



WG4 SG3/MINUTES/24 FEBRUARY

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

MINUTES OF THE SECOND MEETING OF SUBCOMMITTEE 3 (THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL EFFECTS OF REINCORPORATION OF THE TBVC STATES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, FEBRUARY 24 AND TUESDAY, FEBRUARY 25, 1992.

PRESENT:

Delegates (See Addendum A)

Prof C Simkins (Chairperson)

WJ Viljoen (minutes)

1. Chairperson's opening remarks and adoption of draft agenda

The delegates were welcomed by the chairperson and the draft agenda was adopted.

2. Ratification of minutes of Subcommittee 3 held on February 18, 1992.

The minutes of the first meeting of Subcommittee 3 were ratified subject to the following amendments:

2.1. A 1.3. amended to read:

" A list is required of all funds set aside by the SA Government for the purchase of land for the restoration of the TBVC states and for compensation."

2.2. The Bophutatswana delegate indicated that the question of non-incorporation needed to be confirmed and included in the minutes

It was agreed to insert, under 4. Submissions

" It was agreed that the Subcommittee will look at the effects of non-incorporation as far as it is practically possible."

2.3. An extension of the Terms of Reference for Subcommittee 3 was agreed to:

1.4. (h) Pensions and gratuities;

1.4. (j) taxation;

1.4. (k) parastatals

2.3. It was agreed to delete "statistics only" under A.3.

2.4. The SA Government noted that it would be difficult to produce documents B.2.1 and 2.2. in the case of South Africa.

- 2.5. Add "It was agreed that confidential material should be treated strictly in that way by the subcommittee" to 8.

3. Progress on and plans for assembling material identified in the minutes of the meeting of the Subcommittee held on February 18, 1992.

The secretary was requested to draw up a checklist of documents and material requested and it was agreed that this should become a permanent addendum to the minutes of the subcommittee.

3.1. Material requested from the SA Government

See: 10: Submissions

3.2. Material requested from the TBVC Governments

3.2.1. Transkei

It was stated that a request for information has been put to the Transkei Government and that it had been agreed that any relevant information would be made available to the Subcommittee.

3.2.2. Bophutatswana

The collection of information has started and there was no problem with making public information available.

3.2.3. Venda

It was stated that all documents will be available.

3.2.4. Ciskei

It was stated that all requested information will be made available to the subcommittee.

3.3. Material requested from other institutions

A letter has been written to the Development Bank of Southern Africa (Addendum B).

3.4. Oral submissions

It was agreed that once written submissions had been received, oral submissions might also be necessary if:

- the Subcommittee wanted them, or outside individuals/organizations want to make oral submissions.

3.5. Submissions from members of the public

It was agreed that the Daily Management Committee be requested to channel submissions from the members of the public to the Subcommittee, where these are relevant to the Subcommittee's work.

The meeting adjourned at 16:00.

The meeting was reconvened at 09:00 on Tuesday, February 25.

4. Method of processing material received.

4.1. Circulation to delegates

It was agreed that two categories of information exist:

4.1.1. General information (21 copies to be distributed)

4.1.2. Specialized and/or bulky information (1 copy to be lodged with the secretary)

It was agreed that any delegate wishing to obtain information mentioned in 4.1.2. should liase directly with the secretary.

4.2. Production of position papers by delegates

It was agreed that every delegate should provide at least one position paper.

It was also agreed that position papers should in general follow the structure of the augmented Terms of Reference for Subcommittee 3.

It was noted that position papers will be important in the drawing up of Subcommittee 3's final report.

4.3. Crystallisation of topics for debate

It was agreed that some thought will have to be given on how the subcommittee will crystallize topics for debate and that they will have to be dealt with point by point.

5. Liason with other working groups

5.1. Receipt of minutes and other documents from WG2 and WG3

It was agreed that a formal request be put to the Steering Committee for the minutes and other relevant information from WG2 and WG3 to be made available to Subcommittee 3.

The reason for the above being that the decisions taken by WG2 and WG3 set parameters for the work of Subcommittee 3.

It was suggested that the Chairperson of Subcommittee 3 extract the relevant information from the minutes of WG2 and WG3 and inform Subcommittee 3.

6. Reporting progress**6.1. Rapporteurs**

3 Nominations for a rapporteur/rapporteurs were received:

Mr M. Memela
Mr Van den Berg
Mr Ramone.

It was agreed that the CV's would be tabled at the next meeting for consideration.

It was agreed that the SA Communist Party would supply Mr Memela's CV, the National Party that of Mr Van den Berg and Dikwnakwetla that of Mr Ramone.

6.2. Reporting to WG4

It was agreed that:

6.2.1. The minutes of Subcommittee 3 be tabled at WG4.

6.2.2. The Chairperson will elucidate the minutes if necessary.

6.3. It was agreed that a request would be submitted to WG4, through the WG Steering Committee on the authority of Subcommittee 3 to act on Codesa's behalf in the acquiring of information.**7. Compilation of Subcommittee 3's report****7.1. Time frame**

It was agreed that time is of absolute essence and that determining programming will only be possible when the Subcommittee receives guidance from WG4.

7.2. Form of report

A submission was made by Solidarity (See Addendum C).

The SACP suggested that we look at each of the Terms of Reference and identify key issues and problems and thereafter make recommendations.

7.3. Drafting of report and editing

It was agreed that this will be left until a rapporteur/s has been appointed.

It was agreed that Subcommittee 3 may need additional assistance to alleviate the workload of the rapporteur.

7.4. Involvement of outside organizations

It was agreed that every delegate is free to encourage outside organizations to make submissions to Codesa. Once these are received, the mechanism outlined in 3.5. should come into operation.

It was also agreed that a decision on specialized assistance from outside individuals and groups is reserved till a later stage.

7.5. Approval of drafts

It was agreed that whoever is responsible for draft documents will have to submit them to the Subcommittee for discussion, possible amendment and approval.

8. Date of next meeting

It was agreed that the next meeting of the Subcommittee will be on Monday, March 2, 1992 at 10:00.

9. Other business

9.1. Land Moratorium

The SA Government indicated that they had, in principal, no problem with a moratorium being placed on any new land transfers.

They stressed that there were certain legal and contractual obligations which had to be fulfilled.

The Transkei Government supported the land moratorium.

The Bophutatswana Government noted its opposition to the land moratorium and suggested that this matter continued to be handled on a bilateral and a case by case basis.

The Venda Government supported the land moratorium.

The Ciskei Government indicated that the question of the land moratorium should be seen in the context of existing obligations and that such obligations should be completed.

It also indicated support for the handling of each question on a case by case basis.

9.2. Consensus was reached on the following points:

9.2.1. That no further attempts be made to identify new land for transfer to the TBVC Governments.

9.2.2. That where land is in the possession of the Development Trust it should remain in the hands of the Development Trust until its winding up, whereafter it should be transferred to the SA Government.

9.3. Land in the process of transfer

It was agreed that Subcommittee 3 will receive reports from all the TBVC states on the question of land where the process of transfer has already begun.

They will identify cases in which they believe transfer should be completed because of contractual obligations and/or the need to avoid disruption in administration

9.2.3. In the case of privately owned land, no arrangements for transfer of land between SA and the TBVC states should be made.

9.2.4. Transkei and Venda do not regard further land identification as important.

Ciskei wants to get more information, assess it and report back to the Subcommittee.

Bophutatswana intends to pursue more land claims.

It was agreed that Subcommittee 3 will receive reports from the TBVC states on the question of the Land Moratorium.

10. Submissions

The following submissions were made:

- 10.1. Letter sent to the Development Bank by the Subcommittee: Addendum B
- 10.2. Submission by Solidarity:
Draft for Report on Reincorporation of the TBVC States: Addendum C
- 10.3. Submission by the National Party:
National Party Standpoint: Addendum D

11. Information received

Information received from Bophutatswana

- 11.1. Estimate of the Expenditure to be defrayed from the Revenue Account during the year ending 31 March 1992.
- 11.2. Southern Africa: An interstate comparison of certain salient features.
- 11.3. An overview of the GGP of the Development Regions of South Africa.
- 11.4. SATBVC Countries: Statistical Abstracts.
- 11.5. Southern African Population Projections: 1995 - 2005.

Information received from Venda:

- 11.6. Submission by the Venda Government: Rationalization of Parastatals.
- 11.7. Submission by the Venda Government:
Pension situation : Status actuarial Report.

Information received from the SA Government:

- 11.8. Submission by the SA Government:
Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5. (m) as regards
Transkei's finance.
- 11.9. Submission by the SA Government:
Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5.(m) as regards
Venda's finance.
- 11.10. Submission by the SA Government:
Terms of Reference of Working Group 4: 4.1.1.5. and 4.1.1.5. (m) as regards
Ciskei's finance.
- 11. The meeting was adjourned at 12:45.

ADDENDUM A

Working Group 4 : Subcommittee 3

Attendance : Meeting 24 and 25 February 1992

ANC	A Nzo
Bophutatswana Government	DW Schoeman
Ciskei Government	T Sondiyani
Democratic Party	C Simkins
Dikwankwetla Party	DA Theyane
Inkatha Freedom Party	NJ Mgubane
Intando Yesizwe Party	JL Mahlangu
Inyandza National Movement	D Mokoena
Labour Party	J Douw
National Party	R Radue
NPP	L Dwarkapersad
NIC/TIC	Y Carrim
SACP	L Nyembe
SA Government	G Croeser
Solidarity Party	D Bagwandeem
Transkei Government	M Titus
UPF	ER Maponya
Venda Government	SE Moeti
Ximoko Progressive Party	TW Tshabalala

MEMORANDUM

DATE: February 26, 1992
FROM: Werner Viljoen
TO : All members of Subcommittee 3.
RE : Information received and other matters

1. As I have not yet received the CV's of the persons nominated as rapporteurs, this is not yet included in the minutes in hand. They will be forwarded as soon as they are received.
2. The Schedule of information received is still outstanding.
It will also be forwarded to you shortly.

Please note for your own information gathering purposes that the Schedule takes the exact form of point 5: Information as minuted in the minutes of 18 February.

You may structure your own information gathering as per the identification stated above.

3. Please take note of the fact that there is no Working Group 4 meeting next week, although the Subcommittees will meet as normal.

Via Telefax

Development Bank of Southern Africa
Fax: 313-3086

Dear Sirs

CODESA: Working Group for the Future of the TBVC States (Sub-committee 3)

At a recent meeting of CODESA's Working Group 4, which is looking into the future of the TBVC states, it was agreed that certain information was necessary for the Group to perform its tasks. It was agreed that the Development Bank of Southern Africa should be asked to provide this information. We would be grateful if you could let us have the information at your disposal on:

1. Statistics of the existing infrastructures in each of the TBVC states;
2. Any information of relevance to achieving good administration in each of the TBVC states during transitional periods;
3. Suggestions on how to maintain business confidence during a transitional period, in relation to tax issues, economic policy, industrial decentralisation initiatives and maintaining investment in commerce and industry;
4. Any information relating to the liabilities of the TBVC states and any movable or immovable assets of the TBVC states;
5. A list of all direct and guaranteed debts of all parastatal and other bodies in the TBVC states;
6. A list of all domestic and foreign loans of the TBVC states and the RSA government.

To assist you, we attach a copy of the minutes of the first meeting of Sub-committee 3 of Working Group 4, held on Tuesday 18 February 1992.

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

Chairperson: Mr J L Mahlangu
Tel: 01215-2211
Fax: 01215-2808

Alternative Chairperson: Mr C Simkins
Tel: 011-716-5630
Fax: 011-339-3909

or

Secretary to WG4: Ms Sue Albertyn
Tel: 011-838-8830
Fax: 011-838-5088

Yours sincerely



MR J L MAHLANGU
CHAIRPERSON OF SUB-COMMITTEE 3 OF CODESA WORKING GROUP 4