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CONSTITUTIONAL ASSEMBLY

**CORE GROUP
THEME COMMITTEE 4**

FUNDAMENTAL RIGHTS

3 April 1995

OLD ASSEMBLY CHAMBER

DOCUMENTATION

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CONSTITUTIONAL ASSEMBLY

CORE GROUP THEME COMMITTEE 4 MEETING

FUNDAMENTAL RIGHTS

Please note that a meeting of the above Group will be held as indicated below:

Date : Monday, 3 April 1995
Time : After Theme Committee meeting 18h00 - 21h30
Venue : Old Assembly Chamber

AGENDA

1. Opening
2. Minutes: Pages 2 - 5
2.1 Core Group 27 March 1995
3. Matters Arising: See Agenda Items Below
4. Block 2: Work Schedule: Pages 6 - 13
5. General
6. Closure

** *Members are reminded to bring copies of the Constitution and Standing Rules for the Constitutional Assembly to the meeting.*

H Ebrahim
Executive Director
Constitutional Assembly

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CONSTITUTIONAL ASSEMBLY

**MINUTES OF
CORE GROUP OF**

**THEME COMMITTEE 4
FUNDAMENTAL RIGHTS
27 MARCH 1995 (AT 14H30)**

PRESENT

Mdladlana MMS (Chairperson)

Pandor GNM
Radue RJ
Vos SC (alt)

APOLOGIES: Green LM, Leon AJ, Mncwango MA, Mulder CP, Sizani RK

J Tsalamandris, Z Adams, S Liebenberg and H Cheadle were in attendance.

1. OPENING

- 1.1 The meeting was opened by Mr Mdladlana at 16h35.

2. MINUTES

- 2.1 The minutes of the Core Group Meeting of 9 March 1995 were adopted with the following corrections:
- i) The word "asked" in Paragraph 3.1.1 to be changed to "ask".
 - ii) The word 'only' in Paragraph 5.2.1 (ix) to be placed in inverted commas.
- 2.2 The minutes of the Core Group meeting of 22 March 1995 were adopted with the following correction:
- i) Paragraph 3.1.2, the word "according" should be deleted.

3. MATTERS ARISING

- 3.1 The following matters arising out of the minutes of 9 March 1995 were noted:
- 3.1.1 Public Participation Programme.
 - 3.1.1.2 The Secretariat informed the meeting that the Management Committee is in the process of assessing and evaluating the Public Participation Programme.
 - 3.1.1.3 The Group were also informed that the ANC proposals regarding the PPP together with the Theme Committee's had been forwarded to the CA Directorate.
 - 3.1.2 Computer disks for party submissions.
 - 3.1.2.1 It was agreed that the Secretariat would forward diskettes to parties only on request and not as a matter of course.
 - 3.1.3 Media Advert
 - 3.1.3.1 It was agree to deal with this item under agenda item 4.

4. BLOCK 2: WORK SCHEDULE

4.1 Work Schedule

4.1.1 Opening the discussion on the Work Programme, the chairperson noted the need for the Theme Committee to continue its work while waiting for the Technical Committee's report on the revised Work Programme. The chairperson also noted that the Group had to decide on the content of the media advert for Block 3, as the deadline was approaching.

4.1.2 The Group agreed that the Theme Committee would deal with the following rights while the revised Work Programme is being prepared by the Technical Committee:

- i) Servitude and Forced Labour
- ii) Freedom and Security of the Person
- iii) Freedom of Expression
- iv) Access to Information

4.2 Media Advert

4.2.1 Following a general discussion on the rights to be included in the advert on Block 3, it was agreed that while the Committee had generally followed the Blocks in the Work Programme, the Committee was not bound by them and could adopt a flexible approach.

4.2.2 It was agreed that the advert would request submissions from the public on the following rights\ issues:

- i) Servitude and Forced Labour
- ii) Freedom and Security of the person
- iii) Freedom of Expression
- iv) Access to Information
- v) Freedom of Religion, belief and opinion
- vi) Freedom of Association

4.3 Oral Hearings

4.3.1 After having discussed the matter and taken into account discussions held in the Theme Committee meeting, it was decided that clear criteria needed to be established to guide the selection of organisations\ individuals from civil society who would make oral presentations to the Committee.

4.3.2 It was agreed that political parties consider selection criteria for selection.

4.3.3 It was further agreed that the Technical Committee be requested to review the public submissions and identify those with requests for oral hearings.

4.3.4 The Group noted that the Theme Committee would have to adopt a structured and methodical process making selections for oral hearings.

5 GENERAL

5.1 None.

6. CLOSURE

The meeting rose at 17h20.

DISCUSSION DOCUMENT: REVISED WORK PROGRAMME

T/C MEETING	ITEMS
	1. Constitutional Principle II
	2. Nature of Bill of Rights and application 3. Human Dignity 4. Privacy
3 April 1995	5. Servitude and Forced Labour 6. Freedom and Security of the person
19 April 1995	7. Freedom of Expression 8. Access to Information
21 April 1995	9. Freedom of Religion, belief and opinion 10. Freedom of Association 11. Freedom of Demonstration and Petition
24 April 1995	12. Life
8 May 1995	13. Socio-Economic Rights i) Property ii) Education iii) Environment iv) Economic Activity v) Labour Relations vi) Freedom of Language and Culture vii) Other socio-economic rights
15 May 1995	14. Childrens rights 15. Reproductive rights
22 May 1995	16. Equality
29 May 1995	17. Political Rights 18. Citizens' rights 19. Freedom of movement 20. Freedom of residence
5 June 1995	21. Administrative justice 22. Access to Courts 23. Detained, arrested and accused persons
12 June 1995	24. Other fundamental rights and directive principles
19 June 1995	25. Limitation of rights 26. States of emergency and suspension of rights
20 June 1995	27. Interpretation of Bill of Rights 28. Class actions

21 June 1995

29. Other issues

CONSTITUTIONAL ASSEMBLY SCHEDULE

6 APRIL - 1 JULY 1995

Date	Event	Time	Venue
Thursday 6 April	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Friday 7 April	Easter Recess		
Friday 14 April	Deadline for Submissions - Block 3 - 4		
Tuesday 18 April	Core Group - TC 1 Core Group - TC 2 Core Group - TC 3 Core Group - TC 4 Core Group - TC 5 Core Group - TC 6	14h00 - 17h00 14h00 - 17h00 14h00 - 17h00 14h00 - 17h00 14h00 - 17h00 14h00 - 17h00	M515 * E216* G26* E337* M201 * E340*
Wednesday 19 April	Theme Committee 4 Theme Committee 5 Theme Committee 6* Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h00 14h00 - 18h00 14h00 - 18h00	M46 V227 E249 M515 M46 E249
Thursday 20 April	Management Committee Party Caucuses Theme Committee 1 Theme Committee 2 Theme Committee 3 Core Group - TC 4 Core Group - TC 5 Core Group - TC 6	08h00 - 10h00 10h15 - 13h00 14h00 - 18h00 14h00 - 18h00 14h00 - 18h00 14h00 - 17h00 14h00 - 17h00 14h00 - 17h00	V16 M515 M46 E249 E337* M201 * E340*
Friday 21 April	Theme Committee 4 Theme Committee 5 Theme Committee 6* Core Group - TC 1 Core Group - TC 2 Core Group - TC 3	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 08h30 - 12h30 08h30 - 12h30 08h30 - 12h30	M46 V227 E249 M515 * E216* G26*

Monday 24 April	Theme Committee 1 Theme Committee 2 Theme Committee 3 Management Committee* Theme Committee 4 Theme Committee 5 Theme Committee 6* Constitutional Committee	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h30 14h00 - 17h30 14h00 - 17h30 18h00 - 22h00	M515 M46 E249 V16 M46 V227 E249 OAC
Wednesday 26 April	Deadline for reports to CC		
Thursday 27 April	Freedom Day Public Participation Deadline for Submissions - 5 - 6		
Monday 1 May	Workers' Day		
Thursday 4 May	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 6 May and/or	Public Participation		
Sunday 7 May	Public Participation		
Monday 8 May	Theme Committee 4 Theme Committee 5 Theme Committee 6* Management Committee* Theme Committee 1 Theme Committee 2 Theme Committee 3 Constitutional Committee	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h30 14h00 - 17h30 14h00 - 17h30 18h00 - 22h00	M46 V227 E249 V16 M515 M46 E249 OAC
Thursday 11 May	Management Committee Party Caucuses Deadline for Submissions for Block 7 - 8	08h00 - 10h00	V16
Saturday 13 May and/or	Public Participation		
Sunday 14 May	Public Participation		
Monday 15 May	Theme Committee 1 Theme Committee 2 Theme Committee 3 Management Committee* Constitutional Assembly Theme Committee 4 Theme Committee 5 Theme Committee 6*	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 17h30 - 21h30 17h30 - 21h30 17h30 - 21h30	M515 M46 E249 V16 Ass M46 V227 E249

Wednesday 17 May	Deadline for reports to CC		
Thursday 18 May	Management Committee Party Caucuses	09h00 - 10h00	V16
Saturday 20 May and/or	Public Participation		
Sunday 21 May	Public Participation		
Monday 22 May	Theme Committee 4 Theme Committee 5 Theme Committee 6* Management Committee* Theme Committee 1 Theme Committee 2 Theme Committee 3 Constitutional Committee	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h30 14h00 - 17h30 14h00 - 17h30 18h00 - 22h00	M46 V227 E249 V16 M515 M46 E249 AC
Thursday 25 May	Management Committee Party Caucuses Deadline for Submissions for Blocks 9 - 10	08h00 - 10h00 10h15 - 13h00	V16
Saturday 27 May and/or	Public Participation		
Sunday 28 May	Public Participation		
Monday 29 May	Theme Committee 1 Theme Committee 2 Theme Committee 3 Management Committee* Constitutional Assembly Theme Committee 4 Theme Committee 5 Theme Committee 6*	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 17h30 - 21h30 17h30 - 21h30 17h30 - 21h30	M515 M46 E249 V16 Ass M46 V227 E249
Wednesday 31 May	Deadline for reports to CC		
Thursday 1 June	Management Committee Party Caucuses	08h00 - 10h00	V16
Saturday 3 June and/or	Public Participation		
Sunday 4 June	Public Participation		

Monday 5 June	Theme Committee 4 Theme Committee 5 Theme Committee 6* Management Committee* Theme Committee 1 Theme Committee 2 Theme Committee 3 Constitutional Committee	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h30 14h00 - 17h30 14h00 - 17h30 18h00 - 22h00	M46 V227 E249 V16 M515 M46 E249 OAC
Thursday 8 June	Management Committee Party Caucuses	08h00 - 10h00	V16
Saturday 10 June and/or	Public Participation		
Sunday 11 June	Public Participation		
Monday 12 June	Theme Committee 1 Theme Committee 2 Theme Committee 3 Management Committee* Theme Committee 4 Theme Committee 5 Theme Committee 6* Constitutional Committee	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h30 14h00 - 17h30 14h00 - 17h30 18h00 - 22h00	M515 M46 E249 V16 M46 V227 E249 OAC
Thursday 15 June	Management Committee Party Caucuses	08h00 - 10h00	V16
Saturday 17 June and/or	Public Participation		
Sunday 18 June	Public Participation		
Monday 19 June	Theme Committee 4 Theme Committee 5 Theme Committee 6* Management Committee* Constitutional Assembly	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00	M46 V227 E249 V16 Ass
Tuesday 20 June	Core Group - TC 1 Core Group - TC 2 Core Group - TC 3 Core Group - TC 4 Core Group - TC 5 Core Group - TC 6 Theme Committee 1 Theme Committee 2 Theme Committee 3 Deadlines for reports to CC	08h30 - 11h00 08h30 - 11h00 08h30 - 11h00 11h00 - 13h00 11h00 - 13h00 11h00 - 13h30 14h00 - 17h00 14h00 - 17h00 14h00 - 17h00	M515 * E216* G26* E337* M201 * E340* M515 M46 E249

Wednesday 21 June	Theme Committee 4 Theme Committee 5 Theme Committee 6* Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h00 14h00 - 18h00 14h00 - 18h00	M46 V227 E249 M515 M46 E249
Thursday 22 June	Management Committee Party Caucuses Theme Committee 1 Theme Committee 2 Theme Committee 3	08h00 - 10h00 14H00 - 18H00 14H00 - 18H00 14H00 - 18H00	V16 M515 M46 E249
Friday 23 June	Theme Committee 4 Theme Committee 5 Theme Committee 6*	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00	M46 V227 E249
Saturday 24 June and/or	Public Participation		
Sunday 25 June	Public Participation		
Monday 26 June	Theme Committee 1 Theme Committee 2 Theme Committee 3 Management Committee* Theme Committee 4 Theme Committee 5 Theme Committee 6* Constitutional Committee	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h30 14h00 - 17h30 14h00 - 17h30 18h00 - 22h00	M515 M46 E249 V16 M46 V227 E249 OAC
Tuesday 27 June	Core Group - TC 4 Core Group - TC 5 Core Group - TC 6 Core Group - TC 1 Core Group - TC 2 Core Group - TC 3	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h00 14h00 - 18h00 14h00 - 18h00	E337* M201 * E340* M515 * E216* G26*
Wednesday 28 June	Theme Committee 4 Theme Committee 5 Theme Committee 6* Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M46 V227 E249 M515 M46 E249
Thursday 29 June	Management Committee Party Caucuses	08h00 - 10h00	V16
Friday 30 June	Constitutional Assembly	09h00 - 16h00	Ass

Saturday 1 July	Winter Recess		
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- * All Core Group Venues subject to confirmation
- * Theme Committee 6 - These incorporate Subtheme meetings
- * MC meetings - can be rescheduled to 11h00 - 13h00 as and when required.
- * CC and CA - Flexibility exists in relation to which meetings are required.