

2/4/0/1/1/7

CONSTITUTIONAL ASSEMBLY

Theme Committee Six

**SPECIALISED STRUCTURES OF
GOVERNMENT**

25 January, 1995

Old Assembly Chamber

DOCUMENTATION

TABLE OF CONTENTS

1	Notice of meeting and agenda	Page 1
2.1	Minutes of previous meeting	Page 2-4
2.2	Memorandum: Technical assistance to the Theme Committee	Page 5
3.1	Report: Subtheme Committee 1	Page 6-8
3.2	Memorandum: Workshops and Public Hearings on Public Administration	Page 9-14
4.1	Report: Subtheme Committee 2	Page 15-28
4.2	Memorandum: Information seminars and public participation	Page 29-30
5.1	Report: Subtheme Committee 3	Page 31-32
5.2	Memorandum: Information seminars and public participation	Page 33-35
6.1	Report: Subtheme Committee 4	Page 36-37
6.2	Memoranda: Research needs and technical assistance	Page 38-56
7	Briefing document for joint meeting of chairpersons of Theme Committees	Page 57-62
8	Recommended work programme	Page 63-64
9	Constitutional Assembly schedule	Page 65-73

**CONSTITUTIONAL ASSEMBLY
SIXTH MEETING
THEME COMMITTEE 6
SPECIALISED STRUCTURES OF
GOVERNMENT
WEDNESDAY 25 JANUARY 1995**

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

Date : 25 January 1995
Time : 08:30 - 09:30
Venue : Old Assembly Chamber

AGENDA

1. Opening and welcome
2. Tabling of minutes of the previous meeting: Pg 2-4
3. Matters arising: Pg 5-56
4. Core Group report
5. Work plan and schedule of meetings: Pg 63-73
6. Technical Committees
7. Submissions
8. Workshop : Public administration and the Constitution
9. Any other business
10. Closure

Enquiries: Mr N Nyoka and Ms K McKenzie, (Tel 403-2269)

CONSTITUTIONAL ASSEMBLY

**MINUTES OF THE FIFTH MEETING OF THEME COMMITTEE 6
SPECIALISED STRUCTURES OF GOVERNMENT**

MONDAY 14 NOVEMBER 1994

PRESENT

De Beer, S J (Chairperson)

Alant, T G
Balie, A (Alt)
Chiole, J
Davies, R H
Dyani, M M Z
Fankomo, F C
Gogotya, N J
Jacobsz, F P (Alt)
Jordaan, J A
Love, J Y
Makgothi, H
Malan, T J (Alt)
Malatsi, D M (Alt)

Mbete-Kgositsile, B
Moatshe, P
Mokitlane, M C
Mokoena, L M
Mompoti, R
Nair, B
Netshimbupfe, M A
Ngubane, H
Phohlela, S (Alt)
Schreiner, J
Sisulu, L
Vadi, I

Apologies:

Mti, L M
Powell, P
Selfe, J
Turok, M E

K McKenzie and N Nyoka were in attendance.

1. OPENING AND WELCOME

Mr De Beer opened the meeting and welcomed members.

2. TABLING OF MINUTES OF THE PREVIOUS MEETING

The minutes of the fourth meeting held on 7 November 1994 were adopted subject to the following changes:

- 2.1 M C Mokitlane's name be added to the list of those present at the meeting.

2.2 Item 4.1.1 be amended to read Mr L Kluever.

3 DEVELOPMENT OF WORK PROGRAMME

3.1 Final draft of the Theme Committee's work programme

The following changes and additions were made to the final draft of the work programme:

3.1.1 The area of Traditional Authorities overlapped with three other Theme Committees - 2, 4 and 5.

3.1.2 Subtheme Committee four changed their name to "Transformation, Monitoring and Evaluation".

3.1.3 Names of experts agreed on by Subtheme Committee four were amended as follows:

- * *Van Zyl-Smit, Prof D*
- * *Hlongwane F Advisor to the Minister of Defence*
- * *Hough, M (Institute for Strategic Studies, University of Pretoria)*
- * *Rauch, J (Ministry of Safety and Security)*

4 ANY OTHER BUSINESS

4.1 Technical Assistance to the Theme Committees

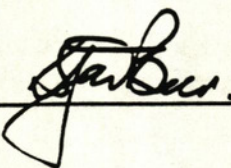
4.1.1 The Theme Committee noted the resolution of the Constitutional Assembly of 5 September 1994 which provides for the assignment of three technical experts to each Theme Committee and took the following decisions:

- * That Theme Committee 6 required more technical assistance than other Theme Committees as it was dealing with four very disparate areas as represented by the different Subtheme Committees.
- * That a flexible approach to the technical needs of Theme Committee 6 be adopted by the Constitutional Committee.
- * That a formal representation should be made to the Constitutional Committee highlighting this, and requesting a set of budgetary guidelines within which technical expertise could be acquired.
- * The Secretariat was mandated to assist in this regard.

5 CLOSURE

The meeting rose at 10:30 and Subtheme Committees met.

Minutes signed by the Chairperson

 _____ .

MEMORANDUM

TO : All Theme Committee Members

FROM : Nkateko Nyoka
Managing Secretary, Theme Committee 6

DATE : 13 December 1994

SUBJECT : TECHNICAL ASSISTANCE TO THE THEME COMMITTEE

Honourable Members

We refer to the above subject and paragraph 4 of the minutes of the fifth meeting of the Theme Committee held on 14 November 1994.

The matter of technical assistance to Theme Committees was considered by the Constitutional Committee at its meeting held on 2 December 1994 and the following decisions were taken:

1. Technical Committees, made up of three members, will be assigned to each Theme Committee;
2. Membership of these Technical Committees may vary, depending on the needs of each Theme Committee; and
3. Members of Technical Committees need not be employed on a full time basis.

CONSTITUTIONAL ASSEMBLY

REPORT OF FOURTH MEETING

SUBTHEME COMMITTEE 1 THEME COMMITTEE 6 SPECIALISED STRUCTURES OF GOVERNMENT

MONDAY 14, NOVEMBER 1994 (AT 10H30)

1. INTRODUCTION

The meeting considered the following issues:

- Workshop on the Civil Service.
- Public hearings/Workshop of Stakeholders.
- General

2. WORKSHOP ON THE CIVIL SERVICE

2.1 The Subtheme Committee explored further the idea of a workshop and took the following decisions:

- 2.1.1 The workshop should be organised for the 25-6 January 1995.
- 2.1.2 The first day should consist of presentations from international experts on subjects/topics yet to be determined/finalised, depending on the availability of these experts.
- 2.1.2 The idea is that in the morning of the first day of the workshop, the two opposite end of the scale (i.e around the separation of powers) should be presented, namely, the American & British models of Civil Service.

Inputs by the US and UK experts need not be restricted to the issue of separation of powers, but this is seen as a major aspect of the proposed workshop.

The US, for example, may want to raise issues around affirmative action and/or representativeness, while the UK may want to share with us its experiences on the abolition of the Public Service Commission.

- 2.1.3 In the afternoon of the first day, inputs from countries other than the UK and the US (put differently - countries somewhere in the middle of the scale - such as France, Germany, Netherlands and Italy), must be organised.
- 2.2 The second day should focus on experiences, problems and contradictions within South Africa's existing civil service system.
- 2.3 The above workshop should be open to the following persons:
 - 2.3.1 All Theme Committee members;
 - 2.3.2 Members of the Select Committee on Public Service;
 - 2.3.3 Officials from Provinces dealing with Provincial Service Commissions; and
 - 2.3.4 Specific Interested Parties, Institutions and Individuals.

3. PUBLIC HEARINGS/WORKSHOP OF STAKEHOLDERS

- 3.1 The Subtheme Committee considered the possibility of holding a public hearing and/or a workshop of stakeholders and the following decisions were taken:
 - 3.1.1 Preparations for public hearings and/or a workshop of Stakeholders must commence. This should, it was agreed, be a workshop of "stakeholders" in the broad sense.

The Stakeholders must give input on issues relating to public service which, in their view, need to be addressed in the final text of the constitution.

3.1.2 Small advertisement inserts must be placed in the mass media -i.e newspapers, television and radio , government sponsored Publications (a list of these publications has been compiled by the Independent Media Commission), University Journals and Bill Boards. These advertisements must be in the media before 20 November 1994 for purposes of beating the Christmas dead-time period.

The advertisements must call on the people of South Africa to express their views in writing to the following question:

- *"What do you think the constitution should say about the Public Service?"*

The closing date for these submissions should be 15 January 1995.

A reminder about the closing date should be in the media on or about 10 January 1995.

3.1.3 Written submissions received in response to the above advertisement will form the basis for the Subtheme Committee's invitation to individuals and/or groupings for oral submissions.

3.1.4 The Secretariat is required to prepare a synopsis of the written submissions and present these to the Subtheme Committee by the 23rd January 1995. The synopsis must contain all contact details of the authors of written submissions to facilitate communication, where this will be necessary, with the said authors.

3.1.5 The plan is that the proposed public hearings/workshop should be held 7 February 1995 primarily to receive verbal submissions.

4. GENERAL

The Secretariat must timeously attend to all logistical arrangements to maximise participation by the public and attendance by the media.

MEMORANDUM

TO : To All Theme Committee Members

FROM : Nkateko Nyoka
Managing Secretary, Theme Committee 6

DATE : 13 December 1994

SUBJECT : WORKSHOPS AND PUBLIC HEARINGS ON PUBLIC ADMINISTRATION

Honourable Members

We refer to paragraphs 2 and 3 of the Subtheme Committee on Public Administration's ("Subtheme Committee 6.1") minute and report as follows:

1. WORKSHOP ON THE CIVIL SERVICE

A workshop on the theme Public Administration and the Constitution, on instructions from Subtheme Committee 6.1, has been organised. Participants in the workshop will include prominent South African and overseas public administration experts. A copy of the draft programme for the said workshop is attached for honourable members' attention, consideration and comment.

2. PUBLIC HEARINGS/WORKSHOP: STAKEHOLDRES

2.1 COMMUNITY LIAISON

Preparations for public hearings and/or workshop of stakeholders will take place in the context of the following guidelines laid down by the Constitutional Committee at its meeting held on 2 December 1994:

- 2.1.1 Public participation events will be organised by the Community Liaison Department of the CA over weekends; and

2.1.2 Participation by the public in the constitution making process will take the form of two forums, notably, area and sector forums.

The request for the organisation of a public hearing and/or workshop of stakeholders in public administration has been referred to the Community Liaison department.

2.2 MEDIA

An Advertisement agency was contracted by the Constitutional Committee only on the 2nd December 1994. For this reason, advertisement inserts on the public service could not be placed in the media before, as requested, the 20th November 1994.

The advertisement has since the 15th December 1994 appeared, repeatedly, in various newspapers.

13h00 **Luncheon**

Hosts: Messrs Cyril Ramaphosa and Leon Wessels

13h45 **The French and German experiences**

Facilitator :

Speakers : Prof Françoise Dreyfus, Advisor to the Director for legal, political, economical and managerial studies, Ministry of National Education, France.

Mr Franz Kroppenstedt, State Secretary, Federal Ministry of the Interior, Germany.

Respondent : Mr Didier Maus, Director of International Institute for Public Administration, France.

Open discussion

15h45 Tea break

16h00 **The Dutch and Italian experiences**

Facilitator

Speakers : Prof Thijmen Koopmans, Advocate General of the Supreme Court, The Hague, Netherlands

Prof Antonio La Pergola, Judge of the European Court.

Open discussion

18:00 **Closing remarks**

Mr Hassen Ebrahim, Executive Director of the Constitutional Assembly.

THURSDAY, 26 JANUARY 1995

08h30 The constitutional position of South Africa's public service - strengths, weaknesses and contradictions: reflections on the old dispensation.

Facilitator :

Speakers : Prof PJ van der Merwe, Honorary Professor,
University of Pretoria.

Advocate Ndokweni, Department of Justice,
Kwazulu-Natal.

Respondent : Mr L Kluever, Former Director-General of the
Department of Public Service and Administration.

Open discussion

10:30 Tea break

10:45 Problems, issues and debates regarding the position of the public service under the interim constitution.

Facilitator :

Speaker : Prof Fanie Cloete, Department of Public and
Development Management - University of
Stellenbosch.

Respondents : Mr D Nthangase, Department of Justice, Kwazulu-
Natal.

Robinson Ramaite, Advisor to MEC for Education,
Gauteng Provincial Legislature.

Open discussion

13:00 Luncheon

Host: Mr Zola Skweyiya, Minister of the Public Service and
Administration.

13:45 **The constitution as a mechanism for enabling appropriate human resource development and labour relations.**

Facilitator :

Speaker : Ms Lucy Nyembe, Centre for applied legal studies, University of the Witwatersrand.

Respondent : Prof Chris Thornhill, Department of Public Administration, University of Pretoria.

Open discussion

15:15 Tea break

15:30 **The constitution as a base for building a developmental public service.**

Facilitator :

Speaker : Mr Patrick Fitzgerald, Director, Graduate School of Public and Development Management.

Respondent : Mr Job Makgoro, Director-General, North-West Province.

Open discussion

17:30 Review and the way forward

18:00 **Vote of thanks**

Speaker : Mr Leon Wessels, Deputy Chairperson, Constitutional Assembly.

**CONSTITUTIONAL ASSEMBLY
REPORT
FOURTH MEETING
SUBTHEME COMMITTEE 2
THEME COMMITTEE 6
SPECIALISED STRUCTURES OF GOVERNMENT
MONDAY 14 NOVEMBER 1994 (AT 10H30)**

1. INTRODUCTION

The Theme Committee discussed the following:

- * The Auditor-General's (A-G's) presentation;
- * Public Participation;
- * The Reserve Bank;
- * Nomination of Experts; and
- * General.

2. THE AUDITOR-GENERAL

2.1 The A-G, Mr L Kluever, made a presentation premised on the following issues:

- 2.1.1 A brief overview on the office of the A-G;
- 2.1.2 The role and importance of the office of the A-G in our society;
- 2.1.3 A comparison between our A-G's office and other countries' A-G's or similar institutions;
- 2.1.4 The A-G's impression on the provisions of sections 191-4 of the Interim Constitution (Act 200 of 1993);
- 2.1.5 The A-G's views on a constitutional formulation on the A-G's office in the final text of the Constitution and related matters; and
- 2.1.6 Any other information deemed necessary by the A-G.

The content of the A-G's presentation is contained in Annexure "A"

2.2 A discussion on the A-G's presentation ensued and the following issues were highlighted:

2.2.1 The A-G expressed the view that the provisions of the interim constitution relating to the A-G's office conform with international norms and are good. However, there was need to effect the following improvements:

2.2.1.1 Introducing a time limit under s191 for the appointment of the A-G by the President;

2.2.1.2 Addition of an early retirement provision in s191(11); and

2.2.1.3 The A-G also recommended that the present Auditor General's Act be brought into line with our new constitutional dispensation, by way of an amendment.

2.2.2 Two views were expressed on the necessity or otherwise for provincial A-G's.

2.2.2.1 The one view is that there should be one national A-G's office for the following reasons:-

- * S.A. lacks the human resources to staff different provincial A-G's Offices; and
- * The recipient of public funds at any tier of government can, according to the proponents of this view, easily account to the authority that appropriated the funds.

2.2.2.2 The other view is that as the present constitutional dispensation devolves some powers to provinces, provincial A-G's offices are imperative.

The proponents of this view, however, acknowledged the constraints presented by the dearth of suitably trained personnel for deployment in provincial A-G's offices.

3. THE RESERVE BANK

The Subtheme Committee mandated the secretariat to invite the Governor of the Reserve Bank("the Bank") to a meeting of the Subtheme Committee to be held in January 1995, when parliament reconvenes. The Governor of the bank is expected to address the Subtheme Committee on the following issues:

- 3.1 A brief overview on the activities of the Bank;
- 3.2 The role and importance of the Bank in our society;
- 3.3 A comparison between our Bank and other Central Banks internationally;
- 3.4 The Governor's impressions on the provisions of ss195-7 of the interim Constitution (Act 200 of 1993);
- 3.5 The Governor's views on a constitutional formulation on the Reserve/Central Bank in the final text of the Constitution and related matters; and
- 3.6 Any other information deemed necessary by the Governor.

4. PUBLIC PARTICIPATION

- 4.1 The Subtheme Committee decided that the time has now arrived for it to receive submissions from the Public.

This will take the following forms:

- 4.1.1 An invitation to the public through advertisement inserts. The Secretariat, assisted by the Chairperson of the Subtheme Committee will work on the contents of the said invitation.
- 3.1.3 Inputs from the Provinces, the Public Accounts Committee, Financial Experts and other relevant bodies.
- 4.2 All inputs must be accompanied by executive summaries contained in no more than two pages.

5. **NOMINATION OF EXPERTS**

Parties must submit their lists of experts when the next session of Parliament starts.

6 **GENERAL**

The Subtheme Committee will have to streamline its time table.

STRUCTURE OF PRESENTATION

1. CONSTITUTIONAL PRINCIPLE VI

2. CONSTITUTIONAL PRINCIPLE XXIX

3. PRACTICAL IMPLEMENTATION OF
CONSTITUTIONAL PRINCIPLES
VI & XXIX

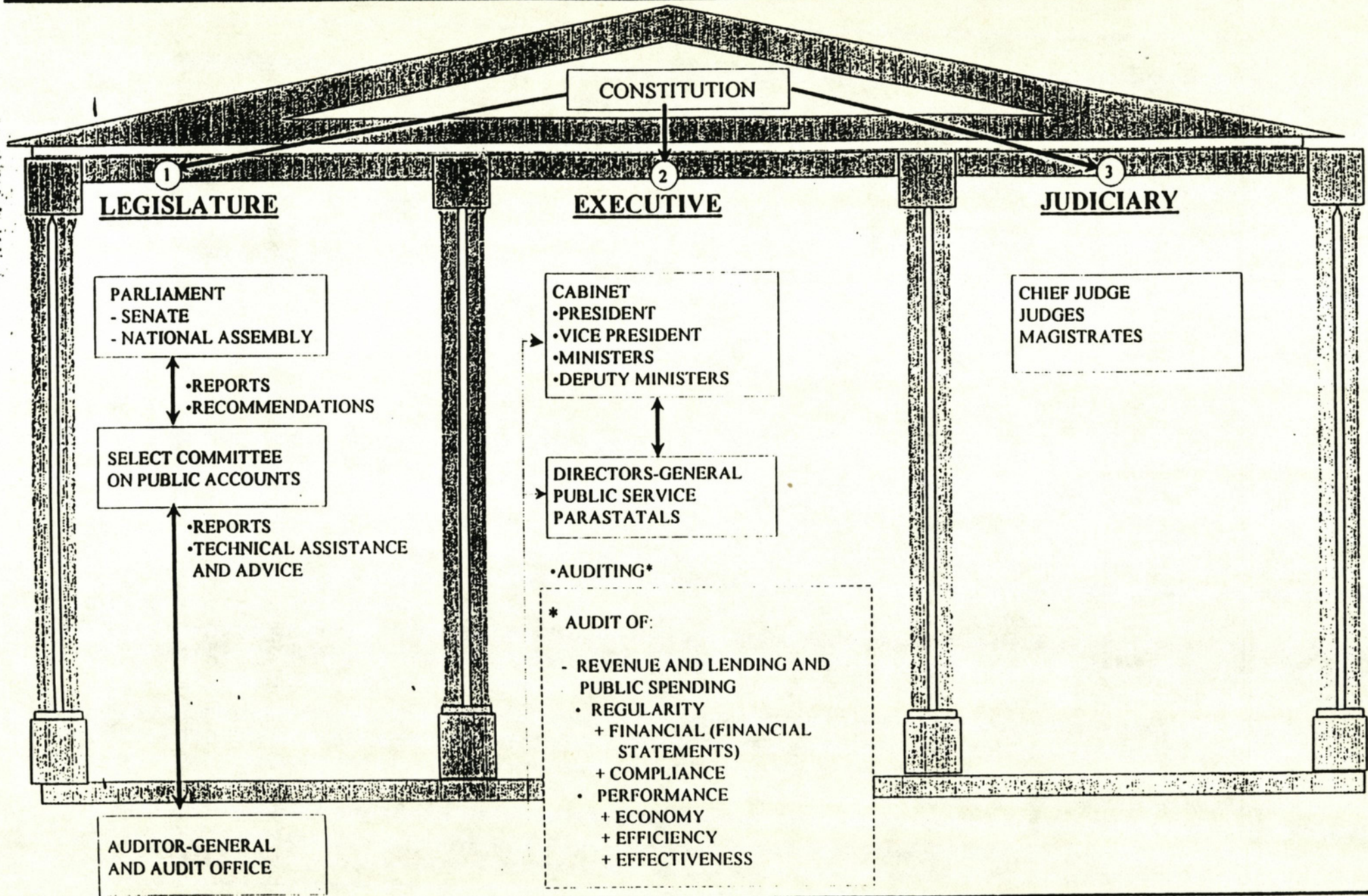
4. COMMENTS ON CURRENT
PROVISIONS IN CONSTITUTION

OFFICE OF THE AUDITOR-GENERAL

CONSTITUTIONAL PRINCIPLE VI

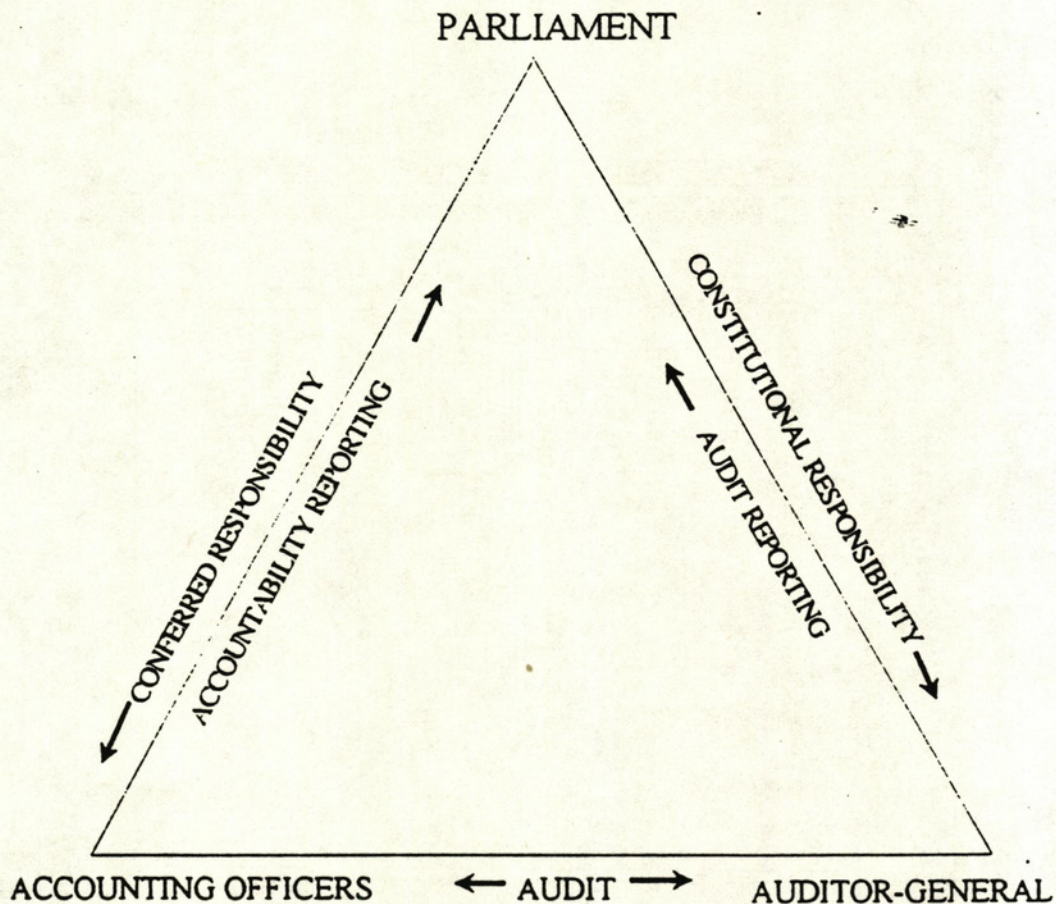
There shall be a separation of powers between the legislature, executive and judiciary, with appropriate checks and balances to ensure accountability, responsiveness and openness.

SEPARATION OF POWERS AND THE ROLE OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS AND THE AUDITOR-GENERAL



ACCOUNTABILITY - A BASIC REFERENCE POINT

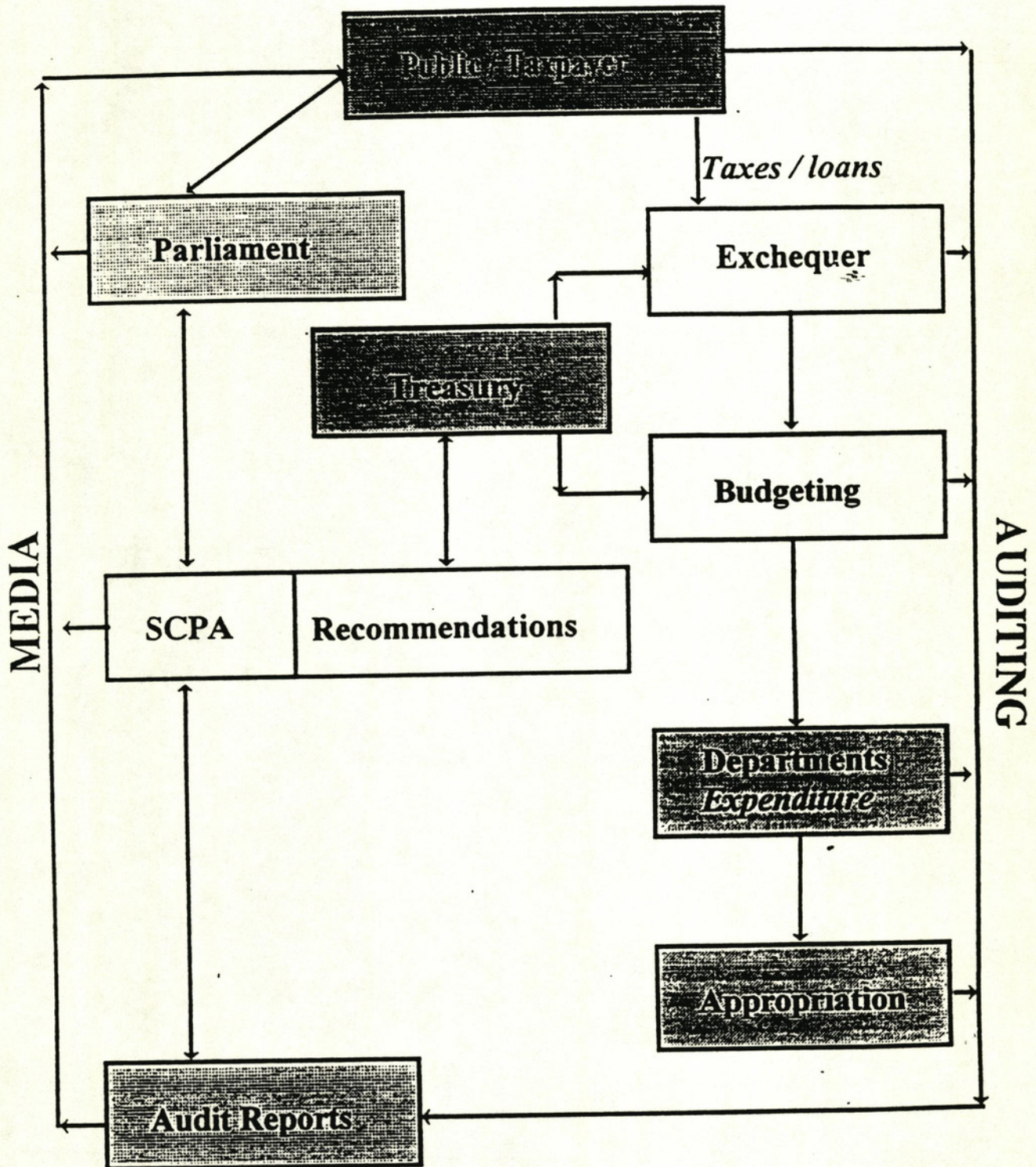
Serving accountability is the *raison d'être* of audit. Accountability can be defined as: ...the obligation to answer for a responsibility that has been conferred. It presumes the existence of at least two parties: one who allocates responsibility and one who accepts it with the undertaking to report upon the manner in which it has been discharged.



The relationship of audit to accountability is that:

...audit is a process that is superimposed on an accountability relationship. It is carried out to establish that a report on the responsibility assumed is a correct or fair one and is usually performed by a third party, primarily serving the interests of the party who delegated the responsibility.

THE ACCOUNTABILITY CYCLE



C̄ONSTITUTIONAL PRINCIPLE XXIX

The independence and impartiality of ... an Auditor-General ... shall be provided for and safeguarded by the Constitution in the interests of the maintenance of effective public finance and administration and a high standard of professional ethics in the Public Service.

OFFICE OF THE AUDITOR-GENERAL

PRACTICAL IMPLEMENTATION OF CONSTITUTIONAL PRINCIPLES VI & XXIX

*** AUDITOR-GENERAL**

- APPOINTMENT AND DISCHARGE
- POWERS AND FUNCTIONS

*** OFFICE OF THE AUDITOR-GENERAL**

- STRUCTURE
- BRIEF DESCRIPTION

*** CHECKS AND BALANCES**

- AUDIT COMMISSION
- STAFF MANAGEMENT BOARD
- JSCPA

OFFICE OF THE AUDITOR-GENERAL

AUDIT REPORTS

* NATIONAL APPROX. 460

* PROVINCIAL APPROX. 30-40

* LOCAL APPROX. 800
APPROX. 1300

OFFICE OF THE AUDITOR-GENERAL

Mission

The Public Accounts Committee should, in a non-partisan and apolitical fashion, conduct a searching and rigorous scrutiny of financial administration and hold the executive authority accountable for its spending of taxpayers' money and its stewardship over public assets in order to ensure regular, economical, efficient and effective government spending. The Committee has to be able to provide assurance to the public that government is receiving value for money and that public monies and assets are being managed in the proper way. If the Committee can provide this assurance, the confidence of the general public in our political institutions will be strengthened.

COMMENTS ON CURRENT PROVISIONS IN THE CONSTITUTION REGARDING THE AUDITOR-GENERAL AND THE OFFICE OF THE AUDITOR-GENERAL

- * Amendment of Auditor-General Act.
- * Detailed nature of Constitutional provisions.
- * Technical comments:
 - * Section 191(5)
 - * Section 191(9)
 - * Section 191(11)
 - * Section 193(2)
 - * Section 193(3)
 - * Section 193(6)
 - * Section 194(1)
 - * Section 244

OFFICE OF THE AUDITOR-GENERAL

MEMORANDUM

TO : All Theme Committee Members
FROM : Nkateko Nyoka
DATE : 13 December 1994
SUBJECT : INFORMATION SEMINARS AND PUBLIC PARTICIPATION

Honourable members

We refer to paragraphs 3 and 4 of the fourth report of the subtheme on Financial Institutions and Public Enterprises ("Subtheme Committee 6.2") and advise as follows:

1. **INFORMATION SEMINAR ON THE RESERVE BANK**

A seminar on the reserve bank has been arranged for Monday the 23rd January, 1995 at V226 at 10:30.

The Governor of the Reserve Bank has confirmed that he will attend the seminar.

2. **PUBLIC PARTICIPATION**

Letters have been sent to various relevant organisations calling for submissions on the work of the Subtheme Committee 6.2. A copy of the body of the said letters is attached for the attention of honourable members.

Dear Sir/Madam

THE CONSTITUTION MAKING PROCESS: FINANCIAL INSTITUTIONS AND PUBLIC ENTERPRISES

1. As you are aware, the Multi-Party negotiations at the World Trade Centre produced an interim, *and not a final*, Constitution which declares itself to be aspiring to be a historic bridge between the past of a deeply divided society and a future founded on the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans.

2. The Constitutional Assembly ("the CA"), a body established in terms of the Constitution of the Republic of South Africa of 1993 (Act 200 of 1993), has been charged with the responsibility of producing a final constitutional text for South Africa. To achieve this, the CA has established six Theme Committees to focus on various constitutional themes.

3. Theme Committee 6 ("the Committee"), whose main responsibility is to focus on "Specialized Structures of Government", has as one of its tasks the responsibility to formulate constitutional positions on various Financial Institutions and Public Enterprises and in this regard the Committee is inviting written submissions from members of the public and interested parties on any or all of the subjects listed below:
 - 3.1 The Auditor General;
 - 3.2 The Reserve Bank;
 - 3.3 The Finance and Fiscal Commission;
 - 3.4 The National Revenue Fund, Budget and Procurement;
 - 3.5 Guarantees for Provincial and Local Government loans;
 - 3.6 Special pensions, income tax of elected representatives and pensions for political officers;
 - 3.7 Whether or not a provision on Public Enterprises should be included in the final text of the constitution; and
 - 3.8 Any other provisions relating to Financial Institutions.

All of the above institutions, except Public Enterprises, are presently regulated by Chapter 12 of the Interim Constitution (Republic of South Africa Act 200 of 1993).

4. Submissions should reach the office of the CA by not later than 10 January 1995.

Should you require any clarity, do not hesitate to contact us. We look forward to hearing from you.

CONSTITUTIONAL ASSEMBLY

SUPPLEMENTARY REPORT

SUBTHEME COMMITTEE 3

MONDAY, 14 NOVEMBER 1994 (AT 10:30)

1. OPENING AND WELCOME

Ms Kgositsile opened the meeting and welcomed the members.

2. ADDITIONS TO THE WORK PROGRAMME

The Subtheme Committee agreed to the following changes and additions to the work programme report:

2.1 Constitutional issues

2.1.1 Human Rights Commission

Item 1.2.2 should be amended to read: "Targeting disadvantaged communities, primarily, rural communities, the disabled and women, particularly black women."

2.2 Priorities

It was agreed that the Human Rights Commission should be the priority area as it would possibly overlap with the Commission on Gender Equality and the Public Protector.

The Commission on Gender Equality would be the second priority.

2.3 Information seminars

It was agreed that the Subtheme Committee should hold a series of seminars at the beginning of next year in order to familiarise itself with its area of work.

The following seminars were proposed:

- * **Human Rights Commission**
possible speakers: Judge Pierre Olivier, Mr Brian Currin
- * **Commission on Gender Equality**
possible speakers: Prof Ronel Erwee, Prof Christina Murray, Ms Kathy Albertyn

- * **The Public Protector**
possible speaker: outgoing ombud.

- * **Commission on Restitution of Land Rights**
Possible speakers: Prof N Olivier, Mr Geoff Budlender, Ms Aninka Klaasens, Ms Katherine Cross.

It was agreed that the secretariat should begin to arrange these information seminars and draw up a proposed timetable to this effect.

- 2.4 It was agreed that the secretariat should begin to send out letters calling for submissions from organisations and interest groups. Mrs Malan and Ms Turok would compile names and addresses. Ms Turok would draft a letter.

MEMORANDUM

TO : All Theme Committee members

FROM : Nkateko Nyoka
Managing Secretary, Theme Committee 6

DATE : 13 December 1994

SUBJECT : INFORMATION SEMINARS AND PUBLIC PARTICIPATION

Honourable members

We refer to the report of the Subtheme Committee on Monitoring, Transformation and Evaluation ("Subtheme Committee 6.3") and advise as follows:

1. **INFORMATION SEMINARS**

Information seminars on the human rights commission, commission on gender equality, commission on restitution of land rights and the public protector are in the process of being finalised.

Further details on these seminars will be posted to the relevant members' pigeon holes.

2. **PUBLIC PARTICIPATION**

Letters have been sent to a number of organisation identified by Subtheme Committee 6.3. A specimen of the said letter is attached for the attention of honourable members.

Dear Sir/Madam

THE CONSTITUTION MAKING PROCESS - COMMISSION ON GENDER EQUALITY

1. As you are aware, the Multi-Party negotiations at the World Trade Centre produced an interim, *and not a final*, Constitution which declares itself to be aspiring to be a historic bridge between the past of a deeply divided society and a future founded on the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans.
2. The Constitutional Assembly ("the CA"), a body established in terms of the Constitution of the Republic of South Africa of 1993 (Act 200 of 1993), has been charged with the responsibility of producing a final constitutional text for South Africa. To achieve this, the CA has established 6 Theme Committees to focus on various constitutional themes.
3. Theme Committee 6, whose main responsibility is to focus on "Specialized Structures of Government", has as one of its tasks the responsibility to formulate a constitutional position on the Commission on Gender Equality ("the Commission"), whose object shall be the promotion of gender equality in our society as well as advising and making recommendations to Parliament or any other legislature on laws or legislation affecting gender equality or the status of women.
4. We will appreciate if you or your organisation or institution can make available to us any of its studies and/or analysis, domestic and comparative, on Commissions on Gender Equality. We also expect a submission from you or your organisation or institution and the public broadly, on the following:
 - 4.1 The need or otherwise, and the reasons thereof, for the inclusion of a Commission on Gender Equality in the final text of the Constitution;
 - 4.2 The status and functions of the Commission on Gender Equality; and
 - 4.3 Any aspect of the constitution which, in your opinion or that of your organisation or institution, needs to be addressed by the CA.
5. In addition to the above, we would appreciate suggestions from the public on the following issues:
 - 5.1 The methodology which should be employed by the Theme Committee in its endeavour to reach out to the public; and

5.2 Names and addresses of organisations and individuals, which in your opinion or that of your organisation or institution, should be consulted on the Commission on Gender Equality.

The information requested above is by no means exhaustive and you must feel free to supply us with any information, which in its opinion will enable members of the Theme Committee, to take an enlightened and informed constitutional position on the Commission.

We look forward to hearing from you soon.

REPUBLIC OF SOUTH AFRICA

CONSTITUTIONAL ASSEMBLY

**REPORT OF
FOURTH MEETING**

**SUBTHEME COMMITTEE 4
SPECIALISED STRUCTURES OF GOVERNMENT**

MONDAY 14, NOVEMBER 1994 (AT 10H30)

1. INTRODUCTION

The Subtheme Committee met and discussed the following:

- * A Reading Package for Subtheme Committee members;
- * A comparative audit of constitutional matters relating to Security Apparatus;
- * Information Seminar; and
- * Intelligence.

2. A READING PACKAGE FOR SUBTHEME COMMITTEE MEMBERS

The Subtheme requires the Research Department to compile a reading package on Security Apparatus, with particular reference to constitution-making, to enable the members of the Subtheme Committee to prepare themselves for the task ahead.

3. A COMPARATIVE AUDIT OF CONSTITUTIONAL MATTERS RELATING TO SECURITY APPARATUS

A comparative audit on the security apparatus needs to be compiled.

4. INFORMATION SEMINAR

An information seminar for Subtheme Committee members on topics yet to be finalised, is being arranged for early next year.

All experts identified in the work plan will be asked to participate in the said seminar and their views on the following issues must elicited:

- 4.1 The workplan;
- 4.2 All matters relating to security apparatus which in the opinion of these experts needs to be covered in the final text of the constitution; and
- 4.3 Any other matter seen by the experts as requiring the attention of the Subtheme Committee.

6. ADDITIONS TO THE LIST OF TECHNICAL EXPERTS

The following names should be added in the workplan under the head Technical Assistance:

- 6.1 Prof Thomashausen (Unisa);
- 6.2 Mr Smuts, D (Namibian Lawyer);
- 6.3 Dr Fernandes, L (Unisa);
- 6.4 Mr Thipanyane, T

7. INTELLIGENCE

The Subtheme Committee is unclear on the reasons for the exclusion of intelligence, as a security arm, in the interim Constitution.

To clear this up the Subtheme Committee decided that all documents relating to discussions in Working Group 3, which apparently dealt with intelligence as a security arm in the World Trade Centre Multi-Party negotiations, must be retrieved and studied.

MEMORANDUM

TO : All Theme Committee Members

FROM : Nkateko Nyoka
Managing Secretary, Theme Committee 6

DATE : 4 January 1995

SUBJECT : RESEARCH NEEDS AND TECHNICAL ASSISTANCE

Honourable members

We refer to the fourth report of the Subtheme Committee on the Security Apparatus ("Subtheme Committee 6.4") and advise as follows:

1. **RESEARCH NEEDS**

A letter in this regard, a copy of which is attached, has been addressed to the Research Department of the CA.

The research department is working on this and progress will be reported soon.

2. **TECHNICAL ASSISTANCE**

A letter, a specimen of which is attached and marked "B", has been sent to the technical experts identified in the workplan.

2.1 Written replies by the following experts are attached:

Skelton A ("B1"); Van Zyl-Smit D ("B2"); Cilliers J ("B3"); Nathan L ("B4"); Breytenbach WJ ("B5"); Hough M ("B6"); Southall R ("B7"); Cawthra G ("B8") and Seegers A ("B9").

2.2 The availability of the following experts has been confirmed telephonically:

Hlongwane F; Rauch J and Simpson G.

MEMORANDUM

TO : Derek Powell,
Director, Research Department

FROM : Nkateko Nyoka
Managing Secretary, Theme Committee 6

DATE : 22 November 1994

SUBJECT : SECURITY APPARATUS - RESEARCH NEEDS

Dear Derek

We refer to the above subject and advise as follows:

1. Subtheme Committee 4 ("the Subcommittee") of our Theme Committee ("the Committee") has identified its research needs relating to security apparatus, as enumerated below:
 - 1.1 A reading package for members of the Subcommittee on the four arms of the security establishment, i.e, Correctional Services, Defence, Intelligence and the Police;
 - 1.2 A comparative audit on the security apparatus;
 - 1.3 The need to retrieve all documents pertaining to the work of Working Group 3 in the World Trade Centre Multi-Party negotiations. This is apparently the working group where issues relating to intelligence, as a security arm, were debated and negotiated.
2. The information requested above should be made available to us by at least mid or late January 1995.
3. The above requests have been forwarded to you on the assumption that all systems, within your department, are up and running. Should this not be the case, we are open to any suggestions from you on the best possible methods, respecting research needs, that can be jointly employed to meet the expectations of our Subcommittee members.

4. We enclose a copy of report from the said Subcommittee.

We look forward to hearing from you.

SOUTH AFRICA'S CONSTITUTION MAKING PROCESS: SECURITY APPARATUS

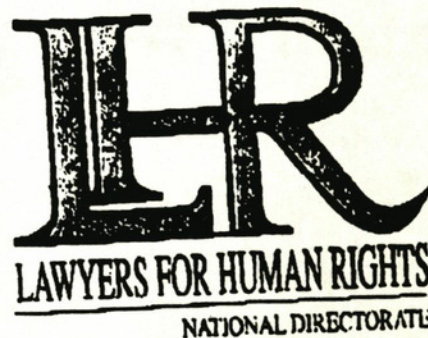
1. As you are aware, the Multi-Party negotiations at the World Trade Centre produced an interim, *and not a final*, Constitution which declares itself to be aspiring to be a historic bridge between the past of a deeply divided society and a future founded on the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans.
2. The Constitutional Assembly ("the CA"), a body established in terms of the Constitution of the Republic of South Africa of 1993 (Act 200 of 1993), has been charged with the responsibility of producing a final constitutional text for South Africa. To achieve this, the CA has established six Theme Committees to focus on various constitutional themes.
3. Theme Committee 6 ("the Committee"), whose main responsibility is to focus on "Specialized Structures of Government", has as one of its tasks the responsibility to formulate constitutional positions on the Security Apparatus, i.e, the Police, Military, Intelligence and Correctional Service.
4. The Committee has recently completed its workplan and we take this opportunity to advise that you have been identified as one of the many probable technical experts who will be consulted on certain matters relating to the security apparatus in our country, with particular reference to the formulation of broad constitutional principles on these apparatus.
5. We want to emphasise and place on record that this letter is not in any way a confirmation of your appointment as such an expert, but is a broad reflection of the thinking, within the Committee, on the issue of technical experts.
6. However, we require an indication from you of your availability or otherwise for the above task, in the event of a confirmation of your appointment by the Committee.
7. We enclose a copy of the workplan for your attention and request the following from you:
 - 7.1 Your Curriculum Vitae.
 - 7.2 Your comment on the workplan.
 - 7.3 Additional matters relating to security apparatus, not covered in the workplan, which in your opinion needs to be so covered;

- 7.4 A comparative audit of constitutional provisions, the world over, on security apparatus. The audit should be on your area of expertise.
 - 7.5 Any other matter, which in your opinion, require the attention and consideration of the Committee.
8. We hope you will find the above in order and should you require any clarity, do not hesitate to contact us and from our side we undertake to keep you posted of developments in the Committee.

We look forward to hearing from you, shortly.

APPLIED CRIMINAL JUSTICE

303 Pietermaritz Street
Pietermaritzburg, 3201
P.O. Box 3020, Pietermaritzburg, 3200
Telephone: (0331) 42-1130/80
Telefax: (0331) 94-9522



14 December 1994

SNAKES NYOKA
MANAGING SECRETARY
THEME COMMITTEE 6
NATIONAL ASSEMBLY

Dear Sir

Thank you for your letter informing me of my nomination to the panel of experts on the subject of prisons. I have been away from my office attending a conference which is why I was unable to reply immediately.

I hereby confirm in writing my acceptance of the nomination.

I have perused the syllabus and find it to comprise all the relevant issues foreseeable at this time. A list of meeting dates would be helpful in order to allow the participants time to clear their diaries and do the necessary preparation.

With regard to your request for an audit of the worlds' constitutional provisions of security apparatus. This is an enormous task which the team will have to undertake, but which nominees, whose appointment have not yet been confirmed can surely not be expected to undertake. What I can do is indicate to you that through electronic mail networks it should be relatively easy to pull in this information as soon as the appointments are confirmed.

I attach my curriculum vitae.

Yours sincerely



Ann Skelton.

B2 UNIVERSITY OF CAPE TOWN**Office of the Dean
Faculty of Law**

Private Bag Rondebosch 7700 Cape Rep. of South Africa
Room 13 O.S. Wilfred & Jules Krutner Law School Building
University Avenue Groote Schuur Upper Campus
Telephone: 650-2705/6
Fax No. (021) 650-3776
Telegraphic address: Alumni Cape Town
Telex: 67 21430

6 December 1994

Mr Snakes Nyoka
Managing Secretary
Theme Committee 6
Constitutional Assembly
P O Box 15
Cape Town 8000

Dear Mr Nyoka

South Africa's Constitution Making Process: Security Apparatus

Thank you very much for your letter asking me to indicate whether I would be available to act as an expert, advising Theme Committee 6 on "Specialised Structures of Government". I would be very happy to do so.

I will be available next year, although of course I would have to bear my continuing University commitments in mind. The only dates on which I know I will be out of the country are from 30 January until 3 February, when I will be attending a conference on Prisoners' Rights in Africa in Dakar. I also have an important meeting of the National Advisory Council on Correctional Services in Cape Town on 26 and 27 January.

I enclose a copy of my curriculum vitae, as requested.

The Work Plan seems to me to be comprehensive. In my specialised area of correctional services there are two important issues, namely the impact of the fundamental rights provisions on corrections and the location of corrections with the governmental structure. I am sending you, by separate mail, a copy of an excellent article by an Argentinian colleague, Professor Edgardo Rotman. It deals with an important and sometimes neglected aspect of the constitutional rights of offenders. There is less written about the place of correctional services within the constitutional order as a whole.

I look forward greatly to working with the Theme Committee and contributing what I can to the new constitution.

Yours sincerely

Derk van Zyl Smit

D VAN ZYL SMIT
Professor and Dean
Faculty of Law

c:lconstass

FAX	TO: <u>SNAKES NYOKA</u>
FAX NO: <u>461-48357</u>	PAGE: <u>1</u> OF: <u>13</u>
ATTENTION OF: _____	
FROM: _____	DATE: _____
COMPANY: _____	
FAX NO: _____	Post-It Notes from 3M

POBox 4167
Halfway House
South Africa
1685

No 8 Constanza Office Park
239 Old Pretoria Road
Halfway House
South Africa

Tel (011) 805-1796/4260
Fax (011) 805-1874



Institute for Defence Policy

File ref: Constitutional Assembly
Date: 7 December 1994
Attention: Snakes Nyoka
Organisation: Managing Secretary, Theme Committee 6
Fax no: 021-461-4339

Dear Snakes,

POSSIBLE APPOINTMENT AS TECHNICAL ADVISOR ON SECURITY

Thanks your letter dated 1 December 1994. I would be honoured to serve as a technical advisor to Theme Committee 6, should I be requested to do so.

As you may be aware, IDP has a long-standing and extensive project on defence legislation and related issues. Much of our research material has been published in a special report dated September 1994 with the title 'Revision of South African Defence Legislation'. This ongoing project is, as far as we are aware, the only project of substance on this issue. Copies of the report were distributed to the defence committee of the national assembly, the SANDF, researchers, etc. This project is continuing into 1995 and we would be happy to feed those results that would be appropriate into the Committee. We would also be willing to continue with this project under the auspices of the Committee in a more formalized manner if that would be requested, i.e. 'under instruction' or 'commissioned by'. Part of our planning for 1995 in fact is exactly a 'comparative audit of constitutional provisions, the world over, on security apparatus'. For this task we plan to use our existing team of about six academic and professional legal advisors. It makes little sense to repeat this exercise independently. I would therefore like to propose that your committee consider formally mandating IDP for this task, should that be possible/fit your methodology.

As you are no doubt aware, in general an international comparative perspective on constitutional provisions relating to the security forces and their roles, etc. indicate the inclusion of only very limited clauses in the constitution - so called enabling clauses - with the vast majority of detail contained in 'normal' legislation. The South African interim constitution, with its extended clauses relating to defence and security issues is, therefore, very much out of line with international trends - due to the specific conditions relating to our transition. Our final constitution should have no more than a few sentences which directly or indirectly affect the security forces.

In general it would appear from your work plan that the Committee wishes to investigate all aspects relating to security legislation and not only those relating to what should be included in the constitution. Most of the items listed in paragraph 1 of your work plan are not, in fact, constitutional issues, but normal legislative issues. My comments below therefore include some additional areas so as to make the work plan even further complete but **the vast majority of these provisions should not be included or even mentioned in any final constitution**. We should guard against entrenching clauses in our constitution which are inappropriate and unnecessary in the medium and longer term (as opposed to the short term future).

Should you wish to review all security related legislation please have a look at my article entitled 'An Outline to Effect Defence Related Legislative Reform' published in issue no 16 of the African Defence Review as well as pp. 11 to 17 of the IDP report Revision of South African Defence Legislation mentioned above. It provides a compendium of related acts.

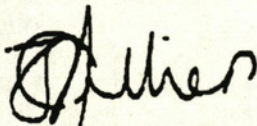
Some additional, detail comments:

- par 1.3 What about a State of National Defence and special parliamentary and executive provisions which apply during both a State of National Defence and Emergency.
- par 1.4.2 Is there a separate right to Gender Equality? Is there not simply a right to equality?
.....
- par 6.4 1994 should possibly be 1995
- par 7 The most important structures are not mentioned, namely the departments of defence, foreign affairs, academic institutes, etc. By the formal inclusion of only the various unions you implicitly acknowledge the right to strike in the military (for example), which is a contested area. I would suggest that you do not list any institutions.
- par 9.2 A senior, dedicated researcher is both expensive and perhaps a luxury. This comments relates back to my earlier remark about the limited content of those issues which should form part of the constitution.
- par 9.3 I would add the following institutions, Department of Political Sciences, UNISA; Institute for Strategic Studies, University of Pretoria. I would also add the following persons: Prof. D.F.S. Fourie and Prof. M. Hough. What about the experts within the Department of Defence who's responsibility it is/was to deal with defence legislation? In particular Brig Pieter de Klerk and Commodore Dunstan Small? This responsibility, and the persons who deal with it, will move over to the Defence Secretary in the new year. I would suggest that they also be formally consulted.

Attached to this letter is a copy of my CV, as requested.

If I don't hear from you before then, a happy Christmas and prosperous New Year.

Sincerely,



**DR. JAKKIE CILLIERS
EXECUTIVE DIRECTOR**

CENTRE FOR CONFLICT RESOLUTION

(Formerly CENTRE FOR INTERGROUP STUDIES)

c/o University of Cape Town
Private Bag
Rondebosch
7700 SOUTH AFRICA

Tel: (021) 650-2503/4/3770
Fax: (021) 685-2142
Telex: 5-21439
E-Mail: CCR@UCTVAX.UCT.AC.ZA

72 DEC 1994

94/461/ji

7 December 1994

Snakes Nyoka
Managing Secretary
Theme Committee 6
Constitutional Assembly
P O Box 15
CAPE TOWN
8000

Dear Snakes

Thank you for your letter of 1 December concerning 'South Africa's Constitution Making Process: Security Apparatus'.

Herewith some comments:

1. I would be delighted to serve as an 'expert adviser' on defence but may have a problem attending regular meetings. I am on the Cameron Commission of Inquiry into Armscor which will probably meet until March 1995.

I could attend periodic meetings if these are set well in advance, and could do background work between meetings.

2. A copy of my CV is enclosed. The one notable addition is that I have a pending appointment as part-time Special Advisor to the Minister of Defence.
3. With regard to the workplan, I think that the Interim Constitution's provisions on defence are strong and well developed, particularly insofar as they commit South Africa to democratic civil-military relations. While there may be a need for some minor amendments in this regard, I do not see any major problems.

However, there are certain gaps which could or should be addressed. These include the following:

- * the practical application and limits of transparency in relation to defence matters;
- * security and defence co-operation in Southern Africa;

[Registered as The Abe Bailey Institute of Inter-Racial Studies (Limited by Guarantee) (Reg No 66/06208/09)]

BOARD OF GOVERNORS: PROF H M CORDER, PROF W GEVERS, DR J GIBBON, PROF F HORWITZ,
DR L W MAZAMISA, PROF A D MULLER, MR L N NATHAN (EXECUTIVE DIRECTOR), DR S J SAUNDERS (CHAIRMAN)


- * South Africa's commitment to the international cause of arms control and disarmament;
- * military training;
- * the armaments industry and arms trade policy; and
- * the content of international law on armed conflict to which South Africa is bound.

The challenge in addressing these issues will lie in determining what should go into the final Constitution and what should be left to legislation. The Theme Committees may find it useful to have a set of guidelines in this regard.

4. Depending on the state of its deliberations, the Cameron Commission might be able to make a substantive input on the question of arms trade policy.
5. I could do a comparative audit of international law on armed conflict.
6. I have enclosed for the interest of Committee members a copy of my book which will be published by the HSRC in January/February 1995.

I look forward to hearing from you.

Best wishes



LAURIE NATHAN
Executive Director

Encl. The Changing of the Guard
 CV



UNIVERSITEIT VAN STELLENBOSCH
UNIVERSITY OF STELLENBOSCH

08 DEC 1994

6th December 1994

The Managing Secretary
Theme Committee 6
Constitutional Assembly
P O Box 15
CAPE TOWN
8000

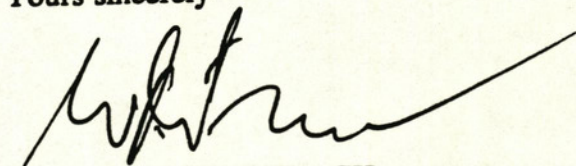
Dear Mr Nyoka

TECHNICAL EXPERTS: INTELLIGENCE

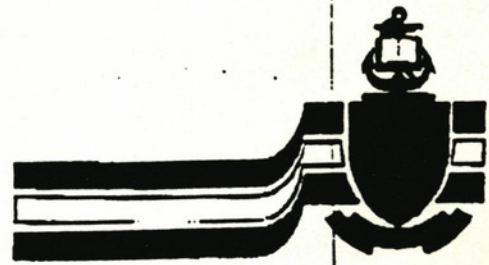
1. I hereby notify my willingness to serve on the Theme Committee, and sub-committee as indicated in your letter.
2. The workplan as at 1 December 1994 is very good. I agree that the Intelligence Service should operate within the principle of the supremacy of the constitution, be accountable to parliament, but fall under the executive control of the president and responsible minister (who could be the president). Unlike other state functions, I do not believe that Intelligence could be devolved to provincial competences. It should therefore - as in the USA, Germany and Switzerland - be a central function. In our case, a "residual function", which means that it should be excluded from the list of provincial competences. It should also not be linked, within the executive, to other security portfolios - the more fractured the better. This would not compromise its independence in the security system. It could be a presidential prerogative only, but further study is needed on this point.
3. While I have no objection in principle to Intelligence observing international obligations, special circumstances do prevail, making this very difficult to operationalise, given the clandestine/covert nature of Intelligence Services worldwide.
4. I therefore have reservations about the notion that the freedom of information should also apply to Intelligence. This should however not compromise accountability, including roles for special courts and ombuds structures (eg the public protector) in this regard. Consideration should also be given to a legal/constitutional limitation of Intelligence powers; enshrined political non-partisanship, and within the context of the Bill of Rights, liability for the violation of personal rights.
5. I feel strongly about the operationalisation of a "new" Intelligence ethos, including a shift away in threat analysis from state and military concerns to non-state and non-military, as well. The definition of security must therefore be adjusted. But to what extent the Constitution should regulate this, I am not sure. This calls for an in-depth assessment.

6. The regional dimension is equally important in security restructuring. The Constitution should therefore not be an obstacle in regional security/intelligence co-operation. I have done extensive research on this, published in *Africa Insight*, Vol 24, No 1, 1994.
7. I have also done a comparative audit on Intelligence Services worldwide. But this was limited to democracies only, and include Germany, Switzerland and the USA. This has been published in *Strategic Review for Southern Africa*, Vol XIV, No 2, October 1992.
8. A shortened CV is attached.

Yours sincerely



PROF W BREYTENBACH



University of Pretoria

Pretoria 0002 Republic of South Africa tel: 3-22723

Telegr: PUNIV Tel (012) 4202407

Fax (012) 432185 / 3422712 / 43743:

Institute for Strategic Studies

ATT: SNAKES NYOKA
Constitutional Assembly
P O Box 15
CAPE TOWN
8000

Our ref: 21

8 December 1994

Dear Mr Nyoka

Thank you for your fax of 2 December 1994. Due to the fact that prolonged absence from my office is difficult, I will unfortunately not be able to serve on Theme Committee Six on a semi-full-time basis. A day or two per month for meetings in Cape Town could possibly be managed. However, we are quite prepared to be involved in research alone.

Yours sincerely

M HOUGH (PROF)
DIRECTOR : INSTITUTE FOR STRATEGIC STUDIES



Political Studies Department/
International Studies Unit (ISU)
RHODES UNIVERSITY

P.O. Box 94, Grahamstown, 6140 South Africa
Telegrams 'Rhodescol' Fax (0461) 2 3948 Telephone (0461) 31 8353/4/5/6
Email posec@hippo.ru.ac.za

Mr. Snakes Nyoka,
Managing Secretary,
Theme Committee 8,
Constitutional Assembly.

Fax: 21 461 4385 4487.

Dear Mr Nyoka,

Many thanks for your letter of 1 December 1994, in which I am invited to make a contribution to the work of your committee with particular reference to the place of Intelligency under the new constitution. I would like to thank you for this invitation, and to emphasise how much I hope I can make some small contribution.

In line with your letter, I attach details as follows:

- 7.1. My curriculum vitae.
- 7.2. and 3. My comment on the workplan plus need for additions.

The workplan seems very thorough, and of course almost everything could be covered under its various headings.

However, my one substantive comment is that there is an assumption that the Security Apparatus will be essentially and solely accountable to parliament. I would in addition like to see consideration given to the idea of a quasi-judicial independent review panel which would be beyond the immediate control of parliament and the executive.

7.4. I am not yet in a position to submit a comparative audit of constitutional provisions, as I have not been able to obtain the literature I want from my university library - in fact, I am awaiting the arrival of material from overseas. I would hope to be able to respond to this by the end of January.

With best wishes,

Roger Southall,
Professor of Political Studies.

MILITARY RESEARCH GROUP

Sable Centre
41 De Korte Street
Braamfontein
P.O. Box 350
Wits 2050, South Africa
☎ (011) 339-1381
Fax: (011) 339-1382

Gavin Cawthra
Co-ordinator

Mr Snakes Nyoka
Managing Secretary
Theme Committee 6
Constitutional Assembly

Fax: (021) 461-4339

13th December 1994

re: Information on South Africa's Security Forces

Dear Mr Nyoka

In response to your fax of the 1st December 1994, I wish to point out that I would be available for consultation on matters pertaining to the country's security apparatus.

However, please note that my expertise lies in defence issues as well as policing and I would also like to participate in the Defence Report.

I look forward to hearing from you.

Yours sincerely



Gavin Cawthra



Department of Political Studies

Private Bag Rondebosch 7700 · Telephone: 650-3386
Telex: 5-22208 · Telegrams: Alumni Cape Town
Fax No: (021) 650-3386

6 November 1994

09 DEC 1994

Mr Snakes Nyoka
Managing Secretary
Theme 6 Committee
Constitutional Assembly
P O Box 15
Cape Town 8000

Dear Mr Nyoka

Included is my CV, as requested.

It is difficult to comment on the workplan, as I do not know how the experts on the Committee will interact with the security forces, Parliament, and the Constitutional Assembly. The workplan nevertheless covers a wide area, so wide that I also find it difficult to comment.

There are two areas that I mention, deserving of inclusion in any constitutional discussion of security forces' (i) the constitutional guidelines as regards military education, including (for example) the Military Academy and other educational criteria to be considered in the education of soldiers, policemen and -women, and intelligence employees; and (ii) Constitutional criteria as regards recruitment. It may be that these topics already are covered, but I mention them in case they are not.

As far as a comparative audit is concerned, I have worked with armed forces researchers in Europe (including the Eastern European states) as well as in America. These contacts are available to you, regardless whether I should serve on the Committee. Please contact me should you wish to pursue the matter of linking up with scholars and experts abroad.

Finally, it does somehow mystify me that I should be recognised as an expert on policing only. As you can see from my CV, I have done as much research on the military and intelligence agencies as I have on the police. But I leave the question of my suitability for you to judge.

Sincerely

A handwritten signature in cursive script that reads "Annette Seegers".

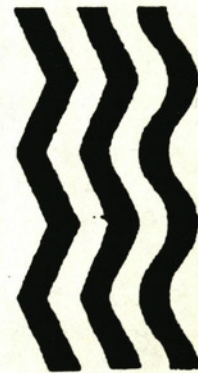
Annette Seegers

29 JAN 1995

Post-Net Fax Pad 7551	Page: 1 of 9
To: Snakes Nyoka	From: Graeme Simpson
Co. Constitutional Assembly	Co. CSUR
Dept. Theme Committee 6	Phone No. (011) 403-5650
Fax No. (021) 461-4339	Fax No. (011) 339-6785

Snakes Nyoka
 Managing Secretary
 Theme Committee Six
 Constitutional Assembly
 P.O. Box 15
 Cape Town
 8000
 Fax: (021) 461 4339

6661 MAY 50



CENTRE FOR THE
 STUDY OF VIOLENCE
 AND RECONCILIATION

Re: Participation as a Technical Expert on Specialized Structures of Government

Dear Snakes

Please accept my apologies for the delay in responding to your letter and fax of 1 December 1994 in the above regard. I have been attempting to finalise my arrangements for the coming period so that I could properly inform you of my availability as a technical expert for Theme Committee Six.

I am happy to make myself available subject to the constraints set out below and would like to inform you in writing of what I think I, through the Centre for the Study of Violence and Reconciliation, will be able to offer.

The only substantial limitation on my participation will be in the period from approximately 18 January until 18 February during which time I will be out of the country on a research commission. I have been appointed to an International Task Force on Central Bosnia and will be conducting a field trip during this period. This trip was originally scheduled for December 1994, but was rescheduled due to the escalation of conflict in that country at the time. As I was committed to the project I felt it obligatory that I attempt to participate for a limited period during early 1995 and the result is that I will be away for this period. However, I do not feel that this will compromise my participation too substantially due to the terms in which I envisage my Centre servicing your request. This brings me to the discussion of what I believe our Centre can offer.

I see my participation in the sub-committee as acting as a conduit for the detailed expertise of various members of my staff at the Centre for the Study of Violence and Reconciliation. In other words, I would be acting as a vehicle for their structured contributions in various fields. In effect this means that I would be

- The Policing Research Project
- Trauma Clinic
- Training
- Education

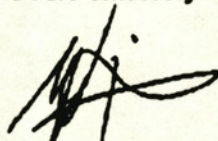
deploying the resources of our Centre's Policing Research Project (four researchers) and our Prisons Research Project (two researchers) as well as those members of our staff who have constitutional expertise, all of whom would be able to devote some time to formulating constitutional positions on the security apparatus. In this way I would seek to assist in deploying not only my own limited knowledge, but the cumulative expertise of our Centre. I will however, remain the appointed technical expert to the sub-committee (if I am indeed so appointed) for the purposes of conveying information, opinions and for the purposes of participation in any collective workshops, submission writing etc. This arrangement will also limit the effect of my absence during the month I will be in Bosnia, as my colleagues can hopefully begin some of the work during this time.

On the basis of the above, I am therefore willing and available to serve as a technical expert on Theme Committee 6. Of course this is also undertaken on the assumption that I remain employed full-time at the Centre for the Study of Violence and would therefore still be responsible for substantial duties at the Centre in my capacity as Deputy Director. I am presuming therefore, that you are not seeking a full-time commitment from me. In this regard it would of course be useful if you could set out in a little more detail precisely what expectations you have of the technical experts, what time commitments you anticipate and what remuneration (if any) is to be made available.

I attach a rather brief resume for your information and encourage you to request any further information if I have not supplied adequate details.

In respect of points 7.2, 7.3 and 7.5 of your letter to me, I have circulated the work-plan to the relevant staff at our Centre (some of whom are absent on leave until next week) and will forward comment in due course. In regard to 7.4, I do not believe that we are currently able to offer the comparative audit of constitutional provisions which you request, without first doing some research on the matter. This is only something which could be properly completed over the next weeks or months - depending on the time constraints imposed.

Yours sincerely



Graeme Simpson
(Deputy Director)

**BRIEFING DOCUMENT FOR JOINT MEETING OF
CHAIRPERSONS OF THEME COMMITTEES**

23 JANUARY 1995

1. Introduction

This document is intended to serve as a basis of discussion and a guideline for Chairpersons and Core Groups. It is concerned with the Work Programme of the Constitutional Assembly as agreed to by the Constitutional Committee of 2 December 1994.

The main purpose of the document is to look at the role of Core Groups and Chairpersons in ensuring that the work of the Constitutional Assembly progresses within the framework agreed to, and that the final deadline of May 1996 is adhered to.

2. Work Programme

The Constitutional Committee endorsed the enclosed Work Programme as a broad framework for 1995. The meeting emphasised the need for flexibility and stressed that the programme was a framework and should not be seen as a rigid time-table. It was agreed that ongoing evaluation and adjustment would take place within this framework as work proceeded.

The Work Programme is the culmination of the collective efforts of members of the CA and its structure. In particular, it is a product of several months of rigorous debate by Theme Committees who have produced work plans in accordance with the terms of reference as set out in the Resolution of 5 September 1994.

These work plans have been compiled into a comprehensive work programme for the CA as a whole, taking into account both the work plans of Theme Committees themselves, and a technical survey of the constitutional issues noted by Theme Committees. The programme also took into account the need for a developed programme of public participation including media and community liaison.

The overriding consideration in compiling the Work Programme of course has been time constraints. Sec 73(1) of the Constitution requires the Constitutional Assembly to complete the process of drafting the new constitutional text by no later than May 1996. The Constitutional Committee meeting of 31 October 1994 resolved to produce a draft text of the new Constitution by 14 July 1995. In this regard the Theme Committees are required to complete their reports and the major part of their work by 30 June 1995.

In an attempt to ensure that the CA does abide by the final deadline of May 1996 for completion of its task, it has been opportune to devise a Work Programme which has divided the work of each Theme Committee into ten major "blocks". Each "block" represents a cycle of meetings of the various structures of the CA, culminating each time in a meeting of the Assembly itself as the supreme decision-making body. During each of these "blocks" it has been suggested that Theme Committees deal with specified subjects or aspects of their particular constitutional theme.

The Constitutional Committee has also agreed to the enclosed Schedule of Meetings for the first half of 1995. Once again this schedule is regarded as a framework which will be adjusted when required.

This schedule has however been carefully planned to allow Theme Committees to receive submissions, process these and prepare reports timeously for the Constitutional Committee, which in turn reports to the Constitutional Assembly. It is important that this schedule is adhered to as closely as possible to avoid unnecessary delays .

It is important, as outlined above, that the schedule is looked at as a whole. Any adjustment will have to take into account the necessary cycle of meetings to ensure that the CA process flows smoothly and that all structures are afforded the necessary time to play their part.

It should be noted that the Constitutional Committee accepted the four sub-committees of Theme Committee 6 and further agreed that the question of establishing other sub-committees would be considered later. It was also agreed to that all joint meetings of Theme Committees would be centrally co-ordinated by the Secretariat.

3. Management

This Work Programme and Schedule of Meetings will require careful management if it is to achieve its objective of ensuring a new constitution by May 1996.

The role of the Management Committee is spelled out in detail in the CA Resolution of 5 September 1994. The Management Committee is charged in brief with co-ordinating the work of all Theme Committees, and preparing the agenda and reports to be presented to the Constitutional Committee.

The major task of ensuring that deadlines are adhered to and that the work programme proceeds according to plan, however will fall to Theme Committees themselves.

To this end, each Theme Committee, has a Core Group and Chairpersons responsible for managing and co-ordinating the work programme of the Theme Committee.

4. Role of Core Groups

The Core Group consists of 7 - 8 members. Its composition is as follows 2 ANC; 1 NP; 1 PAC; 1 DP; 1 FF; 1 IFP.

The Core Group is the managing Committee of the Theme Committee and deals with process matters on behalf of the Theme Committee. Its task is to ensure that the work of the Theme Committee proceeds smoothly.

The Core Group manages the Theme Committee in the following way :

- a) prepares agenda for Theme Committee meetings;
- b) prepares reports for Theme Committee consideration;
- c) co-ordinates the activities of the Theme Committee;
- d) attends other meetings on behalf of the Theme Committee; and
- e) ensures that Theme Committee tasks and decisions are dealt with accordingly.

The Core Group, as outlined above, has a major role to play in *planning* the work of its particular Theme Committee and ensuring that all necessary documentation and reports are compiled and received according to deadline.

5. Role of Chairpersons of Theme Committees

In addition to the Core Group, the Chairpersons of Theme Committees have a pivotal role to play in managing the work of Theme Committees.

Their principal role is to conduct the proceedings of both the Core Group and Theme Committee meetings, and thus also *direct* the proceedings of both these bodies. The importance of this role cannot be over-emphasised. The Chairpersons will be relied upon to keep meetings, and the Theme Committee, on target and ensure that they achieve their objectives.

The extremely tight time frames of the CA process as a whole, will make the work of Chairpersons more demanding than usual. It is essential that Chairpersons keep these time frames in mind at all times and that they remind Theme Committee members that work must proceed according to schedule.

Both Chairpersons and Core Groups will also play a key role in monitoring and evaluating the work of the Theme Committee, and thus suggesting adjustments to the schedule when required.

Other duties of the Chairpersons will include :

- a) attending to the ratification and approval of all minutes and reports; (It was agreed at the Constitutional Committee meeting of 2 December 1994, that minutes of Theme Committee meetings would be available for the Chairperson to sign within 24 hours. They would be circulated to members at the start of the next meeting.)
- b) ensuring that Theme Committee members sign the attendance register;
- c) ensuring that Theme Committee members table written apologies; and
- d) consulting the Secretariat on procedural and administrative issues during Theme Committee meetings.

Most members of the CA have very demanding individual schedules. Because of the time frames of the CA process, it is necessary for this reason alone, that the process receives the highest priority and this will demand the commitment of all members of the CA. Chairpersons and members of the Core Group will need to play an exemplary role to ensure the fullest participation of all members of Theme Committees in the work of the CA.

6. Role of Secretariat

Each Theme Committee has attached to it, a Managing and Minute Secretary to provide the necessary administrative support and back-up it requires to work efficiently and effectively.

These staff are part of a larger collective, the Secretariat, which is one of the key departments of the CA Administration as a whole. The Secretariat is also the key liaison point between the Theme Committees and other departments in the Administration.

The Management Committee has agreed that all requests for research and any other assistance from the Administration should therefore be channelled through the Secretariat. It should be noted that requests from Theme Committees, or Technical Committees on behalf of Theme Committees, for research and/or other opinion or assistance should all be directed to the Administration where the final decision will be taken, in consultation with the Management Committee, whether an outside agency or person(s) be commissioned or contracted for the job.

The Secretariat is purely an administrative body and will not engage in the political process of the Constitutional Assembly.

It is essential that Chairpersons maintain close links with the Secretariat and with their Managing Secretary in particular. This will ensure that the Secretariat is able to keep abreast of developments and provide the Theme Committee with all relevant assistance.

It is important to note however, that members of the Secretariat, as with all staff of the CA Administration, account to the Executive Director and not directly to members of the CA itself.

7. Theme Committee Reports

The entire Work Programme depends to a great extent on the timely production and circulation of reports by Theme Committees.

The Constitutional Committee of 2 December 1994 agreed to the following :

- i) the reports would be presented to the Constitutional Committee for debate at the Constitutional Assembly as and when a particular constitutional issue identified within the work plan schedule has been processed by a Theme Committee;
- ii) these reports would include details of contentious and non-contentious issues and suggested approaches;
- iii) Theme Committee reports would be drafted by Theme Committee members with the administrative assistance of the Secretariat;
- iv) should political parties be unhappy with the format of reports, this should be discussed in their Theme Committees. The issue would only be brought to the Constitutional Committee if the Theme Committee could not resolve it.

8. Submissions and the role of Political Parties

Finally, the entire Work Programme and Schedule of Meetings as agreed to by the Constitutional Committee, is based on the assumption that submissions will be received timeously to allow these to be processed and passed on to Theme Committees for their consideration.

Without the relevant submissions, there will be little substance for Theme Committees to consider. In fact, the existence of Theme Committees is to process submissions and views and pass these on in the form of the agreed reports to the Constitutional Committee.

It stands to reason that if the relevant submissions are not received timeously, the entire programme could be jeopardised.

It has been convenient for the CA's own internal purposes to structure itself along Theme Committee lines. It has been further necessary for each Theme Committee to devise its own detailed work plan. However, it would be unrealistic to expect civil society and the broader public to participate

according to the terms of reference and work plan of each Theme Committee.

Public participation and submissions can be expected to be much more general. To expect anything else would be imposing academic constraints which would in fact serve to inhibit rather than encourage public participation. It will of course be possible to solicit public views and submissions on particular controversial subjects. In general however, even the more organised sectors of society will undoubtedly make a single general contribution to the CA. These submissions will also not necessarily be staggered along the lines of the adopted work programme.

Public interest will increase as the work of the CA proceeds. A major advertising campaign early in 1995 will seek to arouse public interest, and invite submissions. However, it can be expected that the majority of public submissions will arrive later on in the process once momentum begins to gather force.

The upshot of all the above, is that political parties represented in the CA, will need to ensure their submissions to the Theme Committees are made timeously and early on in the process in order to ensure that Theme Committees have some substance to deal with in the first few months of this year. This point needs to be borne in mind by all political parties in the CA in planning their party agendas for 1995.

The Constitutional Committee agreed to the following procedure regarding the receipt of submissions :

- i) all submissions should be tabled through the Administration;
- ii) as far as possible, all authors of submissions would be asked to provide executive summaries; and
- iii) ideally, all Theme Committee members would receive copies of submissions received for that particular Theme Committee, unless these are too bulky for reproduction. Summaries of lengthy submissions would be provided at the discretion of Core Groups.

CONSTITUTIONAL ASSEMBLY SCHEDULE

23 JANUARY - 6 JULY 1995

Date	Event	Time	Venue
Monday 23 January	Management Committee Chairpersons meet with all Chairs of Theme Committees Opening of Parliament <i>Final deadline for Submissions for Block One</i>	08h00 - 10h00 10h30 - 13h00 14h15	V16 M515
Tuesday 24 January	Core Group Meetings Constitutional Assembly	08h30 - 12h00 14h00 - 18h00	
Wednesday 25 January	Theme Committee 1 Theme Committee 2 Theme Committee 3 Theme Committee 4 Theme Committee 5 Theme Committee 6	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M515 M46 E249 M46 M515 E249
Thursday 26 January	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 M515 E249 M515 M46 E249
Friday 27 January	Management Committee Core Group Meetings Party Caucuses	08h00 - 10h00 10h30 - 13h00 14h00 - 16h00	V16
Saturday 28 January	Public Participation Event		
Sunday 29 January	Public Participation Event		
Monday 30 January	Theme Committee 1 Theme Committee 2 Theme Committee 3 Constitutional Committee Theme Committee 4 Theme Committee 5 Theme Committee 6	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h15 - 16h00 16h30 - 21h00 16h30 - 21h00 16h30 - 21h00	M515 M46 E249 M46 M46 M515 E249
Tuesday 31 January	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 M515 E249 M515 M46 E249

Wednesday 1 February	Theme Committee 1 Theme Committee 2 Theme Committee 3 Theme Committee 4 Theme Committee 5 Theme Committee 6 <i>Deadline for Drafting of Reports for Constitutional Committee</i> <i>Deadline for Submissions for Block Two</i>	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M515 M46 E249 M46 M515 E249
Thursday 2 February	Theme Committee 4 Theme Committee 5 Theme Committee 6 Theme Committee 1 Theme Committee 2 Theme Committee 3 <i>Deadline for Submission of Reports for Constitutional Committee</i>	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M46 M515 E249 M515 M46 E249
Friday 3 February	Management Committee Core Group Meetings Party Caucuses	8h00 - 10h00 10h30 - 13h00 14h00 - 16h00	V16
Saturday 4 February	Free		
Sunday 5 February	Free		
Monday 6 February	Management Committee Constitutional Committee <i>- END OF BLOCK ONE -</i>	08h00 - 10h00 10h30 - 18h00	V16 M46
Tuesday 7 February	Theme Committee 1 Theme Committee 2 Theme Committee 3 Theme Committee 4 Theme Committee 5 Theme Committee 6	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M515 M46 E249 M46 M515 E249
Wednesday 8 February	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 M515 E249 M515 M46 E249
Thursday 9 February	Theme Committee 1 Theme Committee 2 Theme Committee 3 Theme Committee 4 Theme Committee 5 Theme Committee 6	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M515 M46 E249 M46 M515 E249
Friday 10 February	Management Committee Core Group Meetings Party Caucuses	08h00 - 10h00 10h30 - 13h00 14h00 - 16h00	V16
Saturday 11 February	Public Participation Event		
Sunday 12 February	Public Participation Event		

Monday 13 February	Management Committee Constitutional Assembly	08h00 - 10h00 10h15 - 18h00	V16
Tuesday 14 February	Theme Committee 4 Theme Committee 5 Theme Committee 6 Theme Committee 1 Theme Committee 2 Theme Committee 3 <i>Deadline for Drafting of Reports for Constitutional Committee</i>	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M46 M515 E249 M515 M46 E249
Wednesday 15 February	Theme Committee 1 Theme Committee 2 Theme Committee 3 Theme Committee 4 Theme Committee 5 Theme Committee 6 Deadline for Submissions for Block Three	08h30 - 13h00 08h30 - 13h00 08h30 - 13h00 14h00 - 18h30 14h00 - 18h30 14h00 - 18h30	M515 E249 E249 M46 M515 M46
Thursday 16 February	Management Committee Party Caucuses <i>Deadline for Submission of Reports for Constitutional Committee - END OF BLOCK TWO -</i>	08h00 - 12h00 14h00 - 16h30	V16
Friday 17 February	President's Address to Parliament		
Saturday 18 February	Public Participation Event		
Sunday 19 February	Public Participation Event		
Monday 20 February	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 12h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515 E249 V16 M46 M515 M46 E249
Tuesday 21 February	Debate on President's Address		
Wednesday 22 February	Debate on President's Address <i>Deadline for Submissions for Block Four</i>		
Thursday 23 February	Management Committee Party Caucuses Debate on President's Address	08h00 - 10h00 10h15 - 13h00 14h00	V16
Friday 24 February	Debate on President's Address		
Saturday 25 February	Public Participation Event		
Sunday 26 February	Public Participation Event		

Monday 27 February	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 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M515 M46 E249 V16 M46 M515 E249
Wednesday 1 March	<i>Deadline for Submission of Reports for Constitutional Committee - END OF BLOCK THREE -</i>		
Thursday 2 March	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 4 March	Public Participation Event		
Sunday 5 March	Public Participation Event		
Monday 6 March	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515 E249 V16 M46 M515 M46 E249
Thursday 9 March	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 11 March	Public Participation Event		
Sunday 12 March	Public Participation Event		
Monday 13 March	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 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M515 M46 E249 V16 M46 M515 E249
Wednesday 15 March	<i>Budget Deadline for Submission of Reports for Constitutional Committee - END OF BLOCK FOUR - Deadline for Submissions for Block Five</i>		
Thursday 16 March	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 18 March	Public Participation Event		

Sunday 19 March	Public Participation Event		
Monday 20 March	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515 E249 V16 M46 M515 M46 E249
Thursday 23 March	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	
Saturday 25 March	Public Participation Event		
Sunday 26 March	Public Participation Event		
Monday 27 March	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 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M515 M46 E249 V16 M46 M515 E249
Wednesday 29 March	<i>Deadline for Submission of Reports for Constitutional Committee - END OF BLOCK FIVE - Deadline for Submissions for Block Six</i>		
Thursday 30 March	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 1 April	Public Participation Event		
Sunday 2 April	Public Participation Event		
Monday 3 April	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515 E249 V16 M46 M515 M46 E249
Thursday 6 April	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 8 April	Public Participation Event		
Sunday 9 April	Public Participation Event		
Monday 10 April	Management Committee Constitutional Assembly	08h00 - 10h00 10h15 - 18h00	V16
Tuesday 13 - 23 April	<i>Easter Recess</i>		

Monday 24 April	Theme Committee 1 Theme Committee 2 Theme Committee 3 Management Committee Constitutional Committee Theme Committee 4 Theme Committee 5 Theme Committee 6	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 22h30 18h00 - 22h30 18h00 - 22h30	M515 M46 E249 V16 M46 M46 M515 E249
Thursday 27 April	<i>Freedom Day</i>		
Saturday 29 April	Public Participation Event		
Sunday 30 April	Public Participation Event		
Monday 1 May	<i>Workers Day</i>		
Wednesday 3 May	<i>Deadline for Submission of Reports for Constitutional Committee - END OF PART SIX - Deadline for Submissions for Block Seven</i>		
Thursday 4 May	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 6 May	Public Participation Event		
Sunday 7 May	Public Participation Event		
Monday 8 May	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 22h30 18h00 - 22h30 18h00 - 22h30	M46 M515 E249 V16 M46 M515 M46 E249
Thursday 11 May	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 13 May	Public Participation Event		
Sunday 14 May	Public Participation Event		
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 18h00 - 22h30 18h00 - 22h30 18h00 - 22h30	M515 M46 E249 V16 M46 M515 E249
Wednesday 17 May	<i>Deadline for Submission of Reports for Constitutional Committee - END OF BLOCK SEVEN - Deadline for Submissions for Block Eight</i>		

Thursday 18 May	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 20 May	Public Participation Event		
Sunday 21 May	Public Participation Event		
Monday 22 May	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515E2 49 V16 M46 M515 M46 E249
Thursday 25 May	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 27 May	Public Participation Event		
Sunday 28 May	Public Participation Event		
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 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M515 M46 E249 V16 M46 M515 E249
Wednesday 31 May	<i>Deadline for Submission of Reports to Constitutional Committee - END OF BLOCK EIGHT - Deadline for Submissions for Block Nine</i>		
Thursday 1 June	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 3 June	Public Participation Event		
Sunday 4 June	Public Participation Event		
Monday 5 June	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 13h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515 E249 V16 M46 M515 M46 E249
Thursday 8 June	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 10 June	Public Participation Event		
Sunday 11 June	Public Participation Event		

Monday 12 June	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 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M515 M46 E249 M46 M515 E249
Wednesday 14 June	<i>Deadline for Submission of Reports to Constitutional Committee - END OF BLOCK NINE - Deadline for Submissions for Block Ten</i>		
Thursday 15 June	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 17 June	Public Participation Event		
Sunday 18 June	Public Participation Event		
Monday 19 June	Theme Committee 4 Theme Committee 5 Theme Committee 6 Management Committee Constitutional Committee Theme Committee 1 Theme Committee 2 Theme Committee 3	08h30 - 12h00 08h30 - 12h00 08h30 - 12h00 12h00 - 12h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M46 M515E2 49 E249 V16 M515 M46 E249 E249
Thursday 22 June	Management Committee Party Caucuses	08h00 - 10h00 10h15- 13h00	V16
Saturday 24 June	Public Participation Event		
Sunday 25 June	Public Participation Event		
Monday 26 June	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 - 12h00 14h00 - 17h00 18h00 - 21h30 18h00 - 21h30 18h00 - 21h30	M515 M46 E249 V16 M46 M46 M515 E249
Wednesday 28 June	<i>Deadline for Submission of Reports to Constitutional Committee - END OF BLOCK TEN -</i>		
Thursday 29 June	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Saturday 1 July	Public Participation Event		
Sunday 2 July	Public Participation Event		
Monday 3 July	Constitutional Committee	10h00 - 18h00	M46

Thursday 6 July	Management Committee Party Caucuses	08h00 - 10h00 10h15 - 13h00	V16
Friday 7 July - 7 August	<i>Mid - Year Recess</i>		
Monday 10 July	Constitutional Assembly	10h00 - 17h00	