

REPUBLIC OF SOUTH AFRICA

.....
CONSTITUTIONAL ASSEMBLY
ANNOUNCEMENTS, TABLINGS AND COMMITTEE REPORTS

.....
MONDAY, 20 FEBRUARY 1995

1. STRUCTURES OF THE CONSTITUTIONAL ASSEMBLY

1.1 CONSTITUTIONAL COMMITTEE

1.1.1 The Constitutional Committee has met on two occasions since the last sitting of the Constitutional Assembly - 30 January and 13 February 1995. A further meeting is scheduled for 27 February 1995.

1.1.2 A Sub-Committee was appointed to develop a short-list of candidates for appointment to Technical Committees. The Sub-Committee's report was considered and Technical Committees were appointed in terms of the recommendations.

1.1.3 Discussions were also held and decisions taken with regard to the Work Programme and Public Participation Programme. A Drafting Procedure proposal was forwarded to the Management Committee for finalisation.

1.1.4 The meeting of 13 February 1995 received reports on Block One of the Work Programme from two Theme Committees and progress reports from others. This was the first opportunity at which the Constitutional Committee was able to address various Theme Committee reports dealing with substantive matters. It was agreed that the Management Committee needed to consider a format for Theme Committee reports.

1.2 MANAGEMENT COMMITTEE

The Management Committee has continued to meet regularly to attend to matters of process.

1.3 THEME COMMITTEES

- 1.3.1 All Theme Committees have been meeting regularly and have held various successful workshops, seminars and hearings.
- 1.3.2 The first reports on substantive matters were tabled for discussion by the Constitutional Committee on 13 February 1995.
- 1.3.3 With the appointment of Technical Committees, Theme Committees have as at 7 February 1995 had the benefit of technical experts to assist in their work.
- 1.3.4 The Constitutional Committee of 13 February 1995 agreed that there were no substantive reports to table for the Constitutional Assembly yet. However, it was agreed that the Constitutional Assembly would receive an informal briefing from Theme Committees at the sitting of 20 October 1995.

2. PROCESS

2.1 WORK PROGRAMME

- 2.1.1 The Constitutional Committee of 2 December 1994 received reports from Theme Committees on their work programmes. These were compiled into a comprehensive work programme.
- 2.1.2 This work programme was broadly accepted. Law Advisers were however requested to reconsider the details thereof to ensure further consistency and logical coherence.
- 2.1.3 A revised work programme was tabled early in 1995, and forwarded to Theme Committees for their consideration.
- 2.1.4 With the exception of a few adjustments, the revised work programme was accepted by Theme Committees.
- 2.1.5 It is emphasised that this work programme is flexible and will need regular evaluation and adjustment where required.

2.2 PUBLIC PARTICIPATION PROGRAMME

- 2.2.1 The Community Liaison Section of the above programme got off the ground with a successful launch at Paarl on Saturday 11 February 1995 at a meeting of residents and farmworkers addressed by the Chairpersons. Members of political parties represented in the CA were also on stage.

- 2.2.2 The Management Committee has finalised the outline of a Community Liaison programme. This programme consists of three sections : launch rallies, constitutional public meetings and hearings and Theme Committee workshops, seminars etc
- 2.2.3 The first round of constitutional public meetings are being planned for February and March in all nine provinces. Consultation has taken place with Premier's Offices with regard to venues.
- 2.2.4 The Management Committee has emphasised that venues must be biased towards rural and disadvantaged communities.
- 2.2.5 The major part of community liaison thus far has consisted of a host of hearings and workshops which have taken place at the request of various Theme Committees. Further events of this kind are being planned and are ongoing.
- 2.2.6 Media has had a successful start in 1995 with the first "burst" of a multi-media advertising campaign and the launch of the official bulletin of the CA, " Constitutional Talk". Three issues of the bulletin have been published to date.

2.3 SUBMISSIONS

- 2.3.1 The response from the public to the invitation to make submissions has been overwhelming. Precise statistics are not yet available. It can however be estimated that at least 700 submissions have been received from the beginning of the year.
- 2.3.2 These submissions are processed by the Administration and forwarded to Theme Committees for their consideration. Three volumes of submissions have been forwarded to Theme Committees to date.
- 2.3.3 The submissions are also indexed and forwarded to the CA DataBase Project at UCT where they will be scanned onto a database. This project is about to get off the ground.
- 2.3.4 The Management Committee has expressed concern that Theme Committee reports received thus far, do not contain reports on the substance of public submissions. Theme Committees have been requested to include these in future reports, and to list all submissions from individuals and organisations by name.

2.4 DRAFTING

- 2.4.1 The Management Committee of 10 February 1995 adopted a drafting

procedure. The meeting noted the objection of the IFP.

2.4.2 The details of this drafting procedure are being forwarded to Theme Committees.

2.4.3 The principles which guide the procedure are that political decision-making should guide the process as a whole and that the new constitutional text should be drafted in a simple language that can be understood by all.

2.4.5 The drafting process will involve members of Technical Committees, the Law Advisers and the Panel of Experts.

3. AMENDMENT OF RESOLUTION OF 31 OCTOBER 1994

3.1 The Constitutional Committee meeting of 30 January 1995 adopted the recommendation of the Management Committee with regard to the appointment of Technical Committees. It agreed to :

- a) increase the number of experts to be appointed to the Technical Committees of Theme Committees One to Five respectively, from three to four, and
- b) appoint two experts to the Technical Committees of each Sub-Theme Committee of Theme Committee Six.
- c) appoint ad hoc Technical Committees to deal with the issues of Traditional Leaders, Self-determination and Local Government, made up three experts respectively.

3.2 Consequently a resolution of the Constitutional Assembly ratifying the Constitutional Committee decision and amending the resolution of the Constitutional Assembly of 31 October 1994 on the composition of Technical Committees is required.