

**PROPOSED PROGRAMME FOR SEMINAR ON
DEMOCRATIC CONSTITUTIONAL DEVELOPMENT: 17
- 20 JULY 1995 AT THE CSIR, PRETORIA**

Participants arrive in Johannesburg on 17 July and are transported to hotel in Pretoria.

17 JULY (Day 1)

11:00 - 12:00 Registration and tea/coffee at CSIR

12:00 - 12:30 Formal opening of the seminar by the Minister of Provincial Affairs and Constitutional Development and the Deputy Minister of Provincial Affairs and Constitutional Development (Also to act as Conference Co-Chairpersons)

12:30 - 13:00 Opening remarks (10 minutes each):
- Chief E Anyaoku (Secretary General of the Commonwealth)
- Prof A La Pergola (Italy, President of the Commission of Venice)
- Mr C Ramaphosa (Chairperson of the Constitutional Assembly, South Africa - To be confirmed by DCD)

13:00 - 14:00 Lunch

Session 1: *Democracy and the Constitution*

- Division of powers in a democracy (*trias politica*)
- Tiers of government in a democracy
- Essential institutions of a democracy (Independent judiciary, Constitutional Court, Human Rights Commission, Public Protector, Ombudsman)

Session Chairperson: Mr Justice A Amissah (President of the Court of Appeal, Botswana; Former Attorney-General of Ghana) **CONFIRMED**

14:00 - 15:00 Introductory Speakers (15 minutes each)

- Prof Christina Murray (South Africa; University of Cape Town; Member of Panel of Constitutional Experts contemplated in section 72(2) of the 1993 Constitution) **CONFIRMED**
- Dr LM Singvi (India - High Commissioner in London) **CONFIRMED**
- Mr A Blakeney (Canada; Formerly Member of the Provincial Parliament and Executive of the Province of Saskatchewan; Premier of Saskatchewan [1971-1982]; Lecturer at the College of Law, University of Saskatchewan) **CONFIRMED**
- Ms Hanna Suchocka (Poland, Member of the Commission of Venice) **CONFIRMED**

15:00 - 15:30	Tea/Coffee
15:30 - 18:00	Discussion and questions
18:00 - 19:00	Cocktail/drinks at CSIR
19:00 - 21:00	Dinner at the CSIR
21:00	Transport back to hotel

18 JULY (Day 2)

Session 2a: *Regionalism*

- **Regionalism in a democracy**
- **Establishing accountability**
- **International trends: More or less regionalism?**

Session Chairperson: Prof A La Pergola (Italy, President of the Commission of Venice)
CONFIRMED

8:30 - 09:30	Introductory Speakers (15 minutes each)
	- Prof L Lopes Guerra (Spain, Member of the Commission of Venice) CONFIRMED
	- Justice Timothy Akinola Aguda (Justice of Appeal, Botswana; Former Chief Justice of Nigeria) CONFIRMED
	- Malaysia (To be confirmed by COMSA)

- Sir Ninian Stephen (Former Governor-General of Australia; Member of the International Tribunal established by the United Nations for the former Yugoslavia) **CONFIRMED**

09:30 - 10:00 Tea/Coffee

10:00 - 12:15 Discussion and questions

12:15 - 12:45 Lunch

Session 2b: *Intergovernmental Relations (a) Structures (excluding structures responsible for financial and fiscal management)*

- Objectives within intergovernmental relations
- Identification of intergovernmental goals
- The management of intergovernmental goals
- Intergovernmental relations: Structures to facilitate good government

Session Chairperson: Dr AW Johnson (Former Director General on Provincial and National level in Canada; Former lecturer at the University of Toronto; Senior Advisor to the South Africa/Canada Programme on Governance) CONFIRMED

12:45 - 13:25 Introductory Speakers (10 minutes each)

- Mr Thozamile Botha (Director General: Eastern Cape Province, South Africa) **CONFIRMED**
- Prof RE Simeon (Canada) **CONFIRMED**
- Mr Abid Hussain (India; Vice-Chairman: Rajiv Gandhi Institute; Former Secretary to the Government of India; Former Indian Ambassador to the USA) **CONFIRMED**
- Prof Jean-Claude Scholsem (Belgium, Member of the Commission of Venice) **CONFIRMED**

13:25 - 15:00 Discussion and questions

15:00 - 15:30 Tea/coffee

Session 2c: *Intergovernmental Relations (b) Structures responsible for financial and fiscal management, as well as management within financial realities*

- Intergovernmental relations: Financial and fiscal relations
- Addressing development disparities
- Creating of capacity to deliver services
- Structures to facilitate sound financial and fiscal intergovernmental relations

Session Chairperson: Dr Muna Ndulo (Zambia) CONFIRMED

15:30 - 16:10

Introductory Speakers (10 minutes each)

- Dr AW Johnson (Canada) CONFIRMED
- Ms Maria Ramos (Deputy Director General: Department of Finance, South Africa) CONFIRMED
- USA (To be confirmed by DCD)
- Mr Dick Rye (Australia - Chairperson Commonwealth Grants Commission) CONFIRMED

16:10 - 18:00

Discussion and questions

19 JULY (Day 3)

Session 3: *Local government structures, management and elections*

- Local or third tier government
- Financing, taxation and accountability
- Local government autonomy
- Local government co-operation in the provision of major services
- Local government and intergovernmental relations
- Traditional leaders' role
- Voting systems on third tier of government
- Lessons from the international community: Registration, voting percentages and legitimacy
- Organising local government elections: Who should be in charge?

Session Chairperson: Ms J Collinge (South Africa; The Star) CONFIRMED

- 8:30 - 09:10 Introductory Speakers (10 minutes each)
- Dr R Gilbert (Canada; Senior International Consultant on Transportation and Urban Affairs; President of the Canadian Urban Institute; Member of the City of Toronto and Metropolitan Urban Councils) **CONFIRMED**
 - Dr Mariyawanda Nzuwah (Chairperson: Public Service Commission of Zimbabwe) **CONFIRMED**
 - Nana Akuoku Sarpong (Ghana; Adviser to the Presidential Commission on the Chieftancy; Lawyer and former Minister) **CONFIRMED**
 - The Rt Hon David Steele MP (Britain) To be confirmed by COMSA

09:10 - 10:15 Discussion and questions

10:15 - 10:45 Tea/Coffee

Session 4: *Special interests and interest groups in a democracy*

- **Accommodation of traditional leaders and traditional law in a democracy**
- **Ethnicity in a democracy**
- **Language in a democracy**

Session Chairperson: Dr Mempele Ramphela (South Africa - To be confirmed by DCD)

- 10:45 - 11:25 Introductory Speakers (10 minutes each)
- Prof T Nhlapo (South Africa; University of Cape Town; Convenor of the Constitutional Assembly's Technical Committee on Traditional Leaders) **CONFIRMED**
 - Nana Wereko Ampen (Former Minister of Finance and Economic Affairs of Ghana) **CONFIRMED**
 - Malaysia (To be confirmed by COMSA)
 - Dr NE Alexander (South Africa; Director of the Project for the Study of Alternative Education in South Africa at the University of Cape Town) **CONFIRMED**

11:25 - 12:30	Discussion and questions
12:30 - 13:30	Lunch
13:30 - 14:30	Discussion and questions (continue)
14:30 - 15:00	Tea/Coffee

Session 5: *Legislative Authority*

- **Powers of Parliament**
- **Relationship between Parliament (legislature) and Cabinet (executive)**
- **Role of the Senate**
- **Role of individual Members of Parliament and Portfolio/Select Committees in the legislative process**

Session Chairperson: Dr F Ginwala (South Africa - To be confirmed by DCD)

15:00 - 15:30	Introductory Speakers (15 minutes each) <ul style="list-style-type: none"> - Prof Giorgio Malinverni (Switzerland, Member of the Commission of Venice) CONFIRMED - Prof F Venter (Technical Advisor to Technical Committee 3 [Relationship between different levels of government] of the South African Constitutional Assembly; University of Potchefstroom) CONFIRMED
15:30 - 18:00	Discussion and questions
18:00	Evening programme - leisure (To be confirmed by DCD)

20 JULY (Day 4)

Session 6: *Transitional Constitutional Arrangements*

Session Chairperson: Dr LD Barnard (South Africa; Director General of the Department of Constitutional Development) CONFIRMED

- 08:30 - 09:10 Introductory Speakers (20 minutes each)
- Mr SR Maharaj MP (South Africa; Minister of Transport) - To be confirmed by DCD)
 - Mr SS van der Merwe (Constitutional Advisor to the South African Minister of Provincial Affairs and Constitutional Development) CONFIRMED
- 09:10 - 11:00 Discussion and questions
- 11:00 - 11:30 Tea/Coffee
- 11:30 - 12:30 ***Summary and concluding remarks*** by the Conference Co-Chairpersons
- 12:30 - 13:30 Lunch