

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

ADOPTED BY MEETING OF SUB-GROUP 1 OF WORKING GROUP 4 ON 24 FEBRUARY 1992

**MINUTES OF THE FIRST MEETING OF SUB-GROUP 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 1992 AT 09H00**

**PRESENT:** Delegates (See Addendum A)

E Moorcroft (chair)

M Durrheim (minutes)

**1. Election of chairperson**

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

**2. Agenda**

The following agenda was agreed upon:

- \* Introduction and domestic matters.
- \* Approval of working document A (Addendum B).
- \* Approval of working document B (Addendum C).
- \* Discussion of points in working document B.
- \* Any other matters.
- \* Final statement.

**2.1 Approval of WORKING DOCUMENT A (Addendum B)**

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

**2.2 Approval of WORKING DOCUMENT B (Addendum C)**

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

**2.3 Discussion of points in WORKING DOCUMENT B (Addendum C)**

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

**2.3.1 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.

2.3.2 Option 1.2 (see Addendum C)

Only the Bophutatswana government supported option 1.2 i.e. that it is the responsibility of the Bophuthatswana government to decide regarding re-incorporation.

2.3.3 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 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.

2.3.3.2 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. **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 strongly objects to meeting on a Tuesday.

4. **Closure**

The chairperson closed the meeting at 15h00.

  
27/4/92.

## ADDENDUM A

The following persons attended the meeting of sub committee 1 of working group 4 on Monday 17 February and Tuesday 18 February:

<b>Organisation</b>	<b>Delegate</b>
ANC	M Phosa
Bohputatswana	SS Seane
Ciskei Government	N Nogcantsi
Democratic Party	EK Moorcroft
Dikwnakwetla Party	MJ Molapo
Inkatha	B Anderson
Intando Yesizwe Party	M Mahlangu
Inyandza National Movement	J Matsana
Labour Party of SA	W Whyte
National Party	PJ Farrell
N P P	RC Panday
NIC	J Yawitch
SACP	S Ngonyama
SA Government	AT Meyer
Solidarity Party	Y Seedat
Transkei Government	LM Bengu
UPF	NM Malekana
Venda Government	RR Subana
Ximoko Party	C Khosa

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

1. In respect of those members who support re-incorporation, there appear to be three alternative procedures:
  - 1.1 a unilateral action on the part of the S.A. government;
  - 1.2 assuming that the governments of the TBVC States are sufficiently representative of the people of these States, their decision should be accepted as final;
  - 1.3 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?
2. 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.
3. 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.
4. 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:

1. Is it desirable to support the reincorporation of the TBVC states into the new South Africa?  
and
2. 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:

1. 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.
2. 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.