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TRANSKEI CONTRIBUTION.

WORKING GROUP 3 : TRANSITIONAL ARRANGEMENTS/ INTERIM GOVERNMENT/
TRANSITIONAL AUTHORITY.

1. Form of Interim Structure.

Transitional Arrangements, Interim Government and Transitional Authority in reality mean the same thing. The differences are only academic.

Thus, it is recommended that there be established an INTERIM GOVERNMENT to rule the country and oversee the process of transition to a new Constitution for South Africa.

2. Justification/ Preamble.

Accepting that the RSA Government (National Party Government) cannot be a CODESA participant and Referre at the same time;

Recognising that CODESA is in reality part of a process of transferring power from the minority to the majority.

Recognising and Accepting that the governing of the country- South Africa- during the period of transformation is of cardinal importance and cannot thus be kept in the hands of the minority or section of the South African Population.

Accepting that the Interim Government must be structured such that it is acceptable to the people of South Africa;

Accepting that CODESA, being a multi-party forum representing the majority of the people of South Africa, is the only structure with adequate representative standing to establish an Interim Government; and

Accepting that the proposed Interim Government will be a government of national unity and reconciliation;

Now therefore, the Transkei delegation proposes that the Interim Government must:-

- 2.1 Be endowed with sovereignty/supreme authority to enable it to be effective and also taking into account that it shall be required to:-

2.1.1 Supervise the process of electing the Constituent Assembly.

2.1.2 Take full and effective control of the security forces, particularly that there is irrefutable evidence that the majority of the people of South Africa believe that sections of the said forces are involved in certain acts of violence and intimidation within South Africa.

It must be accepted that such acts of violence have the effect of undermining the whole process of transformation of the South African society and the majority of South Africans have no confidence in the security forces as currently structured.

2.1.3 Supervise the administration of the TBVC States until the process of their reincorporation is finalised.

2.1.4 Perform all the functions of Government until the finalisation of a new Constitution and the eventual installation of a new Government in South Africa.

3. The Structuring of the Interim Government.

3.1 Body to cause the Establishment of the Interim Government.

It is strongly recommended that CODESA should cause the Interim Government to be established.

3.2 Modus Operandi/ How

Transkei proposes that to head the Interim Government, CODESA must appoint an Administrator and an Executive Council.

3.2.1 Appointment of an Administrator:

CODESA must appoint the Administrator. Such appointment need not necessarily be an individual from one of the participants. An outside person can also be appointed at the discretion of CODESA.

3.2.2 Appointment of the Executive Council:

Each CODESA participant, provided that such participant has

signed the Declaration of Intent, should provide one person to serve in the Executive Council.

Executive Council Members shall also serve as Executive heads of the various Departments of the Interim Government.

3.2.3 It is important to record that the Administrator takes all decisions in-Council.

3.2.4 State Departments:

The establishment of an Interim Government necessitates that Government Departments in the RSA must be restructured and as a consequence of such restructuring, the following Departments are recommended:

3.2.3.1 Finance: To administer all financial and budgetary matters.

3.2.3.2 Defence: To take over the functions of the current RSA Department of Defence.

3.2.3.3 Police : To take over the function of law enforcement and general Police functions.

3.2.3.4 Prisons: To administer prison services.

3.2.3.5 Foreign Affairs and Information.

To supervise the formulation and implementation of foreign policy with a view towards ensuring the promotion of the transformation process; and to provide information services internally and externally with the same goals.

3.2.3.6 Home and Constitutional Affairs: To perform the normal duties of the Home Affairs Department and to see to the preparation of the necessary infrastructure for the elections of the future South Africa starting from the election of the Constitution making body.

- 3.2.3.7 Trade & Industry: To promote proper trade and industrialization of South Africa.
- 3.2.3.8 Agriculture : Normal duties of a Department of Agriculture.
- 3.2.3.9 Public Works: To provide support services in all public works within South Africa.
- 3.2.3.10 Education: To provide educational services during the transition period.
- 3.2.3.11 Manpower : To facilitate the interaction of employer/employee relations throughout the country.
- 3.2.3.12 Health : To provide health services.
- 3.2.3.13 Transport : To provide transport services and to facilitate private sector involvement in transport services.
- 3.2.3.14 Audit : To ensure the efficient and proper application of public funds during the transformation phase. This Department should also take over the audit function in the TBVC and Self-governing states.
- 3.2.3.15 Forestry and Environmental Affairs: To provide for the proper maintenance and upkeep of the forests in the country together with the proper protection of the environment.
- 3.2.3.16 Water Affairs : To provide for the protection of water and related issues.
- 3.2.3.17 Posts and Telecommunications: To provide posts and telecommunication services.
- 3.2.3.18 Public Service Commission: To be in charge of all matters concerning the Public Servants.

3.2.3.19 House of Delegates: To administer the structures presently falling under the House of Delegates.

3.2.3.20 House of Representatives: To administer the structures presently falling under the House of Representatives.

3.2.3.21 Self-Governing States: To administer all Self-Governing States.

3.2.3.22 TBVC States: To administer the TBVC States.

4. General Comments/ Recommendations.

4.1 It is strongly recommended that all Departments should facilitate the eventual reconsolidation of all divisive Apartheid Structures such as the Tricameral Structures on the one hand and the homelands (Self-governing and independent) on the other into a unified South Africa.

4.2 The establishment of sectoral Departments (House of Delegates, House of Representatives, TBVC and Self-governing States) is actuated by the following considerations.

4.2.1 These structures are a reality even though undesirable.

4.2.2 They are providing essential services to the communities they serve. They also employ a considerable number of people and should thus be maintained until such time as suitable alternative arrangements have been identified and implemented.

4.2.3 The guiding principle is that the lives of the affected people should be as minimally affected as possible.

4.2.4 It is recommended that the Interim Government should rule by decree and the tricameral Parliament must dissolve together with Homeland Parliaments.
