

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

ADOPTED BY WORKING GROUP 4 MEETING ON 9 MARCH 1992

**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)

**1. 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.

**2. Minutes**

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

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

2.2.1 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."

2.3 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.

2.4 The Dikwankwetla 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.

2.5 The minutes were formally adopted by WG 4.

### 3. **Substitutes**

It was agreed that it is accepted practise 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.

### 4. **Schedule of submitted documents**

4.1 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.

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

### 5. **Report back from WGSC 4 representatives on meeting with Codesa secretariat**

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

5.1 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.

5.2 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 WG's 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.

5.3 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. It 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

5.5 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.

5.7 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.

## 6. 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 chose 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.



7. **Adjournment**

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

8. **Sub-committee report back**

8.1 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, have no objection to 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.

8.2 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 SA 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 their 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.

8.3 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 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 over all 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 circularised. 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.

#### 9. 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.

#### 10. Documents submitted

The Bophuthatswana Government circulated a document headed "Reservations".

#### 11. Closure

The meeting closed 15h00.

SW. Sigcau  
27. 4. 92

**Addendum A**

The following people were present at the meeting:

<b>Organisation</b>	<b>Delegate</b>	<b>Adviser</b>
ANC	A Nzo M Phosa	B Mabandla D Omar
Bophuthatswana	BE Keikelame SS Seane	JJ Tlholoe DW Schoeman
Ciskei	N Nogcantsi MJ Sondiyazi	GF Godden
Democratic Party	JA Jordaan EK Moorcroft	N Olivier C Simkins
Dikwankwetla Party	SP Matla S Manyane	MJ Molapo DA Thejane
IFP	FT Mdlalose VT Zulu	B Anderson NJ Ngubane
IYP	JL Mahlangu JS Mabena	MS Mahlangu WM Mohapi
INM	DZ Makhubela JM Matsana	HA Motaung ND Mokoena
Labour Party	T Abrahams J Douw	W Whyte S Verveen
NIC/TIC	P David NG Patel	Y Carrim J Yawitch
National Party	J Mentz P Farrell	R Radue A Julies
NPP	D Govender L Dwarkapersad	S Naidoo RC Panday
Solidarity Party	MF Cassim GN Naidoo	D Bagwandeen Y Seedat
SACP	S Mufamadi T Mtintso	L Nyembe S Ngonyama
SA Government	RF Botha AT Meyer	NP Van Heerden G Croeser
Transkei	SN Sigcau	LM Bengu



	M Titus	SHL Matebese
UPF	LM Mokoena NM Malekane	JM Nonyane ER Maponya
Venda	S Makhuvha SE Moeti	N Nefale RR Sumbana
XPP	CD Marivate C Khosa	TB Shibambu TW Tshabalala