S. A. MULTI-PARTY NEGOTIATING PROCESS/NEGOTIATING COUNCIL
COMMISSION: DELITATION OF REGIONS/STATES/PROVINCES
MEETINGS   17 JULY 1993

MEETING OF THE COMMISSION ON THE DELIMITATION/DEMARCATION OF REGIONS AND THE TECHNICAL STAFF

17 JULY 1993

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THESE DRAFT MINUTES ARE CONFIDENTIAL AND ARE RESTRICTED TO MEMBERS OF THE COMMISSION ON REGIONS, THE PLANNING COMMITTEE AND THE NEGOTIATING COUNCIL. THEY ARE STILL TO BE RATIFIED AT THE NEXT MEETING OF THE COMMISSION ON REGIONS.

DRAFT MINUTES OF THE FOURTH MEETING OF THE COMMISSION ON REGIONS HELD AT 08H45 ON SATURDAY 10 JULY 1993 AT THE WORLD TRADE CENTRE.

PRESENT: All members of the Commission were present except Ms Anne Bernstein, who had sent an apology earlier.

1.   **Moment of Prayer/Meditation**

All members present observed a moment of prayer.

2.   **Welcome and presence**

All members were present, with apologies from Ms Anne Bernstein.

3.   **Ratification of the agenda**

The agenda was ratified with no amendments.

4.   **Minutes of previous meeting** (on 25 June 1993)

The minutes were adopted.

5.   **Matters arising from the minutes**

5.1   **Report on the July 7 meeting of the Technical Support Team (TST)**

The Chairperson, Mr Bax Nomvete reported that the TST met on Wednesday July 7, 1993 as scheduled. The meeting began at about 09H00 and ended at about 14H30.

Referring to the planned joint meeting of the TST and the Commission which was scheduled for the afternoon of July 10, and where the TST was to have discussed with the Commission the criteria and their approach to the analysis of the written submissions, the chairperson informed the meeting that this had

been postponed to a suggested date of Friday July 16, 1993.

This had been necessitated by the following developments:

5.1.1 that after good and constructive discussions, it had been decided that the TST would make a thorough evaluation of the criteria with a view to making a precise interpretation of each criterion;

5.1.2 that the TST members had divided themselves into four sub-groups for this interpretation to make sure that when the Commission applies the criteria there will be a common understanding amongst all the members;

      5.1.2.1 The four sub-groups are as follows:

Socio-economic and demographic issues	Prof du Pisanie, Prof Tomlinson, Mrs Krige, Dr Buthelezi, Dr Shisana
Geographic coherence	Prof McCarthy and Mr Pienaar
Institutional and Administrative issues	Mr Mokgoro and Dr de Villiers
Infrastructure	Mr de Beer and Mr Fowler

5.1.3 that the members of these groups would be submitting their interpretations to the Technical Secretary, Dr Renosi Mokate, by Monday July 12, 1993 at 12h00; and

5.1.4 that on Tuesday 13 July in the morning, a smaller group will synthesise the work of these sub-groups into a report. The members of this smaller group are Dr de Villiers, Professor McCarthy, Mr de Coning and the Technical Secretary;

5.1.5 that each of the three sub-groups would analyse each submission with a view to determining points of agreement, areas of disagreements and borderline (or grey) areas;

5.1.6 that using their own expertise and experience they will give a summary at the end of their work, on how they see the trend of the submissions, pointing out issues which form a common denominator and others which will need further discussion and

interpretation, and a proposal on how these issues should be approached;

5.1.7   that on Wednesday July 14, 1993, members of the TST would meet on their own to discuss collectively the criteria, the analysis of the submissions and the international experience;

5.1.8   that it had been suggested that the two reports (on the interpretation of the criteria and on the application of the criteria on the written submissions) should be submitted to the Commission on Friday July 16.

This meeting, which was eventually scheduled for Saturday July 17, it was suggested, would actually be the finalisation of the Commission's thinking on the criteria. The meeting will be followed by a discussion which will constitute the workshop that had been planned for July 10 at 15H00.

5.2   Report on the Commissioning of experts to research international experience with the demarcation/delimitation of regions

5.2.1   On this item it was reported that Professor McCarthy, Dr de Villiers, Mr Mokgoro and Dr Mokate, the Technical Secretary, would prepare a ten-page paper on the international experience. It was felt that the Commission did not need to seek outside help on this score.

This paper, it was hoped, would be ready by Friday July 16, 1993.

5.2.2   On the same topic, Dr Mokate promised to distribute to the Commissioners, a paper on "Multicultural Societies and Federalism: Studies of the Royal Commission on Bilingualism and Biculturalism" by Ronald L Watts, Professor of Political Studies at Queen's University in Ottawa, Canada.

5.3   A question was raised on whether the TST would be making an assessment on where each submission came from. Also explaining who makes up each body like the Regional Services Councils. This, it was suggested would help in identifying other groups and persons who might have to be invited to give oral submissions especially in areas where there had been no representations.

5.4   It was further explained that this exercise was not geared towards getting more details or information, but for an analysis that would explain some groups or organisations and who they represent. If they represent, like the RSC are perceived to be, the municipalities or various other establishment bodies, it

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would become clear that one section had been represented by a submission while another or others had not been.

It was suggested that members of the TST would have the expertise, including some members of the Commission, to know how some of these groups are structured, how they work and who they represented. This would help in the analysis of the submissions to know which sections of the community had their voices heard and which had not.

5.5   Clarification was sought on how cognisance would be taken of the various submissions in the process of writing the final report.

5.6   A point was made that at the time of the writing of the synthesised report, reference will be made to different proposals from both oral and written submissions presented. The point of departure will be to first look at points of agreement thereafter look at the differences. To justify and strengthen its recommendations, the Commission will have to refer to the submissions in addition to their own rationalisation. Therefore it will be important to note at this stage from what section of each community the oral and written submissions emanated.

5.7   It was further pointed out that the TST, in the analysis of submissions, both points of disagreement and the disagreeing groups would be identified. The same process would be followed regarding points of agreement.

5.8   A suggestion was made that it be suggested to the TST that they give an analysis of the group, person or organisation from where each submission came, as members of the Commission were interested in both the absences and in what there is.

5.9   A view was expressed that from the hearings it had been noted that some groups had strong views on the affairs of places which were outside their region while the local people from that region had not voiced their opinion. An example was made on the uMzimkhulu area. And the point was endorsed that those people who had sent in submissions must be identified.

5.10   It was noted that this request would be conveyed to members of the TST.

5.11   It was noted that another suggestion had been made to the TST to put all the proposed maps on the same scale and even in colour and to produce a booklet of these for the Commission members who will then find it easier to see where the differences are.

5.12   It was also suggested that members of the Commission should themselves study the different proposals carefully in order to determine the actual essence of the sensibility claimed in some oral submissions that the inclusion to their particular regions of areas presently beyond their borders make sense. An

example given was that of the presenters of the Eastern Transvaal proposal who felt that the inclusion of Pretoria to their region would make sense.

It was suggested that the way to do things would be for the members of the Commission to study the written proposals well and the summaries of the oral hearings; while the TST would identify the differences for the Commission to make the final recommendations on where the boundaries should really lie.

5.13   It was pointed out that on the planned date of the workshop which will be the first meeting between the members of the Commission and those of the TST good discussions were expected to be made; while at the same time members of the Commission were to be presented with three reports which equally needed thorough studying and discussion.

It was pointed out that under the circumstances, it might be better if the members of the Commission received the reports a day earlier. This would give everyone a good chance to study the documents before engaging in discussions.

5.14   In the light of this observation, the meeting decided that the documents would be distributed to them on Friday 16 July and the joint workshop would be held the following day on Saturday 17 July, 1993. This would continue until Sunday 18 July, if necessary.

6. Report back on the Hearings held - the respective Chairpersons at the various localities

6.1   It was agreed that each person who had chaired an oral hearing at any of the venues should present a short report to the meeting, then later write a short report which would be synthesised into one document.

6.2   The first report was given by Professor Yvonne Muthien on the hearings in Durban.

6.2.1   She reported that they had four groups who gave fairly short submissions. These were the Durban Regional Chamber of Business, the Port Natal Joint Services Board, the Natal Agricultural Union and the Eastern Griqualand Regional Development Association.

6.2.2   It was reported that it appeared patently obvious that the process (of the hearings) was immensely one-sided, with overwhelmingly white male representatives from 'establishment organisations'. To this chairperson, the impression was that the process had failed to achieve the Commission's original intention to consult on a much wider basis and to open up the process of consultation to local communities whose voices are not otherwise heard.

6.2.3 It was also pointed out that in Durban, as in Port Elizabeth, there was an interesting lack of diversity of opinions expressed. In fact, it was reported, in both instances, only one singular proposal was made by all the parties concerned.

In the case of Durban, it was noted, the proposals were all directed towards retaining the uMzimkhulu, East Griqualand and the Southern Natal areas into Durban. And this proposition was made despite the fact that there were diverse communities in those areas who had not been consulted and had not been represented at the hearings.

6.2.3 What was also interesting in Durban as well as in Cape Town, was that there was an overriding concern not to be incorporated into black areas in particular. It was noted that it was rather ironic that having created the homelands, no one actually wanted to be part of them.

6.2.4 There was also a very strong emphasis on language and cultural issues in Durban as it had been in Cape Town. Stressing, for an example, the ethnic homogeneity of the areas.

Because of this emphasis, it was suggested, the Commission would have to assess what weight would be put on ethnic, cultural and language issues, finally.

6.2.5 The tone of the submissions was sometimes difficult and hostile. There was a very strong questioning of the process with which the Commission is engaged. It was reported that there were very hostile reference to 'the Banana Republic of the Transkei', and it was articulated that it was completely irrelevant for the Commission to even think of drawing boundaries, unless other issues like the powers and forms of state, but in particular, the incorporation of the TBVC state were to be settled first.

6.2.6 It was pointed out that while in the oral submissions, and particularly in the statements read out at the last presentation, ethnic, language and cultural issues appeared to have been the main criteria used, in the written submissions, however, economic functionality, transport and infrastructural linkages were emphasised.

6.3 The Cape Town report given by Professor Rautenbach reiterated the point noted about Durban that the oral submissions came from mostly white males, representing 'establishment organisations'.

6.3.1 A point was made that the Commission should not blame the people presenting their proposals at such hearings. It was really not their fault that black groups were not seen. It was further reported that three groups that came had 'Coloured' representatives.

6.3.2   It was also noted that in C.T. a number of groups were for the creation of a region for the great north.

6.3.3   Other groups, it was reported, preferred to be in a poor region that to live in a 'Coloured' region.

6.3.4   The groups that came were not proposing an Afrikaner region but a non-racial Afrikaner Volkstaat, which would include whites and coloureds, while it was felt that African South Africans were seen as not really belonging in that area.

This was perceived as being a variation of a Volkstaat proposal in which the white people seemed to be saying they would not mind sharing a region with brown people. The coloured people that came, on the other hand, also seemed to be saying the same thing, in that they, too, would not mind being included in a region with white people only because of their historical linkages.

However, it was not clear if these people were representing the whole community or not.

6.3.5   It was reported that on the economic side there was an interesting argument, which the Commission will have to address in its deliberations and which was also relevant to the Border/Kei situation, where the people from the North-West were saying that historically they have always been linked to Cape Town, in terms of services and the allocation of resources. However, they have not benefitted from this linkage.

They acknowledged that they were not sure how economically viable the region they were proposing, was. However, they argued that their development needs can be better addressed and their central government representation would be better if they were separated from the metropole. It was noted that this sort of argument was relevant to the Border/Kei region as well.

6.4   In Port Elizabeth the Commission received eight scheduled presentations (including two that came in at the last minute. These, it was observed, were also from 'establishment interest groups', wholly, but of a different kind. It was observed that the commercial interest groups were very strong in coming forward in this centre.

6.4.1   The first major issue presented in this centre was whether the Eastern Cape should be one region together with Border/Kei. The Border/Kei, it was explained, is the so-called Border white corridor, together with the commercial farms in the North Eastern Cape, Ciskei and Transkei.

6.4.2   It was reported that what came across strongly from white controlled

commercial interest groups in the Port Elizabeth area was that they did not want to be part of the Border/Kei region. In essence they did not want to be part of Ciskei and Transkei. It was clear that the white commercial interests in this area did not want to take the responsibility for what they conceived to be the development disaster of Ciskei and Transkei. They do not want their resources and their tax base, etc to be responsible for the development of those areas.

6.4.3 They were also presenting an argument, which is supported by some interest groups in the Border/Kei area, that if the Ciskei/Border/Transkei area is separated, the economic indicators are very bad, and it cannot possibly support itself as a region. However it would be the responsibility of the central government to see to it that development takes place in that area. Whereas if the two regions are joined, the idea is that somehow it will be the responsibility of regional government.

6.4.4 The people in Port Elizabeth were reported as saying the P.E. section of the greater region pays two-thirds of the taxes but would have only one-third of the vote in the greater region.

6.4.5 The representations came from the Midlands Chamber of Industries, the Port Elizabeth Chamber of Commerce, Democratic Party Eastern Cape Region who all said that the Eastern Cape needed to be separated from the Border/Kei region.

6.4.6 It was reported that another issue which came out very strongly was the issue of the North Eastern Cape area, which was represented by three delegations.

It was noted that essentially the N.E.C. is the white farming area below the Orange River, and includes Elliot, Aliwal North, Jamestown Venterstad, Maclear and a whole area of land above Ciskei and Transkei. This region is between Ciskei, Transkei and the Orange Free State.

6.4.7 Representations were from the Drakensberg Regional Services Council, which covers that area; the Upper Orange River Regional Development Association, which covers a potion of that area; and from the Venterstad Municipality.

It was reported that all these representations were saying that for economic reasons (although members of the Commission discerned that this was not the real reason) they wanted to be part of the Orange Free State. It was noted that they said that is where their links are and they did not want to be part of the south; and what is to the south of them is the Ciskei, Transkei and the Border Corridor.

6.4.8 It was also reported that there was what seemed like a counter argument, which came from the Eastern Cape Agricultural Union, which is an establishment interest group.

They said that two months previously, they had held a meeting of all the agricultural interests in the entire Eastern Cape, including that area, at which they were unanimous that they should remain as one region. Subsequent to that, it seems the essentially white farming and white municipal interests in the North Eastern Cape decided they wanted to go to the Orange Free State.

6.4.9 What the Eastern Cape Agricultural Union was reported as having said was that there were always districts on the boundaries of any region that one draws with people who might feel they could go one way or the other.

But the people at the core of that region also have a say over whether those people should leave or not; because if certain boundary districts start leaving, then other districts become the new boundary districts and what one gets is the erosion from the outside of what could have been a functional region.

What the E.C.A.U. seemed to be saying was that the white farming interests did not want anything to do with the Transkei. What they seemed to be saying was that the Eastern Cape, Ciskei and Transkei can remain as one region. They were saying that the question of who would take care of the Transkei was not their concern as historically they had never had any dealings with that area but with the Ciskei and as an agricultural union, they felt they could make some kind of contribution to the development of that region (the Ciskei) only.

6.4.10 What was picked up at questioning time was that there seemed to be a fear among rural white interests, whether agricultural or commercial, of being put together with Ciskei and Transkei.

This came out well when the Venterstad Municipality representation indicated that they felt they had a stronger case than the others because they are right next to the border and that they should go even if the other towns do not go to the Orange Free State.

6.4.11 It was also noted that the Upper Orange River Regional Development Association, which covers the whole northern section of this area, said that maybe Maclear, Elliot etc. have less strong arguments than they have.

6.4.12 What became clear to members of the Commission was that

there was a nervousness of being together with Ciskei and Transkei which was expressed in terms of an economic problem, i.e. being lumped together with parts of a region whose development potential clearly is not looking very promising to them.

6.4.13   It was noted that arguments in relation to culture and language were also put forward. It was said that the North eastern Cape had a certain predominant culture. Amongst the white population, Afrikaans was the language as opposed to further south and maybe towards other sections where English was the language.

6.4.14   These people also presented a document with about 50/60/70 letters from municipalities, farmers unions etc, essentially establishment interest groups, which said that they wanted to go to the OFS.

Although there was a black member of one delegation from the Barkley East township, the Commission members did not get the impression that they had heard from the local black communities on where their preferences lay. Their views, up to this moment were unknown, it was reported.

6.4.15   The main issue here, therefore, was whether the North Eastern Cape goes to the OFS or if it remains part of either an undivided Eastern Cape or a divided Eastern Cape/Border/Kei.

6.5   The third issue, which had strong and convincing arguments and delegations, was Plettenberg Bay, George and Knysna Municipalities. Plettenberg Bay actually had a fully representative delegation, which included a Civic representative, someone from the so-called Coloured township and from the white municipality.

This group reported that there were proposals that had been made suggesting an extension of the Eastern Cape westward into the Garden Route. And that those areas in the Southern Cape - Plettenberg Bay, Knysna and George had their historical and current linkages to the west towards Cape Town. They did not want to be linked to a Port Elizabeth-centred Eastern Cape Region.

The Commission found these representations fairly convincing, and that they were representing the full community.

6.5.1   It was noted that if one did split the Eastern Cape/Border/Kei Region into Eastern Cape on the one side and Border/Kei on the other side, one would end up with a fairly small Eastern Cape region. It was felt that the temptation was, in some of the proposals, to extend the boundary westwards and to take part of the Garden Route including

Oudtshoorn and other communities.

6.5.2 The DP proposal dealt with this point to quite a large extent. Pienaar's map actually extends the Eastern Cape westward and it takes in Knysna, Plettenberg Bay etc. and that was the DP's proposal until their consulted their constituencies in that area and their constituencies as well as other interest groups, indicated that they were not part of Port Elizabeth and they had no historic linkages with the P.E. area, despite the fact that they are quite far from Cape Town, they had a very good sub-regional centre with George as their main town.

6.5.3 It was suggested that the Commission would have to deal with the question of sub-regions. Even if a sub-region is far from what will be the regional capital, it could still function as a sub-region, it was noted.

The Plettenberg Bay case tended to be quite convincing to members of the Commission.

6.5.4 It was also noted that besides economic and historical arguments, the groups in the Cape wanted to have nothing to do with the Ciskei and Transkei because of political instability as well.

6.5.5 A question was raised on the presentations where the escarpment in the north eastern Cape was taken as a possible border and whether that was the border that the groups who were proposing to be included in the OFS wanted.

It was reported that, that was possible, but such a boundary would still cut out Elliot and Maclear, which are actually below the escarpment and would become part of the south and part of Transkei. The Drakensberg Regional Services Council was representing the whole area, it was explained, including those.

But the Regional Development Association for the Upper region felt that the escarpment might be a good boundary. However, while that was being said, there were no representatives from Maclear and Elliot. It was noted that the escarpment map was proposed as something that would take part of the Drakensberg region north and leave some of it to the south.

6.5.6 It was reported that the DP had suggested that the Cape Province was too large and should be divided into three smaller divisions. They suggested the Western Cape with its capital Cape Town, saying it had a deep water harbour, an excellent airport, potential development growth and job creation; the Eastern Cape with its capital and metropolitan area being Port Elizabeth/Uitenhage which also had a deep water harbour, an excellent airport, potential for economic

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growth and job creation. They wanted the Border/Kei separated because they said, it also, like the other two, has a deep water harbour, excellent airport and potential for economic growth and job creation and its capital would be East London or the East London/Berlin metropolitan area.

It was reported that they admitted that what they were saying, i.e. concentrating mainly on the Cape, was independent of the views of their national organisation.

6.5.7　It was further reported that it was true that the Border/Kei region must be separated and that it can manage to stand on its own. It was also true that it was hoped that these poorer regions would get a good share of funds from the central government, realising that otherwise they cannot stand on their own.

It was reported that however, at another meeting held in East London some other time, it was pointed out that there would be minerals to be developed like coal at Indwe and titanium and another mineral, and forestry etc. The feeling, it was reported, was, especially among the Transkei element of the Border/Kei, that they were not very poor and could manage on their own.

6.6　At the World Trade Centre in Kempton Park, Transvaal it was reported that 28 presentations were scheduled but four delegations did not turn up, viz. a deposed Bophuthatswana Chief, Professor Hanekom from Pretoria, the Conservative Party and Wespro, a Western Transvaal group of local governments.

6.6.1　The report on the hearings at the WTC were started from the western part of the Country, with a highlight of the problem areas to which the Commission will have to attend.

6.6.2　From the Kimberley area there were strong representations not to be included in the Western Transvaal, in the SATSWA area or in the Orange Free State. These groups do not have serious problems in being included in these western parts, but their main problem was that they did not want to be included in the Western Cape, the same thing that was heard in Cape Town and which the Commissioners have to keep in mind.

6.6.3　It was reported that there was an interesting proposal from the SATSWA (South Africa Tswana) group for an area stretching from Botswana to Lesotho. The Commission, it was suggested, will have to establish the consultation that consultation had taken place. It was suggested that this would make sense as also the Dikwankwetla Party from Qwaqwa supported this proposal.

6.6.4 There was, however, a problem with this proposal in the northern part of the country as the Thabazimbi/Warmbath area does not want to be included in the SATSWA proposal. It was suggested that the Commission will have to pay special attention to the Warmbath/Thabazimbi area when suggesting borders.

6.6.5 It was reported that the proposal, which appeared in the media that Pretoria wanted to join the eastern Transvaal, was mentioned during discussions with the Eastern Transvaal Regional Services Council (from Region F), who gave a very good and impressive proposal and showed that they had consulted very widely. However, it was reported that Pretoria never consulted this area until about two weeks before the hearings.

The Commission members were warned that they had to think more than twice before taking the PWV area apart.

6.6.6 It was reported that there was a joint proposal from the Johannesburg Chamber of Commerce and Industry and the Johannesburg Sakekamer.

6.6.7 There was a proposal from the Afrikaner Volkstaat in the Eastern Transvaal, and Commission members it was suggested, the Commissioners would have to study this proposal very carefully as it seemed that there had been very little consultation and the borders were not very clear.

It was reported that this was apart from the proposal from the Afrikaner Volksfront of General Constand Viljoen. These were at present undefined but the Commission would have their submission to study.

6.6.8 The Commission also received small presentations from small groups from the Northern Transvaal. It was difficult for the Commission to understand as some of them did not want to be included in any region, they wanted to be on their own and be themselves. If they were not a sub-region on their own, their second choice would be the SATSWA/Western Transvaal. It was reported that these people definitely did not want to be part of the greater Northern Transvaal area.

6.6.9 It was suggested that the Commission would have to pay special attention to certain proposals made by delegations from the Sasolburg area. This was identified as a potential problem area where it should be decided whether it is included in the SATSWA or PWV areas.

6.6.10 It was also reported that the last presentation from a potentially problematic area was from the Fochville Municipality. They made a strong plea that the magisterial districts of Oberholzer

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and Carltonville, at present part of the PWV area, be included in the Western Transvaal area of Region J.

It was reported that this group made a strong plea and also included a letter from Anglo American Corporation confirming that these mining areas really belonged to Region J.

6.6.11   It was explained that the SATSWA proposal was actually a South African/Tswana proposal which is a government/National Party proposal which had gained a large acceptance.

The Co-Chairperson, Professor Smit reported that he had a detailed map of the SATSWA area which he was going to submit to the TST for inclusion in the proposed Atlas they were preparing for the Commissioners.

6.6.12   A question was raised on whether there were any indications of the feelings of the OFS vis-a-vis the SATSWA proposal among the presentations made at the WTC and if there were any submissions made on that as well.

6.6.13   It was felt the Commission should look into the question of whether there was indeed wide consultation with other groups concerning the SATSWA proposal.

6.6.14   It was reported, as a matter of interest, that the people from Venterstad, in the northern part of the Eastern Cape, when asked if they would mind if the OFS was tied up with the Tswana area and it seemed that these people had no idea of the SATSWA proposal.

6.6.15   On clarifying the SATSWA proposal it was noted that there had been three options to this proposal before the one submitted came. One would have to see the three options to know more about the Venterstad question.

6.6.16   It was suggested that Mr Daphne and Professors Muthien and Rautenbach should prepare reports on problem areas and further attach these to their summaries of the hearings at the venues where they had been chairpeople. These would be distributed to other members of the Commission by Tuesday 13 July 1993.

6.6.17   To assist with the writing of the summaries for the hearings, a request was made that, if it was not too much trouble, members of the Secretariat should transcribe the tapes recorded at the different venues and put together summaries of those proceedings.

6.6.18   It was suggested that while the chairpeople were going to prepare summaries and highlight only the problem areas, documentation indicating the nature of the discussions that occurred during the hearings would also be useful.

It was further suggested that these would assist members of the TST with their own analysis as well.

7.   Written Submissions received and further evidence

7.1   In terms of the main written submissions, it was reported that 241 had been received up to that point. It was noted that all political parties except the Conservative Party and Inkatha Freedom Party had already sent in their submissions. The Technical Secretary gave an undertaking that a follow-up would be made concerning these two political parties.

7.2   Prior to this there was a brief discussion on whether all 26 parties participating in the talks should be invited. It was however, pointed out that only those political parties that had indicated that they needed to give further supportive evidence would be heard, and no invitations would be sent out to any political party or group beyond that.

7.3   Some Commissioners were not happy that people who had been scheduled to present their evidence during the hearings' week and had not done so, were being given special time to do so at a later date. This was in view of the fact that the Commission needed all the time it had to possibly hear oral evidence from groups and people from problem areas. And from communities who were not presented either in the written or oral evidence presented thus far.

7.4   A suggestion was made that for the Commission's credibility and legitimacy, and to counter the observation that the oral hearings were one-sided, perhaps the Commission should commit itself to call in the mainly black groups and communities that were not represented.

7.5   These members also suggested that the Commission could not wait until the TST gave its analysis of the groups that had given their oral submissions (which analysis would indicate which groups had made presentations and who they had represented and which groups and communities had not been represented).

7.6   It was pointed out the Commission knew which were the conflict areas like uMzimkhulu and the Border/Kei areas and perhaps 'authentic' representatives of these communities could be invited to the WTC or some members of the Commission and TST could visit those areas

7.7   It was reported that there were outstanding presentation that the Commission still had to hear. These included Chief Mankoroane, Mr

Reuben Sive, Professor Hanekom and others.

7.8   The meeting agreed to schedule these hearings for Friday July 16 from 10H00.

7.9   At 14H00 hours oral presentations would be heard from political parties like the Nationalist Party, who had indicated that they needed to give further evidence to support and highlight certain aspects of their written submissions.

7.10   Some members of the Commission were not happy with the fact that some groups which had been scheduled to present their evidence earlier and had not done so were now being accommodated when the Commission had limited time. And which time could have been allocated to groups and communities that had had no representations.

7.11   It was felt that the for the Commission's credibility and legitimacy, and on the basis of the observation that the process had been perceived as one-sided. It was suggested that it might be better if the Commission invited groups and communities from the conflict areas to the WTC or for some members of the Commission and the TAT to visit those areas. Examples of the uMzimkhulu/Southern Natal and Border/Kei areas was given.

7.12   It was noted that there were reasons which were beyond the Commission and the people who would come in on Friday morning for missing their scheduled times.

7.13   It was also pointed out that there were a number of problem areas and it would be difficult for the Commission to attend to all of them. It was further suggested that when the final report is made to the Negotiating Council, it must be pointed out that some areas had not been addressed to; and leave it to the N.C. to take further steps.

7.14   It was noted that it would be impossible to have a completely legitimate report.

7.15   Some members felt that while the TST had been mandated to identify the problem areas, the Commission could not wait until their report was submitted.

7.16   It was suggested that a decision on this item would be taken after the meeting of the TST on Wednesday July 14.

7.17   Professor Smit volunteered to preside over the oral hearings scheduled for Friday 16 July from 10H00. He invited all members of the Commission and the TST who might be free to attend as well.

(17)

7.18   It was suggested that it might be important if all members of the Commission were present when the political parties presented their evidence from 14h00.

8.   **Proposed format for the final report**

8.1   A draft format of the final report was presented to the meeting.

8.2   It was suggested that members of the Commission could start working on the first draft by starting with the available information on the background and mandate.

8.3   It was further suggested that almost all four first chapters could be completed even before the TAT report was made available to the Commission during the joint workshop scheduled for Saturday July 17. Dr B de Villiers and the Technical Secretary, Dr Mokate, were mandated to start working on the draft report together with the members of the Drafting Committee of the Commission and the TAT.

8.4   It was further suggested that members of the Drafting Committee of the Commission should attend the meeting of the TAT scheduled for Wednesday 14 July from 09H00.

8.5   It was suggested that it would be helpful if the draft report could be complete by the time the Commission sat on July 24.

9.   **Media Statement]**

9.1   A draft media statement was presented to the meeting.

9.2   An amendment was made to the second last paragraph to read '…. the Commission has been impressed by the number and quality of the submissions received'.

10.   **Closure**

The meeting ended at 12H30.

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C

DRAFT FRAMEWORK FOR THE FINAL REPORT
ON THE DEMARCATION OF REGIONS

1. INTRODUCTION

    1.1   Background

    1.2   Brief of Commission

    1.3   Working procedure followed by Commission

2. AGREEMENTS ON REGIONAL GOVERNMENTAL BY MULTIPARTY FORUM

3. INTERNATIONAL EXPERIENCE

4. CRITERIA FOR DEMARCATION: DISCUSSION AND ANALYSIS

5. PERSPECTIVE ON SUBMISSIONS

6. RECOMMENDATION AND MOTIVATION ON DEMARCATION BY COMMISSION

7. BRIEF SUMMARY OF PROPOSED REGIONAL PROFILES

    7.1   Issues to considered

    7.2   Alteration of boundaries

    7.3   Subregions

⑲

D

DISCUSSION DOCUMENT

CRITERIA FOR THE DEMARCATION/DELIMITATION OF REGIONS
BY
RENOSI MOKATE
(TECHNICAL SECRETARY)

CRITERIA FOR THE DEMARCATION/DELIMITATION OF REGIONS

The purpose of this document is to provide a framework for considering the criteria, for the demarcation of regions, provided as a terms of reference for the Commission on the Demarcation /Delimitation of Regions. The discussion of the criteria is undertaken in the context of the consensus reached by the Commission members that the boundaries demarcated/delimitated must make sense from an economic, development, governance and administrative perspective. It also takes the categories decided upon at the June 12, 1993 as its point of departure.

1.   ON THE CONCEPT OF "REGION."

A region may be defined as a geographic area which has evolved a social, economic and/or political milieu which distinguishes it from some other sub-national areas. An area can be considered a region due to economic functionality, for administrative purposes or because of its homogeneity.

An **economically functional region** exists when the level of interaction of components of the economy within an area is significant as compared with other places.

Homogeneous regions are characterised by internal similarity based on common activities, culture, climate, or even level of economic development.

Administrative regions are formed for managerial or organizational purposes. Both private organisations and governments often organise their activities along regional lines. Unlike either functional or homogeneous regions, administrative regions are usually more clearly delineated. Nonetheless, administrative regions may not be distinct from homogeneous or functional regions. Furthermore, the creation of an administrative region may itself foster homogeneity and functionality to emerge within an area.

The concept of a region can be applied at a national or international level. That is, there are regions within national boundaries, as well those constituting groups of nation-states. Examples of the latter are the countries of the Southern African Development Committee (SADC) and those of the European Community (EC).

The three different types of regions discussed above can also occur at both the national and international level.

2.   REGIONAL DEMARCATION: COMPARATIVE EXPERIENCE

The significance of the process of demarcating South Africa into regions, that is currently underway, is certainly not lost to most. The process is significant in several ways as already alluded in the discussions that have been held by the Commission.

First, it is significant because the demarcation process is occurring almost in tandem with the constitutional process of determining, what role regions will play. In this regard, the Commission has resolved the dilemma by agreeing that, whatever their ultimate role, the regions demarcated must make sense from the economic, political and social sense.

Second, unlike other countries where regionalism emerged as a tier of government, apart from the provinces, South Africa does not have historically entrenched regions that can readily form a such a tier of government. Certainly regional conceptions exist as indicated by the development regions used by the Development Bank of Southern Africa, recently emerged Regional Fora, sports and others. The question is to what extent do these form a sound basis for determining future regions.

One issue to be decided with regard to the demarcation is what weight current versions of regions, including those being proposed by the political parties should be taken as a point of departure. Should the Commission begin on its own "clean slate". Based on the submissions received, most people take the Development Regions as a point of departure.

3.   CRITERIA FOR THE DEMARCATION OF REGIONS

The key question in the demarcation of regions pertains to the appropriate criteria to use in determining where boundaries should fall. At its meeting of June 12, 1993, the Commission grouped the ten criteria provided, in the terms of reference, into categories. These categories are as follows:

1.   Economic Aspects - (criteria 1.4,1.8, and 1.9)
2.   Geographic Coherence (criterion 1.1)
3.   Institutional and Administrative Capacity (criteria 1.2-1.6)
4.   Socio-Cultural Issues (criteria 1.7, 1.10)

3.1 **Points of Departure**

Before going into an elaboration of the specific criteria, it is important to discuss certain principles that some experts on the demarcation issue have identified. Uwe Leonardy,[1] in his discussion on the Demarcation of Regions discusses some of them. It may useful for the Commission to determine whether these are worth being considered as a point of departure.

First, the most basic principle he indicates is that the more comparable the parts or regions demarcated in terms of size, institutional structure, administrative capacity, economic viability and financial strength, the more stable the whole will be.

Second, is that regional boundaries should never cut through densely populated areas. In particular, they should not separate highly industrialised areas within the same region from each other.

Third, secondary weight should be given to ethnic factors. This is in order to avoid the convergence between regional identity and ethnic identity as this could prove detrimental to the whole. Minority rights, if they are a concern, in the ethnic factor should be a matter to be protected by through a human rights framework entrenched in the constitution and "**not** a matter for regionalism as a principle for territorial organisation."

Fourth, the regional system formed should avoid the creation of geographical units with extreme inequalities in their size, political, economic, and financial potential. This will have a negative impact on the system's equilibrium.

Finally, metropolitan regions should be avoided. This is in order to maintain the rural-urban balance of the regions as well as to insure that rural areas have the benefit of the infrastructure and capacity inherent in major cities. In the South African context, where historically there has been a spatial separation between high labour supply and labour demand areas, through influx control measures, this issue becomes particularly important.

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[1] Leonardy, Uwe. " The Demarcation of Regions: Comparative Standards and German Experience." Paper presented at the Human Science Research Council Workshop in Regionalism, April 1-2,, 1993.

3.2 Economic Issues.

Several dimensions have been identified as critical to consider as part of the Economic criterion. These are, economic functionality, economic viability, development potential, infrastructure (social and physical), and fiscal capacity.

3.2.1   Economic functionality

The notion of economic functionality refers to a situation whereby the level of interaction of components within a region is significant compared with other places. An economically functional region could take many forms. For example, nodal regions have a centre of concentrated economic activity which serves other sub-centres or residential areas. An example of this would be the PWV region with the Central Witwatersrand as its key centre and Pretoria and Vereeniging as sub-centres. The functionality of region is measured by the flow of goods and services, labour flows, and to an extent by the market areas for the local production sector. Therefore, economic funtionality is related to the activities that occur around an urban core and the extent of its impact on the welfare of its hinterland.

3.2.2   Economic Viability

Economic viability relates to the extent to which a particular region has an adequate resource base to provide for the welfare of its population. This includes an economic base to provide jobs, produce goods and services and a sufficient tax base to provide fiscal capacity. With respect to fiscal capacity, economically viable regions generally also have the capability to generate a significant tax base.

It is important to note several issues with regard to the questions of economic functionality and viability. First, economic functionality is a necessary but not sufficient condition for economic viability. In short, an economically functional region is not necessarily economically viable in all respects, particularly in terms of tax base. Second, it is not possible in the demarcation of regions to create regions which are of equal economic viability because this may in fact interfere with their functionality. Finally, having economically functional regions, has the potential of nurturing economic viability in the future. Therefore, everything equal, economic functionality should be considered as a critical criterion for the demarcation of regions; however this does not mean that economic viability should not be taken into account.

3.2.3   Infrastructure

Infrastructure is an important factor in determining the economic functionality and development potential of an area. In this regard both physical and social infrastructure needs to be considered.

Physical infrastructure includes, transport, energy, and telecommunications. Physical infrastructure is critical to development and economic functionality because it impacts on production and consumption costs. In many cases the cost of particular aspects of infrastructure are factored into the price of inputs and those of final goods and services. For example, energy is often part of the cost of production and transportation directly impacts on the cost of distribution of goods and by implication on the price of the final good. The major issues to be considered in the demarcation of regions is the both the amount of infrastructure that exists and how effective and efficient it is in promoting intra- and interregional linkages.

Other than its impact on economic viability and functionality, physical infrastructure also impacts on the quality of life of citizens because it has a direct effect on access to services (e.g., transport) and information (e.g. energy and telecommunications).

Social infrastructure includes health, housing, education and social welfare facilities, and their relative accessibility to the regional population. Social infrastructure impacts on the quality of life of the regional population. Particular aspects of social infrastructure, especially health and education, affect the quality of human capital a region has and hence its economic viability and development potential.

While it may not be possible to equalise infrastructure among different regions, there is a need to assess what capacity exists. One output of the Commission's report might be to point out existing gaps and consider how they might be met through a sharing of inter-regional capacity.

3.2.4   Development Potential.

The goal of development is to improve the quality of life or standard of living of the population. One aspect of development is economic growth. Another dimension of development is the transformation of socio-economic and political institutions so that they contribute towards the growth and self-determination of communities. Given this, the issues of economic functionality,

economic viability and infrastructure are clearly important components in determining the development potential of an area. Furthermore, it is clear that other dimensions to be dealt with later, particularly institutional and administrative capacity, are also important.

In considering the development potential of regions, one needs to take into account at least two issues. The first is the existing development needs as indicated by current socio-economic indicators. A second, is the economic viability of particular regional economies in the context of both national and international trends. That is, regions that are currently leading in terms of economic growth and development (e.g., Region H/PWV), may not necessarily be so in the future given their economic structure and comparative advantage. Therefore, development potential has to be looked at in terms of both a national and international context.

3.3   Institutional and Administrative Capacity.

As indicated above, regions can exist for managerial and administrative purposes. The institutional and administrative capacity of the regions ultimately determines their effectiveness, efficiency and performance of tasks in an accountable manner. This has direct bearing on the quality of goods and services that will be provided to regional populations as well the quality of governance.

Institutional and administrative capacity refers to the existence of workable structures and systems to execute governmental functions and provide the necessary public goods and social services. Thus, it relates not only to structures of governance, it includes as well institutions for the provision and management of social and physical infrastructure.

In addition, institutional capacity concerns the degree to which appropriate policy formulation, implementation and monitoring and planning of the region's development can be undertaken.

With regard to **administration,** international experience demonstrates that the evolution of appropriate bureaucracies, to meet national needs, is a long term process which requires systematic intervention and planning. Therefore, the nature of the existing capacity, particularly within the civil service structure, its possible configuration under a new constitution, and the long term potential of regions to develop the needed capacity, have to be considered.

Finally, the issues of institutional capacity indicated above, have fiscal implications. Arguments have been advanced purporting on the one hand that regional government under a federation is costly. On the other hand, there are those who argue that there

is a negative correlation between the number of regional governments a country has and the cost of operating the public sector. These two perspectives have to be weighed and a determination made of their validity or invalidity.

3.4 Geographical Coherence

Geographical coherence pertains to the idea that regions must be compact and exhibit a level of rural-urban balance. Rural-urban balance contributes to geographical coherence by creating internal functional coherence and linkages between localities. Attention to this criterion is precipitated, in part, by the history of South Africa and the creation of disjointed homeland territories. It is further a caution that the effect of topography on the coherence of regions needs to be considered in the demarcation of regions.

3.5 Socio-Cultural Issues

The criteria that have been identified as essential to consider in this regard are, a sense of identity with the region, language and culture considerations.

3.5.1   Sense of Identity

As currently categorised sense of regional identity is seen as relating to socio-cultural dimensions. However, it is important to note that sense of identity is a multifaceted concept in that it can be the result of social, cultural, political, geographic or economic factors. It is therefore important to balance these various dimensions in the demarcation of regions. Furthermore, in the South African context, sense of identity must contribute toward a non-racial vision of society.

3.5.2   Language and Culture Considerations

There are two elements that need to be highlighted with regard to this issue. The first is the need for sensitivity to maintain sense of identity (however defined) without creating preconditions that may lead to problems of discrimination against minority interests and/or ethnic cleansing. Second, a clear understanding of what the objective of considering this particular criterion is needs to be discussed. Uwe Leonardy's point on ethnicity as a factor discussed above is worth noting in this case.

4. CONCLUSION

The above discussion has tried to highlight the key issues relating to the identified criteria for the demarcation of regions. It is safe to surmise that the Commission would have to maintain a flexible framework in its deliberations. Certain criteria could be seen as carrying a lot weight because of the overarching national goals, such economic growth, development and the creation of a democratic culture, facing the country. In other cases, the criteria have differing weight depending on the case under consideration.

E

WORKING DOCUMENT: PERSPECTIVE ON SUBMISSIONS

PREPARED BY

THE TECHNICAL SUPPORT TEAM

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WORKING DOCUMENT

CHAPTER 5: PERSPECTIVE ON SUBMISSIONS

1. INTRODUCTION

The objective of this Chapter is to make available a draft working document to the Commission for the Demarcation and Delimitation of Regions (CDDR) from the Technical Support Team (TST). The document may be used to facilitate discussion and eventually form the basis of the PERSPECTIVE ON SUBMISSIONS chapter of the final report.

This working document consists of two parts. Firstly, a framework for analysis is suggested and secondly, the agreed to criteria for the demarcation/delimitation of regions (refer to criteria document) are applied using the above framework as a tool. It is important that this document be viewed as a working document to be used to facilitate the deliberations of the Commission.

2. SUGGESTED FRAMEWORK FOR ANALYSIS

2.1 INTRODUCTION

In order to develop a shared framework for analysis it is suggested that, given the fact that most submissions have used as a point of departure the nine development regions, that these regions be employed as a general framework to categorise areas of **agreement and disagreement**. This is in no way intended to propagate a view that these regions must be retained.

Furthermore, once major areas of agreement (agreement is not intended to mean absolute consensus but rather a general approach supported by a majority of submissions) and disagreement have been identified, it is suggested that the areas of disagreement be categorised. In this regard it is recommended that a three pronged approach be followed:

*   **Regional[1] issues** are those which concern the demarcation of regions as a whole (e.g. the North Western Region);

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[1] Note that the word "region" as used in this document implies the same meaning as States/Provinces/Regions (SPRs) in the documents of the Negotiating Council

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* **Subregional issues** are those related to the demarcation of subregional areas within or across regions (e.g. The Vaal or Pretoria areas within the PWV);

* **Local issues** are those which concern disputes of a local nature, most notably submissions by local communities, farmers, town councils, tribal authorities etc. arguing in favour of inclusion in one region or another.

It is important to note that the framework for analysis merely provides a framework which will be further developed, and criteria applied to, in the next section (3).

2.2   FRAMEWORK

NORTHERN TRANSVAAL (REGION G)

Agreement:

The main trend is that parties basically agree that the Northern Transvaal, including Venda, Lebowa and Gazankulu should be retained as a region.

Disagreement:

    Regional: None

    Subregional: - Thabazimbi/Ellisras/Warmbaths
                    - Groblersdal/ Marblehall
                    - Lydenburg/ Pilgrims Rest
                    - Kruger Park

    Local: None

EASTERN TRANSVAAL (REGION F)

Agreement:

Agreement exists that Eastern Transvaal, including KaNgwane, be retained as a region.

Disagreement:

    Regional: None

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    Subregional:    - Pretoria/ Moretele / Odi
                    - Kruger Park
                    - Gazankulu
                    - Pilgrims Rest/Lebowa

    Local:          - Delmas
                    - Pongola/Piet Retief
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PWV REGION (REGION H)

Agreement:

Agreement exists that the PWV should be retained as a region.

Disagreement:

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    Regional:       None

    Subregional:    - Pretoria/ Moretele/ Odi
                    - Vaal Triangle
                    - KwaNdebele
                    - Brits

    Local:          - Verwoedburg/Akasia/Pretoria
                    - Sasolburg
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NATAL/ KWAZULU (REGION E)

Agreement:

There is basic agreement that the Natal/KwaZulu region be retained as a region.

Disagreement:

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    Regional:       None

    Subregional: - East Griqualand/Umzimkulu

    Local:       - Pongola/Piet Retief
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ORANGE FREE STATE (REGION C)

Agreement:

A dual picture exists, although some submissions (e.g. ANC and DIP) are in favour of a consolidated Free State and Qwa-Qwa

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region, others (e.g. SATSWA and Government) are of opinion that the OFS and Qwa-Qwa regions should be combined with the Western Transvaal and Bophuthatswana region.

Disagreement:

Regional: - OFS Qwa-Qwa as a separate region or combined with Western Transvaal/ Bophuthatswana.

Subregional: - Vaaltriangle
- Aliwal North/Lady Grey/Venterstad/Steynburg (Drakensberg Regional Services Council Area)
- Kimberley

Local: - Venterstad

WESTERN TRANSVAAL/ BOPHUTHATSWANA (REGION J)

Agreement:

Basic agreement that the existing Region J and the Vryburg and Bophuthatswana area of Region B should be combined to form a single region.

Disagreement:

Regional: Whether the above mentioned enlarged Region J should be combined with OFS and Qwa-Qwa. In addition the issue of a separate Northern Ce region, or, if not a region in its own right, the position of the Southern border of the enlarged region J, is an important point of disagreement.

Subregional: -Moretele/Odi/Thabazimbi/Ellisras/Warmbaths
- Vryburg/Kuruman/Postmansburg

Local: - Kimberley
- Carletonville
- Upington

NORTHERN CAPE AND BOPHUTHATSWANA (REGION B)

Agreement:

The Bophuthatswana/ Vryburg of Northern Cape should be included in the enlarged Region J region.

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Disagreement:

Regional:	- Northern Cape as a separate region
	- Northern Cape as a part of an enlarged Region J and OFS
	- Northern Cape as part of Western Cape
Subregional:	- Namaqualand area
Local:	- Kimberley
	- Upington
	- Colesberg
	- Philpstown
	- Postmasburg
	- Warrenton
	- Hartswater

EASTERN CAPE/ BORDER/ CISKEI/ TRANSKEI (REGION D)

Agreement: There is basic agreement that there should be an Eastern Cape Region

Disagreement:

Regional:	- Whether the Eastern Cape should be one or more regions.
Subregional:	- Umzimkulu/ East Griqualand/Mount Currie
	- Venterstad/ Aliwal North/ Lady Grey/Steynsburg/Albert
	- Plettenberg Bay/ Knysna/ George
Local:	- Venterstad

WESTERN CAPE (REGION A)

Agreement:

There is general agreement that there must be a Western Cape region which is separate from the Eastern Cape.

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Disagreement:

Regional: -Whether Western Cape should be one or two regions

Subregional: - Mosselbaai/ George/Knysna

Local: - Kimberley
                 - Upington
                 - Calvinia

3. APPLICATION OF CRITERIA

3.1 INTRODUCTION

The application of the respective criteria provided by the Negotiating Council, has to be done in as balanced a way as possible. The overemphasis of any criterion may cause a skewed and unbalanced outcome. Care should therefore taken by the Commission not to emphasize certain criteria to the detriment of others. The Technical Support Team (TST) which supported the Commission on the Demarcation/Delimitation of Regions in the application of the respective criteria, approached the task by means of various specialist working groups who had to evaluate all the submissions received by using of the criteria allocated to each of the working groups. Consequently the various submissions were analyzed on the basis of institutional capacity, economic and infrastructural considerations, socio-cultural issues and geographical considerations. The inputs of the various working groups were thereafter integrated by the TST with the view of identifying main areas of agreement, disagreement and to making recommendations.

The main aims of this section are therefore as follows:

* To apply the respective criteria to the various submissions received with the aim to identify and discuss the main areas of agreement, as well as regional, subregional and local areas of disagreement. In each case a summary will be given of the applicability of the respective criteria to the areas of agreement and disagreement.

* Proposals will be made regarding (i) the most preferable way given the various criteria, to address the areas of disagreement and (ii) additional ways to involve public opinion and interested groups before the demarcation regarding certain areas of a local

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