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CONSTITUTIONAL ASSEMBLY

**THEME COMMITTEE 4
FUNDAMENTAL RIGHTS**

7 August 1995

REPORT:

3. FREEDOM OF ASSOCIATION

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THEME COMMITTEE 4
-FUNDAMENTAL RIGHTS

**SCHEMATIC REPORT ON THE
RIGHT TO FREEDOM OF ASSOCIATION**

N O	CONSTITUTIONAL PRINCIPLES	ISSUES	NON - CONTENTIOUS ASPECTS	CONTENTIOUS\ OUTSTANDING ASPECTS	REMARKS
1.	II	Nature of right (Application of Constitutional Principle II)	Freedom of Association is a fundamental human right which should be specifically protected in the final Constitution.		
2.		Content of right	<p>Freedom to associate applies to all forms of association whether political, religious or cultural.</p> <p>The freedom in so far as it affects trade unions and employer associations should be dealt with separately under the rights and freedoms concerning labour relations.</p> <p>Freedom of association should not provide constitutional protection for unfair discrimination.</p>	<p>The right must include the right not to associate - ACDP.</p> <p>A provision similar to s 33(4) which permits Parliament to take measures to outlaw racial discrimination, should be included in order to prevent the right to freedom of association being used to protect racial discrimination - ANC, NP.</p> <p>The right to freedom of association should be made subject to the equality clause in order to prevent the right to freedom of association being used to protect racial discrimination - DP.</p> <p>The right to freedom of association should not be subject to the equality clause - FF.</p>	

N O	CONSTITUTIONAL PRINCIPLES	ISSUES	NON - CONTENTIOUS ASPECTS	CONTENTIOUS\ OUTSTANDING ASPECTS	REMARKS
3.		Application of the right (Nature of Duty)	The right has to be respected and protected by the State.		
4.		Application of the right (To common and customary law)	Shall apply to common law and customary law.		
5.		Application of the right (Duty on Private Actors)		<p>The duty shall not be imposed on private actors - ACDP, NP</p> <p>The duty must be imposed on private actors - ANC, DP</p>	
6.		Bearers of the right	Natural persons are the bearers of right.	<p>Associations of natural persons may be bearers of this right - ANC</p> <p>Juristic persons may be bearers of the right - ACDP, DP and FF</p> <p>Illegal aliens may not be bearers of the right - FF</p>	

NO	CONSTITUTIONAL PRINCIPLES	ISSUES	NON - CONTENTIOUS ASPECTS	CONTENTIOUS\ OUTSTANDING ASPECTS	REMARKS
7.	Section 33	Limitation of right		The criteria identified in the International Covenant on Civil and Political Rights, namely limitations that are "necessary in a democratic society, in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others" should be included - FF <i>Outstanding</i> ¹ .	
8.		Other		The right should be grouped together with other "citizens rights" - DP	

1. It should be noted that items marked "*Outstanding*" do not signify contention amongst political parties. Parties felt that these matters could best be dealt with at the level of the Constitutional Committee, where negotiation could take place.

THEME COMMITTEE 4 FUNDAMENTAL RIGHTS

REPORT ON RIGHT TO FREEDOM OF ASSOCIATION

This report is drawn up on the basis of submissions received from political parties, organisations of civil society and individuals; the public participation programme and other activities of the Constitutional Assembly.

PART I

MATERIAL CONSIDERED BY THE THEME COMMITTEE

1. **Submissions received from political parties (in alphabetical order):**
 - ACDP
 - ANC
 - DP
 - FF
 - IFP
 - NP
 - PAC

2. **Submissions received from the public and civil society²:**
 - 2.1 Individuals (in alphabetical order)
 - 2.2 Organisations (in alphabetical order)
 - 2.3 Government structures\ institutions (in alphabetical order)

3. **Technical Committee reports:**

None to date

4. **Relevant Constitutional Principles**

II

2. This section will be completed once all the submissions received have been processed.

PART II

1. APPLICATION OF CONSTITUTIONAL PRINCIPLE II

1.1 Non-contentious Issues

1.1.1 Freedom of association is a fundamental human right.

2. CONTENT AND SCOPE OF THE RIGHT

2.1 Non-Contentious Issues

2.1.1 Freedom to associate applies to all forms of association whether political, religious or cultural.

2.1.2 The freedom in so far as it affects trade unions and employer associations should be dealt with separately under the rights and freedoms concerning labour relations.

2.1.3 Freedom of association should not provide constitutional protection for unfair discrimination.

2.2 Contentious\ Outstanding³ Issues

2.2.1 The right must include the right not to associate - ACDP.

2.2.2 A provision similar to s 33(4) which permits Parliament to take measures to outlaw racial discrimination, should be included in order to prevent the right to freedom of association being used to protect racial discrimination - ANC & NP.

2.2.3 The right to freedom of association should be made subject to the equality clause in order to prevent the right to freedom of association being used to protect racial discrimination - DP.

2.2.4 The right to freedom of association should not be subject to the equality clause - FF.

³ It should be noted that items marked "Outstanding" do not signify disagreement amongst political parties or contention. Parties felt that these matters could best be dealt with at the level of the Constitutional Committee, where negotiation could take place.

3. APPLICATION OF THE RIGHT (Nature of the duty on the state)

3.1 Non-contentious Issues

3.1.1 The right has to be respected and protected by the State.

4. APPLICATION OF THE RIGHT (To common and customary law)

4.1 Non-contentious issues

4.1.1 The right must apply to the common and customary law.

5. APPLICATION OF THE RIGHT (Duty on private actors)

5.1 Contentious\ Outstanding Issues

5.1.1 The duty shall not be imposed on private actors - ACDP & NP.

5.1.2 The duty must be imposed on private actors - ANC & DP.

6. BEARERS OF THE RIGHT

6.1 Non-contentious Issues

6.1.1 Natural persons are the bearers of the right.

6.2 Contentious\ Outstanding Issues

6.2.1 Associations of natural persons may be bearers of the right - ANC.

6.2.2 Juristic persons may be bearers of the right - ACDP, DP & FF.

6.2.3 Illegal aliens may not be bearers of the right - FF.

7. LIMITATION OF THE RIGHT

7.1 Non-contentious Issues

7.1.1 The right may be limited provided that the limitations are reasonable and justifiable in an open and democratic society.

7.2 Outstanding Issues

7.2.1 The criteria identified in the International Covenant on Civil and Political Rights, namely limitations that are "necessary in a democratic society, in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others" should be included - FF.

8. OTHER ISSUES

8.1 The right should be grouped together with other "citizens' rights" - DP.

ADDENDUM

PARTY SUBMISSIONS

- ACDP

**AFRICAN CHRISTIAN DEMOCRATIC PARTY
SUBMISSION TO THE CONSTITUTIONAL ASSEMBLY
THEME COMMITTEE FOUR**

FREEDOM OF ASSOCIATION

Content of the Right

Section 17 of the Constitution reads that "every person shall have the right to freedom of association."

The inclusion of this right is both constitutionally correct, yet politically controversial. It is dependent upon the character of our nation to allow this right as long as the rights of others are not infringed, or the stability of society attested.

Freedom of association or dissociation is a democratic right that caters for respect of individual privacy and for institutional cohesiveness and freedom.

As regards all rights, responsibility and the collective value to uphold the goodwill of all people are the cornerstones for effective exercise and manifestation of fundamental rights. The founding of voluntary or statutory associations rest on the assumption that individual and community (association) rights are protected, and that the fundamental rules that hold these diverse sectors together are the basic human values of love, respect, honesty, truthfulness, accountability and a divine spiritual bond.

Society demands that laws which encourage justice, transparency, peace, morality and social upliftment, should be maintained. These are requirements for social stability and neighbourliness. The right to freedom of association is limited to these.

- ANC

PRELIMINARY SUBMISSION OF THE AFRICAN NATIONAL CONGRESS- BLOCK 2 -

A. FREEDOM OF RELIGION, BELIEF, and OPINION.

1. These rights are part of a cluster of core rights dealing with freedom of expression, association, language, culture and information. At the epicentre of the rights dealt with under section 14(1) of the Interim Constitution is the right to religion. We believe that the right to freedom of opinion and academic freedom are best dealt with under freedom of expression.

The ANC believes that there shall be freedom of worship and tolerance of all religions. Places associated with religious observance shall be respected and none shall be barred from entering them on grounds of race. Inherent in these rights is the recognition and acceptance of diverse beliefs. We propose the following formulation:

" Everyone shall have the right to freedom of conscience, religion, thought, or belief."

We have no objections to the provisions as set out in sections 14(2) and 14(3) of the Interim Constitution.

2. Application of the Right:

2.1 There shall be a positive duty to ensure that the rights are protected where violation occurs.

2.2 The freedom of religion, belief, and thought invariably impact on customary and religious rites and the laws as they apply to such customs and traditions.

2.3 The rights shall bind all individuals, institutions, and structures.

2.4 Natural persons shall be the bearers of the right.

2.5 The "holding" of a belief or thought (religious or otherwise cannot be limited. The manifestation of the belief or thought can under reasonable circumstances be limited in an open and democratic society. Such limitations may be permissible in order to give effect to other rights in the constitution particularly the right of equality.

B. FREEDOM OF ASSOCIATION:

The right of freedom of association includes the right to join religious, social, cultural, political bodies and to join trade unions, and to form and participate in non-governmental organisations. This core of rights protects free and fair political activity and impacts directly on labour law. Article 20 of the Universal Declaration of Human Rights, Article 22 of the International Covenant on Civil and Political Rights specifically deal with this right.

Given South Africa's history, there is concern that the right to freedom of association can be used as a shield that protects privatised apartheid or gender discrimination. In our view a strong "Equality" clause and a provision similar to section 33(4) in the Interim Constitution which specifically deals with the validity of laws designed to prohibit discrimination by private clubs, associations, or individuals is adequate to counter such threats. The right may be formulated as follows:

" Every person shall have the right to freedom of association"

2. Application of the Right.

2.1 The state shall have a duty to protect the right against violation.

2.2 The right includes the rights of association with religious, customary or cultural institutions.

2.3 It shall bind private institutions, individuals and social structures.

2.4 Natural persons or natural persons as a group or collective e.g. a church organisation or labour union.

2.5 The usual criteria in an open and democratic society. However, where the association is of a political nature the limitation shall occur under stricter conditions. In addition, a provision similar to section 33(4) in the Interim Constitution should be a specific constitutionally permitted provision.

C. THE RIGHT TO ASSEMBLE, DEMONSTRATE AND PETITION.

1. These rights too are inter-related with freedoms of expression, free and fair political activity and other similar rights. All men and women shall have the right to assemble peacefully and without arms, and to submit petitions for the redress of grievances and injustices.

The exercise of the right occurs with due and proper consideration for the peace, safety and security of other people. Hence the qualifications of "peaceful" and "unarmed" assembly or demonstration. This right also finds expression in Article 20.1 of the U.N. Declaration of Human Rights.

The presentation and receiving of petitions has been frequently used in organised political activity in the past and continues to be an effective mechanism to articulate grievance or express support or opposition.

2. Application of the Right.

2.1 The state shall protect the right.

2.2 The right applies at all levels of civil society.

2.3 All persons, institutions and structures are bound by the right.

2.4 Natural persons shall be bearers of the right.

2.5 See 2.5 above.

2.6 Suspension under state of emergency under judicially controlled circumstances can occur.

The formulation of this right as it appears in the Interim Constitution is accepted.

- DP

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Demokratiese Party
Democratic Party

20.04.1995

CONSTITUTIONAL ASSEMBLY
THEME COMMITTEE 4
FUNDAMENTAL RIGHTS

DEMOCRATIC PARTY SUBMISSION ON:

3.1 : FREEDOM OF RELIGION

3.2 : FREEDOM OF ASSOCIATION

3.3 : FREEDOM OF DEMONSTRATION

FREEDOM OF RELIGION, BELIEF AND OPINION

1. Content of the Right

1.1 Section 14 of the Constitution reads:

- "(1) Every person shall have the right to freedom of conscience, thought, belief and opinion, which shall include academic freedom in institutions of higher learning.
- (2) Without derogating from the generality of subsection (1), religious observances may be conducted at state or state-aided institutions under rules established by an appropriate authority for that purpose, provided that such religious observances are conducted on an equitable basis and attendance at them is free and voluntary.
- (3) Nothing in this Chapter shall preclude legislation recognising-
- (a) a system of personal and family law adhered to by persons professing a particular religion; and
- (b) the validity of marriages concluded under a system of religious law subject to specified procedures."

The Democratic Party supports the broad nature of the rights entailed in the provisions of Section 14. However, we believe that they need to be rearranged fundamentally.

For example, we are of the view that freedom of conscience and religion, thought, belief and opinion should appear together with the provisions of free expression and speech. Likewise, we believe that the right to freedom of peaceful and unarmed assembly and to peaceful association could all be contained under a similar right, in other words, the right to fundamental freedoms.

In place of the current formulations of Section 14 (freedom of religion, etc), Section 17 (freedom of association) and Section 18 (freedom of demonstration, we would propose the following:

1.2 Right to Fundamental Freedoms

Every person shall have the right to:-

- (1) Freedom of conscience and religion, and consequently, the State shall not favour one religion over another:
- (2) Freedom of speech, thought, belief, opinion and expression, including freedom of the press and the other media of communication. In respect of the exercise of its control, if any, over any public media, the State shall ensure diversity of expression and opinion:
- (3) Freedom of peaceful and unarmed assembly:
- (4) Freedom of peaceful association, subject, however, to the provisions of (the equality clause):

We strongly believe, in addition, that the provisions in Section 14, as currently worded, protecting academic freedom are extremely valid and important. However, we question whether they would not be better placed together with the rights to education contained in Section 32 of the Interim Constitution.

Wherever the academic freedom clause is placed in the final constitution, we strongly believe that the right to academic freedom needs to be contained in the Charter of Rights. We believe a formulation, slightly expanded on the present one, could read as follows:

- (1) The freedom to study, learn and teach shall be guaranteed.
- (2) The state shall not try to shape education or culture in accordance with any particular political or ideological commitment.
- (3) The academic freedom of every university and similar institution of higher learning shall be guaranteed.

As regards the right to education, South Africa has a multitude of religious faiths and beliefs. One of the fortunate aspects of our history and tradition as a nation has been the presence of a great deal of religious tolerance.

However, freedom of conscience, religion and belief must be interpreted in the light of all the provisions of the Bill of Rights, and especially the limitation and equality clauses.

The Democratic Party supports a broad general formulation and believes it is the role of the courts to give practical effect and content to the right. We would, therefore, propose that instead of the somewhat tortuous formulation in the Interim Constitution that a broadly based right of religious freedom, together with its companion rights be formulated, along the lines suggested above.

As regards the necessity for a specific clause enshrining the right to academic freedom, we regard the light of learning as the torch of democracy. True learning, independent of political control, is the nemesis of tyranny. Recognizing that, the authors of apartheid twisted education into a means of repression. Never again can that be permitted. Democracy means that decisions are taken by persuasion, rather than coercion. True persuasion can only take place in a culture which respects learning. Unless learning flourishes, therefore, democracy cannot be attained. And without freedom, learning cannot flourish. The Bill of Rights should seek to guarantee the freedom and independence of learning.

During apartheid, among those who most constantly kept alive the idea of democracy, and indeed the values affirmed by any future Bill of Rights, were the independent universities. They became, in consequence targets for oppression. The Bill of Rights should seek to put them, and all institutions of higher learning like them, beyond further interference.

The formulation of the rights proposed in respect of freedom of peaceful and unarmed assembly and association will be dealt with separately below.

1.3. Application of the Right

A positive duty is imposed upon the State to adhere to the rights contained herein and not to interfere with either the belief of religious freedom, the belief and practice and propagation of religious viewpoints, nor the rights of academic freedom.

1.4 Constitutional Duty on Other Actors

Clearly, these rights would be appropriate for horizontal application, subject to suitable limitation in the appropriate clause.

1.5 Bearers of the Right

Clearly, a meaningful right to religious freedom should exist for both individual citizens and to institutions which practice both the expression of religious viewpoints (churches, synagogues, mosques and temples) and related juristic persons. In respect of the right to academic freedom, we believe that institutions, such as universities and technikons, should be able to enforce the right against individuals or the State itself.

1.6 Limitations

The right to freedom of religious expression and belief and opinion and academic freedom should be subject to reasonable limitations in a properly formulated limitations clause, such as that provided for in the Interim Constitution in terms of Section 33.

2. FREEDOM OF ASSOCIATION

Section 17 of the Interim Constitution provides:

"Every person shall have the right to freedom of association".

2.2 Content of the Right

Freedom of association is a general capacity of citizens to join, without interference from the State or others, in associations, in order to attain various ends. This is an uncontroversial right which should be supported. For the reasons stated under 3.1 (freedom of religion) we believe this more properly belongs together with citizens rights to fundamental freedom and that would be the proper place for the right to appear.

In order to allay any fears, whether legally founded or not, that freedom of association could be used as a shield behind which privatised racism or discrimination can take place, we have proposed that freedom of peaceful association should be made subject to the provisions of the equality clause. In any event this is probably unnecessary since the constitution will be read as a whole (in other words, the equality clause will be read together with all other clauses such as that providing guaranteed right to association). It might be as well to dispel any fears on this count by making such provision explicit.

2.3 Application of the Right

A positive duty is imposed on the State which is apparent from the wording of the clause.

2.4 Application of the Right to Common/Customary Law

We believe that freedom of association is a fundamental democratic right which should, subject to resolution on the debate on the horizontal application of the Bill, be made applicable to the common law and customary law as well.

2.5 Bearers of the Right

Both natural and juristic persons should enjoy the right to freedom of association primarily because the rights of association itself implies a collectivisation of individual rights, such as the formation of organisations and associations to advance a particular cause. It would be unduly limiting and ineffectual if the right were to be confined to natural persons only.

3. FREEDOM OF DEMONSTRATION

Section 16 of the Interim Constitution provides:

"Every person shall have the right to assemble and demonstrate with others peacefully and unarmed, and to present petitions."

3.1 Content of the Right

The Democratic Party regards the right to demonstrate, subject to the limitations contained in the above clause, as being fundamental and of social value to our democratic society. This is particularly true in South Africa, with our long history of public demonstrations against oppressive rule. However, like all rights, the right to demonstrate is subject to limitation. Aside from reasonable restrictions which the government would be able to place on demonstrations in order to maintain public order, which are provided for in terms of the general limitation clause of the Interim Constitution (Section 33), we particularly approve of the constitutional requirement (in terms of the current formulation) that any assembly or demonstration be both "peaceful" and "unarmed". Since a lawless or armed assembly of persons would completely negate the democratic and constitutional rights of others, and all too unfortunately in the recent history of South Africa has often become the norm of public demonstrations, we believe these limitations to be both necessary and democratic. These limitations are also consistent with similar provisions in other human rights instruments.

3.2 Application of the Right

The bearers of the right should be natural persons and juristic persons (collectivised associations of persons who are likely to demonstrate with a common objective in mind).

3.3 Limitation of the Right by the Legislators

This matter has been dealt with under the Content of the Right.

3.4 Application of the Right to Common/Customary Law

The Democratic Party believes that this right should be applicable in terms of both the common law and customary law.

- FF



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FREEDOM FRONT

THEME COMMITTEE 4 (FUNDAMENTAL RIGHTS)

SUBMISSIONS ON FREEDOM OF ASSOCIATION

1. Content of the right

- 1.1 Constitutional Principle XII deals with so-called "Collective rights of self-determination in forming, joining and maintaining organs of civil society". Section 17 of the transitional Constitution contains the cryptic statement: "Every person shall have the right to freedom of association."

It is necessary to delineate the scope of the right of freedom of association in the present context, which is a general one. The Freedom Front is of the opinion that the relationship of a right of association as far as collective bargaining and other labour matters are concerned (also Constitutional Principle XXVIII), should be considered in the context of labour rights, which are specifically dealt with by the bill of rights and arise for discussion at a later stage.

The concept of freedom of association is, apparently, in conflict with various other principles. One of these is the general principle of non-discrimination, in respect of which we consider the contradiction to be more apparent than real. The motivation appears in 1.2 below. Another principle apparently contradictory to the principle of freedom of association is the principle of equality. Also in this case the alleged contradiction is more apparent than real: the fact that people are equal in human dignity or equal before the law does not mean that they can insist on equal treatment with others in the case of associations catering for the special needs of the latter and envisaged by the principle of freedom of association. This is in accordance with Constitutional Principle XI, which requires the acknowledgment and protection of the diversity of language and culture in South Africa.

The Freedom Front is of the opinion that the Roman-Dutch common law and indigenous customary law cannot deal adequately with freedom of association. The latter is a contemporary concept, which must be understood in the context of evolving norms of public international law and constitutional law of the twentieth century.

2.3 Should the right impose a constitutional duty on actors other than the state?

The Freedom Front considers that not only the state but all inhabitants of the country should respect the freedom of association of individuals and that a constitutional duty in that regard should be contained in a bill of rights. Freedom of association of individuals can be infringed not only by state action, but also by the conduct of fellow citizens. This right or freedom should therefore have vertical as well as horizontal application.

2.4 Who should be bearers of the right?

We are of the opinion that all natural persons who are citizens and all aliens lawfully admitted to the country should be bearers of this right. By reason of the fact that voluntary associations have juristic personality the right should be applicable also to juristic persons, i.e. voluntary associations and juristic persons created by statute.

2.5 Should this right be capable of limitation by the legislature?

The Freedom Front is convinced that freedom of association is a fundamental right as important as the prohibition of unfair discrimination. We are accordingly of the view that this right should not be capable of limitation by the legislature, otherwise than in accordance with the international law limitations referred to above and the provisions of a general limitation clause applicable to all fundamental rights (at present section 33 of the transitional Constitution).

- NP

NATIONAL PARTY PRELIMINARY SUBMISSION

THEME COMMITTEE 4

BLOCK 5 ITEM 10: FREEDOM OF ASSOCIATION

1 Content of the right

The right to freedom of association protects contact with other people and co-operation among individuals for common purposes. As such, the right protects the freedom of the individual to associate with anybody and to form and join associations, as well as that of associations to freely pursue their goals. This right covers all forms of association, although specific rights with regard to political activities and parties, trade unions and employers' organisations and educational institutions based on common language, culture and religion are provided for in the transitional constitution.

1.2 Controversial issues

(a) *Private discrimination*

By implication, the freedom of association includes the right not to associate with another. The immediate question is whether the state may limit the grounds on which the individual or a private institution may refuse to associate with another and whether the individual or institution may be allowed to dissociate on any (rational or irrational) ground. May a club for men exclude women from membership? May a political party refuse members on the basis of language or culture? May a church refuse members on the basis of sexual orientation or race? These questions may become quite sensitive and in order to prevent abuse of this right, section 33(4) provides for legislation prohibiting private discrimination. This seems to be a practical approach to the

problem. It must, however, be borne in mind that such legislation does not in itself have constitutional status and insofar as it limits the right to freedom of association, it will have to comply with the limitations clause. It should, therefore, for example, not be possible through such legislation to negate the essential content of the right to freedom of association.

(b) Trade union arrangements

These matters should be dealt with expressly in the provision on the right to fair labour practices.

2. Application of the right

2.1 Nature of the duty on the state

The state must respect the individual's freedom of association and must refrain from restricting the right on grounds not covered by the limitations clause. Measures to prevent private discrimination as provided for in the present section 33(4) should, however, be possible.

2.2 Application to common law and customary law

The right should apply to common law and customary law.

2.3 Other actors

In principle, other actors are not bound by the right. In terms of the transitional constitution, private individuals and institutions will be bound only insofar as specific legislation prohibiting private discrimination (section 33(4)) applies to them.

2.4 *Bearers of the right*

This is one of those rights that obviously apply to *natural* as well as *juristic* persons such as clubs and other associations.

2.5 *Limitation of the right*

The right to freedom of association should be capable of limitation by the state. The state should be able to limit the right in the public interest as long as it complies with the limitations clause.

3 **Wording**

It is our view that the wording of the present section 17 should be followed unamended.

- PAC



24 April 1995

PRELIMINARY SUBMISSION OF THE PAC ON FREEDOM OF ASSOCIATION

Content of the Right

The right of every person to freedom of association including the right to pursue the objective of such association.

Application and Other Aspects.

1. This right should bind the State, private persons and bodies. This will amongst others, deal with the issue of privatised apartheid and exclusive clubs.
2. This is not an absolute right. It can be limited. Such limitations of course, must pass the test in a limitation clause of the final constitution.
3. As to labour relations, we do support the approach followed in the Interim Constitution. Fundamental Principles dealing with labour relations must be dealt in a separate constitutional clause and further details be covered by a Labour Legislation. Freedom of association will of course have an important role in this area.

R K Sizani - MP