



TO : HEADS OF DELEGATION OF CODESA WORKING GROUP 4,  
CO-ORDINATORS OF WORKING GROUP 4,  
MEMBERS OF WGSC4

FROM : CODESA ADMINISTRATION

QUERIES : LOVEDALIA

RE : DRAFT MINUTES OF THE WG4 MEETING  
HELD ON 24 FEBRUARY 1992

PLEASE WOULD NOMINATED HEADS OF DELEGATION OR CO-ORDINATORS FOR THE WORKING GROUP, ENSURE THAT THIS DOCUMENT IS DISTRIBUTED CONFIDENTIALLY TO ALL MEMBERS OF THE WORKING GROUP REQUIRING IT, INCLUDING DELEGATES, ADVISERS AND MEMBERS OF THE WORKING GROUP STEERING COMMITTEE (WGSC) WHERE APPROPRIATE.

THANK YOU.

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WORKING GROUP 4

ANC	Negotiations Comm	011-333-9090
Bophuthatswana Gvt	D Schoeman	0140-84-2943
Ciskei Gvt	N Nogcantsi	0401-95-1282
Democratic Pty	Off : Z de Beer	021-461-0092
Dikwankwetla Pty	S P Matla	01438-31721
IFP	F T Mdlalose/ S Felgate	0358-20-2167
	B Anderson	011 886-5450
Intando Ysizwe	J L Mahlangu c/o J S Mabona	01215-2548
Inyandza Nat Mvmnt	T J Ndaba	013140-879
Labour Party	T Abrahams	021-403-3042
NIC/TIC	P David	0322-33-0654
	N G Patel	011-837-2106
National Pty	J Mentz	021-461-7617
National People's Pty	M Mohanlall	021-403-2971
Solidarity Party	M F Cassim	021-403-2956
SACP	G Fraser-Moleketi	011-836-8366 or 838-2816
	R Mudge	012-343-8043
Transkei Gvt	Z Titus	0471-23876
United People's Frt	c/o PR Chief Min	0156-35244
Venda Gvt	C Neluvhalani: Chief Gvt Liaison Off	0159-23172
Ximoko Prog Pty	C D Marivate/Ackron	01526-23140 or Ria Meyer on 01526-24646
		ask for fax
WG4 Secretary	S Albertyn	011-838-5088



**F A X M E S S A G E**

**TO : ALL MEMBERS OF WORKING GROUP 4  
CO-ORDINATORS OF WORKING GROUP 4**

**FROM : CODESA ADMIN - DIANNE**

**DATE : 26 FEBRUARY 1992**

**RE : DRAFT MINUTES - 24 FEBRUARY**

Enclosed for your information, please find the following :

1. Draft minutes of the Working Group 4 meeting held on 24 February 1992.

Should you have any queries, please do not hesitate to contact us.

Regards.

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE STILL SUBJECT TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

**DRAFT 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 Mdlatose 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, are in favour of 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.



## Addendum A

The following people were present at the meeting:

Organisation	Delegate	Adviser
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 Bagwandeem 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 M Titus	LM Bengu 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

**LIST OF DOCUMENTS SUBMITTED TO WORKING GROUP 4**  
**THE FUTURE OF THE TBVC STATES**

**1. Submissions by the ANC:**

- 1.1 "Submission by the ANC" 6 February 1992.
- 1.2 ANC viewpoint: 17 February 1992.
- 1.3 "Resolution on restoration of nationality and citizenship"
- 1.4 "Submissions by the ANC to WG 4 sub committee 1 on testing the will of the people."
- 1.5 "Submission of the ANC to sub committee 2 of WG 4 on citizenship"
- 1.6 "Submission of the ANC to sub committee 3 of WG 4 on the administrative, financial and practical effects of reincorporation of the TBVC states".
- 1.7 "Submission by the ANC to sub committee 4 of WG 4 on the political, legal and constitutional implications of the reincorporation of the TBVC states into South Africa"

**2. Submissions by the Bophuthatswana Government:**

- 2.1 "Position Statement by Bophuthatswana"
- 2.2 "Reservations recorded and tabled by the government of Bophuthatswana regarding its participation in Codesa" 24 February 1992.

**3. Submissions by the Ciskei Government:**

- 3.1 "Ciskei's view on reincorporation"

**4. Submissions by the Democratic Party:**

- 4.1 "Submissions of the Democratic Party on the Reincorporation of the TBVC states".
- 4.2 "Notes on the work to be done by work group 4 task group 3 - the administrative, financial and practical effects of the reincorporation of the TBVC states"

**5. Submissions by the Dikwankwetla Party:**

- 5.1 "Terms of reference (Proposal and recommendations thereto)"
- 5.2 "Assignment: Future of the TBVC states."

**6. Submissions by Inkatha Freedom Party:**

- 6.1 "Proposals for submission to Codesa meeting on 6 February 1992."

**7. Submissions by Intando Yezizwe Party:**

- 7.1 "Policy statement of the Intando Yezizwe Party".
- 7.2 Submission handed in to sub committee 1 on 24 February 1992.

**8. Submission by Inyandza National Movement:**

- 8.1 "Submissions by delegates of the INM to WG 4 of CODESA on the future of the TBVC states."

**9. Submissions by the National People's Party:**

- 9.1 "Submission to working group 4 by the NPP."
- 9.2 "Political Legal and Administrative implications of incorporation of the TBVC states."

**10. Submissions by the NIC/TIC:**

- 10.1 "Opening statement 6\2\1992."

**11. Submissions by the South African Communist Party:**

- 11.1 "South African Communist Party Central Committee"

**12. Submissions by the SA Government:**

- 12.1 "Meeting of 6 February 1992 agenda item 5 - opening statement by the South African Government".
- 12.2 "Transkei legislation, Bophuthatswana legislation, Venda legislation, Ciskei independence - 10 February 1992.
- 12.3 "Bilateral and multilateral agreements between the Republic of South Africa and the TBVC states - 10 February 1992"
- 12.4 "Working Group 4 meeting on Monday 17 February 1992: 6.2 Areas of research required if re-incorporation of the TBVC states into South Africa is agreed upon."
- 12.5 Sub Committee 1: Testing the will of the People : Meeting on Monday 17 and 18 Tuesday 1992 : 10H00 : World Trade Centre.

**13. Submissions by Solidarity Party:**

- 13.1 "Solidarity Party"

**14. Submissions by the Transkei Government:**

- 14.1 "Future of the TBVC states"
- 14.2 "Booklet " - 24 February 1992.

15. **Submissions by the United People's Front:**

15.1 "Statement on the future of the TBVC state submitted to working group 4 on 6 February 1992."

16. **Submissions by the Venda Government:**

16.1 "Venda position on reincorporation"

16.2 "Submissions by the Venda Government of sub committee 1 of WG 4 on testing the will of the people".

17. **Submissions from the Ximoko Progressive Party:**

17.1 "Initial views on the matter of the TBVC states"

17.2 "Comments on the re- incorporation of Bophuthatswana dated 17 February 1992 by working group 4."