

DRAFT TERMS OF REFERENCE OF THE COMMISSION ON THE WORKING GROUP ESTABLISHED BY THIS CONVENTION FOR A DEMOCRATIC SOUTH AFRICA ON THE REINCORPORATION OF THE BANTUSTANS INTO SOUTH AFRICA

1. COGNIZANT of the common design of the parties to end the fragmentation of the South African state to restore the integrity of the country in accordance with the boundaries as commonly recognised in international law.

THE WORKING GROUP IS REQUESTED TO FORMULATE RECOMMENDATIONS FOR THE REINCORPORATION OF THE BANTUSTANS INCLUDING THE TBVC STATES INTO THE SOUTH AFRICAN STATE AS A SINGLE ENTITY, AND IN THIS REGARD, TO IDENTIFY BOTH IN RELATION TO EACH OF THE BANTUSTANS, THE VARIOUS CONSTITUTIONAL AND/OR LEGAL PROVISIONS WHICH NEED TO BE TAKEN INTO ACCOUNT AS WELL AS SUCH CONSTITUTIONAL, LEGAL AND/OR POLITICAL STEPS WHICH NEED TO BE TAKEN TO EFFECT REINCORPORATION IN A WAY 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.

2. COGNIZANT of 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 and in all transitional arrangements.

THE WORKING GROUP IS REQUESTED TO FORMULATE RECOMMENDATIONS ON APPROPRIATE MEASURES AND STEPS WHICH NEED OR SHOULD;D BE TAKEN TO ENSURE SUCH PARTICIPATION.

3. COGNIZANT of the fact that the Apartheid System has created a number of parallel institutions such as the different administrations, civil services, armed forces, police forces and judiciaries which presently exist in South Africa and the different Bantustans, cognizant also of the differing laws which have been promulgated in respect of a number of areas of life and sensitive to the need to ensure that the lives and livelihood of people in the affected territories are not subjected to unnecessary disruption.

THE WORKING GROUP IS REQUESTED TO MAKE RECOMMENDATIONS ON APPROPRIATE MEASURES AND STEPS NECESSARY TO EFFECT REINCORPORATION EXPEDITIOUSLY AND WITHOUT INTERRUPTION OR DISRUPTION IN THE DAILY LIVES OF PEOPLE IN THE AFFECTED TERRITORIES.

4. In respect of the above matter and such other related aspects as the Working group deems desirable, a report shall be prepared and submitted to the Convenor of the Steering Committee of CODESA setting out the agreed positions. Where differences exist the different positions of the respective parties shall be fully set out and motivated.