

THESE MINUTES ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF SUB-GROUP 1, WORKING GROUP 4, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE

ADOPTED BY MEETING OF SUB-GROUP 1 OF WORKING GROUP 4 ON 9 MARCH 1992

MINUTES OF THE THIRD 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 2 MARCH 1992 AT 09H30

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

1. Chairperson's opening remarks

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

2. Agenda

The agenda for the meeting was adopted.

3. 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:

3.1 Point 3.1 should read as follows:

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

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

3.3 Delete point 3.7 which reads: "The IFP recorded its dissatisfaction with the minutes."

3.4 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.

4. 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.

5. Documents distributed

The following documents were distributed at the meeting:

- * 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"

6. Strategies for Information

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.

7. Continuation of discussion of points in Working Document B

7.1 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.

7.2 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:

7.2.1 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 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 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.

- 7.2.2 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.

- 7.2.3 The eligibility of voters was discussed.

- 7.2.4 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 Bophuthatswana.

- 7.2.5 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.

8. Review of progress

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.

9. Date and time of next meeting

The next meeting of sub group 1 will take place at 09h30 on Monday 9 March 1992.

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

10. Closure

The meeting closed at 15h20.

27/4/92

ADDENDUM A

The following persons attended the meeting of sub group 1 of working group 4 on Monday 2 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
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 Malekane
Venda Government	RR Sumbana
Ximoko Party	C Khosa