

CONSTITUTIONAL ASSEMBLY

Item 1 - Agenda

- Mr Manda
- Dr. Ombi
- Mr Sindi

Item 2 - Adoption of Minutes of the previous meeting held on 14th August 1995.

Let's look at the minutes. Any comments?

(NO COMMENTS)

THEME COMMITTEE 1 MEETING

DATE: 15 AUGUST 1995

MINUTES ADOPTED

Item 5 - Any other business which does not appear on the agenda?

In the absence of any other arising, could we then go to 6 - Discussion on the report for block 10 (if possible and preferable).

Sister Bernard:

The discussion on the provision of 2 should be discussed later on when the provisions of the other provisions have been put together.

Chairperson:

There is a proposal. Approbation or dissent on that?

Chairperson:

Thank you very much. You're welcome to the meeting.

Item 2 - Apologies:

-Mr Marais

-Dr. Cwele

-Mr Sisulu

Item 3 - Adoption of previous minutes (meeting held on 14th August 1995).

Let's look at the minutes. Any comments?

(NO COMMENTS)

Any proposal for the adoption of the minutes?

MINUTES ADOPTED AND SECONDED

Item 4: Any matters arising which does not appear on the agenda?

In the absence of any matter arising, could we then go to 6 - Discussion on the report for block 10 (preamble and postamble).

Sister Bernard:

The discussion on the preamble and postamble should be discussed later on when the provisions of the entire constitution have been put together.

Chairperson:

There is a proposal. Any seconder or descent on that?

Speaker:

Can I just make a comment. It's from a technical point of view. To have a postamble is quite an unusual thing in a constitution. It was very appropriate in the interim constitution. It just might be a question for members who wish to think about, either now or at a later stage, whether the final constitution needs a postamble or not. But that's just from a technical point of view.

Chairperson:

Thank you very much. There is a view. I don't know whether the members would like to discuss that now. It might be worth a while for it to be discussed when the preamble is being considered.

Speaker:

Mr Chairman, I think we can look at this at a later stage. I don't think it's necessary that we discuss it now.

Chairperson:

Thank you very much. Is it agreed that we look at the preamble and postamble later on after the provisions of the constitution have taken shape?

(PROPOSAL SECONDED)

Chairperson:

Thank you very much. Then we can go to Item 7 - Public Participation.

The parties are still reminded of the public participation events that will be taking place at the Empangeni and Port Shepstone, and the names of those who are interested are still awaited.

General: Nothing under that heading.

We'll go back then to Item 5, the report.

Prof. Koda:

Thank you Sir. After yesterday's meeting, several changes were made to accord with what was said at the meeting. There's one further change which I'd like to draw your attention to. The first addition comes on top of page 23 with the second contentious issue under 'languages.' We had a little bit of difficulty trying to reconstruct the last conversation that took place yesterday in the committee between Mr Niehaus and Mr Marais. Mr Marais said from the chair that he agreed with the last bit of what Mr Niehaus has said immediately before that, and that was the NP position. We constructed it as you see it at the top of page 23. On discussion with members of the National Party here this morning, and in accordance with their request, I would request members to change that paragraph 2 at the top of page 23. The following words must be added right after the words "...Afrikaans and English...":

'...and any other languages as envisaged in section 3, subsection 2 of the 1993 constitution.'

The reason for this new reflection is that if members have a look at section 3-2 of the 1993 constitution, they'll see that it reads as follows:

'Rights relating to language, and the status of languages existing at the commencement of this constitution shall not be diminished.'

Now the interpretation of that is that the status of Xhosa, Tswana and Venda in the TBVC states as official languages should also not be diminished. In other words, this reference to '*...and any other languages as envisaged*' incorporates or attempts to encompass any other languages recognised as official in South African constitutional law at the outset of the 1993 constitution. And that's the interpretation which the National Party places. They wish for it to read as follows. The NP proposes that *the studies of Afrikaans and English and any other languages, as envisaged in section 3-2 of the 1993 constitution as official languages, should not be diminished.*

Chairperson:

Excuse me. What does that actually mean. The explanation you are giving is not appropriate. Are you saying that the dominance of English and Afrikaans throughout the country should remain.

Prof. Koda:

Prof. Koda:

In discussion with Mr Streicher and Mr Van Deventer before this meeting this morning when I showed them this paragraph, the interpretation that they placed upon it is that in certain portions of the country i.e the Transkei, Ciskei, Venda and Bophotatswana, there were other languages which enjoyed official language status, as well as English and Afrikaans. Now, if somebody was to challenge the diminution of the status of any language, they would be able to do that successfully during the currency of the 1993 constitution. There is nothing in the constitutional principles about the official status of languages. After Mr Kekana and others made remarks about Mr Streicher's proposal yesterday, you will see that I put it in under 'contentious issue.' It is a contentious issue. But that is the National Party's wish that that regime in relation to languages, which is in the interim constitution, should continue in the final constitution as I understand it. If I'm wrong, then I stand to be corrected. That's their point and interpretation.

Mr Kekana:

Chair, I understand what Professor Koda is saying. Maybe if the NP had put their position, it would have been better. It would actually clarify some of these questions. There was a public debate with minister Zola Skweyiya about communication in Afrikaans or English. My interpretation, and I assume it's that of the entire departments too, in relation to section 3-2, is that English and Afrikaans are the official languages, as it has been in the past. To give another interpretation doesn't really matter at the end of the day because the issue is contentious anyway. Let's not hide from the fact that English and Afrikaans are the official languages merely by adding the words '*...and other languages.*'

I think it would have been much better for us to understand what this contentious issue means. Section 3-2 leaves the interpretation to the individual. It doesn't give a definite interpretation.

Prof. Koda:

Just on a point of order. I don't think that it is our task to try and convince the NP as to whether their submission is correct or incorrect, contentious or noncontentious. They are happy that this reflects what they want to put in the submission. It goes under their name. So I think further debate on this matter is really just wasting our time, and I propose that we proceed with the business of the day.

Speaker:

Chairperson:

I don't think it was a question of trying to press NP policies, but to understand what they are saying. One cannot push one party. You can negotiate with the party to take another view. I think clarification is important because when it comes to the CC, one must know what is contentious.

Mr Kekana:

Is it possible for you to phrase that section again so that we understand exactly what the wording is. To say something is contentious without understanding it is meaningless.

Speaker:

Prof. Koda:

Could I respond to that first of all by saying that the interpretation that I, from a technical point of view, placed on that section. This, I believe, is a viable interpretation in law. It is quite correct, as you say, that English and Afrikaans are nationally applicable as official languages. However, it might be that somebody in the Transkei, in relation to the Eastern Cape legislature, could still insist on using Xhosa, and having all the documents put in that language as well.

Secondly, the formulation, as it was typed in the report at the top of page 23, was my formulation yesterday afternoon immediately after the meeting, after trying to reconstruct what Mr Niehaus and Mr Marais had talked about. This morning before the meeting started, Mr Streicher talked to me about this formulation and said that it didn't accurately reflect the National Party position. And that is why it is changed. Therefore, I'm not putting forward the National Party position. I'm just putting forward what they asked me to put to the meeting this morning. This is their language, and I read it again: *'The National Party proposes that the studies of Afrikaans and English, and any other languages, as envisaged in section 3-2 of the 1993 constitution as official languages, should not be diminished.'*

Speaker:

Chairman, may I just add this. As it stood originally, it created the impression that the National Party was in favour of promoting Afrikaans and English. And we made it quite plain from the start that we were in favour of helping all 11 languages in South Africa, recognised by the clause in section 3. So, all that we've done here is to amplify and to make the position quite plain that we are not trying to highlight Afrikaans and English. That is the whole intention. If it is going to be discussed at the Constitutional Committee, what we should do in this regard is quite a different matter. But this is the attitude of the National Party. So, we're not saying that English and Afrikaans should be given preference in any way.

Speaker:

Chairman, I think you must read subsection 9 of the submissions from the National Party regarding the promotion of the other languages. As Mr Streicher has correctly said, we don't want to promote one or two languages at the cost of the other languages. I think it is only pragmatic to say to each other that there must be a process of promoting the other languages to the same status as Afrikaans and English. So we subscribe to the whole section as far as languages are concerned in the interim constitution.

Mrs Routledge:

Without labouring the point, what I'm picking up is that we understand what the National Party is saying. But it is rather confusing and worrying. In fact I remember the National Party submission very well because I thought it strange for the NP to refer to independent homelands and self-governing states, as if we haven't moved. What's worrying me now about this presentation is that referring to section 3-2 of the 1993 constitution is actually referring to countries that don't exist anymore. I hear, for instance, mention of Venda and Transkei, and I think boundaries have changed and the situation has changed. I'm just wondering if the National Party is really wanting to put forward that kind of proposal which, in my mind, refers to the past. I'm really trying to understand what they are saying, because this is my interpretation of what you are saying. And if you disagree, I would wish that you state it very clearly without referring to section 3-2 of the 1993 constitution, and tell us in words exactly what it means.

Speaker:

Mr Chairman, I don't know why people think that we are referring back to the past for some sinister reason that we want to implement the past again. We moved away from the past with all the people of South Africa. The point is, what stands in this interim constitution was agreed on by all the parties sitting around this table this morning. And all that the National Party asks is that we must stand by this agreement. I don't think there is a better way of promoting multi-lingualism in South Africa than exactly what stands here. Why must we run away from that?

Mrs Routledge:

Perhaps I'm being difficult, but I really wish to understand exactly what it means in words rather than referring to a section. Perhaps I'm confused. What is this 1993 constitution. If you're referring to the interim constitution, I don't see why this is put under contentious issues then.

Speaker:

Mr Chairman, as I understand, it's not the National Party who makes this thing contentious. That's the disagreement of the ANC that makes it contentious.

Speaker:

If I may just say something about the issue of the past (homelands, etc.). Whether there are homelands or not, we still have 11 languages. People speak their language in their particular area, and we've all recognised that in South Africa. It's a pity we couldn't do more to promote the absolute equality of all 11 languages in South Africa. And all that we are now saying is that whatever we are going to do in the future, please don't diminish the status of those languages which have been there. So, keep it like that, and promote at the same time the absolute equality of all 11 languages in South Africa. That's all that section 3-2 says. We are not opposing that either English or Afrikaans must be the only language. I can understand that the ANC probably has got another point of view. So, if this is going to be contentious, all that we are insisting on is that this is the attitude of the National Party. We don't expect the ANC to accept that.

Mr Kekana:

I think for fear of being misunderstood, I think one should ask the question again. Professor Koda gave what was supposed to be an NP position. When referring to official languages, we meant English and Afrikaans in South Africa, Venda in Venda, Xhosa in Transkei and Ciskei, and Tswana in Bophotatswana. Those are the five official languages that existed before the commencement of the 1993 constitution. So, now you are talking about the promotion of all 9 languages to the status of English and Afrikaans. This is a complete contradiction. You need to clarify us because when we go to the CC, we need to understand exactly what your position is. We are not saying you should change your position.

Mr Schoeman:

Mr Chairman, I think there's a big misunderstanding here, because there is no reference to what existed before the 1993 constitution. With the commencement of the 1993 constitution i.e the present interim constitution, which is very specific. Eleven official languages without the diminishing of the status of the two official languages that existed before the commencement. So this is exactly the point of view of the NP, that we must enhance the status of the other 9 languages to the same level where English and Afrikaans were. And we will do everything in our power to achieve that. I think if we can remove this from the contentious to the noncontentious, it is going to do a tremendous amount to settle emotions and to contribute to our sense of unity in this country.

Chairperson:

There is a proposal that this matter be removed to noncontentious. What does the meeting say?

Speaker:

Chairperson, just on a point of clarification. The NP proposes that the entire clause 2 be struck out and removed.

Speaker:

Mr Chairman, yesterday when we dealt with this issue, we said that according to the submission of the NP, which Mr Marais submitted some time ago, we made it quite plain that no rights of existing languages should be diminished. All that we proposed was that the report should reflect that. And this is how 2 got amended this morning. We could see that it would lead to misinterpretation if we just referred to the status of Afrikaans and English. That's why we have added others. But I accept the suggestion made by Mr Schoeman for this to become a noncontentious issue. It will be better for South Africa.

But in view of the fact that we have one interpretation, and the ANC has another interpretation, then I think we should leave clause 2 as it is amended by the NP. It doesn't reflect the views of the ANC obviously. But let us submit this to the CC.

Speaker:

Mr Chairperson, would it help if we propose that the status quo of the 1993 constitution, as far as language is concerned, are maintained in the new constitution?

Prof. Koda:

Can I just refer members to page 22, the first paragraph - 'General Discussion of the Material.' Sentence 2 begins : *'as will be seen there are essentially two approaches which overlap in several respects. Firstly, those parties who wish the present constitutional dispensation to continue with official full and equal status being accorded to eleven languages emphasising multi-lingual awareness and education as a means to cultural enrichment, human dignity and national unity, while acknowledging that national and provincial governments may explore practical mechanisms to rationalise languages in the context of official means of communication'*

Now that isn't under contentious or noncontentious, that's under general discussion of the material. That was already on the table yesterday. In fact it was already on the table last week. The NP's point of view yesterday was that it wasn't enough. They wished this additional point to come in, and that lead to the discussion at the end of yesterday's meeting. As a result of which paragraph 2 was put in under 'contentious issues.' They were not satisfied with the formulation that I put down yesterday afternoon, and they therefore spoke to me before the meeting and wished it to be changed. And that was what I put forward.

Chair: That is really the current state of play. If the reference under the 'general discussion of the material' to those parties who wish the present constitutional dispensation to continue, covers the NP position, then it would be possible perhaps to remove point 2 under 'contentious.' But if it doesn't cover them, then it seems to me that it must stay as it is.

Dr Mulder:

I don't want to complicate matters further. If you put one sentence under noncontentious saying: *'the present status of any language should not be diminished'*, does that cover it or is it not enough as a noncontentious?

Dr Mulder:

Mr Vilakazi:

Mr Chairman, I understand the Doctor's question. To me it still doesn't clarify this position. I thought that perhaps the NP would be the right people to respond to his position because this is their issue. Does equality of languages, as a spouse in B1, threaten the status of other languages? It is true, as Mr Schoeman has addressed it, that this could be a very sensitive and emotional issue. If we take the issue of education, for example. When we were fighting for one educational system, people were saying that that is going to diminish the quality of education by making it equal. And I'm beginning to read this in telltales. Obviously, we are not trying to debate the issues, but we are trying to understand it lest we misunderstand the NP. Because we do not understand the NP's position on this, I would submit that this remains contentious. We cannot agree on something we do not understand.

Thank you.

Chairperson:

I think the problem here lies with the fact that there was an unevenness in the whole system. English and Afrikaans have always been the national official languages, but none of the other languages had the same status. The problem is that it looks as if the two originally official languages (English and Afrikaans) will still maintain the higher status than the others which are still to be developed. I see that nobody is contending B1, but the moment you add a 'rider', that's the where the contention lies. So, let's leave it for negotiation in the CC. Perhaps that will be the best place where we can deal with this matter.

Dr Mulder:

Can I just give my interpretation of this, and see whether they agree. I think the key word here is 'diminished.' We all know that the languages were at a different level of status. Now my question is: do we want to lower the standard of the two official languages to bring them on par with the rest, or do we want to lift the standard of the other languages to the same level as English and Afrikaans? My preference is the latter. If we can get consensus on that, I think that's the rational and wise way to do it.

Speaker:

Well, in that case the sentence can be constructed very easily. It should read: '*all languages should enjoy the same status.*' Then we leave out all the paraphrases.

Speaker:

Chairman, my interpretation is actually exactly what Dr Malowa said. If, for example, we had languages in three different levels in the past, all that we're now doing is to say that they shall be diminished. All those languages that were below shall be lifted. That's our explanation of it.

Speaker:

Mr Chairman, my last word on this is that my basic misunderstanding is in the fact that I did not understand how you equal a developed country with an underdeveloped country by underdeveloping the developed one. When you equal underdeveloped languages to developed ones, it's going to be much more difficult. With a country, you can destroy the developments. But I don't see how you can destroy a developed language to bring it to the status of an underdeveloped language. So, I would say that equalling the two would be to develop the underdeveloped, to bring it to the status of the other.

Mr Gumede:

I think that Comrade Chair we agree to disagree. So I propose that we leave this issue under contentious. There is no possibility of agreeing. Thank you.

Mr Kekana:

I thought the NP was moving, and I was going to suggest a proposal. If they agree with what Dr. Mulder is saying, then we can simply add to B1 the issue of equality of languages; then we can scrap C2. In that case there is no contention.

Speaker:

Mr Chairman, I think we were very clear on this issue that we are supporting and standing on the provisions of the 1993 constitution. It seems that some people want to read something into our submission. If they want to do that, then it must go through as a contentious matter that must go to the CC.

Chairman:

Thank you. It seems that the NP wants it to be the way it is. So, it goes to the CC as it is. Hopefully we'll take it along those lines.

Prof. Koda:

May I, without reopening the issue, just refer members to one sentence out of the contentious in C1. Four lines from the bottom of the page on page 22: *'The other parties resist this potential diminution in formal status or some languages strenuously arguing...'* May we go on to page 23 please. Under agenda Item 12: 'Names, symbols and national territory', here there's been a creation of a new category - 'outstanding issues' - which is Number C. All that remains under noncontentious were 'Name and national territory' and then under C (outstanding issues) we've got the issue of the 'Anthem', with all parties, except the ANC, supporting the retention of the current situation. A new sentence has been added at the top of page 24. The ANC proposes that this issue be referred to the Constitutional Committee. Item 2 under 'outstanding issues' is the issue of the 'Flag.' All parties, except the ANC, endorsed the current flag; and this is Mr Niehaus's formulation on behalf of the ANC yesterday: "The ANC has opted to reserve its position as to the current flag and recommends that this issue be referred to the Constitutional Committee."

And then under 'Contentious issues' which is Category D, you'll notice that I included the seal under 2 with the Code of Arms. This is what was agreed upon yesterday. It's been transferred to the 'contentious' category. Everything else under D was already contentious. There's been no more changes made there. Under Agenda Item 13 (Seats of Government), all that has changed there is that the heading at 'C', instead of being called 'Contentious issues' it has become 'Outstanding issues' in accordance with the proposal and agreement yesterday. The language has not changed except that under C2 the ANC believes that cost-effectiveness and efficient government should be factors in this decision, and that these matters should be referred to the Constitutional Committee for final decision. The only other addition on page 25 is that under B (noncontentious issues) a second sentence has been added there.

The following sentences have been added: *'This issue will have to be resolved after considering the proposals of Theme Committee 5 in this regard (the Theme Committee dealing with courts, and structure of the courts), and will also need to take into account the final decision on the seat of the executive and the legislature'* as discussed at yesterday's meeting.

Speaker:

The Analytical survey has been adapted/changed in accordance with the consequential changes in the Analytical survey: the creation of a new category (outstanding issues). You'll see that just before the 'Remarks' column on the right hand side.

Chairman:

Thank you very much. The matter is open for discussion. The rest of the report put forward by Professor Koda. I'll see by the rise of hands.

Dr Mulder:

Just one thing. On the Analytical survey, if just the principles that I ask could be added. I don't think they are in there yet.

Mr Moorcroft:

Chairperson, I hate to raise this, but on page 26 on 'Analytical Survey' under 'contentious issues' we have "diminution in the present 1994 status of Afrikaans and English." Now, who is proposing that Afrikaans and English be diminished?

Speaker:

The Analytical survey was drawn up in line with the printed version of the report. It has been amended this morning by the National Party. That's point 2 under 'contentious issues.' So, that will have to be changed to reflect the new formulation of C2 under Agenda item 10 of the 'Languages.'

Chairperson:

I don't understand the importance of the little word on page 24, paragraph D2 under 'Code of Arms', the second sentence: '*The DP and the ANC propose no alternative...*' Is it necessary to put the words '*propose no alternative*'? Were they expected to propose an alternative? That implies that they have neglected something they were supposed to do. That's the interpretation I get.

Speaker:

I see it as an entirely innocent remark, but if you see it as negative remark in some way, then it's your language to change Sir. I was recording a fact. But if you wish to score that out, it is easily changed. I'd be very happy to if you wish to score out the words and let it read thus: '*The DP and the ANC propose that a suitable mechanism be established.*'

Chairperson:

Any other comment? Are we otherwise satisfied with the report? Can we perhaps get a formulation of what will be on page 26. I just remember in one item, we found the same mistake which we had asked to be corrected. What is contentious here in '*the diminution in the 1994 status of Afrikaans and English?*'

Speaker:

Perhaps I would propose that it just reads: '*...diminution in the pre-1994 status of all languages.*'

Chairperson:

Now, that's where the problem lies. The CC is going to ask who wants to diminish the status of the languages.

Speaker:

Can I propose a bit of formulation? *'Diminution in the pre-1994 status of those languages referred to in section 3-2 of the 1993 constitution.'*

Chairperson:

Shouldn't we rather say: *'retention of the status of languages before the 1994 constitution'* because there's the question of retaining the status of English and Afrikaans as national languages above others. If I understand the argument, that's where the whole contention comes. The contention here comes with the keeping of English and Afrikaans as national languages, not with the diminishing thereof. The argument is that we must not keep the status of two languages that were the only official languages in the past. The official languages must be open to the eleven languages, not only two.

Speaker:

There are as many interpretations of section 3-2 as you like, and I think it's on the ambiguity of section 3-2 that there is the difficulty here. But there's a clear political difference in point of view. And there seems to be lack of clarity as to what the difference is. I've made a couple of suggestions; I don't know what else to propose.

Mr Moorcroft:

Chairperson, what is at issue here is the interpretation of the provisions of 3-2. The National Party argues one way, and the ANC appears to be arguing the other way. That is what is contentious. So, I think what needs to be done is just to put in an interpretation of the provisions of 3-2 or words to that effect. Then it leaves it open to the NP to argue their point of view to the CC, and the ANC to argue theirs.

Prof. Koda:

Could we say these words: *'The continuation in force of section 3-2 in the interim constitution'* because it seems to me that what the NP is arguing is that what they understand the Provisions of section 3-2 to mean should continue in the final constitution. Whereas, other parties seem to say that what they understand the Provisions of section 3-2 to mean should not continue in the final constitution. It's really the continuation in force of section 3-2 in the interim constitution which seems to me to be the crux of the difference.

(ALL PARTIES SATISFIED WITH THE PROPOSAL)

Mr Kekana:

I think what is important is C2 as written there. *'...Status of English, Afrikaans and any other language.'* So, in summarising, my proposal is that there has to be a reflection on the status of Afrikaans and English and any other language. What we are questioning is the status of Afrikaans and English. That is where the contention is.

Mr Schoeman:

I think we've come to some conclusion as far as this formulation is concerned. Let us decide to accept Professor Koda's formulation. If, within the CC, it is found that there is no difference, then it is removed from the 'contentious issue.' But let it be discussed there. We would be happy to scrap this present formulation, because it is obviously opened for different interpretations. I think Professor Koda's formulation is less open for different interpretations. And let's stick to that formulation then.

Chairperson:

Professor Koda, do you remember what formulation is being referred to, so that it could perhaps be proposed?

Prof.Koda:

I think it is the 'continuation in force of section 3-2 of the 1993 constitution.' Is it my understanding that the NP wants that in the Analytical survey as well as in the body of the report; or just the Analytical survey?

Speaker:

The Analytical survey

(ALL PARTIES SATISFIED WITH THE PROPOSAL)

Mrs Routledge:

Just to raise something under the Analytical survey. It's on page 27 number 2-3 in the third column. It says whether international law aspects should be regulated in the constitution. Does that refer to national territory, or what does it refer to?

Speaker:

That does relate to national territory. And the point of difference is only that the ANC proposes that it be regulated by the constitution, the NP proposes it be regulated by legislation. So, it would probably be better to say whether international aspects relating to national territory. Would that help?

Mrs Routledge:

Yes, it does. The other one is just a spelling mistake. There is a 'P' missing from the word 'report.'

Chairperson:

I note one thing on page 26, Professor Koda. In the remarks column, it says: '*draft provisions to be drawn up by TCI.*' Are they still coming, or are they included in this?'

Prof. Koda:

No, they are not included in this. They normally only get drawn up after the report has been approved. So, presumably, depending on when this is gonna serve before the Constitutional Committee, the process has been, in the past, that they get drawn up in-between now and service before the CC. I think that's been the procedure up to now.

Chairperson:

In other words, this report together with the provisions will come back to the Theme Committee.

Prof. Koda:

In the past it hasn't come back to the Theme Committee.

Chairperson:

Lately, the procedure has been that members of the Theme Committee have to be present when their matter is discussed, so that they can take the arguments from the Theme Committee to the CC. So, it will be necessary to have seen the draft provisions if there be any from the Theme Committee concerned.

Prof. Koda:

That's completely in order. I will certainly try and draft as much as I can. I'll only be able to draft the noncontentious issues, and there are not very many noncontentious issues. So that shouldn't take too long.

Chairperson:

So, can we adopt the report and then look at the formulation once it is ready, and be brought to the Theme Committee. Right, the report then is adopted. However, we should get the draft formulation which accompanies the report for approval by the Theme Committee before the matter is discussed in the CC. That's how we conclude this part on the Agenda. I think we have done all the other Items, except for Item 9, which closes this. It would seem then that the duty that remains for us is to look at the formulation of the other block too - I think it's on Foreign Affairs - and the draft formulation on this one. Perhaps we should leave the matter open, and leave it to the secretariat to tell us when matters are ready and then convene the Theme Committee. It seems the next work is just to approve those. I want to thank the Theme Committee for having worked so hard during the course of last year and this year in doing the duties of this Theme Committee. It has been very interesting to be your Chairperson. In so saying, I talk on behalf of my Co-chairpersons, Mr Marais and Mr Mtshali. Although we had some difficulties, we are very thankful for your co-operation, and it has been a pleasure to be your Chairperson. And we realise that you were able to control yourselves even during the emotive issues. And it was all in the nature of work that we were doing that. Sometimes emotions would run high on certain aspects where parties felt very strong. I must then put it forward that it has been stated by the Administration in a formal letter that members of the Theme Committee will be allowed to sit in the CC when the matters are being discussed. But then necessary arrangements for other obligations should still be sorted out with the relevant authorities there. Once again we say we'll always be convened whenever there's work to do. By so saying, the meeting is closed.

Speaker:

Just a quick clarification point. I heard someone whisper as observers. I think, if I understand the memorandum well from the Administration, it says that members of this Theme Committee can participate in the CC, but they must make arrangements with their parties. So, what I understand that to mean is that you can go and participate there fully, but make arrangements with your party so that you don't have more members of your party than is expected in the CC.

Speaker:

Chairperson, before we adjourn, it would be in order for motion of thanks to come from this meeting to our panel of Chairpeople and our secretariat. You have conducted our affairs fairly. Everybody's been given their opportunity to say their piece, and on top of that it's been done with good humour and as pleasantly as possible. And from all of us, thank you very much indeed to you, and your colleagues.

