

CODESA WORKING GROUP 4
FUTURE OF THE TBVC STATES
NATIONAL PARTY VIEWPOINT

Introductory remarks

In approaching the whole question of the future of the TBVC states, the National Party has noted, from the preamble to the Terms of Reference of Working Group 4, that there is a "need to provide for the meaningful and democratic participation of all the people living in the TBVC states in the process of drawing up and adopting a new constitution for South Africa."

It follows that the National Party in working towards a new democratic South Africa believes that democratic principles should also be applied in the TBVC states during the transitional process.

Reincorporation or Otherwise

The decision as to whether or not each of the TBVC states is to be reincorporated rests in the first place with the wishes of the people of the affected state. The National Party holds the view that the will of the people of that state should be tested democratically. We are in agreement here with the Terms of Reference that some "acceptable democratic means" be employed.

The National Party also agrees with many of the delegations that one of the most practical means of testing the will of people is by way of a referendum.

We refer specifically to the Republic of Transkei which on page 38 of their initial statement referred to the fact that a referendum is accepted by the international community as the best means of testing the will of the people democratically.

The delegation from the Republic of Bophuthatswana in paragraph 1.4 of their founding statement also emphasised that they favoured "the application of democratic principles and approaches in allowing the people themselves a final say in determining the desired outcome."

We emphasise, however, that the initial choice to opt for reincorporation or otherwise must be exercised by the people of each of the TBVC states.

RSA Participation

Since the TBVC states achieved independence by virtue of bilateral agreements with the South African government, it is constitutionally and legally necessary that, if they opt for reincorporation, they will have to re-negotiate this with the South African Government.

Non interference

The National Party is not in favour of the coercion of the people of any TBVC state to come to a decision to be reincorporated or otherwise and believes that they have a free and inalienable right to decide for themselves. No other party, including Codesa, has the right to decide for them. Provided the choice is democratic, free and fair the National Party will abide by any such decision.

Conclusion

While it might appear desirable to reach early decisions in regard to the reincorporation issue, the NP must caution against overhasty action. If reincorporation is decided upon by individual TBVC states and the South African Government, the South African Parliament and the legislatures of the TBVC states concerned will have to pass enacting legislation. Many other complicated factors will come into play e.g. time frames, use of existing infrastructure, interim administration, the civil service, taxation, financial implications, development projects, priorities, etc. These are all set out in paragraph 1.1.5 of the Terms of Reference of Group 4.

This will be a huge and responsible task. There are many complicated issues involved. We will be obliged to call in experts in these fields to advise us so that we make the correct decisions. This task will be Working Group 4's greatest challenge.