

19.05.93

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**(B) FUNDAMENTAL RIGHTS DURING TRANSITION (SECOND INPUT BY THE  
TRANSKEI GOVERNMENT - 19/5/1993):**

1. Further to our input of the 12th of May, we put forward the following submissions:

- (a) the bill of rights to be embodied in a transitional constitution should not serve to entrench the evils and rigours of apartheid. It is our view that apartheid has dispossessed people and has led to enormous suffering and deprivation. A transitional bill of rights, therefore, should not preempt the Constituent Assembly on these issues. We refer here in particular to property rights and other related issues in respect of which the disadvantaged have a particular concern and are demanding redress. It should, in our view, focus solely on those matters which have a bearing on the levelling of the political playing field during the transition, the promotion of the principle of free political activity and the free flow of information and unbiased reporting, the conduct of free and fair elections, the prevention of the abuse of power during the transition, the imposition of control in respect of arrests and detentions and the removal of racial and other forms of discrimination; and

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- (b) In our view all prisoners should have the right to vote and the term "right to vote" must be cast and worded in such a way as to put this issue beyond doubt.
2. A transitional bill of rights, therefore, should be founded on these basic principles and should not go any further.