution which will facilitate the re-incopoâ\200\224
ration of the independent states. With CODESA in its place today, we do
not see any need for any bi-lateral meetings on reâ\200\224incorporation of the
states.

We therefore consider it a matter of importance that the RSA government
prepare Legislation that will nullify the Status Acts Or dne WIWC Swerces
as) Soon as it ls) practicalâ\200\231: This action will make lt possible for all
the RSA Citizen to participate in constituting the Interim Government and
in participating in the Nation Referundum, a matter which we consider

very necessary.

The holding of referanda, elections etc, to test the will of the people
regarding re-incorporation is in our view just but a useless exercise
became all S.A.'s citizens have always in one way or another registered
their intentions to re-incorporate and to be finally united with their

fellow S.A. brothers.

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©) Â© Â¢) 0) 00) Â«) 67.0) + Â©) 16/10/16) 6119) 8) Â© (0) (©) 0) 0) 6)1© (eo) 6) e))e)
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Wig, Of Intancdo Vesiave Sanya pS ASO UI Ce nm Was nrc I) NGL Na ol IG) Nan
including the TBVC States. We also view people of Sout Aririea as vac
nation. ie i@ mith tails understanding Lat wo Sigm@s tne declarateren

of Intent, in good faith.

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We therefore say all rights of the DIGO DP CmOlaee > Â© Une ler Uarapne clue:

to the people of South Africa without further delay.

Our believe is that CODESA is the forum charged with the task of
creating a premise for a change from old order of the separation of
people from people ethnically or otherwise, to the new order of democrati

non-sexist, free and united South Africa.

The government of South Africa being signitory to the declaration of
Intent, and having that power of government be charged with the task of
restoring the citizenship of the TBVC States by reversing all relevant

acts en-bloc as a matter of urgency.

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a nation by testing the will separately. To us THOS WS jor imcsuc xOj9)

of apartheid and a mockery to a peace loving people of South Africa.

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WGA SG1/MINUTES/2 MARCH

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUB GROUP, THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB COMMITTEE AT ITS NEXT MEETING.

DRAFT MINUTES OF THE THIRD MEETING OF SUB GROUP | (TESTING THE WILL OF THE PEOPLE) OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 2 MARCH 1992 AT 09H30

PRESENT: Delegates (see Addendum A)
E Moorcroft (chair)
M Durrheim (minutes)

Li: Chairperson's opening remarks

Delegates were welcomed by the Chairperson and the meeting was opened with prayer.

Ze Agenda

The agenda for the meeting was adopted.

Ss Confirmation of minutes of meeting held on 24 February 1992

The minutes of the meeting held on 24 February 1992 will be amended as follows:

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3.4

Point 3.1 should read as follows:

The IFP recorded its objection to the inclusion of working document B in the minutes.

Delete from point 2.3.2 the sentence which reads: "The SA Government and National Party refrained from commenting on this point."

Delete point 3.7 which reads: "The IFP recorded its dissatisfaction with the minutes."
Add to the list of documents distributed:

Submission by the South African government containing:

(i) Department of Home Affairs: Paper regarding Referenda.

(ii) South African Law Commission: In its Report on Constitutional Models Chapter 19, inter alia, Deals with Referenda: October 1991.

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WG4 SG1/MINUTES/2 MARCH

Election of a Rapporteur

The NP circulated a curriculum vitae for Mr P D Montwedi of SECOSAF and motivated for his appointment as rapporteur.

The SACP motivated for the appointment of Advocate M P Tladi as rapporteur. His curriculum vitae was subsequently circulated.

It was later agreed that the chairperson should report back to Working Group 4 on proceedings in sub group 1, and that a rapporteur was not required for this task. However it was agreed that it is still necessary for this sub group to nominate a rapporteur for the task of reporting back to Codesa 2 on proceedings in Working Group 4.

Documents distributed

The following documents were distributed at the meeting:

cs Submission of the United People's Front on "Testing the Will of the People of the T.B.V.C. States" on the 1992.02.24 to the sub committee one of Working Group 4 of Codesa "The Future of the T.B.V.C. States

~ South African government document headed "Re-incorporation: Procedural Steps Strategies for Information

It was agreed that sub group 1 would submit to working group 4 that the steering committee of working group 4 set up an independent and objective broadcasting facility, perhaps called "Voice of Codesa". Broadcasting would be via all electronic media (TV, radio etc) at prime time. "Voice of Codesa" would broadcast directly from Codesa after the usual weekly press conference, so that it is seen to be objective and independent. The spokesperson would be the chair of the management committee.

Continuation of discussion of points in Working Document B

The chairperson circulated a document which he had compiled that summarised proceedings thus far in the sub group. It was agreed that the document would not be circulated more widely in its present form, but would be part of the documents submitted to the rapporteur for his/her report on proceedings.

VEZ, The chairperson circulated a second document which summarised the matters under debate in the working group. This document was used as a framework for the discussion that followed:

eee There was considerable discussion regarding the timing of a referendum to test the will of the people regarding re-incorporation. Concern was expressed by some delegates that if a new constitution was not yet in place in South Africa, voters would be asked to decide about taking a step into the dark. Other delegates voiced their concern that citizens of the TBVC

states be given the option to participate in the transitional arrangements and drawing up of the new constitution.

The Bophuthatswana government recorded its position i.e. if the

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7.2.4

Review of progress

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WGA SG1/MINUTES/2 MARCH

Bophuthatswana government decides that it is necessary to test the will of the people, the referendum would be conducted by the Bophuthatswana government.

The chairperson pointed out that each TBVC state will have to pass the necessary legislation to permit a referendum to take place.

It was agreed that the will of the people needs to be tested as soon as possible. In order to ascertain at what stage the referendum should take place it was felt necessary to liaise with sub groups 2 and 3 of Working Group 4. It was agreed to suggest to working group 4 that a sub committee be formed to liaise between these three sub groups.

It was agreed that if the will of the people in the TBVC states is to be identified, then it will be necessary to count their votes separately from those of the rest of South Africa.

The ANC, SACP and NIC/TIC placed on record that they do not agree with a separate counting of votes if this is based on ethnicity or race.

The eligibility of voters was discussed.

The role of Codesa in the referendum was discussed. It was agreed that in South Africa the referendum should be supervised by Codesa. With respect to the TBVC states it was agreed the referendum should be supervised by Codesa, provided this was done in co-operation with the administrations of the respective states. The Bophuthatswana government recorded its objection to any role being played by Codesa in Bophuthatswana.

Concern was expressed about the capacity of Codesa to play the kind of role the sub group envisaged for it unless its financial position could be improved. It was felt that Codesa should be bolstered up by the international community and allowed to raise funds.

The chairperson referred to the Terms of Reference for sub group 1 and reviewed the progress the sub group had made thus far. All the points in the Terms of Reference have been discussed. It is necessary at this stage to decide how much consensus has actually been achieved before reporting back to Working Group 4. The chairperson will draw up a document which will form the basis for discussion at the next meeting of the sub group.

Date and time of next meeting

The next meeting of sub group | will take place at 09h30 on Monday 9 March 1992.

(Working Group 4 will meet at 14h00 on Monday 9 March 1992)

Closure

The meeting closed at 15h20.

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ADDENDUM A

The following persons attended the meeting of sub group 1 of working group 4 on Monday 2 March 1992.

Organisation

ANC

Bohputats wana

Ciskei Government
Democratic Party
Dikwankwetla Party
Inkatha

Intando Yesizwe Party
Inyandza National Movement
Labour Party of SA
National Party

INf 1212

NIC

SACP

SA Government
Solidarity Party
Transkei Government
UPF

Venda Government

Ximoko Party

Delegate

M Phosa

SS Seane

N Nogcantsi
EK Moorcroft
M Moge

B Anderson

M Mahlangu

J Matsana

W Whyte

PJ Farrell

RC Panday

J Yawitch

S Ngonyama
AT Meyer

Y Seedat

LM Bengu
NM Malekane
RR Subana

C Khosa

SG1M0903. WS(2)

WG4 SG1/MINUTES/9 MARCH

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUB GROUP, THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUB GROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF THE FOURTH MEETING OF SUB GROUP | (TESTING THE WILL OF THE PEOPLE) OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 09H30

PRESENT: Delegates (see Addendum A)

EK Moorcroft (chair)

M Durrheim (minutes)

16 Apologies

N Nogcantsi
B Anderson

The abovementioned delegates were absent for the first half of the morning.

De Chairperson's opening remarks

Delegates were welcomed by the chairperson and the meeting was opened with prayer.

Je Agenda

The agenda for the meeting was adopted.

4. Confirmation of minutes of meeting held on 2 March 1992

The minutes of the meeting held on 2 March 1992 will be amended as follows:

4.1 Point 6 will be amended to read as follows:

It was agreed that sub group 1 would submit to working group 4 that the management committee of Codesa set up an independent and objective broadcasting facility, perhaps called "Voice of Codesa". Broadcasting would be via all electronic media (TV, radio etc) at prime time. "Voice of Codesa" would broadcast directly from Codesa after the usual weekly press conference, so that it is seen to be objective and independent. The spokesperson would be the chair of the management committee.

4.2 The fourth paragraph of point 7.2.1 will be amended to read as follows:

It was agreed that the will of the people needs to be tested as soon as possible. In order to ascertain at what stage the referendum should take place it was felt necessary to liaise with working groups 2 and 3. It was agreed to suggest to working group 4 that a sub-committee be formed to liaise between these three working groups.

4.3

4.4

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WG4 SG1/MINUTES/9 MARCH

Point 7.2.4 will be amended to read as follows:

The role of Codesa in the referendum was discussed. It was agreed that in South Africa the referendum should be Codesa-driven. With respect to the TBVC states it was agreed that the referendum should be Codesa-driven, with the co-operation of the states involved. The Bophuthatswana government recorded its objection to any role being played by Codesa in Bophuthats wana.

Point 7.2.5 will be amended to read as follows:

Concern was expressed about the capacity of Codesa to play the kind of role the sub group envisaged for it unless its financial position could be improved. It was felt that Codesa should be bolstered by the international community and allowed to raise funds. It was felt that this problem should be drawn to the attention of working groups 2 and 3.

The minutes were adopted together with the above amendments.

Matters arising

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Election of a Rapporteur

The National Party stated that, in view of the important progress sub group 1 has made, in the spirit of co-operation that the respective delegations have established at Codesa thus far, and in the belief that this spirit of co-operation can be extended to all delegations when needed in future, the National Party was prepared to withdraw its nomination for a rapporteur. The National Party appealed to the SACP to withdraw their nomination for a rapporteur and agree that the chairperson of sub group 1 should continue to report back to working group 4. The SACP agreed to this proposal.

It was agreed that the chairperson of sub group 1 will report back to working group 4 and liaise with the two rapporteurs appointed by working group 4 in the drawing up of the report for Codesa 2.

Strategies for information

Delegates were informed that the steering committee of working group 4 had requested that the sub group include this request in its report to working group 4.

Liaison with working groups 2 and 3

Delegates were informed that the steering committee of working group 4 had suggested that at

sub group 1 include the request for liaison between sub group 1 and working groups 2 and 3 in its report to working group 4.

Review of progress made

6.1

The chairperson presented a "Summary of Proceedings" (Addendum B).

6.1.1 During the ensuing discussion it was agreed that with regard to eligibility of voters

sub group 1 is unable to make a recommendation until it has heard the

recommendations of sub group 2 of working group 4 and working groups 2 and 3.

6.1.2 It was agreed that the Summary of Proceedings be adopted by the sub group and

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ct SG1/MINUTES/9 MARCH

included in the minutes (Addendum B).

6.2 Delegates agreed upon the wording of a document headed "Final Summary of Proceedings"

which will be included in the minutes (Addendum C) and presented to working group 4.
Votes of thanks

All delegates thanked the chairperson for the role he had played in facilitating the working of sub group

1. The chairperson also thanked the delegates for the positive spirit of co-operation evident during

proceedings.

Date of next meeting

It was agreed not to set a date for the next meeting of sub group 1 until there has been liaison with the other sub groups and working groups referred to above.

Note: At a steering committee meeting held at 16h00 on Monday 9 March it was decided that

all delegates of sub group 1 should meet together with all delegates of sub group 2 (Citizenship) of working group 4. This meeting will take place at the World Trade Centre on Tuesday 24 March from 09h30 to 16h00.

Closure of meeting

The meeting was closed at 12h50.

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WG4 SGI/MIMSTES/9 MARCH

ADDENDUM A

The following persons attended the meeting of sub group 1 of working group 4 on Monday 9 March 1992.

Organisation Delegate
ANC M Phosa
Bohputatswana SS Seane
Ciskei Government N Nogcantsi
Democratic Party EK Moorcroft
Dikwankwetla Party MC Noge
Inkatha B Anderson
Intando Yesizwe Party M Mahlangu
Inyandza National Movement J Matsana
Labour Party of SA W Whyte
National Party PJ Farrell
NPP RC Panday
NIC J Yawitch
SACP S Ngonyama
SA Government AT Meyer
Solidarity Party Y Seedat
Transkei Government LM Bengu
UPF NM Malekane
Venda Government RR Sumbana
Ximoko Party C Khosa

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WGA SG1/PRELIMINARY SUMMARY/9 MARCH

ADDENDUM B

PRELIMINARY SUMMARY OF PROCEEDINGS OF SUB GROUP 1 (TESTING THE WILL OF THE PEOPLE) OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES)

I. Sub group | approached its brief in the following way:
first it dealt in broad general terms with points 1.1 to 1.3 of its terms of reference, which include the investigation of the relationships between the TBVC states and South Africa under a new South African constitution. In particular it sought to identify key issues and problems, as well as areas of commonality between participating delegates. Two key issues were identified. These are:

e1 Is it desirable to support the re-incorporation of the TBVC states into a new South Africa? and
ed) Is it desirable to test the will of the people regarding re-incorporation?
Ze The question of testing the will of the people forms part of the specific brief of sub group 1.

Boll As a consequence of debate, together with perusal of written submissions, the following areas of commonality have been identified:

lee All delegates, with the exception of Bophuthatswana, have no objection to re-incorporation. Bophuthatswana is still considering constitutional options.

PoMhoZ All delegates, with the exception of Bophuthatswana, agree that the people themselves should have a deciding vote in this matter, i.e. the will of the people must be tested. Bophuthatswana has expressed the view that such a decision should be the responsibility of the Bophuthatswana government.

3. There was broad agreement between those delegates who supported the concept of "testing the will of the people" that the best way of testing this will would be by means of a referendum. The SACP stated that whereas its attitude was that restoration of citizenship by the SA government was desirable, it was nonetheless not averse to a referendum.

4. All delegates agreed that the referendum should not be held on the basis of race or ethnicity.

5: There was also general agreement (with the exception of Inkatha) that the referendum should be held on

a nation-wide basis i.e. that separate referenda should not be held in each TBVC state independent from the rest of the RSA.

6. Two key issues were identified. These were:

6.1 The question to be asked in the referendum, and
6.2 The timing of the referendum.

ees Central to these two issues will be the recommendations made by sub group 2 regarding the constitutional

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WGA SG1/PRELIMINARY SUMMARY/9 MARCH

future of the RSA. It was agreed that when these recommendations are put to the people of South Africa for their approval, then they should be put to the people of the TBVC states also.

ipa The Bophuthatswana government recorded its position i.e. that if the Bophuthatswana government decides that it is necessary to test the will of the people, the ensuing referendum would be conducted by the Bophuthatswana government.

It would then follow that rejection of the recommendations by the people of any one or more of the TBVC states would also indicate rejection of the idea of re-incorporation by that state or states.

It was agreed that if the will of the people in the TBVC states is to be tested, then it will be necessary to count the votes of the people in those states separately from those of people in the rest of the RSA.

9.1 The ANC, SACP, and NIC/TIC placed on record that they would not accept a referendum in which separate counting was done on the basis of race or ethnicity.

With regard to the timing of the referendum, it was agreed that the will of the people in the TBVC states should be tested as soon as possible.

10.1 It was felt strongly by the ANC, SACP and NIC/TIC that all the people of the TBVC states should be given the opportunity to participate in the transitional arrangements and in the drawing up of the new constitution.

It became clear that a difficulty existed between those who believe that re-incorporation should take place sooner in order that the people of the TBVC states should be able to participate more fully and those who believe that re-incorporation should take place later so that the people will not be called upon to "take a step in the dark" i.e. they should first know what it is that Codesa has decided.

It was pointed out that the difficulty was rooted in the problem of co-ordinating the proceedings of working groups 2, 3 and 4.

The NIC/TIC, ANC and SACP placed on record their position that re-incorporation of the TBVC states should be by means of a unilateral act by the South African government.

The eligibility of voters was discussed i.e. who would be eligible to vote in the TBVC states. Would it be citizens only, or would residents also be included?

14.1 Bophuthatswana made it clear that only those in possession of Bophuthatswana citizenship would be allowed to vote, although it was stressed that this citizenship was open to all who resided within the boundaries of that state.

14.2 It was agreed that with regard to eligibility of voters sub group 1 is unable to make a recommendation until it has heard the recommendations of sub group 2 of working group 4 and working groups 2 and 3.

There was strong agreement that the referendum should be Codesa-driven.

15.1 With regard to the TBVC states, it was agreed that the referendum should be supervised by

Codesa provided that this was done in co-operation with the administrations of the respective states.

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| 15.2 The Bophuthatswana government recorded its objections to any role being played by Codesa in Bophuthatswana.

15.3. Concern was expressed that unless Codesa's financial capacity was increased, it would not be able to play the kind of role envisioned for it.

15.4 It was agreed that the possibility of Codesa recruiting international funding be pursued.

16. It was agreed that if the people of the TBVC states were to be kept fully informed of the proceedings of Codesa, then full use should be made of all electronic media, (TV, radio etc). It was suggested that a "Voice of Codesa" be created which would broadcast directly from Codesa after the usual weekly press conference. The spokesperson would be the chair of the management committee. The reports would then be seen to fair, free and objective.

ADDENDUM C

FINAL SUMMARY OF PROCEEDINGS OF SUB GROUP 1 (TESTING THE WILL OF THE PEOPLE) OF
WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES)

With the exception of Bophuthatswana, which expressed certain reservations, sufficient consensus has been reached on the following points related to our terms of reference:

- a)
- b)
- c)
- d)
- e)
- g)

That the will of the people in the TBVC states be tested.

That such a test be done concurrently with the rest of South Africa and that race or ethnicity should play no role in the process.

That testing be done by way of a referendum.

That the question asked be related to the constitutional recommendations/proposals made by Codesa.

With regard to the eligibility of voters this sub group is unable to make recommendations until it has heard the recommendations of sub group 2 of working group 4 and working groups 2 and 3.

That the referendum should be driven by Codesa in co-operation with the administrations of the respective States.

That a "Voice of Codesa" be established.

The following additional points are for noting:

- i)
- ii)

That the referendum take place as soon as is practically possible (pending "d" above).

That a liaison committee be established in order to co-ordinate the further proceedings of Working Groups 2, 3 and 4.

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Monday 23 March 1992 : WG 4 Sub-group 4 at i0h00 to ished

Tuesday 24 March 1992 : WG 4 Sub-group 1 and Sub-group 2
joint meeting from 09h30 to ishood

Tuesday 24 March 1992 : WG 4 Sub-group 3 at 09h30 to i6h00

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Tuesday 24 March 1992 : WG 4 Sub-group 4 at 09h30 to i

Tuesday 24 March 1992 : WGSC 4 at 16h30 to 17n00

Tuesday 24 March 1992 : WGSC 4 and WGSC 3 to meet at 17nC0

Monday 30 March 1992 : WG 4 at 10h00 to 13h00

to have a

SUBGRP1 & UMINUTES/24 MARCH 1992

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF SUB-GROUPS ONE AND TWO, THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO THE RATIFICATION BY SUB-GROUPS ONE AND TWO.

DRAFT MINUTES OF THE FIRST JOINT MEETING OF SUB-GROUPS ONE AND TWO OF WORKING GROUP FOUR (FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON TUESDAY 23 MARCH 1992 AT 10h00.

PRESENT: Delegates (See Addendum A)

S Verveen and EK Moorcroft (chairs)

S Albertyn (secretary)

J Steinberg (minutes)

APOLOGIES: none

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Chairperson's opening remarks

The chairperson (Mr Verveen) drew attention to the fact that he had been elected Acting Chairperson of sub-group 2, in the absence of Mr CTD Marivate. He appealed to all delegates to remember that the proceedings of Codesa are accountable to those who are not here, the people of South Africa. Presentation of report of sub-group 2

The chair presented sub-group two's report. A copy is attached marked "addendum C"

Discussion of report of sub-group 2.

3.1.1 The Democratic Party submitted that paragraph 1.1 of sub-group two's report, which states that sub-group two has reached sufficient consensus that South African citizenship be restored, contradicts with paragraph 1.1(b) of the same document, which states that the restoration of South African citizenship be decided upon by a test of the will of the people.

3.1.2 It was clarified that sub-group 2 had agreed in principle that citizenship should be restored to the people of the TBVC states. On the question of how and when this restoration of citizenship should take place, there were two views:

(a) citizenship should be restored immediately .

(b) citizenship should be restored subject to the will of the people being tested and supporting it.

3.2 The South African government recorded that it envisaged that the process of deciding the future of the TBVC states should occur in the following three phases:

3.2.1 The will of the people of the TBVC states vis a vis reincorporation be tested.

3.2.1 If the outcome of the testing of the will of the people reflects a desire for re-

incorporation, then

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SUBGRP1 & 2/MINUTES/24 MARCH 1992

both re-incorporation and citizenship restoration will follow in due course.

3.2.3 If the outcome of the testing of the will of the people reflects a lack of desire for re-incorporation, then there will be no restoration of South African citizenship. The South African government submitted, on the basis of the above, that the question of the restoration of South African citizenship is inextricably linked to the testing of the will of the people.

3.3 The ANC raised its concern that the South African Government's proposal represents a sudden change in position. The ANC noted that this position was not raised as a part of the de liberations which led to the drawing up of sub-group two's report.

3.4 The SACP submitted that the very term "restoration" was chosen because citizenship had been taken away illegitimately. It follows, therefore, that citizenship be restored immediately.

3.5 The meeting concluded its discussion without sufficient consensus on the relationship between the restoration of citizenship and the testing of the will of the people.

Change of chair

Following the conclusion of the tea break, at 11h30, the meeting agreed that the chair of sub-group one, Mr Moorcroft, assume the chair for the remainder of the meeting.

Presentation of the report of sub-group one.

The chair presented sub-group one's report. A copy is attached marked "addendum B"

Discussion of report of sub-group one.

6.1 With regard to the proposal of a national referendum to test the will of the people vis a vis re-incorporation, the SACP drew attention to the ANC's, the SACP's and TIC/NIC's objection to a separate counting of votes based on race and ethnicity, as recorded in the report of sub-group one. It continued that since the raison d'être of the creation of the TBVC states is ethnic separation, that there should be no separate counting of votes at all, since any basis of separate counting would ultimately be ethnic in its reasoning.

6.2 The ANC endorsed the position that there should be no separate counting of referendum votes.

6.3 The chair noted that, while it is well within their rights to do so, the ANC and SACP have changed their positions entirely on the testing of the will of the people. If there can be no separate counting of votes in the TBVC states, there can be no testing of the will of the people of the TBVC states.

The upshot is that the very terms of reference of sub-group one are called into question. Moreover, the purpose of the current meeting, which is to ascertain the relationship between citizenship restoration and the testing of the will of the people, cannot be pursued any further.

6.3 It was agreed that the proceedings had deadlocked. The meeting adjourn, and a report of the meeting be submitted to the Steering Committee of Working Group4.

Documents circulated

The following document was circulated at the meeting:
Intando Yesizwe Party - "Restoration of Citizenship in TBVC States"

Closure

The chair closed the meeting at 13h05.

Organisation

ANC

Bophuthatswana Government

Ciskei Government

Democratic Party

Dikwankwetla Party

Inkatha Freedom Party

Intando Yesizwe Party

Inyandza National Movement

Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government

Solidarity Party

Transkei Government

UPF

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SUBGRP1 & ZMINUTES/2%4 MARCH 1992

ADDENDUM A

Delegates

D Omar

M Phosa

K Keikelame (sub: D Marute)

SS Seane

N Nogcantsi

JA Jordaan

EK Moorcroft

SP Matla (sub: C Harrison)

FT Mdlalose

B Anderson

M Mahlangu

WMB Mohapi

D Makhubela

J Matsana

W Whyte

S Verveen

JHL Mentz
PJ Farrell

S Naidoo

NG Patel
J Yawich (sub: P Daphne)

S Ngonyama
T Mtintso

RS Schoeman
AT Meyer

Y Seedat
MF Cassim

SHL Matebese
LM Benghe

LM Mokoena
NM Malekane

Venda Government

Aumoko Progressive Party

RAPPORTEUR

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SUBGRP1 & 2/MINUTES/24 MARCH 1992

RR Sumbana

SR Makhuva

C Khosa

G Budlender

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WGA SG1/PRELIMINARY SUMMARY/9 MARCH

ADDENDUM B

PRELIMINARY SUMMARY OF PROCEEDINGS OF SUB GROUP | (TESTING THE WILL OF THE PEOPLE) OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES)

I, Sub group | approached its brief in the following way:
first it dealt in broad general terms with points 1.1 to 1.3 of its terms of reference, which include the investigation of the relationships between the TBVC states and South Africa under a new South African constitution. In particular it sought to identify key issues and problems, as well as areas of commonality between participating delegates. Two key issues were identified. These are:

1. Is it desirable to support the re-incorporation of the TBVC states into a new South Africa? and
2. Is it desirable to test the will of the people regarding re-incorporation?
The question of testing the will of the people forms part of the specific brief of sub group 1.

As a consequence of debate, together with perusal of written submissions, the following areas of commonality have been identified:

All delegates, with the exception of Bophuthatswana, have no objection to re-incorporation. Bophuthatswana is still considering constitutional options.

All delegates, with the exception of Bophuthatswana, agree that the people themselves should have a deciding vote in this matter, i.e. the will of the people must be tested. Bophuthatswana has expressed the view that such a decision should be the responsibility of the Bophuthatswana government.

3. There was broad agreement between those delegates who supported the concept of "testing the will of the people" that the best way of testing this will would be by means of a referendum. The SACP stated that whereas its attitude was that restoration of citizenship by the SA government was desirable, it was nonetheless not averse to a referendum.

4. All delegates agreed that the referendum should not be held on the basis of race or ethnicity.
There was also general agreement (with the exception of Inkatha) that the referendum should be held on a

nation-wide basis i.e. that separate referenda should not be held in each TBVC state independent from the rest of the RSA.

6. Two key issues were identified. These were:
6.1 The question to be asked in the referendum, and
6.2 The timing of the referendum.

Central to these two issues will be the recommendations made by sub group 2 regarding the constitutional

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WG4 SG1/PRELIMINARY SUMMARY/9 MARCH

future of the RSA. It was agreed that when these recommendations are put to the people of South Africa for their approval, then they should be put to the people of the TBVC states also.

1. The Bophuthatswana government recorded its position i.e. that if the Bophuthatswana government decides that it is necessary to test the will of the people, the ensuing referendum would be conducted by the Bophuthatswana government.

It would then follow that rejection of the recommendations by the people of any one or more of the TBVC states would also indicate rejection of the idea of re-incorporation by that state or states.

It was agreed that if the will of the people in the TBVC states is to be tested, then it will be necessary to count the votes of the people in those states separately from those of people in the rest of the RSA.

9.1 The ANC, SACP, and NIC/TIC placed on record that they would not accept a referendum in which separate counting was done on the basis of race or ethnicity.

With regard to the timing of the referendum, it was agreed that the will of the people in the TBVC states should be tested as soon as possible.

10.1 It was felt strongly by the ANC, SACP and NIC/TIC that all the people of the TBVC states should be given the opportunity to participate in the transitional arrangements and in the drawing up of the new constitution.

It became clear that a difficulty existed between those who believe that re-incorporation should take place sooner in order that the people of the TBVC states should be able to participate more fully and those who believe that re-incorporation should take place later so that the people will not be called upon to take a step in the dark i.e. they should first know what it is that Codesa has decided.

It was pointed out that the difficulty was rooted in the problem of co-ordinating the proceedings of working groups 2, 3 and 4.

The NIC/TIC, ANC and SACP placed on record their position that re-incorporation of the

TBVC states
should be by means of a unilateral act by the South African government.

The eligibility of voters was discussed i.e. who would be eligible to vote in the TBVC states. Would it be citizens only, or would residents also be included?

14.1 Bophuthatswana made it clear that only those in possession of Bophuthatswana citizenship would be allowed to vote, although it was stressed that this citizenship was open to all who resided within the boundaries of that state.

14.2 It was agreed that with regard to eligibility of voters sub group 1 is unable to make a recommendation until it has heard the recommendations of sub group 2 of working group 4 and working groups 2 and 3.

There was strong agreement that the referendum should be Codesa-driven.
Sel With regard to the TBVC states, it was agreed that the referendum should be supervised by

Codesa provided that this was done in co-operation with the administrations of the respective states.

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15.2 The Bophuthatswana government recorded its objections to any role being played by Codesa in Bophuthatswana.

15.3. Concern was expressed that unless Codesa's financial capacity was increased, it would not be able to play the kind of role envisioned for it.

15.4 It was agreed that the possibility of Codesa recruiting international funding be pursued.

It was agreed that if the people of the TBVC states were to be kept fully informed of the proceedings of Codesa, then full use should be made of all electronic media, (TV, radio etc). It was suggested that 4 "Voice of Codesa" be created which would broadcast directly from Codesa after the usual weekly press conference. The spokesperson would be the chair of the management committee. The reports would then

be seen to fair, free and objective.

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WG4 SG1/SUMMARY/9 MARCH

FINAL SUMMARY OF PROCEEDINGS OF SUB GROUP 1 (TESTING THE WILL OF THE PEOPLE) OF
WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES)

With the exception of Bophuthatswana, which expressed certain reservations, sufficient
consensus has been

reached on the following points related to our terms of reference:

- a) That the will of the people in the TBVC states be tested.
- b) That such a test be done concurrently with the rest of South Africa and that race or
ethnicity should
play no role in the process.
- c) That testing be done by way of a referendum.
- d) That the question asked be related to the constitutional recommendations/proposals made by Codesa.
- e) With regard to the eligibility of voters this sub group is unable to make recommendations until it has

heard the recommendations of sub group 2 of working group 4 and working groups 2 and 3.

f) That the referendum should be driven by Codesa in co-operation with the administrations of the
respective states.

g) That a "Voice of Codesa" be established.

The following additional points are for noting:

i) That the referendum take place as soon as is practically possible (pending 'd' above).

ii) That a liaison committee be established in order to co-ordinate the further proceedings of Working
Groups 2, 3 and 4.

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WG4 SG2/REPORT/9 MARCH

REPORT OF SUBâ\200\224GROUP 2 (CITIZENSHIP) WORKING GROUP 4 (THE FUTURE
OF THE TBVC STATES)

Vo CITIZENSHIP

je SG Oe Geomeicâ\200\231s reached sufficient consensus that
Soule cence all citizenship be restored. Itig, {eleulS nEejevetel
there are two views:

- a) Citizenship should be restored immediately
- b) Citizenship should be restored after the testing of the
will of the people and if such expression of the will is in
favour thereof.

1.2 Reservation

The Bophuthatswana Government records its position that:

- a) Citizenship should not be imposed on people
- b) The will of the people at all times be tested in terms
of the procedures that might be agreed upon.

oe The Mechanics of the restoration of Citizenship

Zeal It was agreed that the question of subjecting the
restoration of citizenship to the will of the people be
referred to sub-group | of WG 4.

Re Â® It was further agreed that the question of the
mechanics, time span and implementation of the restoration
of citizenship be referred to WG 5.

Sr Press Release

The â\200\234sufficient consensusâ\200\231 statement on citizenship in
paragraph 1 above should be used as a press release after
it has been approved by WG 4.

4. Rapporteur

Sub-group 2 has adopted Mr Geoff Budlender as its
rapporteur

CTD Marivate

Chairperson: Sub-Group 2 of Working Group 4
9 March 1992

SCHED MEETINGS OF WG4 24\3\92

SCHEDULE OF MEETINGS FOR WORKING GROUP 4

Monday 30 March 1992 - Working Group 4 meeting : 10:00 to 16:00

Monday 30 March 1992 - Working Group 4 Steering Committee to take place after the conclusion of the working group 4 meeting

Tuesday 31 March 1992 - Working Group 4 Sub Group 1 : 10:00 to 16:00

Tuesday 31 March 1992 - Working Group 4 Sub Group 2 : 10:00 to 16:00

Tuesday 31 March 1992 - Working Group 4 Sub Group 3 : 10:00 to 16:00

Tuesday 31 March 1992 - Working Group 4 Sub Group 4 : 10:00 to 16:00

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SUBGRP2/W G4/MINUTES/18 FEBRUARY

THESE ARE MINUTES. AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUB-GROUP 2, THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF THE MEETING OF SUB-COMMITTEE TWO (CITIZENSHIP), OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 17 FEBRUARY 1992 AND TUESDAY 18 FEBRUARY 1992

ADOPTED BY SUB-GROUP 2 AT ITS MEETING ON 24 FEBRUARY 1992

PRESENT: Delegates (See Addendum A)
CTD Marivate (chair)

P Mafojane (minutes)

16 Chairperson's opening remarks

Delegates were welcomed by the chairperson.

Ce Chairperson

The meeting confirmed C. Marivate's appointment as chair subsequent to a resolution of the sub-group's meeting on 17 February 1992

3: Agenda

It. was agreed that the Declaration of Intent and the Terms of Reference of WG 4 be used as guidelines for resolving the question of citizenship.

4. Citizenship

4.1 It was agreed that the Declaration of Intent be used as guideline for resolving the issue of citizenship in the TBVC states. However, the sub-committee 2, should at all times keep to its specific Terms of Reference, viz "citizenship" in the TBVC states.

4.2 The TBVC states were each given a chance to outline what maintains in their respective territories regarding the question of citizenship.

DE The views of TBVC states and the RSA and other parties

5), Il Transkei and Venda support restoration of South African citizenship en bloc.

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SUBGRP2/WG4/MINUTES/18 FEBRUARY

So Ciskei supports restoration of SA citizenship subject to involving the people of its territory.

es Bophuthatswana does not support restoration of South African citizenship en bloc but allows its citizens to renounce their Bophuthatswana citizenship if they so wish.

5.4 Delegates from various parties stated that reincorporation is dependent on the will of the people being democratically tested.

eS) Delegates from other parties also expressed their views on the question of citizenship and how the people in the TBVC states were deprived of it.

Further information on the question of citizenship in the TBVC states

It was agreed that the TBVC states and the South African Government furnish delegates of sub-committee 2 of WG 4 with the following information:

present laws of citizenship

number of people affected

residence of citizens

the number of citizens in other states

the number of other people in TBVC states

requirements for TBVC citizens and residents to become South African citizens

laws governing elections

the status of non-ethnic citizens

the number of people who have had their citizenship restored in each state in terms of the Citizenship Restoration Act of 1986

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Consensus

Several statements were advanced as summary consensus of the deliberations. These were accepted in principle but agreement had to be reached on the wording. it was resolved that an ad hoc committee work out a final consensus statement to be ratified in the next meeting of the sub-committee 2 (of WG 4). The ANC, the South African Government and the Solidarity Party together with the chairman remained working on the statement of consensus after the sub-committee 2 had adjourned.

Question of substitutes

The South African Government made a submission on the question of substitutes to the sub-committee 2 of WG 4 (see Addendum B). This matter to be referred to the Steering Committee of WG

4 for its
ruling.

Documents circulated

A document by the SA Government titled "The Question of Citizenship" (this was handed out at the meeting and given the size of the document, is not annexed).

10.

Closure

The chairperson closed the meeting at 13h45

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SUBGRP2/WG4M INUTES/18 FEBRUARY

The following persons attended the meeting of sub-committee 2

Organisation

ANC

Bophuthatswana Government
Ciskei Government
Democratic Party
Dikwankwetla Party

IFP

Intando Yesizwe Party
Inyandza National Movement
Labour Party of SA
National Party

NPP

NIC/TIC

SACP

SA Government

Solidarity Party

Transkei Government

UPF

Venda Government

*Ximoko Progressive Party

Delegate

D Omar

B Keikelame
RB Tokota
JA Jordaan
SP Matla

FT Mdlalose
W Mohapi

D Makhube
S Verveen
JHL Mentz

S Naidoo

NG Patel

T Mtintso

RS Schoeman
NF Cassim
SN Sigcau
LM Mokoena
SR Makhuvha

CTD Marivate

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SUBGRP2/W G4/MINUTES/18 FEBRUARY

Addendum A

WGASG2\MINS2402.WS (5)

WORKING GROUP 4 SUB GROUP 2\MINUTES\24 FEBRUARY

THESE ARE MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUB-GROUP 2, THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF SUBGROUP TWO (CITIZENSHIP), WORKING GROUP FOUR (FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 24 FEBRUARY 1992 AT 14h45.

ADOPTED BY SUB-GROUP 2 AT THE MEETING OF 2 MARCH 1992

PRESENT: Delegates and Advisers (See Addendum A)
CTD Marivate (chair)
P Mafojane (minutes)

APOLOGIES: FT Mdlalose

I. Chairperson's opening remarks

Delegates were welcomed by the chairperson. The agenda was read out and confirmed.

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Minutes

The minutes of the first subgroup two (WG 4) held on 18 February 1992 were adopted with the following changes:

ZaleoeS el reads as follows:

â\200\234That it was agreed that the Declaration of Intent and the Terms of Reference of WG4 be used as guidelines for resolving the question of citizenship."

ale The views of TBVC states and the RSA and other parties.

2.3 - 5.4 becomes 5.5.

2.4 - the new 5.4 is as follows:

"that reincorporation is dependent on the will of the people being democratically tested".

Ca that the statement on consensus: 7.2 be deleted as it did not form part of the minutes.

Be Matters arising

Agreed that the TBVC states and RSA expedite matters with regard to the information relating to the requirements of citizenship in their respective countries.

Rapporteurs

Rapporteurs: The names of Geoff Budlender and Marius Rezelman were proposed. The chairperson and the proposers would decide on who to choose.

Citizenship

It was agreed that discussion on citizenship in the TBVC states be reopened on Monday 2 March 1992.

Future Meetings

The next Sub-committee 2 meeting will be held on Monday 2 March 1992 at 9h00.

Closure

The chairperson closed the meeting at 18h00.

ADDENDUM A

The following delegates and advisers were present at the meeting of Working Group 4,
Sub Group 2 held on 24 February 1992 :

Organisation

ANC

Bophutswana Government
Ciskei Government
Democratic Party
Dikwankwetla Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party of SA
National Party

NPP

NIC/TIC

SACP

SA Government
Solidarity Party

Transkei Government
UPF

Venda Government

Ximoko Progressive Party

Delegate

D Omar

B Keikelame
R B Tokota

J A Jordaan

S P Matla

W Mohapi

D Makhube

S Verveen

J HL Mentz
S Naidoo

B Mabandla

T Mtintso

R S Schoeman
N F Cassim

S H L Matabese

L M Mokoena

S R Makhuvha

C T D Marivaie

SUBGRP2/WGA/MINUTES/2 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP SUB-GROUP 2, THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP SUB-GROUP 2 AT ITS NEXT MEETING.

DRAFT MINUTES OF THE THIRD MEETING OF SUB-GROUP TWO (CITIZENSHIP) OF
- WORKING GROUP 4 (FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE
ON MONDAY 2 MARCH 1992 AT 09H30

PRESENT: Delegates (See Addendum A)
CTD Marivate (chair)
G Hutchings (minutes)

APOLOGIES: RB Tokota

1: Roll call

All delegates present were noted and the relevant apologies made.

De Confirmation of Agenda

The agenda was confirmed with changes and additions.

Bs Opening remarks of chairperson

The delegates were welcomed by the chairperson. The chairperson appealed for progress and consensus to be reached on citizenship.

4, Minutes

j The minutes of sub-group 2 meeting of 24 February 1992 were adopted with typographical changes.

| 5, Report of ad hoc committee

51 The chairperson reported that the ad-hoc committee could not reach finality on choosing either

| Marius Rezelman or Geoff Budlender as rapporteurs because they did not have information

| about them. It was agreed that the curriculum vitae be obtained. It was also agreed that

| they would be invited for an informal interview, if possible.

5.2 Should both proposed individuals be available, it was agreed that a decision be obtained from

the Working Group 4 Steering Committee (WGSC 4) as to whether two rapporteurs for sub-

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group 2 is acceptable.

58) It was suggested that if one of the proposed individuals is not available then the other would automatically be chosen to act as the rapporteur.

Reaction to report of ad-hoc committee

6.1 The curriculum vitae of Marius Rezelman was circulated.

6.2 The SACP recorded their objection to the nomination of Marius Rezelman as a rapporteur because he is linked to Secosaf which was being extensively suggested for use as rapporteurs in all the sub-groupâ\200\231s.

Grs Following this, Labour expressed that there seems to be a "lack of trust" on this issue. A brief discussion on this "lack of trust" followed. It was suggested that Codesa should look at this whole issue of "lack of trust" and consider conciliators and mediators to bring the people of Codesa together for the sake of South Africa.

6.4 There was no consensus on the issue of rapporteurs and this was referred back to the next meeting of WG 4.

SA/TBVC States - Progress Reports

The following reports are still outstanding and have been promised for the next meeting of sub-group
ox

- Bophuthatswana Government report
- Ciskei Government report
- Transkei Government report

- South African Government report

Citizenship

After an informal discussion the following was agreed upon:

Sub-group 2 (citizenship) of WG 4 has reached sufficient consensus that South African citizenship be restored. In this regard there are two views:

- (a) Citizenship should be restored immediately
- (b) Citizenship should be restored after the testing of the will of the people and if such expression of the will is in favour thereof.

Reservation:

The Bophuthatswana Government records its position that:

10.

Aye

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(a) Citizenship should not be imposed on people

(b) The will of the people at all times be tested in terms of the procedures that might be agreed

upon.

Adjournment

The meeting adjourned for lunch at 13h00 and resumed at 14h00

Further Terms of Reference

10.1 It was suggested that each party/organisation should draft a statement setting out its scenario

for point (a) and (b) from the "consensus statement on citizenship" for the next meeting of

sub-group 2.

10.2 It was suggested that there are three routes that the sub-group could follow to facilitate the

expand on points a and b. These options are:

10.2.1 Leave the job to experts

10.2.2 Leave the job to the Delegates

10.2.3 A combination of option one and two above

10.3 Delegates have been asked to make their positions clear on which option they support at the

next meeting of sub-group 2.

10.4 It was agreed that whether or not sub-group 2 should expand its terms of reference should be

referred to a future meeting of sub-group 2.

Press release

It was agreed that the "consensus statement on citizenship" be used as a press release to be submitted

* to WG 4 for its approval.

Substitutes

12.1 The Ximoko Progressive Party substituted MT Khosa as the delegate in place of Professor

CTD Marivate who is acting chairperson.

12.2 A decision from the DMC is still awaited on whether both substitutes and delegates can attend

sub-committee meetings.

Future meetings

The next meeting of sub-committee 2 of WG 4 will be held on Monday 9 March 1992 at the

World
Trade Centre at 10h00.

Party/Organisation

ANC

Bophuthatswana Government
Democratic Party
Dikwankwetla Party

Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government

Solidarity Party

Transkei Government

UPF

Venda Government

Ximoko Progressive Party

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SUBGRP2/WGA/MINUTES/2 MARCH

Addendum A

Delegate

D Omar

BE Keikelame
JA Jordaan
SP Matla

FT Mdlalose
WMB Mohapi
D Makhubela
S Verveen
JHL Mentz

S Naidoo

NG Patel

T Mtintso

CC Prins

MF Cassim
SHL Matebese
LM Mokoena
SR Makhuvha

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SUBGRP2/WG4/MINUTES/9 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED 3) E10 So ELS EEA ENE Â©) Nemo LONG
ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP
SUB-GROUP 2, THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE

re ey

DAILY MANAGEMENT COMMITTEE. ebay, Â«= NS | SWI Sule = "WO
RATIFICATION BY THE WORKING GROUP SUB-GROUP 2 im 9S NADI
MEETING.

DRAFT MINUTES OF THE FOURTH MEETING OF SUB-GROUP TWO
(CITIZENSHIP) OF WORKING GROUP 4 (FUTURE OF THE TBVC STATES) HELD
AT THE WORLD TRADE CENTRE ON MONDAY 9 MARCH 1992 AT 10h00
PRESENT: Delegates (See Addendum A)

CTD Marivate (chair)

J Steinberg (minutes)

APOLOGIES: none

sl Role call

All delegates were present and noted with the exceptions of
B. Keikelame (Bophuthatswana Government), JA Jordaan
(Democratic Party) and MT Khosa (Ximoko Progressive Party).

B - Confirmation of Agenda

The agenda was confirmed with an additional discussion on
administration.

3. Opening remarks of the chairperson

The delegates were welcomed by the chairperson. The
chairperson appealed che progress and harmonious
resolution.

4. Minutes

The minutes of sub-group 2 meeting of 2 March 1992 were
adopted with typographical changes.

se Nominating a rapporteur

5.1 The National Party withdrew its nomination of Marius
Rezelman for the position of rapporteur. Geoff Budlender
was thereby automatically confirmed as rapporteur AO tom Ue
Group mez Olen Gra.

6. Proposed alteration to the wording of point 8. in the

10.

11.

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SUBGRP2/WG4/MINUTES/9 MARCH

minutes of the meeting of sub-group 2, 2 March 1992.

6.1 The South African government proposed that the wording of point 8 in the minutes of the meeting of sub-group 2, 2 March 1992 be amended. The clause reads "Sub-group 2 of working group 4 has reached sufficient consensus that South African citizenship be restored. In this regard there are two views:" The South African government proposed that the clause be changed to read as follows: "Sub-group 2 of working group 4 has reached sufficient consensus that South African citizenship be restored and that in this regard there are two views:" The SA government's motivation was that putting the statement into one clause would reduce the possibility that it would be quoted in such a manner that its intended meaning would become obscured.

6.2 The meeting resolved that the wording in the minutes would remain unchanged since it accurately represented the consensus reached on 2 March.

Citizenship

8, al Sub-group 2 of WG 4 reached consensus on the principle that South African citizenship be restored.

Sree It was agreed that the question of subjecting the restoration of citizenship to the will of the people be referred to sub-group 1 of WG 4.

Bos It was further agreed that the question of the mechanics, time span and implementation of the restoration of citizenship be referred to WG 5.

The distribution of minutes and agendas

9.1 Delegates again raised the objection that the timespan between their acquisition of minutes and agendas and the commencement of meetings was inadequate vis a vis embarking on sufficient processes

of consultation.

Further Meetings

The next meeting of sub-group 2 of WG 4 will be held on Monday 23 March 1992 at the World Trade Centre at 10h00.

Closure

The meeting was closed at 13h05.

Party/Organisation
ANC

Ciskei Government
Dikwankwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NASP HIKE

SACP

SA Government

Solidarity Party
Transkei Government
UPF

Venda Government

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SUBGRP2/WG4/MINUTES/9 MARCH

Addendum A

Delegate

D Omar

RB Tokota
SP Matla

FT Mdlalose
WMB Mohapi
D Makhubela
S Verveen
JHL Mentz

S Naidoo
NG Patel
Mc sO

RS Schoeman
(subs: CC Prins)

MF Cassim
SHL Matabese
LM Mokoena

SR Makhuvha

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SUBGRPY/WG4/MINUTES/23. MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP SUB-GROUP 2, THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP SUB-GROUP 2 AT ITS NEXT MEETING.

DRAFT MINUTES OF THE FOURTH MEETING OF SUB-GROUP TWO (CITIZENSHIP) OF WORKING GROUP 4 (FUTURE OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY 23 MARCH 1992 AT 10h00

PRESENT: Delegates (See Addendum A)

CTD Marivate (chair)

J Steinberg (minutes)

APOLOGIES: none

ie Roll call

All delegates were present and noted with the exception of RB Tokota (Ciskei Government)

ms Confirmation of Agenda

The agenda was confirmed with an additional point concerning the election of an acting chairperson.

5: Opening remarks of the chairperson

The chairperson welcomed Geoff Budlender, the rapporteur, to the sub-group's proceedings. He urged all delegates to engage in the proceedings with a spirit of openness.

4. Minutes

The minutes of sub-group 2 meeting of 9 March 1992 were adopted with typographical changes.

Jo Press Statement

5.1 The Bophuthatawana Government proposed to the meeting that their objection vis a vis restoration be recorded in the press statement.

5.2 The chair reminded the meeting that the question of the content of the press statement is the task of WG and that the issue should not be discussed any further in sub-group 2.

6. Ratification of Draft Report

The chairman's draft report was ratified with the following changes:

6.1 Point 4 of the report (mechanics of restoration of citizenship) becomes point 2. Accordingly,

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point 2 (press release) becomes point 3, and point 3 (rapporteur) becomes point for.

6.2 The wording of 2.1 (under the heading of "Mechanics of the Restoration of Citizenship") is altered to mirror that of point 7.2 of the agenda of 9 March 1992 of sub-group 2. 2.1 is altered to mirror the wording of point 7.3 of the agenda of 9 March 1992 of sub-group 2.

Information submission from the Ciskei Government

As a result of the absence of the Ciskei Government's delegate, the submission was postponed.

Further terms of reference

8.1 It was agreed that the rapporteur, Geoff Budlender, produce a summary report of the various submissions made to sub-group 2 of WG 4.

8.2 It was agreed that the South African government give Mr Budlender access to the relevant departmental data necessary for the adequate completion of his task.

Closure

The meeting was closed at 12h37.

Party/Organisation

ANC

Bophuthatswana Government
Democratic Party
Dikwankwetla Party

Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government

Solidarity Party

Transkei Government

UPF

Venda Government

Ximoko Progressive Party

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SUBGRPUWG4/MINUTES/23_ MARCH

Addendum A

Delegate

D Omar

B Keikelame
JA Jordaan

SP Matla

FT Mdlalose
WMB Mohapi
D Makhubela
S Verveen
JHL Mentz

S Naidoo

NG Patel

T Mtinso

RS Schoeman
MF Cassim

SHL Matebese

LM Mokoena

SR Makhuvha

CTD Marivate

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MINUTES OF THE FIRST MEETING OF SUB-COMMITTEE 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON TUESDAY, FEBRUARY 18, 1992 AT 09:00.

PRESENT: Delegates (See Addendum A)

Mr JL Mahlangu (Chairperson)

WJ Viljoen (minutes)

Mo Chairpersonâ\200\231s opening remarks

The delegates were welcomed by the chairperson

ee Agenda

The agenda for the first meeting was agreed upon.

3. Closure of meeting

â\200\231 It was agreed that the meeting would adjourn at 15:00.

4. Submissions

The chairperson allotted 5 minutes to every delegate to discuss their submission (if any).

5. Information

It was agreed that, in terms of the Terms of Reference of subcommittee 3, as well as any additional

areas of importance, it would be determined what information is needed by the subcommittee and who

can supply the information to the subcommittee:

A. Administrative

B. Financial

C. Practical

A. ADMINISTRATIVE

The following issues were identified:

1. Land transfers

Ah A list/lists is required of all pending land transfers to TBVC states by the SA Government.

Wee A list/lists is required of all pending land transfers to the SA Government by the

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TBVC states.

esr A list is required of all funds set aside by the SA Government for the purchase of land for the TBVC states and compensation.

1.4. A list is required of future land claims and motivation thereof.

HES A list is required of institutions through which land transfers take place.

It was agreed that a possible source of the information needed in 1.1., 1.2., and 1.3. is the

Department of Regional and Land Affairs, as well as the TBVC Governments.

A possible source of the information needed in 1.4. is the TBVC Governments.

Possible sources of the information needed in 1.5. are the SA Government and the TBVC Governments.

ale Statistics of the existing infrastructures in each of the TBVC states is required.

A possible source of information is the Development Bank of South Africa

Good administration during transition

Possible sources of information were agreed to be:

- The SA Government document p 10.
- The Development Bank of SA, along with the Governments of the TBVC states.
- It was noted that Structural Adjustment Agreements (statistics only) from the Development Bank of SA might also be of help.

The future of the civil service in the TBVC states,

It was agreed that statistics re the civil service in every TBVC state is needed.

Possible sources of information are:

1. The SA Government document pp 10-11.
2. The Governments of the TBVC states.

Parastatals

Sale It was agreed that a resume of parastatals and the functions they performed was needed.

DEL It was also agreed that the responsibility for the identified parastatals needs to be identified.

5:3) It was agreed that rationalization programmes needed to be investigated and the future roles of parastatals examined.

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Possible sources of information are the TBVC statesâ\200\231 Report on the Rationalization of Parastatais.

Another source of information might be the SA Governmentâ\200\231s De Looor Commission Report (if available).

FINANCIAL

The following issues were identified:

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It was agreed that information was needed on the following related issues:

- 1.1. Related tax issues.
- 1.2. Economic policy.
- 1.3. Industrial decentralization incentives.
- 1.4, Extent of investment in sectors of commerce and industry.

Possible sources of information are:

- The TBVC Governments and the Development Bank of SA.

Di â\200\230Transfer of

It was agreed that the following information was needed:

- 2.1. A general summary of liabilities.
- 2.2. A general summary of movable/immovable assets.

Possible sources of information are:

1. The SA Government document pp 9 - 10.
2. The TBVC Governments and the SA Government.
3. The Development Bank of SA.

Taxation

It was agreed that information on the following was needed:

1. Information on the differences in systems of taxation.
2. Information on property tax.

It was agreed that possible sources of information are the SA Government and the TBVC Governments.

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Review of Development Project Priostuss

4.1. A list is required of impending and planned projects and budgets involved.

4.2. A list is required of the stages of development of projects already started.

It was agreed that possible sources of information are:

- the SA Government and the TBVC Governments.

ivil ice: Pensi ratuiti

It was agreed that the following information was needed:

5.1. Reports from all pension funds re their status (assets and liabilities).

5.2. Reports on the rates of contribution by individual, employer and state.

5.3. Actuarial reports on the pension funds.

It was agreed that possible sources of information are:

- the SA Government and the Governments of the TBVC states..

ici ayment of TBVC-stat

It was agreed that the following information was needed:

6.1. A list of all direct and guaranteed debts of all para-statal and other bodies in the

TBVC states.

6.2. A list of all domestic and foreign loans of the TBVC states and the RSA.

Possible sources of information was agreed to be:

1. SA Government

2. TBVC Governments

3, Development Bank of SA

Financial Transfers

It was agreed that information was needed on the following:

7.1, Tax contribution by the SA Government

7.2. Grants from the SA Government

7.3. Other assistance from the SA Government

Possible sources of information were identified as:

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- the SA Government and the TBVC Governments.

8. Para-statals

It was agreed that the following information was needed:

8.1. Information on the current status of para-statals.

8.2. A list/lists of Assets/Liabilities.

8.3. A list of Guarantees.

Possible sources of information are:

- the TBVC Governments and the SA Government.

C, PRACTICAL EFFECTS

It was agreed that there was a need for a position paper from both the SA Government and the TBVC Governments. It was agreed that this is not urgent.

6. Technical assistance

It was agreed that this matter will be left until Subcommittee 3 has made some progress.

The need for an extended secretariate for subcommittee 3 was stressed.

It was agreed that the Transkei delegate would supply a checklist to the secretariat of outstanding information needed.

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Documents circulated

The following documents were circulated at the meeting:

Submission by the SA Government : Addendum B

7.2. Submission by the Ximoko Progressive Party : Addendum C

Submission by the Democratic Party : Addendum D

7.4. Submission by the Transkei Government of a SECOSAF list: Addendum E.

8. Classified Information

It was agreed that the issue of classified information be taken up with Working Group 4 of the Management Committee.

OF Future Meetings

It was agreed that the next meeting of this subcommittee will be on Monday, February 24, 1992 and that the subcommittee will also meet on Tuesday, February 25, 1992 if necessary.

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- the SA Government and the TBVC Governments.

8. Para-statal

It was agreed that the following information was needed:

8.1. Information on the current status of para-statal.

8.2. A list/lists of Assets/Liabilities.

8.3. A list of Guarantees.

Possible sources of information are:

- the TBVC Governments and the SA Government.

C, PRACTICAL EFFECTS

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eS Submission by the Democratic Party : Addendum D

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Classified Information

It was agreed that the issue of classified information be taken up with Working Management Committee.

Future Meetings

Group 4 of the

It was agreed that the next meeting of this subcommittee will be on Monday, February 24, 1992 and

that the subcommittee will also meet on Tuesday, February 25, 1992 if necessary.

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10. Closure

The chairperson adjourned the meeting at 15:00.

ADDENDUM A
working Group 4: Sub-group 3

Attendance

ANC

Bophutatswana Government
Gursixe! Government
Democratic Party
Dikwnakwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government

Sei solasestieyy Party
Transkel Government

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Venda Government

Ximoko Progressive Party

pw Schoeman
T Sondiyani
Cc Simkins
DA Theyane
NJ Mgubane
JL Mahlangu
D Mokoena

J Douw

R Radue

L pDwarkapersad

y Carrim or Â\$ Singh
L Nyembe

G Croeser

D Bagwandeem

M Titus

ER Maponya

SE Moeti

Tw Tshabala

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MINUTES OF THE SECOND MEETING OF SUBCOMMITTEE 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, FEBRUARY 24 AND TUESDAY, FEBRUARY 25, 1992.

PRESENT: Delegates (See Addendum A)
Prof C Simkins (Chairperson)

WJ Viljoen (minutes)

li, Chairpersonâ\200\231s opening remarks and adoption of draft agenda
The delegates were welcomed by the chairperson and the draft agenda was adopted.

Dr Ratification of minutes of Subcommittee 3 held on February 18, 1992.
The minutes of the first meeting of Subcommittee 3 were ratified subject to the following amendments:
eats A 1.3. amended to read:

" A list is required of all funds set aside by the SA Government for the purchase of land for the restoration of the TBVC states and for compensation."

DEE The Bophutatswana delegate indicated that the question of non-incorporation needed to be confirmed and included in the minutes

It was agreed to insert, under 4. Submissions

" It was agreed that the Subcommittee will look at the effects of non-incorporation as far as it is practically possible.â\200\235

283: An extension of the Terms of Reference for Subcommittee 3 was agreed to:
1.4. (h) Pensions and gratuities;
1.4. (j) taxation;
leas (k) parastatals

Dror It was agreed to delete "statistics only" under A.3.

2.4. The SA Government noted that it would be difficult to produce documents B.2.1 and 2.2. in the case of South Africa.

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2.5). Add "It was agreed that confidential material should be treated strictly in that way by the subcommitteeâ\200\235 to 8.

Progress on and plans for assembling material identified in the minutes of the meeting of the Subcommittee held on February 18, 1992.

The secretary was requested to draw up a checklist of documents and material requested and it was agreed that this should become a permanent addendum to the minutes of the subcommittee.

Bryle Material requested from the SA Government

See: 10: Submissions

3.2 Material requested from the TBVC Governments

3.2.1. Transkei

It was stated that a request for information has been put to the Transkei Government and that it had been agreed that any relevant information would be made available to the Subcommittee.

3.2.2. Bophutatswana

The collection of information has started and there was no problem with making public information available.

323, Wena

It was stated that all documents will be available.

3.2.4. Ciskei

It was stated that all requested information will be made available to the subcommittee.

Bod Material requested from other institutions

A letter has been written to the Development Bank of Southern Africa (Addendum B).

3.4. Oral submissions

It was agreed that once written submissions had been received, oral submissions might also be necessary if:

- the Subcommittee wanted them, or outside individuals/organizations want to make oral submissions.

3.5) o Submissions from members of the public

It was agreed that the Daily Management Committee be requested to channel submissions

from the members of the public to the Subcommittee, where these are relevant to the Subcommitteeâ\200\231s work.

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WG4 SG3/MINUTES/24 FEBRUARY

The meeting adjourned at 16:00.

The meeting was reconvened at 09:00 on Tuesday, February 25.

Method of processing material received.

4.1.

4.2.

4.3.

Circulation to delegates

It was agreed that two categories of information exist:

4.1.1. General information (21 copies to be distributed)

4.1.2. Specialized and/or bulky information (1 copy to be lodged with the secretary)

It was agreed that any delegate wishing to obtain information mentioned in 4.1.2. should liaise directly with the secretary.

Production of position papers by delegates

It was agreed that every delegate should provide at least one position paper.

It was also agreed that position papers should in general follow the structure of the augmented Terms of Reference for Subcommittee 3.

It was noted that position papers will be important in the drawing up of Subcommittee 3's final report.

Crystallisation of topics for debate

It was agreed that some thought will have to be given on how the subcommittee will crystallize topics for debate and that they will have to be dealt with point by point.

Liaison with other working groups

Receipt of minutes and other documents from WG2 and WG3

It was agreed that a formal request be put to the Steering Committee for the minutes and other relevant information from WG2 and WG3 to be made available to Subcommittee 3.

The reason for the above being that the decisions taken by WG2 and WG3 set parameters for the work of Subcommittee 3.

It was suggested that the Chairperson of Subcommittee 3 extract the relevant information from the minutes of WG2 and WG3 and inform Subcommittee 3.

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WG4 SG3/MINUTES/24 FEBRUARY

Reporting progress

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Rapporteurs

3 Nominations for a rapporteur/rapporteurs were received:

Mr M. Memela
Mr Van den Berg
Mr Ramone.

It was agreed that the CVâ\200\231s would be tabled at the next meeting for consideration.

It was agreed that the SA Communist Party would supply Mr Memelaâ\200\231s CV, the National Party that of Mr Van den Berg and Dikwnakwetla that of Mr Ramone.

Reporting to WG4

It was agreed that:

- 6.2.1. The minutes of Subcommittee 3 be tabled at WG4.
- 6.2.2. The Chairperson will elucidate the minutes if necessary.

It was agreed that a request would be submitted to WG4, through the WG Steering Committee on the authority of Subcommittee 3 to act on Codesaâ\200\231s behalf in the acquiring of information.

Compilation of Subcommittee 3â\200\231s report

Toike

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7.4.

Time frame

It was agreed that time is of absolute essence and that determining programming will only be possible when the Subcommittee receives guidance from WG4.

Form of report

A submission was made by Solidarity (See Addendum C).

The SACP suggested that we look at each of the Terms of Reference and identify key issues and problems and thereafter make recommendations.

Drafting of report and editing

It was agreed that this will be left until a rapporteur/s has been appointed.

It was agreed that Subcommittee 3 may need additional assistance to alleviate the workl

oad
of the rapporteur.

Involvement of outside organizations

It was agreed that every delegate is free to encourage outside organizations to make submissions to Codesa. Once these are received, the mechanism outlined in 3.5. should come into operation.

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WG4 SG3/MINUTES/24 FEBRUARY

It was also agreed that a decision on specialized assistance from outside individuals and groups is reserved till a later stage.

Approval of drafts

It was agreed that whoever is responsible for draft documents will have to submit them to the Subcommittee for discussion, possible amendment and approval.

Date of next meeting

It was agreed that the next meeting of the Subcommittee will be on Monday, March 2, 1992 at 10:00.

Other business

Sale

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Land Moratorium

The SA Government indicated that they had, in principle, no problem with a moratorium being placed on any new land transfers.

They stressed that there were certain legal and contractual obligations which had to be fulfilled.

The Transkei Government supported the land moratorium.

The Bophutatswana Government noted its opposition to the land moratorium and suggested that this matter continued to be handled on a bilateral and a case by case basis.

The Venda Government supported the land moratorium.

The Ciskei Government indicated that the question of the land moratorium should be seen in the context of existing obligations and that such obligations should be completed.

It also indicated support for the handling of each question on a case by case basis. Consensus was reached on the following points:

9.2.1. That no further attempts be made to identify new land for transfer to the TBVC Governments.

9.2.2. That where land is in the possession of the Development Trust it should remain in the hands of the Development Trust until its winding up, whereafter it should be transferred to the SA Government.

Land in the process of transfer

It was agreed that Subcommittee 3 will receive reports from all the TBVC states on the question of land where the process of transfer has already begun.

They will identify cases in which they believe transfer should be completed because of contractual obligations and/or the need to avoid disruption in administration

10.

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9.2.3. In the case of privately owned land, no arrangements for transfer of land between SA and the TBVC states should be made.

9.2.4. Transkei and Venda do not regard further land identification as important.

Ciskei wants to get more information, assess it and report back to the Subcommittee.

Bophutatswana intends to pursue more land claims.

It was agreed that Subcommittee 3 will receive reports from the TBVC states on the question of the Land Moratorium.

Submissions

The following submissions were made:

10.1. Letter sent to the Development Bank by the Subcommittee: Addendum B

10.2. | Submission by Solidarity:

Draft for Report on Reincorporation of the TBVC States: Addendum C

10.3. Submission by the National Party:

National Party Standpoint: Addendum D

Information received

Information received from Bophutatswana

11.1. Estimate of the Expenditure to be defrayed from the Revenue Account during the year ending

31 March 1992.

11.2. Southern Africa: An interstate comparison of certain salient features.

11.3. An overview of the GGP of the Development Regions of South Africa.

11.4. SATBVC Countries: Statistical Abstracts.

11.5. Southern African Population Projections: 1995 - 2005.

Information received from Venda:

11.6. Submission by the Venda Government: Rationalization of Parastatals.

11.7. Submission by the Venda Government:

Pension situation : Status actuarial Report.

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Information received from the SA Government:

11.8. Submission by the SA Government:

Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5. (m) as regards Transkei's finance.

11.9, Submission by the SA Government:

Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5. (m) as regards Venda's finance.

11.10. Submission by the SA Government:

Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5. (m) as regards Ciskei's finance.

The meeting was adjourned at 12:45.

ADDENDUM A

Working Group 4 : Subcommittee 3

Attendance : Meeting 24 and 25 February 1992

ANC

Bophutatswana Government
Ciskei Government
Democratic Party
Dikwankwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government

So@iliiclaveshiey? Ieucicy/
Transkei Government

UPF

Venda Government

Ximoko Progressive Party

A

Nzo

DW Schoeman

oy

c

Sondiyani

Simkins

DA Theyane

NJ Mgubane

JL Mahlangu

D

J

Q@ & Â«&

oO

M

Mokoena

Douw

Radue

Dwarkapersad

Carrim

Nyembe

Croeser

Bagwandeem

BUSLEWS

ER Maponya

SE Moeti

TW Tshabalala

MEMORANDUM

DATE: February 26, 1992

FROM: Werner Viljoen

TO All members of Subcommittee 32.

RE Information received and other matters

lee Net have not sven Teceived. Che) CVs sorte chess persons
nominated as rapporteurs, this is not yet included in the
minutes in hand. They will be forwarded as soon as they are
received.

The Schedule of information received is still outstanding.
It will also be forwarded to you shortly.

Please note for your own information gathering purposes
that the Schedule takes the exact form of point S

Information as minuted in the minutes of 18 February.

You may structure your own information gathering as per the
identification stated above.

Please take note of the fact that there is no Working Group
4 meeting next week, although the Subcommittees will meet
as normal.

[FATA ODA ONAN \ a)

| W/Z
COOs D ae S . A

WGS/LETTER TO DEVELOPMENT BANK/24 FEBRUARY

Via Telefax

Development Bank of Southern Africa
Fax: 313-3086

Dear Sirs

: Workin c for the Fu f the TBV

Ata recent meeting of CODESAâ\200\231s Working Group 4, which is looking into the futur
e of the
TBVC states, it was agreed that certain information was necessary for the Group to perf
orm
its tasks. It was agreed that the Development Bank of Southern Africa should be asked t
o
provide this information. We would be grateful if you could let us have the information
at
your disposal on:

ie Statistics of the existing infrastructures in each of the TBVC states;

7 Any information of relevance to achieving good administration in each of the
TBVC states during transitional periods,

oF Suggestions on how to maintain business confidence during a transitional
period, in relation to tax issues, economic policy, industrial decentralisation
initiatives and maintaining investment in commerce and industry,

4. Any information relating to the liabilities of the TBVC states and any movable
or immovable assets of the TBVC states;

3) A list of all direct and guaranteed debts of all parastatal and other bodies in
the TBVC states;

6. A list of all domestic and foreign loans of the TBVC states and the RSA
government.

D
_ CONENTION FOR 4 DEMOCRATIC SOLTH \FR
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PQ Box 307, [sando, 1600. South Alrica
Telephone (Ot1) 397-1198/99. Fax (O11) 397-22

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WG4/LETTER TO DEVELOPMENT BANK/24 FEBRUARY

To assist you, we attach a copy of the minutes of the first meeting of Sub-committee 3 of Working Group 4, held on Tuesday 18 February 1992.

Should you have any queries, please do not hesitate to contact:
Chairperson: Mr J L Mahlangu

WEE OWL
Fax: 01215-2808

Alternative Chairperson: Mr C Simkins
Tel: 011-716-5630
Fax: 011-339-3909

or
Secretary to WG4: Ms Sue Albertyn

Tel: 011-838-8830
Fax: 011-838-5088

Yours sincerely

i
ars

MR J L MAHLANGU
CHAIRPERSON OF SUB-COMMITTEE 3 OF CODESA WORKING GROUP 4

SG3WG4MINO203.WS (1)

SUBGROUP 3 /WG4 /MINUTES/2 MARCH

THESE ARE MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE SUBGROUP? 2, THE WORKING GROUP 4. THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

MINUTES OF THE THIRD MEETING OF SUBGROUP 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, MARCH 2, 1992 AT 10:00.

ADOPTED AT THE MEETING OF SUB-GROUP 3 ON MONDAY 9 MARCH 1992

PRESENT: Delegates (See Addendum A)
JL Mahlangu (Chairperson)

WJ Viljoen (Minutes)

1 Chairperson's opening remarks and adoption of draft agenda

The delegates were welcomed by the Chairperson and the draft agenda was adopted.

Op Ratification of the minutes of Subgroup 3 meeting held on 24 and 25 February 1992

The minutes of the second meeting of Subgroup 3 were ratified subject to the following amendments
that were agreed upon:

Dobe 3. substitute "checklist" for "this"
Boiko "See 10 : Submissions " altered to read "See 11: Information received."

302. Add "(See 11: Information received) "

Doce, 4.2. substitute "may" for "should"

DES tes Add: "in respect of the preamble" to "A submission was made by Solidarity"

2.4. 9), il. Add: "Proposal of the Democratic Party" to "Land moratorium"

Add: "to the TBVC states" to line 1.

Dee ORs Insert "sufficient" before "consensus was reached on the following points"
BeBo 930 Correct numbering:

9.2.3. to become 9.3.1.

9.2.4. to become 9.3.2.

1
| -
| SG3WG4MINO203-.WS (1)
] SUBGROUP 3 /WG4/MINUTES/2 MARCH
| ee 9.3.2. Substitute â\200\234transferâ\200\235 for "identification"
| : Omer 11. Information received
: Include: Bophuthatswana noted that it would be difficult to provide information
| } regarding Bophuthatswana on B.2.1. and B.2.2.
T ono} Correct numbering:
"11" to become "12 Adjournmentâ\200\235
3, Appointment of rapporteurs
: 3, 1. It was agreed that a deadlock had been reached on the nomination of a rapporteu
r.
It_was agreed that the matter would be referred to Working Group 4 for resolution and t
he
' decision of Working Group 4 would be final.
It was agreed that two options were open:
iL, That Working Group 4 take a decision on one of the nominees.
ee That Subgroup 3 motivate for the appointment of two rapporteurs, in which case both
nominees be appointed.
Ber Consensus was not reached on the workload of the rapporteur/rapporteurs for Subgrou
p 3.
4, Progress on assembling material identified in the minutes of the meeting of Subgroup
3 on
February 18, 1992.
4.1. SA Government
See paragraph 9 headed "Information received"
The SA Government document on Bophuthatswanaâ\200\231s finance was tabled with the foll
owing
corrections:
4.1.1. TOTAL BOPHUTHATSWANA STATE DEBT AS AT 31 JANUARY 1992:
R416 668 000
4.1.2. GUARANTEES ISSUED BY BOPHUTHATSWANA TO PARASTATALS AND
LOCAL GOVERNMENTS:
| R272 000 000
4.2. TBVC Governments

4.2.1. Transkei
|

6.

4.2.4.

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SUBGROUP3 /WG4 /MINUTES/2 MARCH

See paragraph 9 headed "Information received"

Bophuthatswana

It was reported by the Bophuthatswana Government that the collection of information is progressing and will be available at the next meeting (9 Annual Reports were tabled by the Bophuthatswana Government. After discussion they were retrieved for

summary.).

Venda

The Venda Government reported that the outstanding information will be available at the next meeting.

Ciskei

The Ciskei Government reported that information is being compiled and the Ciskei Government will start providing information at the next meeting.

Land transfer moratorium

Nn

Reports from the TBVC Governments

Dolloite

Sele

Dolled.

5.1.4.

Transkei

See document headed "Transkei information on the transfer of land." 200\235

Bophuthatswana

Bophuthatswana still reserves its position on the question of a moratorium being placed on the transfer of land.

Venda

Venda must still supply a list of land in the process of transfer.

Ciskei

A list from the Ciskei Government is still outstanding.

It was agreed that Subgroup 3 still stands by the decision as recorded in paragraph 9.3 . of the minutes of the meeting of Subgroup 3 held on February 24 and 25, 1992.

Date of the next meeting

It was agreed that the next meeting will be held on Monday, March 9, 1992, at 10:00.

Any other business

SUBGROUP 3 /WG4 /MINUTES/2 MARCH

Todho A letter from Ciskei Civil Servants was circulated. A copy of the letter is attached marked "Addendum C."

It was agreed that this matter is not part of the Terms of Reference for Subgroup 3.

Heed: Preamble to the Report of Subgroup 3 as submitted by Solidarity

It was agreed that this submission might be a useful guide and that the matter will be left until a rapporteur/rapporteurs had been appointed.

Submissions

8.1. Letter from dismissed Ciskei Civil Servants : Addendum C.

Sen Transkei's position on Bophuthatswana's reservations tabled in ail Codesa Working

Groups and structures : Addendum D.

8.3. UPF: Submission on Bophuthatswana's 'reservations' : Addendum E.

Information received

Information received from the SA Government

Ole In terms of the Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5. (m) as regards

Bophuthatswana's finance.

Information received from the Venda Government

9) 2 DD: Taxation system

SS Dos Property tax

Information received from the Transkei Government

9.4. Cooperation agreement between the Government of the Transkei and the SA Government regarding Structural Adjustment.

OEE Actuarial report on the Valuation of the Transkeian Government Service Pension Fund as at

31st March 1980.

SE6F List of institutions through which land transfers take place.

9.7. Statistics showing civil servants in Transkei.

OFS Resume of parastatals and the functions they perform.

059) Information on taxation and property tax.

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SUBGROUP 3 /WG4 /MINUTES/2 MARCH

9.10. List of all domestic and foreign loans.

9.11. Schedule reflecting contributions and other assistance from the SA Government.
Information received from the Bophuthatswana Government

9.12. Annual Reports : List to be annexed to the minutes.

10. Adjournment

The meeting closed at 13h00.

THE NEXT MEETING OF SUBGROUP 3 WILL BE HELD ON MONDAY, MARCH 9, 1992 AT 10:00.

SUBGROUP3/WG4/MINUTES/9 MARCH

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF SUBGROUP 3. THE WORKING GROUP STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUBGROUP AT ITS NEXT MEETING.

MINUTES OF THE FOURTH MEETING OF SUBGROUP 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, MARCH 9, 1992.
PRESENT Delegates (see Addendum A)

C Simkins (Chairperson)

WJ Viljoen (Minutes)

The Chairperson's opening remarks and adoption of the draft agenda. The delegates were welcomed by the Chairperson and the draft agenda was adopted. Ratification of minutes of the meeting of Subgroup 3 held on March 2, 1992.

The minutes of the third meeting of Subgroup 3 were ratified subject to the following amendments that were agreed upon:

Badle 4.1.1. The correct amount is R416 668 000.

Ren 4.2.2. Altered to include "(9 Annual Reports were tabled by the Bophuthatswana Government. After discussion they were retrieved for summary.)"

See Ss The date in the last line corrected to read "24 and 25 February 1992.)"

2.4. Insert "9.12. Annual Reports: List to be annexed to the minutes. "

3. Progress on assembling material identified in the minutes of Subgroup 3 meeting held on

February 18, 1992.

the SA Government

6 Documents were tabled by the SA Government.

See "11 : Information received"

See TBVC Governments

3.2.1. Transkei Government

2 Documents were tabled.

See "11 : Information received"

3.2.2. Bophuthatswana Government

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SUBGROUP3/WGA/MINUTES/9 MARCH

3 Documents were tabled.

See "11 : Informaion received"

3.2.3. Wenda Government

8 Documents were tabled.

See "11 : Information received"

3.2.4. Ciskei Government

No information has to date be received from the Ciskei Government.

It was noted that this is severly hampering the progress of Sub-group 3. The delegate from the Ciskei Government will be asked to explain the attitude of the Ciskei Government at the next meeting of Sub-group 3.

The Development Bank of SA

It was reported that the DBSA had confirmed that it was making substantial progress in compiling the information requested.

Land transfer moratorium

4.1.

4.2.

Reports from Venda and the Ciskei.

Information was tabled by the SA and Venda Governments. The Ciskei representative handed a document to the Chairperson of Sub-group 3 during the meeting of Working Group 4. This document is attached to the minutes.

Debate

It was agreed that debate will be postponed till the next meeting.

It was stated that the Transkei Government and the Venda Government would like to review the document circulated by the SA Government for reconciliation with their own information.

Appointment of Rapporteur

At a brief caucus of Sub-group 3 during the meeting of Working Group 4 it was agreed that Mr M Memela be appointed as rapporteur for Subgroup 3.

Other business

6.1.

6:2"

Participation of Advisors in Working Group 4 plenary sessions.

It was agreed that a proposal be made to the Working Group 4 Steering Committee request

ing

that advisors be given speaking rights on matters specifically concerning their subgroup and

that advisors' speaking rights be guided by the heads of delegations.

Procedure with collected information.

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SUBGROUP3/WG4/MINUTES/39 MARCH

It was agreed that the minute taker proceed with the collating and registration of information received to date.

The meeting adjourned at 12:00 till after the Working Group 4 meeting.
The meeting reconvened at 15:45.

Date of the next meeting.

The meetings schedule for Subgroup 3 are as follows:

Monday, March 23, 1992 : 10:00 - 16:00
Tuesday, March 24, 1992 : 10:00 - 16:00.

Submissions

10.1. | Submission by the Ciskei Government on the Land Transfer Moratorium : Addendum C.

Information received

Information received from the SA Government

11.1. Document headed "Land still to be transferred to the TBVC States in terms of bilateral and independence agreements."

11.1.1. Pending (trust owned land) transfers to TBVC states.

11.1.2. Land still to be acquired by the RSA for addition to the TBVC states in terms of bilateral and independence agreements.

11.1.3. Funds

Note the amount allocated for the 1991/92 financial year is R15 199 000.

11.1.4. Transfer of land from the TBVC states.

11.1.5. Institutions.

11.2. Document headed "B.3 - Taxation"

11.3. | Document headed "B.3 - Taxation - including Custom and Excise.

11.4. | Document headed "B.4 - Development Projects and Priorities:

11.4.1. Transkei

11.4.2. Bophuthatswana

lease Venda

11.4.4. Ciskei

SGSWGAMINO903.WS (3)

SUBGROUP3/WGA /MINUTES/9 MARCH

11.5. Document headed "Abstract of the 1991/92 Estimates of Expenditure of each TBVC State together with the summary of Capital Expenditure."

11.6. Document headed "Status of RSA Pension Fund"
Information received from the Transkei Government.

11.7. Document headed "Manual on the implementation of the Regional Industrial Development Incentives introduced on 1 April 1982."

11.8. Document concerning Transkei Education Department Data and Pupil/Teacher Ratio
200/231s.

Information received from the Bophuthatswana Government

11.9. | Bophuthatswana Boundary Proclamation Map.

11.10. Document headed "Comparative Indicators"

11.11. Document headed "Bophuthatswana Submission to Working Group 4, Subgroup 3
200/235

(Explanatory document to 11.10.)

Information received from the Venda Government

11.12. Document headed "Venda
200/231s view on Reincorporation"

11.13. Document headed "Submission to Working Group 4 Subgroup 3 of CODESA on development projects, their status and the list of infrastructure of the Government and parastatal institutions."

11.14. Document headed "Venda Development Corporation Ltd. Annual Report 1989."

11.15. Document headed "Venda Development Corporation Ltd. Annual Report 1990."

11.16. Document headed "Venda Agricultural Corporation Ltd. (AGRIVEN) Annual Report 1988/89."

11.17. Document headed "Venda Electricity Corporation. Five year plan and tariff Study 1992-
IS"

11.18. Document headed "Agriven Ltd: Project Implementation costs incurred."

11.19. Document headed "Venda Electricity Corporation: Report on Capital Budget for the 9 months ended 31.12.91."

Adjournment

The meeting closed at 16:00.

Addendum A
Working Group 4, Subgroup 3

Attendance

ANC

Bophuthatswana Government
Ciskei Government
Democratic Party
Dikwankwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

National Peoples Party
NERCy ER

SACP

SA Government

Sfopniicl anrapintenyame iaieny,

Transkei Government

UPF

Venda Government

Ximoko Progressive Party

A

Nzo

DW Schoeman

Cc

Simkins

DA Theyane

NJ Ngubane

JL Mahlangu

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M

Mokoena

Douw

Radue
Dwarkapersad
Singh

Nyembe
Burton
Bagwandeem

TIALS

ER Maponye

SE Moeti

TW Tshabala

WG4SG3/MIN/23MARCH(2)
WG4SG3/MINUTES/3MARCH1992

THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF SUBGROUP 3, THE WORKING GROUP STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUBGROUP AT ITS NEXT MEETING.

MINUTES OF THE FIFTH MEETING OF SUBGROUP 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, MARCH 23, 1992.

PRESENT Delegates (See Addendum A)
JL Mahlangu (Chairperson)

WJ Viljoen (Minutes)

1. Chairperson's opening remarks and adoption of draft agenda.

The Chairperson welcomed the delegates and a special word of welcome was extended to Mr GM Memela (Rapporteur) and Mr N Singh of Solidarity, who has replaced Dr Bagwande.

Mr Memela was wished well on his role as Rapporteur.
The draft agenda was adopted.
The Ratification of minutes of the meeting of Subgroup 3 held on March 9, 1992.

The minutes of the fourth meeting of Subgroup 3 were ratified subject to the following amendments
that were agreed upon:

Zale 6.2. Add: "A list of all outstanding information will be supplied to the Subgroup by the minute taker."

Diss 5. Add: "Since the National Party decided to withdraw their nomination of a Rapporteur in the interest of progress, it was agreed..."

DES) Names in Addendum A were corrected.

2.4. 3.2.4. substitute "delay" for "attitude"

3) Progress on assembling material identified in the minutes of Subgroup 3 meeting held on

February 18, 1992.
Bolle SA Government
1 Document was tabled.

See: 9: Information received.

3020 TBVC Governments

3.3

3.4.

WG4SG3/MIN/3MARCHQ()

WG4SG3/MINUTES/3BMARCH1992

3.2.1. Transkei Government

3 Documents were tabled

See: 9: Information received.

3.2.2. Bophuthatswana Government

No additional information was tabled.

3.2.3. Venda Government

2 Documents were tabled.

See: 9: Information received.

3.2.4. Ciskei Government

A comprehensive document was tabled structured according to the minutes of the meeting of 18 February 1992.

See: 9: Information received

The delegate from the Ciskei Government apologized for not being present at the previous meeting and for the time delay in providing information.

The meeting accepted the explanation and thanked the delegate for the information provided.

The Development Bank of Southern Africa

It was noted that the DBSA will be providing comprehensive information which will be available at the next meeting.

Other information

3.4.1. Three SECOSAF documents were tabled.

See 9: Information received.

3.4.2. The delegate. from the Venda Government noted that information on the retention of business confidence was still to be submitted by the Venda Government.

Identification of further information needed.

It was agreed that this will be investigated as the work of the Rapporteur proceeds.

Submissions

Position papers/discussion papers were submitted by:

Syaples

The ANC (Addendum C)

W G4S G3/MIN/23MARCH()
W GAS G3/MINUTES/23MARCH1992

Dee The SACP (Addendum D)

Soe The Democratic Party (Addendum E)

5.4. The Labour Party (Addendum F)

DPOe The Bophuthatswana Government (Addendum G)

It was agreed that all parties/organizations will submit position papers to the minute taker by no later than 14:00 on Thursday, 26 March 1992, for distribution to the Rapporteur.

The SA Government and Inkatha delegates indicated that they will not be able to submit their position papers by the deadline agreed to.

Objections were raised and noted to the Bophuthatswana delegate leaving the meeting prior to closure.

The SACP delegate noted their dissatisfaction at not being able to raise and discuss certain issues at this meeting.

Production of report for Subgroup 3.

It was agreed that this will be left till the next meeting.

Any other business

To like Land Moratorium

It was agreed that the Rapporteur will submit a draft agreement on the Land Moratorium to the next meeting of Subgroup 3, so that this issue can be finalised at the next meeting of Subgroup 3.

VEZ. Participation of Advisors in Working Group 4 Plenary sessions.

It was reported that advisors can interchange their positions to allow advisors to participate in Plenary Session debates. In this situation the previous delegate would assume the seat of the advisor. Heads of delegations should guide the procedure.

Date of next meeting

The next meeting will be on Tuesday, March 31, 1992 at 10:00 to 16:00.

Information received

Information received from the SA Government

Ole Government Pension Funds Paragraph 11.6. of the minutes of the meeting held on 18 February and State Debt - Paragraph B.6. of the same minutes.

Information received from the Transkei Government
2c Transkei Status Report

Qo Transkei Electricity Supply Corporation: Financial Statements 31 March 1991.

10.

9.4. Transkei Airways Corporation: Statements: 31/12/91.

Information received. from the Venda Government

9.5. Status of the Republic of Venda Pension Fund.

9.6. Venda Comparative Indicators.

Information received from the Ciskei Government

9.7. Comprehensive document as supplied to all delegates.

Information received from SECOSAF

WGASG3/MIN/3MARCH(2)

WG4S G3/MINUTES/23M ARCHI1992

OSs Multilateral agreement between the Governments of TBVCSA for the avoidance of double taxation, the prevention of fiscal evasion, the rendering of mutual assistance and co-operation,

and the establishment of a transfer system, with respect to VAT.

ORS Manual on the implementation of the Regional Industrial Development Incentives introduced

on | April 1982.

9.10. RSA Regional Industrial Development Programme Incentive Package applicable from | May

1991.

Closure

The meeting was adjourned at 16:00.

ADDENDUM A

Attendance Register

ANC

BOPHUTHATSWANA GOVT
CISKEI GOVT

DP

DIKWANKETLA PARTY

Tie

INTANDO YESIZWE PARTY
INYANDZA NAT MOVEMENT
LABOUR PARTY

NIC/TIC

NP

NPP

SOLIDARITY

SACP

SA GOVERNMENT
TRANSKEI GOVERNMENT
WIRE

VENDA GOVERNMENT
XIMOKO

A Nzo

DW Schoeman
M Sondiyazi

C Simkins

D Thejane

NJ Ngubane
JL Mahlangu
ND Moekoena
J Douw

S Singh

R Radue

L Dwarkapersad
N Singh

L Nyembe
RW Burton

M Titus

ER Maponya
SE Moeti

TW Tshabalala

WG4SG3/MIN/3MARCH(2)

WG4SG3/ MINUTES/23MARCH1992

SCHED MEETINGS OF wWG4 24\3\92

SCHEDULE OF MEETINGS FOR WORKING GROUP 4

Monday 30 March 1992 - Working Group 4 meeting : 10:00 to 16:00

Monday 30 March 1992 - Working Group 4 Steering Committee to take place after the conclusion of the working group 4 meeting

Tuesday 31 March 1992 - Working Group 4 Sub Group 1 : 10:00 to 16:00

Tuesday 31 March 1992 - Working Group 4 Sub Group 2 : 10:00 to 16:00

Tuesday 31 March 1992 - Working Group 4 Sub Group 3 : 10:00 to 16:00

Tuesday 31 March 1992 - Working Group 4 Sub Group 4 : 10:00 to 16:00

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THESE ARE DRAFT MINUTES, AS APPROVED BY THE CHAIRMAN. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF SUBGROUP 3, THE WORKING GROUP STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUBGROUP AT ITS NEXT MEETING.

MINUTES OF THE SIXTH MEETING OF SUBGROUP 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, MARCH 30, 1992.

PRESENT: Delegates (See Addendum A)
C Simkins Chairperson
WJ Viljoen Minutes
IE Chairperson\200\231s opening remarks and adoption of draft agenda.

The chairperson welcomed the delegates and the draft agenda was adopted.
De Ratification of minutes of the meeting of Subgroup 3 held on March 23, 1992.

The minutes of the fifth meeting of Subgroup 3 were ratified subject to the following amendments that were agreed upon:

Dele 2.2. Replace by "In view of the important progress Subgroup 3 has made, and in the spirit of cooperation that our respective delegations have established at CODESA thus far, as well as in the belief that this spirit of cooperation can be extended to all delegations when needed in future, the National Party decided to withdraw its nomination for Rapporteur, it was agreed..."

PEO 5. Insert "The Bophuthatswana document was discussed.

The Bophuthatswana delegate indicated their apology during the lunch break for having to be excused from the meeting at no later than 15:15.
By Progress on assembling material identified in the minutes of Subgroup 3 meeting held on

February 18, 1992.

Ble Transkei Government

1 Document was tabled (See 8: Information received)
Bes The Development Bank of Southern Africa
1 Comprehensive document was tabled (See 8: Information received)
4. Submissions

The following position papers/discussion papers were received and circulated at the meeting:

4.1. Ciskei Government

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aa Dikwankwetla Party

ays Inyandza National Movement
4.4, NIC/TIC

4.5. National People's Party

4.6. Solidarity

4.7. Transkei Government

4.8. UPF

4.9. Venda Government

4.10. Ximoko

Delegates presented their position papers/discussion papers.
It was noted that 3 Submissions were still to be received:

- Intando Yesizwe

- National Party

- SA Government

Draft report from Rapporteur.

So Sho Land Moratorium Resolution (Addendum B)

The Rapporteur presented his draft report and after discussion it was agreed that the Rapporteur will revise the draft report for discussion at the next meeting. This document will

be consolidated with the document mentioned in 5.2.

Don Draft report from Subgroup 3 on Reincorporation (Addendum C)

The Rapporteur presented his report and after discussion it was agreed that the Rapporteur

must attach a list of submissions received to the Draft Report.

It was agreed that a second draft will be presented for discussion at the next meeting.

The Rapporteur was congratulated on the first draft.

Date of next meeting

It was agreed that a suggestion be made to the Steering Committee that Subgroups meet prior to the

next Working Group meeting on Monday, April 21 1992.

Any other business

None

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8. Information received

Information received from the Transkei Government
Sele Document titled "Project funded by the RSA Loan Fund: KEOSSA : 1991/92."
Information received from the Development Bank of SA

8.2. Comprehensive document structured according to the minutes of the Subgroup 3 meeting held
on February 18, 1992.

9. Closure

The meeting was adjourned at 16:10.

NOTE : THE MANAGEMENT COMMITTEE HAS DECIDED TO GRANT THE CODESA STAFF A
HOLIDAY FOR THE WEEK COMMENCING MONDAY 13 APRIL 1992.

THE NEXT MEETING OF WORKING GROUP 4 WILL BE HELD ON TUESDAY 21 APRIL 1992 AT
10:00.

SUBGROUP 3 WILL MEET IMMEDIATELY AFTER THE WG4 MEETING ON 21 APRIL 1992. IF
THE WG4 MEETING TAKES THE ENTIRE DAY ON TUESDAY 21 APRIL, SUBGROUP 3 WILL
MEET ON WEDNESDAY 22 APRIL 1992 AT 10:00.

Addendum A

Attendance Register

ANC

Bophuthatswana Government

Ciskei Government

Democratic Party

Dikwankwetla Party

Inkatha Freedom Party

Intando Yesizwe Party

Inyandza National Movement

Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government

Solidarity

Transkei Government

WEE

Venda Government

Ximoko Progressive Party

RAPPORTEUR

A Nzo

DW Schoeman

T Sondiyazi

C Simkins

DA Thejane

NJ Ngubane

ND Mokoena

J Douw

R Radue

AA Koobair

S Singh

L Nyembe

G Croeser

N Singh

M Titus

ER Maponya

SE Moeti

GM Memela

WG4/SG3/MIN/30MARCH

WG4SG3/MINUTES/30MARCH1992

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THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE.

DRAFT MINUTES OF THE FIRST MEETING OF WORKING GROUP 4 (THE FUTURE OF THE TBVC STATES) SUB-COMMITTEE 4 (THE POLITICAL, LEGAL AND CONSTITUTIONAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON TUESDAY 18 FEBRUARY 1992
(ADOPTED AT THE MEETING OF THE WORKING GROUP ON TUESDAY 03 MARCH 1992)
PRESENT: Delegates (See Addendum A)

D Govender (chair)

L Klein (minutes)

1e Election of Chairperson

The Chairperson assumed the chair on the basis of the election held on 17 February 1992, at 16h00, at the World Trade Centre.

2. Chairperson's opening remarks

Delegates were welcomed by the chairperson.

3: Agenda

The agenda was adopted.

4. Rapporteurs

4.1 The need to appoint a rapporteur for the sub-committee was raised.

4.2 It was agreed that the question be referred to the Working Group 4 (WG 4).

4.3 It was agreed that in the interim, the chairperson would report back on the sub-committees activities and liaise with the necessary parties.

5. The functioning of the sub-committee and discussion thereof

ell It was agreed that the question of re-incorporation or non-reincorporation would not be debated in the sub-committee.

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Srp legl It was agreed that all proposals concerning the relationship between South
- Africa and the TBVC states would be investigated.

â\200\230The 2 documents made availabic py the South African government with the releva
nt legislation
would be discussed.

It was agreed that the sub-committee 4 should aquire all the relevant and factual infor
mation
relating to the TBVC states and their relationship to South Africa.

Submissions of TBVC states

6.1

6.2

It was agreed that the TBVC states would each present an information paper explaining t
heir
structure of government, relevant legislation and bilateral agreements.

6.1.2 Debate arose concerning the form and the timing of the information papers.

Olas It was agreed that the information papers would be comprehensive and
would be delivered at the subsequent sub-committee meeting.

Guidelines on the structure of the submissions of the TBVC states were outlined to the
sub-
committee and accepted. (see Addendum B)

Harmonisation of legislation and taxation : Debate

eal

EZ

ES

This area may overlap with the terms of reference of sub-committee 3.

The meaning of the term "Harmonisation of legislation and taxationâ\200\235 and whether
it implied
reincorporation or not was debated.

It was agreed that the question of the harmonisation of legislation would be influenced
by the
form of government devised under a new constitution.

7.4. This issue will be investigated in subsequent sub- committee 4 meetings.

The land question : Debate

Debate was curtailed on this issue because it was agreed that it was not part of the Te
rms of Reference.

Future meetings

9.1

9.2

OFS

Debate arose concerning the date of the next subcommittee meeting.

It was agreed that it was preferable to hold weekly sub-committee meetings.

The next sub-committee meeting will be held on Tuesday 3rd March 1992, to allow the TBV C states time to gather together the relevant information, together with the relevant information for presentation of profile papers with supporting documentation or reference to such documents.

ANC

Bophuthatswana Gvt
Ciskei Gvt

Democratic Pty
Dikwankwetla Pty

Inkatha Freedom Pty
Intando Yesizwe Pty
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SACP

SA Government
Solidarity Pty

Transkei Gvt

United Peopleâ\200\231s Ft

Venda Gvt

Ximoko Progressive Party

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wo4 sg2/minutes/18 february

Addendum A

B Mabandla
JJ Tlholoe

GF Godden
NJ Olivier

S Manyane
VT Zulu

JS Mabena

H Motaung

T Abrahams
A Julies

D Govender
PB Soobrayan
S Mufamadi
DW Auret
GN Naidoo
Mr Makhanda
JM Nonyane
MP Nthabalala
T Shimbambu

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10. Closure

The Chairperson closed the meeting at 13h10.

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WG4 SG4/MINUTES/03 MARCH

THESE MINUTES HAVE BEEN APPROVED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE.

MINUTES OF THE MEETING OF WORKING GROUP 4 SUBGROUP 4 HELD AT WTC AT 10H00 ON TUESDAY 03 MARCH 1992

(ADOPTED AT THE MEETING OF THE SUBGROUP ON MONDAY 09 MARCH, 1992)
PRESENT: Delegates (See Addendum A)

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D Govender (Chairperson)

W Antoine (Minute taker) i
le Chairpersonsâ\200\231s opening remarks
Delegates were welcomed by the chairperson.
2 Confirmation of Minutes
The minutes for the previous meeting were adopted.
Bs Agenda
The agenda was adopted.
4, Rapporteurs
4.1 Delegates discussed what is required of a rapporteur and there was a debate over whether or
not a rapporteur should have legal knowledge, especially in constitutional matters.
4.2 It was recommended a rapporteur should have experience with affairs of TBVC states and
be able to take a neutral stance.
4.3 Three nominations were received: Mr Bulelani Ngcuka, Mr M.D.B. Rezelman and Mr A.L. Ramone.
4.3.1 The curriculum vitae of Mr Rezelman and Mr Ramone were tabled.
4.3.2 It was agreed that the curriculum vitae of Mr Ngcuka would be submitted before the
next meeting.
4.3.3 It was agreed that members should scrutinise the curriculum vitae of the respective
candidates in order to reach a decision at the next Subgroup 4 meeting.
4.4 It was agreed to appoint a rapporteur at the subsequent subgroup 4 meeting.
55 Submissions of TBVC states

5, il The profiles presented by the TBVC states (see Appendix B) were taken as read and would serve as reference material for future discussions.

52 It was agreed that profile material could be incremental from time to time.

es It was agreed that delegates from the TBVC states would present simple overviews to highlight salient points (10-15 minute presentations).

5.4 It was recommended that each presentation address point 1.4 of the Terms of Reference for Subgroup 4, items (a) - (f).

The need to liase with Subgroup 3.

6.1 It was agreed that the reports received in the Plenary sessions of Workgroup 4 is a dequate for liason with the other subgroups. If and when the need arises for greater liason, the matter can

again be considered.

6.2 It was agreed that the minutes of the other Subgroups of Working Group 4 should be circulated to delegates of Subgroup 4 prior to each meeting.

Future meetings

Real Delegates expressed various concerns about spending more time in meetings. It was agreed that this matter should be referred to the plenary session on Monday 9 March.

Te The next Subgroup meeting will be held on Monday 09 March 1992 at 10h00.
Closure

The Chairperson closed the meeting at 12h30.

ANC

Bophuthatswana Gvt
Ciskei Gvt

Democratic Party
Diwankwetla Pty

Inkatha Freedom Pty
Intando Yesizwe Pty
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SACP

SA Govt

Solidarity Party

Transkei Govt

United People's Front

Venda Govt

Ximoko Progressive Party

B Mabandla

JJ Tlholoe

GF Godden
NJ Olivier

RS Ramasia
VT Zulu

JS Mabena

H Motaung

J Douw

PC McKenzie
B Jayraj

P David

S Mufamadi

N van Heerden
GN Naidoo
Mr Makhanda
JM Nonyane
MP Nthabalala
T Shimbambu

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WGA SG4/MINUTES/03 MARCH

Addendum A

SG4M0903.WS (3)

WG4 SG4/MINUTES/9 MARCH

THESE MINUTES HAVE BEEN ADOPTED BY THE CHAIRPERSON. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE.

MINUTES OF THE MEETING OF WORKING GROUP 4 SUBGROUP 4 HELD AT WTC AT 10H00 ON MONDAY 09 MARCH 1992

(ADOPTED AT THE MEETING OF SUBGROUP 4 HELD ON MONDAY 23 MARCH 1992)

PRESENT: Delegates (see Addendum A) View Gx odo poled ea
Srrol Merck 1492

D Govender (Chairperson)

W Antoine (Minute taker)

It. Chairperson's opening remarks

eI Delegates were welcomed by the chairperson and the meeting was opened with a minute of silent prayer.

eZ It was agreed that future meetings would begin at the scheduled time, whether or not all delegates had arrived.

oe Apologies.

The delegate from Ciskei made apology for having to arrive late.

3. Confirmation of Minutes.

The minutes of the second meeting of Subgroup 4 were ratified subject to the following amendments that were agreed upon:

SI Additional to point 6.1, it was agreed that the minutes of the other Subgroups of Working Group 4 should be circulated to delegates of Subgroup 4 prior to each meeting.

Bee In 4.3 the name Bulani Ngquke should read as Bulelani Ngcuka.

Bes, In Addendum A, RS Ramasias should read RS Ramasia, PB Soobrayan as P David and DW Aurret as N van Heerden.

4, Agenda

The agenda was adopted after it was agreed to attend to items 5 and 6 before item 4. Do Oral presentations of profile overviews by TBVC states.

al Transkei.

The delegate from the Transkei Government gave a brief summary of the structure of their

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WG4 SG4/MINUTES/9 MARCH

government and then considered some specific implications of reincorporation on the various

state departments. A document is to be tabled at the next meeting which records the details of this presentation.

ee Bophuthatswana.

The delegate from the Bophutatswana Government presented a purely factual summary of the structure of government. Reference was made to three documents, two of which have still to be tabled. None of the implications of non-reincorporation were addressed.

In response to a query, the delegate from the Bophutatswana Government agreed to furnish further information with regard to the relative increase of numbers around tribal and municipal authorities.

Sas) Venda.

The delegate from the Venda Government made his oral presentation by reading the profile document that had been submitted to the Subgroup at the previous meeting.

5.4 Ciskei.

Delegates were briefly introduced to the background and structure of the Ciskei Government and were then referred to the relevant pages of the profile document (submitted at the previous meeting) wherein issues for consideration have been identified.

Discussion

6.1 Delegates expressed their concern that the failure by the delegate from Bophutatswana to address his presentation within the terms of reference would undermine the contribution of the Subgroup and limit its influence in decisions affecting a future South Africa.

6.2 It was agreed that item (f) of 1.4 of the Terms of Reference for Subgroup 4 had been formally adopted, even though record of this had been omitted from the minutes of the first meeting of the Subgroup.

6.3 Further, it was agreed that the profile of Bophutatswana should be examined in terms of this item (f) of 1.4.

6.4 It was agreed that the TBVC states would make submissions to Subgroup 4, in which the problems and advantages foreseen in regard to reincorporation, or otherwise, would be outlined and explored in terms of their political, legal and constitutional implications. Suggestions had

to be made as to possible solutions.

6.5 It_ was agreed that these submissions would be made before the next meeting in order that delegates would have time to study the documents prior to the meeting.

Rapporteurs

e1 The nomination for Mr M.D.B. Rezelman was withdrawn.

ee The curriculum vitae of Mr B Nqcuca was tabled (see Addendum B).

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eS) Delegates discussed what is required of a rapporteur and considered the two remaining nominees, being Mr B Ngcuka and Mr A Ramone, in the light of their discussion.

7.4 It was agreed by sufficient consensus to appoint Mr B Ngcuka.

Submissions

The following documents were tabled by Transkei:

8.1 Relevant Legislation.

8.2 Letter X.96. from the Minister of Foreign Affairs. and Information

Future meetings.

S1 Concern was expressed that, for some delegates, more time is spent travelling to meetings than being in the actual meeting. It was agreed that there is a need for meetings to be longer in order to achieve real progress. As previously agreed, this matter would be referred to the plenary session pending.

Qe The next Subgroup meeting will be held on Monday 23 March 1992 at 10h00 to 16h00.

93 There will also be a meeting on Tuesday 24 March, 1992 at 10h00. It was decided that this meeting would end at 13h00.

Note: At its meeting held on 09 March 1992 at 14h00, the WGSC 4 decided that given the workload of the Subgroups they should meet on both the 23 and 24 March 1992. It was recommended that the Subgroups should meet until 16h00 on both days.

Closure

The chairperson closed the meeting at 13h30.

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WG4 SG4/MINUTES/23 MARCH

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF

THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE SUBJECT TO CLEAR APPROVAL BY THE CHAIRPERSON AND TO

RATIFICATION BY THE SUBGROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF THE TWO-DAY MEETING OF WORKING GROUP 4 SUBGROUP 4 HELD AT WTC ON MONDAY 23 MARCH 1992 AT 10H00 AND ON TUESDAY 24 MARCH 1992 AT 10H30

PRESENT: Delegates (see Addendum A and B)
D Govender (Chairperson)

W Antoine (Minute taker)

I Chairperson's opening remarks

1a Delegates were welcomed by the chairperson and the meeting was opened with a minute of

silent prayer.

Next an apology by the administration office for their failure to fax the submission by the Ciskei Government to the delegates was registered.

Then an appeal was made for a concerted effort to get as much done as possible.

2: Confirmation of Minutes

The minutes for the previous meeting were ratified.

BB Agenda

The agenda was adopted.

4. Presentation of submissions by TBVC states

The delegates from the Transkei Government, Venda Government and Ciskei Government tabled

documents that identified the problems that would be encountered and the actions that would be

required if reincorporation was to take place.

The delegate from the Bophuthatswana Government tabled a position statement relating to paragraph

6.4 of minutes of the meeting of Working Group 4 Subgroup 4 held on 09 March 1992. The information that had been requested of the delegate from Bophuthatswana was also tabled

.

5. Discussion

5. It was noted that if the TBVC states still exist as sovereign entities by the time an interim

government is set up in South Africa, they would not be able to participate in the interim

arrangements. Delegates debated ways and means of overcoming this hurdle so that the TBVC states could participate in the transitional arrangements of an interim government .

Se Delegates discussed the issue of citizenship. It was noted that if people in the TBVC states had their South African citizenship restored they would be able to take part in the move to a new democratic South Africa. The adoption of dual citizenship by people in the TBVC states was considered as an alternative option. It was noted that in South Africa, in terms of the Act 73 of 1986, dual citizenship is not allowed, while in the TBVC states dual citizenship is allowed.

Nn
W

It was noted that if the TBVC states scaled down their sovereign and independent status to that of a self governing state they would be able to participate in the interim arrangements in South Africa and the question of citizenship would be resolved.

5.4 It was noted that, to ensure that the TBVC states do not suffer if they scale down their sovereign status to that of a self governing state, the South African Government would be asked to maintain all the bilateral and financial agreements currently in place with the TBVC states. :

eS Delegates debated the succession of necessary events in the TBVC states. It was agreed that testing the will of the people would have to take place first. It was noted that testing the will of the people on the principle of reincorporation was not necessary and should be during the course of election of the constituent assembly.

58) It was recommended that work on harmonisation of legislation should begin immediately in preparation for the eventuality of reincorporation. It was noted that laws relating to gambling, property rights and marriage would need to be standardised.

Discussion ranged over the two days. At the end of the first day, it was agreed that in the absence of the Rapporteur, who was yet to join the Subgroup, three delegates, namely T Abrahams, P David and G.F. Godden, would draw up a synthesis of the day's proceedings in order to take stock of all that had emerged.

The meeting was adjourned at 16h00 and resumed at 10h30 the following day, when the Rapporteur, Mr B Necuka, was welcomed.

6.

Presentation of synthesis

6.1 A synthesis of attitudes to reincorporation by TBVC states was presented and its accuracy was confirmed after two amendments were noted. A copy of this report, as agreed, is herewith attached (see Addendum C).

Mapping a blueprint

ea It was agreed that in order to devise a blueprint that would order the succession of events leading to reincorporation the following points would need to be considered.

epee Harmonisation of legislation of the five different Governments.

Tl 2 The matter of transitional arrangements for an interim government with respect to the TBVC states and connected with this is the matter of

ee

VES

7.4

8.1

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sovereignty.

elers The matter of the constitutional-making body with respect to the TBVC states.

7.1.4 The point at which the testing of the will of the people should occur.

It was agreed that at the next meeting of the Subgroup all delegates should submit a suggested blueprint which considers these points.

It was agreed that the delegate from the South African Government would give their response to the various scenarios discussed, and that he would present a paper on their idea of what stages could be followed in the process of reincorporation.

It was recommended that cognisance be taken of the decisions of Subgroups 1, 2 and 3 or Working Group 4, and that those taken by Working Groups 2 and 3 will also impact on how the task of drawing up the blueprint can be approached. It was agreed that a request for feedback on progress in Working Group 2 should be requested at the next plenary session of Working Group 4.

8. Documents

The following documents were tabled.

8.1.1 Transkei. "Implications of reincorporation on the various state departments: additional data."

8.1.2 Bophuthatswana. "The future of TBVC states. Position statement by Bophuthatswana: paragraph 6.4 of minutes of meeting of Working Group 4 of Subgroup 4 held on 09 March 1992."

8.1.3 Bophuthatswana. "Urbanisation Trends in Bophuthatswana (1980-1989)"

8.1.4 Venda. "The problems and solutions to be encountered in case of reincorporation or non-reincorporation into the R.S.A."

8.1.5 Ciskei. "A memorandum prepared by the Ciskei delegation to CODESA on the identification of problems and actions required if reincorporation of the Republic of Ciskei into the Republic of South Africa is required and possible solutions to some of the problems"

8.1.6 United People's Front. "Submission to Subgroup 4 of Working Group 4 on 23/03/1992. The future of the TBVC states - reincorporation."

8.1.7 Report by Subgroup 4 of Working Group 4. "Synthesis of attitudes to reincorporation by TBVC states." 200/235

The following documents were circulated.

8.2.1 South African Government. CODESA Working Group 3. 23 March 1992.

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"Proposals for transitional arrangements."

8.2.2 CODESA Secretariat. Memorandum dated 23 March 1992 re timeous ratification of minutes.

OF Future meetings

os The next Subgroup meeting will be held on Monday 30 March, 1992 at 14h00 or dependin
g
on when the plenary session ends.

oR There will also be a meeting on Tuesday 31 March, 1992 at 09h30 to 13h00.

Note: At its meeting held on 24 March 1992 at 13h00, the WGSC 4 decided that the plenar
y session
of Working Group 4 should meet until 16h00. Therefore, Subgroup 4 will not meet on Mond
ay
30 March. Instead the meeting scheduled for Tuesday 31 March will continue until 16h00.

10. Closure

The Chairperson closed the meeting at 13h10.

ANC

Bophuthatswana Govt
Ciskei Govt

Democratic Party
Dikwnakwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SA Govt

Solidanty Party

Transkei Govt

WERE

Venda Govt

Ximoko Progressive Party

B Mabandla

JJ Tlholoe

GF Godden

NJ Olivier

S Manyane

VT Zulu

JS Mabena

H Motaung

T Abrahams
PC McKenzie
B Jayray

P David

NP Van Heerden
GN Naidoo
NG Makanda
JM Nonyane
AN Mphaphuli
TB Shimbambu

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WG4 SG4/MINUTES/23 MARCH

Addendum A

DELEGATES PRESENT AT THE MEETING HELD ON MONDAY 23 MARCH 1992

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WG4 SG4/MINUTES/23 MARCH

Addendum B

DELEGATES PRESENT AT THE MEETING HELD ON TUESDAY 24 MARCH 1992

Bophuthatswana Govt

Ciskei Govt

Democratic Party

Dikwnakwetla Party

Inkatha Freedom Party

Intando Yesizwe Party

Inyandza National Movement

Labour Party

National Party

NPP

NIC/TIC

SA Govt

Transkei Govt

WR

Venda Govt

Ximoko Progressive Party

JJ Tiholoe

GF Godden

NJ Olivier

S Manyane

VT Zulu

JS Mabena

H Motaung

T Abrahams

PC McKenzie

B Jayray

P David

CJ Streeter

NG Makanda

JM Nonyane

AL Mphaphuli

TB Shimbambu

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WG4 SG4.SYNSUB'24 MARCH

Addendum C

SUBGROUP 4 OF WORKING GROUP 4. REPORT: SYNTHESIS OF ATTITUDES TO
REINCORPORATION BY TBVC STATES

L. The TBVC states.

Ley

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Transkei

The Transkei Government has declared itself ready and willing for immediate reincorporation into South Africa. No constraints or qualifications have been applied to this process except that existing bilateral agreements between South Africa and Transkei should continue in force during the transition period.

The Transkei Government has also agreed that the will of the people be tested on the issue of reincorporation notwithstanding its firm declaration for reincorporation.

The Transkei Government is willing to scale down sovereignty to a position of self-governing. The main reason advanced by Transkei for immediate reincorporation has been stated as its desire that all Transkei citizens participate in all electoral processes associated with

constitutional reform.

Transkei has not expressed its views on the state of government or constitution that it would wish to see and join with in the "new" South Africa.

Transkei has declared emphatically that it wishes to participate in all transitional arrangements.

The Transkei Government has also made mention of a commitment to Regional Development but without implying any prerequisite in terms of a constitutional framework.

Venda

The Venda Government has also called for immediate reincorporation into South Africa without qualification. The Venda Government has declared itself for a unitary state in South Africa with one central government. They do not favour a federal-type government for the

stated reason that the wealthy will continue to be wealthy and the poor will remain poor.

The Venda Government has reservations about testing the will of the people on the issue of reincorporation because it would be superfluous.

The Venda Government has also expressed a view on its desire to participate in all transitional

arrangements.

Venda Government is willing to scale its sovereignty during the interim arrangements to self-government status.

Bophuthatswana

The Government of Bophuthatswana has stated unequivocally that at the present, weighed up

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against the backdrop of strife-torn present-day South Africa, it has no intention of seeking reincorporation into R.S.A. However, in making this statement the Bophuthatswana Government has reserved its position to participate in CODESA, on the basis of the open invitation extended and within the parameters set out in their position paper submitted to Subgroup 4 on 23 March, 1992. entitled "The future of TBVC States" (pp. 1-2) and which are as follows.

Spl There are presently neither political, legal and constitutional problems experienced between Bophuthatswana and the present South Africa, nor do we want to anticipate any under the yet unknown â\200\234New South Africa Constitutionâ\200\235.

one The present Bilateral as well as Multilateral Agreements between the South African Government and the other members of the Economic Community of Southern Africa (ECOSA) respectively, have fostered such cordial political, legal, constitutional and economic relationships that we in Bophuthatswana wish to have such relationships strengthened rather than weakened or severed with the advent of the unknown â\200\234New South Atnica"

SES As a Sovereign Independent State politically, legally and constitutionally, our position has been stated consistently and repeatedly since CODESA 1. It might be worth re-emphasizing the premises or conditions under which we participate in the negotiations as were submitted during February at one of the meetings of Working Group 4:

Bron Our right to be allowed to choose freely, without external pressure or threat, the best possible solution for the future;

BRoRe) Our right to be fully informed on the contents of various options for consideration and an objective evaluation of the likely implications resulting from these options (Political, Legal, Constitutional etc),

Bporome The opportunity to assess freely and objectively the merits and demerits of each proposal for our specific situation as a Sovereign Independent State;

3.3.4 The application of democratic principles and approaches in allowing the people of Bophuthatswana themselves a final say in determining the desired outcome.

Cisket

The Ciskei Government is anxiously seeking a suitable and acceptable regional framework as a prerequisite to reincorporation. Ciskeiâ\200\235s view is that the present independent state is non-viable and needs to be greatly enlarged to constitute existing Region "D" industrial area with possible minor boundary amendments. This larger regional unit coincides within reasonable terms of agreement with the ANC View and various other bodies. We see this area as being identified as the Greater Kei region. The Ciskei Government would wish to participate in and be part of a unified federal state of South Africa in which strong autonomous regional

government would prevail and be well represented in the central federal government. Ciskei perceives that such an arrangement would immeasurably contribute to a stable, peaceful and prosperous United States of South Africa.

Regional government would provide the most practical solution to the diversity of South Africa's people and enable communities who have lived and worked together for centuries to

govern, to a large extent, their own future destinies and social structures within a federal framework.

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The Ciskei Government is concerned about the interim government concept and while not opposed to the idea, would wish to secure an ongoing commitment to existing South Africa/Ciskei bilateral and ECOSA multilateral agreements, This would ensure that Ciskei does not suffer in the transitional period as it has in the past. The Ciskei Government would wish to retain its sovereignty during the transitional period until such time as proper arrangements have been made for

(a) a structured regional government,

(b) an approved constitutional proposals for a united federal state, and

(c) The establishment of an interim government in which Ciskei can participate and help shape the future new South Africa.

The Ciskei Government would also wish to ensure that its membership of the South African Commerce Customs Union will continue, and that Ciskei will continue to receive its financial share of the customs pool of revenue; as well as its share of all other financial transfers in terms of the comprehensive fuel levy, the rand monetary area and tax returns (that is, VAT clearing house) until effective reincorporation has taken place.

Ciskei has also proposed that harmonisation of legislation and taxation may well take place on a regional basis as well as the rationalisation and restructuring of the civil service.

The Ciskei Government has also agreed that the will of the people should be tested on reincorporation. While agreeing to this process, Ciskei has already canvassed the reincorporation issue with the rural communities via meetings with the body of traditional chiefs (some 43 chiefs have been consulted). Opinion of urban communities has not been tested.

Summary

The situation on the issue of reincorporation as at 23 March, 1992 is as follows.

S1 The Republics of Transkei and Venda are seeking immediate reincorporation with the Republic of South Africa, and wish that all necessary actions be instituted to accomplish this goal. Existing bilateral agreements to remain in force during the transitional period.

Ldo2 The Transkei Government has, however, qualified the above position by agreeing to a referendum to test the will of the people.

SES The Bophuthatswana Government has eloquently expressed its desire to positive participation in the CODESA arrangement and to keep its options open.

1.5.4 The Ciskei Government has consistently pursued its position within a greater viable regional unit to be part of the South African commonwealth within a United Federal State of South Africa.

1S eS) Ciskei has reserved its position on reincorporation with qualification and constraints being applied to the two issues of (a) the establishment of strong regional government and (b) the adoption of a constitution for a United Federal State of South Africa.

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ORO) The Government of Ciskei has advanced views on other issues too relating to harmonisation of legislation, taxation and rationalisation of the civil service.

Do The South African Government.

The Governments' representative said that he was opposed to the notion of the TBVC states taking part in the interim government process. He later clarified this position. The States were welcome to "design the house", that is, take part in all the initial processes to set up the interim arrangement, but could not be part of structures or sub-structures in the actual arrangement once it is in place. Only South African citizens could take part. He was against the concept of dual citizenship.

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Other views.

The Labour Party stated its viewpoint on the matter of the participation of the TBVC states in transitional arrangements. In essence, the Labour Party position is that the TBVC states should be included in transitional arrangements despite their currently enjoying sovereign status, but only if a commitment to reincorporation is obtained from such states. Under no circumstances should any one of the TBVC states be permitted participation in such arrangements without such a commitment to reincorporation.

If the matter of sovereignty should become a legal/constitutional problem, the states themselves would have to consider scaling down their status to the of self-governing status (as suggested by the delegate from Inyandza National Movement) with commitment given to prevent any economic hardship during the transitional period.

Anxieties have been expressed on different occasions about the inadvisability of testing the will of the people on the desirability or otherwise of a constitutional arrangement for a new South Africa before the writing of such a constitution has even commenced.

In this regard, it is important to note that such a testing of the will of the people is based on a principle rather than on specific detail. Once the principle of the reincorporation of the TBVC states into a new South African constitutional arrangement is accepted, the qualifying participants are enabled to participate and make their contributions towards the beating out of a constitution which would accommodate as far as possible their fears and aspirations.

4. Assessment of the situation on the issue of reincorporation.

4.1

The NIC/TIC representative attempted to record the points on which there was approaching

consensus.

4.1.1 South African citizenship should be accorded formally or informally to all citizens of the TBVC states to enable them to take a meaningful part in all aspects of the interim arrangement. Dual citizenship was an internationally recognised phenomenon and was practised by the South African Government in the recent whites-only referendum.

4.1.2 Thus, the testing of the will of the people of South Africa (including the TBVC states) could be achieved in the election for the Constituent Assembly

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or similar structure charged with the task of drawing up the constitution.

aL Mod) The TBVC states could continue to operate during the [nterim arrangements to ensure smooth administration in these areas.

4.1.4 The practical, financial, land transter matters, constitutional and legal problems can be sorted out by the Inteim Government in consultation with the TBVC states.

From submissions made up to this point, it is clear that lists of legislation exist whi ch have

been enacted by the legislatures of the TBVC states on the one hand and the South Afncan

Government on the other. Some of the laws which exist are in conflict. The need for the five

legislatures to start immediately with efforts towards harmonising legislation has beco me very

evident. To this end, Subgroup 4 wishes to recommend that a consultative mechanism be created expressly with this aim in mind in preparation for and interim government.

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THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO MEMBERS OF THE WORKING GROUP, THE MANAGEMENT COMMITTEE AND THE DAILY MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE SUBGROUP AT ITS NEXT MEETING.

DRAFT MINUTES OF THE MEETING OF WORKING GROUP 4, SUBGROUP 4, HELD AT â\200\230TC ON MONDAY 30 MARCH 1992 AT 14H15

PRESENT: Delegates (see Addendum A)

iw)

D Govender (Chairperson)

W Antoine (Minute taker)

Chairpersonâ\200\231s opening remarks

The chairperson said the purpose of the meeting was to adopt the minutes of the previous meeting and discuss matters arising therefrom, and to identify what information/input the Subgroup is awaiting.

Agenda

The following agenda was adopted.

1. Adoption of minutes of the previous meeting.

2. Matters arising.

3. Identification of the information/inputs awaited by the Subgroup.

4. Date of next meeting of Subgroup 4.

5. Closure

Confirmation of Minutes

6. The minutes of the meeting held on the 23 and 24 March, 1992 could not be ratified until amendments had been made to points (5) and (7). It was agreed that the Chairperson and the Minute taker would clarify the points on which there had been agreement by referring to the tape-recording of the two-day session. The amended minutes (see the attached herewith) would be submitted for approval at the next meeting of Subgroup 4.

7. The synthesis report (Addendum C) was confirmed as being an accurate record of the presentation made at the meeting on 24 March 1992.

Matters arising from minutes

8. It was agreed that Mr Abrahams should be asked to explain his report to the joint meeting of the Steering Committee of Working Group 3 and Working Group 4 without having the

Subgroup's mandate to give the report.

4.2 It was agreed that delegates on Working Group 4 Steering Committee represent Working

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Group 4 and do not represent the Subgroups.

4.3 It was agreed that either the Chairperson or the Rapporteur should represent Subgroup 4 and

be present at the Steering Committee meetings if matters involving Subgroup 4 are discussed

to to avoid any future misrepresentations about the decisions reached at Subgroup + level.

Identification of the information awaited by Subgroup 4

SlT It was agreed to meet subsequent to the next plenary session of Working Group 4 so that, having heard the position papers of the TBVC states, views could be consolidated in Subgroup 4 without duplicating discussion.

Sod It was agreed that presentations of "suggested blueprints" by delegates, as requested at the previous meeting, was optional and that such presentations were not required to be in the nature of a formal submission.

Se) It was agreed that in the case of Bophuthatswana the points outlined for consideration in (7) of the minutes of the meeting held on 23 and 24 March were not strictly applicable. The Bophuthatswana Government was asked to set out the implications for the scenario

of future events as discussed in the Subgroup.

Future meetings

6.1 Scheduling the next meeting of Subgroup 4 depends on that of the plenary session. It was decided that if Working Group 4 meets on 13 April, 1992, then Subgroup 4 would hold its next meeting on Tuesday 14 April. Alternatively, if Working Group 4 holds its meeting on Tuesday 14 April, 1992, then Subgroup 4 will meet on Monday 27 April.

At its meeting held on 30 March 1992 at 15h00, the WGSC 4 decided that the next plenary session will meet on Tuesday 21 April, 1992 at 10h00. If the meeting ends at 13h00 then the subgroups will meet that afternoon. It was recommended that the Subgroups should meet the following day, Wednesday 22 April.

Therefore, the Chairperson has agreed that the next meeting of Subgroup 4 will be on Wednesday 22 April at 09h30 to 16h00. Please make arrangements accordingly.

Further Note: CODESA will be closed during the week of 13 - 20 April, 1992.

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Closure

The Chairperson closed the meeting at 16h00.

ANC .
Bophuthatswana Govt
Ciskei Govt

Democratic Party
Dikwnakwetla Party
Inkatha Freedom Party
Intando Yesizwe Party
Inyandza National Movement
Labour Party

National Party

NPP

NIC/TIC

SA Govt

UPF

Ximoko Progressive Party
RAPPORTEUR

B Mabandla

JJ Tlholoe

GF Godden

NJ Olivier

S Manyane

VT Zulu

JS Mabena

H Motaung

A Dick (substitute)
PC McKenzie

B Jayray

P David

NP Van Heerden
JM Nonyane

TB Shimbambu
B Ngcuka

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Addendum A

DELEGATES PRESENT AT THE MEETING HELD ON MONDAY 30 MARCH 1992

