

FINAL

TERMS OF REFERENCE OF WORKING GROUP ON REINCORPORATION OF THE BANTUSTANS INTO A SINGLE UNITED SOUTH AFRICA

THE TERMS OF REFERENCE OF THIS WORKING GROUP ARE AS SET OUT HEREUNDER

1. THE WORKING GROUP IS REQUESTED TO FORMULATE RECOMMENDATIONS:
 - 1.1 For the Reincorporation of the Bantustans including the TBVC States into the South African State as a single entity. *national and international*
 - 1.2 In this regard to identify both in relation to South Africa as a whole and in relation to each of the Bantustans, the various constitutional and/or legal provisions which presently exist and need to be taken into account.
 - 1.3 Specific constitutional, legal and political measures and steps which will have to be taken to effect reincorporation.
 - 1.4 With regard to the time frame/s for the reincorporation of the various Bantustans as aforesaid.
 - 1.5 On appropriate measures and steps to be taken to ensure the full participation by the people living in the Bantustans in the process of constitution making as well as in all transitional arrangements.
 - 1.6 On appropriate measures and steps to be taken to ensure that in the process of reincorporation of the Bantustans, 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.
2. The Working Group shall submit a written report containing its recommendations with motivations to the Steering Committee by not later than
Where differences exist between parties in the Working Group and such differences are not resolved, the Report shall fully set out the different positions with motivations.
3. IN THE PERFORMANCE OF THE TASKS SET OUT ABOVE, THE WORKING GROUP SHALL HAVE REGARD:
 - i) To the common desire of all the parties to end the fragmentation of the South African state and to restore the integrity of the country as a single country in accordance with the boundaries commonly recognised in international law.

- ii) To the common commitment of all the parties to create a constitutional framework for South Africa which will ensure that all South Africa's people including the Bantustans shall enjoy equal and common citizenship in one single united South African state.
- iii) The need to provide for the meaningful and democratic participation, from the earliest possible moment, of all the people living in the Bantustans - as part of the people of South Africa - in the process of drawing up and adopting a new constitution for South Africa as well as in all transitional arrangements.
- iv) The reality of the current existence of a number of separate but parallel institutions such as different administrations, civil services, armed forces, police forces and judiciaries as well as differing laws in certain instances which presently exist in South Africa and the different Bantustans.
- v) The need to ensure that the lives and livelihood of people in the affected territories shall not be subjected to any unnecessary disruption.

PROPOSAL FOR ESTABLISHMENT OF WORKING GROUPS

1. Identify Working Groups to be established:
 - 1.1 Creating climate for free political participation
 - 1.2 Constitution making body
 - 1.3 Interim Government/Transitional Arrangements/
Transitional Authority
 - 1.4 Role of the International Community
 - 1.5 Future of TVBC States
 - 1.6 Implementation of Decisions
2. Formulate Terms of Reference of Working Groups
3. Composition
4. Functioning
5. Chairpersons