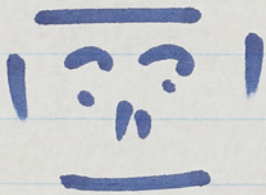


2/4/1/3/1

M₁₆
A₉
A₇
A₁



Constitutional Committee

Monday, 17 October, 1994.

DATE:-

Venue: (M46) Marks Building

1. Opening and welcome - C. Ramaphosa - in resuming our work

Agenda Adopted

2. I was present, none omitted - members Prof Asmat - proposed adoption

4. C - Media and Public part

Propose - look at Item 5 - process

- Worthwhile to look at the process FIRST

- In the package p21-59 then to 64

- submissions

- Hlesom IBRAMIM (on slides) presentation

- what has passed from presentations

- may not have suff. time

- facilities need to single out items that may not have been presented

③ Mr IBRAMIM:

- Attempt to be brief

- synopsis of the presentations

(slides)

- work programme document.

- Developing a work plan.

- Working towards elaborating on principles

- Considers time allocations, FRAMES

- Const. can't be written in a clinical fashion

- What we thought

- Use target DATES

Disc. of Rep. on the W.P.

It is recommended —

That is inclusive —

That being the case

- Allowed to work on
- Monday & Tuesday meetings
- as inclusive a programme
- merely sensitises people
- Can I just conclude
- period of recess
- Which is anticipated
- Thank you

© C-Ranaphosa (chair)

- There are a number
- opp. to clarify issues

Prof. De Witte = not a little bit ambitious = and to actually incorporate = come up with a final DRAFT

162
Rebinowitz
IFF
DC3

Chair = possible, a little too ambitious

GW Ebin = time, ambitious

- = what is missing
- = either The Const. Comm.
- = I am just
- = the other one
- = It was a concern

Chair = Thank you, Mr Ebin

K. Asmal = As being given

- = Time-frame is important
- = One or is
- = The other issue

Chair = imminence or next

R. de Lage = From there somehow

Mr. GINWALA = The second thing
= negotiate for more time.

Pahad = IF I could just

= the part recess

= I will argue

Chair = take decisions

= The general discussion

Mr. Meyer = Two specific proposals

= In the context

= Secondly, with regards

Mr. Chebani = I just wants

= The first issue

= The second point is

Mrs. Rabinowitz = After listening...

We also know...

We would like guidance...

Mrs. Sizoni = We welcome...

The only point...

Mr. Green = My question refers...

Mr. Chair = rephrasing the question

= referring to the existing

Chair = I think that will be the case

= move on to the

MASANDA = Mine is a point.

= clarity from Mrs. Rabinowitz

Chair = Seeking greater clarity

= give attention to specific issues

Ret CC/2

2nd page of memo =

Chair

- = From the inputs
- = subject to further elaboration
- = Mr. Meyer
- = In the management comm.
- = If we accept
- = Relationship between T/C CC/ CA
- = The other issue
- = It has also
- = If all these
- = In that regard

= The memo

= Do we

Consensus

① On the memo =

I sense that =

I did not =

The bulk of the work =

Theme committees should =

It is proposed =

A proposal is being ---

More time ---

We should ---

I seemed to ----

MABANDUA --- I think

I am raising

ASMAU --- I do not think ---

--- There are dynamics ---

--- lack of relationship ---

- A formal meeting ----

Chair... We agree in principle...
Dr. Ginzburg... The point...
The second is...

Mrs. Rasnowitz... continue to promote that issue.
We are doing...

Mr. Egan... perhaps the management comm.
We will not get the work...
The three work recess...
I will argue strongly...

Mr. Chair = In principle we need

Mr. P. Goshan = discussion is abstract

Chair = This issue should

De Lange = I just fix it.

Asmac = It may be...

= I think it is...

Chair = We will consider...

= I would like us

= Initially raises by

Mr. L. Wessels = Thank you...

= There have been...

= I am just.

Chair = Gent. Viljeen

Gent. Viljeen = I have really

= I would again

= The point I want

= The decisions

= The proportional representation

= Consider the amendment

Chair = So as to focus...

Sizani = Our only problem...

Chair = Let us remember

Chabane = I think these are two important...

Dr. Ngimaha --- Diff. between simultaneous & concurrent

Mr. Chair = When I FIRST READ

Mr. Chair = As I indicates

Prof. du Toit = I would just like to hear

Mr. Chair = People need to be brief

Prof. Meshore = If we want to build

Mr. MHLANGU = Although, I am partly covered.

Mr. SETHI = What is the problem

Mr. Chair = Can we explain

HASSAN = Position is very STRAIGHTFORWARDS

Chair = I would like to get.

Dr. GINWALA = I think firstly

Mr. NABANDLA =

GW. EGUM = While I support

Chair = 3 or 4 over people

De Lange = I want to agree

Chair = The last two

Gooban = I agree with each

PAHAD = I thought what

Mr. Chair = Mr. de Lange has made a

Gen. Viljoer = I would like to say

Mr. Chair = Who did you say (interjection).

Mr. Chair = ^{Mr. Sizani,} You have your chance

Mr. Sizani = The only point

?

Mr. Chair = If we can resolve

Chair = We have gone

= I propose

Mr. de Lille = The f.t. is your favourite

Mr. SMITH = It seems to me.

Mr Chair = I would like.

Ms. MABANDLA --- I am enriching

Mr. Chair. - I conferred.

Item 4

Mr. Chair = The one problem.

Mr. Ebrahim = I will try.

Chair = This matter is.

Genvale = I would like to.

Mr. Chair = There is a proposal.

Mr. Chair = let us have

Ms. Rabinowitz = I would like to say.

MABANDLA Ms. = Just to mention

Chair = that is a correction

Mr. L. Meyer = I would like to.

Mr. EGM = Perhaps, This could be.

Mr. PARRAD = At this point.

Mr. Chair = This stems largely.

Mr. PARRAD = I would like to.

Chair = Ms de Lise.

Ms de Lise = a question of clarity

* Dr. GINWANA = I would like to say.

Prof du TOIT = That was the point.

Ms. Rabinowitz = I would like to.

Mr. Chair = We have two.

MABANDLA Ms. = Point of caution.

Chair = I just wanted.

Mr. Meyer = I share the concern.

Mr. PARRAD = Could not we.

Mr. GINWANA = How are we.

Ms. Rabinowitz = I would like to.

Chair = May, I say.

Prof du TOIT = Just for the sake.

Chair = The same question.

41.6.
Process
issue,
not a
substantive
issue.

Me'lon Rheener N.B.

Dr. Giwela = I do not have --

Mr. Chair = There is a proposal
(Yes/No (next to) = seconded

Mr. PACHA = As long as --

Giwela = Course we need --

Mr. Chair = There is a proposal

Mrs. MABADWA = I do not think --

H. Wessels = We are falling --

PACHA = We are discussing --

Mrs. Rabi = We do not --

Mr. Chair = That is another --

Mr. Chair = I would like --

Gain = Point of information --

Mr. Ibrahim Refer to pg. 65

Rabinowitz = He did say --

Chair = We have not --

Mrs. Rabinowitz = I was not thinking

Mr. Chair = I must say --

Mr. Gain = I just have --

Gen. Viljeen = I would like to --

Chair = I have a proposal --

Gain = Course not as --

Chair = Is that agreed

Comment - G.I. should be combined --

Chair = Then we move --

Chair = The T/C will --

" = That management shall --

" = there is 6 --

Mr. Sette = Agrees on that

Chair = If we approve --

Smith Sette = In fact, I did --

Chair = Let us hear - - - - .

Mr. Chair = What you are saying - - - - .

Prof du Toit = -- We must just remember - - - - .

Dr. Ginnola = I just want to - - - - .

MABANDLA B =

Sizani R.K. = I would like to - - - - .

Chair = That is a question - - - - .

PANHO = The reason I - - - - -

Prof du Toit = I really want us - - - - .

Mr. Chair = I would like us - - - - .

RASINOWITZ = IF THIS IS SAID - - - - .

Chair = Would it help you - - - - .

Chair ~~write~~ = The reports - - - - .

Chair = I thank you, - - - - .

" = Can we agree - - - - .

" = Until we finalise - - - - .

Eccin = Why, I raise - - - - .

Chair = Would that be possible

HASSAM = IT IS WORKING

Chair = Should not we - - - - .

Dr. Ginnola = There are other - - - - .

Chair = Should we do - - - - .

Mr. RASINOWITZ = No. closure point - - - - .

Chair = No, no, we did - - - - .

Chair = Thank you - - - - .

= 8' o'clock et theme comm.

07.15 Am. =

The Comm I

Date: 24.10.94
Venue: ASIS

Minutes of

Mo. A. Adoption

Item 3

M.A. none

Item 4

Co-group report

to report
Mr. Murray

requests Mr. Murray
on the co-group.

Tried to meet before 17.00.
meeting. Some members did not attend. You discuss
on the prog. of work. views submissions for
today's meeting. Recommendations next meeting by
delegate, left one by me. Resolved. Co-
group should meet everyday.

Sec. a fax that meetings have been cancelled
confirmed by Ms. Tolson's office.

Chair

You sec. was shown, emphasize that
we all attend meeting.

Mr. Chikane

But on off-business.

Chair

Apology by Dennis Malozzi

Item 5 Dev of Workplan

Most suggest
ought. Submit a plan by next Sat Nov. 15.
U.P. envisage that we not identify cost. Items
we can put them into a programme. We can
break into small groups for discussion, please that
no not send report.

Prof. Riping

That each of responds to the question
make a submission to the core group. During
the course each party makes its own submission
present

Second that suggestion.

Remade

I suggest also to emphasize that
we really need a way sid to grapple with
the issues. Had to realize the

Mura

Suggest, we need to come with
deadlines.

I agree with the proposal, but we not
forget

Suggest I would suggest that
by the 30-11-94 process be finished. A trip
parallel. Work should be done.

Riping

Substantiates his secondment. We shall
not be embroiled in time-frame. Jim I is
going to dictate / fac. discussion of the new

Chair

Wed. should be deadline for submissions by the parties. Friday, the group should be able to produce this document.

Belgate

synthesizes the suggestion as a proposal.

Chair

Parties will see. There are certain guidelines, which we need to adhere to.

I.F.P. came very strong on the agenda of the day. No action was received, no submission was received from the I.F.P.

Item-6 I.O.P.

M. Hulda

Technical aspects - what is the position

Stewart

Suggest - each party make its own nominations. There is no overlap -

Chair

T/C

Moorecroft

Confirmation - 8 issues, (identified) - are we restricted to these only?

Chair

Ngumwa

These are guidelines emanating from the interim const. We can include other issues.

Belgate

Asp to you - kidding me.

Position is that process should be document-
driven.

Case - Apolo.

M3 in work

Request that the A.H.C. - wants an
A.H.C. calendar.

Chairman

W
10.0

Present

Mull.

T. GATE.

Meshae.

Mulder.

MOORECOTT.

Morris
E. Piloni

Core Group meeting

DATE: 27-10-1994

Time: 1600

Venue: M201

Agenda

1. Opening: - started at 4

Chair suggestion - midway programme / still pass submissions to T.C.I.
Dev - a common w.p. + submissions.

Proposal - Work on admin. guidelines proposed by admin.

MOOCROFT Process would be difficult, can we hear from
World Trade participants

Development of work plan: -

Felgate = Colation of the inputs to the Terms
Committee. Common ground and differences should be
spelt out.

MOOCROFT = Look at consensus points, take out to
commissions. (Means less work to us).

MOOCROFT = Com. bel. that the problem should be dealt
with as a matter of priority (proposal by amendment).

Mulder = ~~Opposed~~

~~oppose~~
Maloe = Follow the route taken by M.C. highlight
agreements and disagreements.

Marais = Opposes to commissions. / I prefer tech. committee

Felgate = We should colate reports / in future, into a
common document.

Marais = I would be prepared to go along with that,
especially that the Sec. is offering to assist us.

3. A.O.B. 4. Closure

3A. O.B.

Meeting RA Proposal - Members, should be given more time to participate.

Meeting closed at 1700 hrs.

Time - 1600 hrs.

Present: Mahalingu NJ (Chairperson)

E.K. Mookroop

A. Mahesh

R.G. Mulana

G. Pinali

S.W. Felgate

R.K. Nishu

A

Guests: Ramesh and Khilife from ...

Apologies:

None

Opening and welcome

1. The meeting was opened by Mr. N.J. Mahalingu who subsequently started the meeting.

2. The agenda was adopted

3. Development of work plan

4. ... was unanimously agreed ...

Minutes of the Core group meeting of Theme COMMITTEE I.

DATE :- 27.10.1994

VENUE :- M201

TIME :- 1600 hrs.

Present: MAHLANGU N.J. (Chairperson)

1. E.K. MOORCROFT

2. A. MARAIS

3. P.G. MULDER

A.G. PIMOLI

S.W. FELGATE

6. R.K. MASHOE

7.

Leola Rammbe and Khulile Rana were in attendance

Apologies:

None

1. Opening and welcome

1.1. The meeting was opened by Mr N.J. Mahlangu who subsequently chaired the meeting.

1.2. The agenda was adopted.

2.1. Development of work plan

After a lengthy discussion, it was unanimously agreed that

the ~~secretariat~~ ^{SECRETARIAT} OF T/C I administration will be responsible for collating the various party submissions. In this instance, admin. will specifically be looking at commonalities and differences also highlighting differences that ~~might be there~~ which may exist.

3 A.O.B. — The Chairperson promised his to allow a free-flow of debate. It was noted that sometimes the Chairperson tended to participate engage more in deliberations than in steering debate, the chairperson ~~was~~ agreed to observe his steering responsibilities in future.

4 Closure

The meeting ~~was~~ rose at 1700 hrs.

N.B.
=

Core-Group Report

The core-group to not only collate the ^{concerns} viewpoints but also highlight the non-contentious issues. The setting up of paper time-frames is also of the essence.

Meeting of TIC I

DATE = 31.10.1994

Time = 08.00

Venue = M46

— Mr. Felgate

— No apologies

1. Opening

2. Minutes

— Adopted

3. Matters arising

4. Core-Group report - Agreement - Parties to make submissions.

Mo would be for point of view
Sign - Report returned to the core-group for discussion.

Malaysi = Opposes to the core-group report of the document.

Sinwara = Can use core-group report to identify issues.

sub-items = Record the way forward = the meeting has not a core-group report will facilitate progress in a further meeting. Agreed = We just adjourn. The report needs redrafting we have enormous time-schedule, re-convene during the course of this week.

5. Development of work programme:

Core-Group Report

Parties to make submissions, report should be referred back to the core-group for discussion;

6. A. B. B.

contains differences highlighted

7. Closure

T/Frames

Guidelines of Director

report needs to be re-charted in such a way that the committee should use the core-group meeting report to identify issues.

to discuss the report - come out with a work plan. The guidelines should also involve sub-items, this is seen as a way of facilitating debate and encouraging much more meaningful discussion. T/c therefore directs

There is suff. consensus not to proceed with the report on the U.P.

Top = H.F. premises for inputs
Gimwald shall put clearly to the T.C. on what we want, sec. Rifaqa et. Gimwald.

^{Message}
M.H. ~~Whole~~ = p. We can begin to identify the U.P. that we desire.

M.B. Core - group will meet and re-examine the reports.
900

Gimwald should submit names for all to the Tech comm. Doc. deadline is Thursday afternoon

Core-group report

A hectic debate ensued around this item. The report would henceforth be sent back to the core-group for re-evaluation. The report should be DRAFTED in such a way that the committee would be able to use it as a document to direct the way-forward.

In this regard, the report should detail the guidelines clearly set out by the directorate. It was also suggested that the guidelines should also include sub-items, in order to facilitate much more meaningful debate, the end-result being a proper workplan. T.C. therefore directs the core-group to, not only collate the viewpoints but also highlight non-contentious issues. The setting up of proper fine frames is ALSO of the essence. Report should be circulated before the cut-off time is Not later than 3-11-94

Core-group meeting

1. Opening - Fel. - need parts of the submission made by the various parties.

P.A.C. - One more socialist & cap.

H.P. - Min. rights

J.H.C. - Multi-party Democracy.

Present

Fel W.

Moore E.K.

Morris A.

Mesloe R.K.

Majors-Pikori G.

Milnes P.G.

Mahlage R.K.

A.O.B Parties should TIC submit names for ^{or Tech Experts} appointment to the theme Com. before Thursday afternoon.

Moore

Point of order - Any party should not be disadvantaged by the fact that he is in the Chair. Set no priorities the list of items, group them into various categories.

Fel

One of Sec as reporters; were not even-handedly looking at the submissions. Suggest - that we draw an agenda for this meeting.

Morris & Pikori - we should follow the guidelines, and also put in sub-items.

Agenda

① Process should not be regarded as - cast in stone by secretarial reporters.

Mahlage

supports Morris.

Consultation by the secretariat is of the same. Microsoft etc.
Main: Report - must get the approval of the core-group; before
it goes to the CL. ADDITIONAL TASKS

- = Attached to technical reports
- = Could we ask parties to set the issues beforehand.
- Could we again set deadlines - ask the sec. to require from M.C. so that the core-group should utilise that information. 3 experts attached to Anna-Carm.

Final: I - Ambiguity on the process / or requirements to make recommendations.

Could we not propose names and then revisit when we get the names

Final: I - I have names of C. experts, who have written to us, universities, they in a data-base, we would make it available to the parties (p.p.s).

✓ Jelfs - Let us take a list of eight names

② Process - We need set permissions on the question of process. It is important. Allocation of networks is very important. We need direction from both to M.C. and the CL.

Microsoft: What - constitutional issues do we need to clarify. I have basic points with the document.

Change: There is going to be an illegal response to this document. We can't avoid that but we have to reach each consensus, that consensus should be a solid

SUB-ITEMS

The same as with differences. This is a trial & error issue. There will be an imple- process by the secretariat. Will make a way-forward. Minority-view will be documented.

Mark Consider the proposal from the directorate. = M. S. Mohan. Deal with priority issues. Mohan = We have contribute and non-contentious issues instead of consensus. C.C. have added the question of Maj and minority views

Commission = composed of non-~~sub~~ members and members. Page 37/12

Dec = Report minutes? A revised report or just give your minutes.

Fergate

Look at the heading. Parts of the report are raised reservation from the A-XIC. We need SUB-ITEMS - on the party's views. Workload on areas of overlap need to be further elaborated. Issues was not adequately looked at.

NAHL
That's
not
an
A-XIC
document

Next core-group meeting -
1600 on Wednesday — 1000 hrs

1. Guidelines 2. Process

The Core-Group resolved that guidelines and sub-items (as per directive proposal) should form the basis of the development of the envisaged work-plan. Process and sub-division of principles should also be included in the report. It was also mentioned that consultation by the Sec. to the chairperson prior to circulation of minutes is of the essence.

Of necessity a report should be approved by the core-committee before it is circulated.

3. Technical experts: Political parties need to submit names of such experts to the core-group. 3 people will be chosen to assist tech technical committee. It is suggested that 8 names be circulated in order to allow for changes.

4. A.O.B. - Sec. is requested to begin under tech documentation. Contentious and non-contentious issues need to be recorded. Per terms of the CA a commission is adequately defined in Rule 37.

Next meeting on Wednesday at 1600 hrs from the meeting now at 1400 hrs.

Minutes of Theme Committee I meeting

DATE 31.10.1994

VENUE M 46

Time 0800 am

Chairperson: Mr W.S. Felgate

Present:

1. E.K. Moorcroft
2. N.J. Mahlangu
3. A. Marais
4. G. Majocha-Pikoi
5. P.G. Mulder
6. R.W. Meshoe

Leola Rammole and Khulile Raai were in attendance.

Apologies:- None

1. Opening and welcome:- The meeting was opened by Mr. W. Felgate

1.2. Apologies - none

2. Minutes of the previous meeting were adopted.

3. Matters arising. - none.

4. Core-group Report:-

Core-Group meeting

09.11.1994
Present

1. Opening:-

A. MARRIS
W. FERGATE
N.S. MARRANGE
M. M. DRAHI
E. U. MOORECROFT
ACT C. VILJOEN

Apologies - K. R. MESTHOE

INTERNAL MATTER

Opening:- Report was sub. to T/C I it was returned back to review. Look at the reviewed report.

1. MOORECROFT: Good document we are making progress. P.P. I want to amplify on points.

C-G

MARRIS: Allowed P.P. to amplify.

MARRIS:-

MOORECROFT: Alteration, fig. 1. existing preamble is irrelevant.

:- Wants to read:-

↳ Should be presented in writing. Thanks the secretariat for its work. - Use an existing documents.

Viljoen gen. comments:- Sequence, when should we complete the work. T/C should pay attention to issues. - This is a listing of elements, T.C. should act. give

The broad overview of the Const. of S.A. All the T/C work on the same basis. T/C will not function until we have reports. Act as a section desk for all kinds of info, and to give them guidance.

Pg. 10 - issues on a priority basis. Case. comm. has a ltd. scope, perhaps this is not right the form. The CC is the body which might broaden our terms of reference.

MAKES

Dev. our w.p. in that in the end, we need to dev. a basic const. for the future.

MAKES

Dif. denied the power to negotiate - there is a dif. in coming up with a philosophy / tan of our brief. Fed. Doesn't report the T.C. as rigidly bound by any regulations / directives. I.F.P. does not think that the process is cast in concrete. Events T.C. should be given the right to table documentation.

- Normative use of the preamble - we raised it - it is not raised in this document. If T/C table each party - is allowed to state issues. An extent to which parties can make recommendations to the C.C.

Pinoli

I.F.P. speak to the Sec. about your problems (Broad Matter should be put as an item on the agenda, we can raise the issue even at the etc. - Guidelines - Evol. of w. relationship with ^{have} T/C and C.C.

- T/C should be able to have ^{input} guidelines.

Documentation must suppl. the general viewpoint.

Sequence in the doc. will have to be revisited by
tech. experts. Work of T/C I will be the priority.
MOONCROSS + goes to the session. (excused)

T/C debate should be doc. driven. 12 noon is the
deadline. Doc. can also be tabled on Mar.

Sec. - Thanks the meeting, I.F.P. can also
point out further pts. We are slow in T/C I
it is not a W.P. for T.C. I. We have party-
positions, which are not going to break us, especially

I.F.P. - We could hardly seek T/C experts until we
have collated agreements ab initio. Have submitted
diff. kind of documents. We are dealing with philo-
sophical matters but face matters. Perhaps, the
issue will be taken to the CC. if we do not
reach finality at the T.C. level.

T.C. experts parties still have 24 hr. on 03.11.84
to submit names to be Sec. - Perhaps indicate
that we have standing experts

• T/C will go forward, parties will be free to
make + in by lunch-time tomorrow, Monday morning.

+ Rose at 16.45

Two more from me, and sq we saying this at the

16.40 Mccler.

Case about Monday

02.11.94
M 201
Time 1600

Present
Ferguson W (Chairperson)

- Hani M M
- Murray P H A
- Moorcroft E R
- Mason-Finlay H T
- C. V. Wilson (Guest)
- A. Stables
- H. J. Maxwell

Present: Murray-Kopas's and Shuttle-Kopas were in attendance.

Apologies: R K Mason

Opening and Welcome

The meeting was opened by the Chairperson who reminded the members that the meeting was called solely to discuss the case.

The meeting was opened by the Chairperson who reminded the members that the meeting was called solely to discuss the case.

discuss the case which was set back to the previous meeting.

Core-Group meeting

Date 02.11.94

Venue M 201

Time 1600

Present

Felgate W (Chairperson)

Dyani M M

Muloo P W A

Moore E K

MAJOLA-FIKOLE N T.

C. Viljoen (ALT)

A-MARRIS

N. J. MAHLANGU

ANAOI Mngasi-Kogosiatsi and Khulile Rpu were in attendance.

Apologies: R K MESHOE

1. Opening and Welcome

The meeting was opened by the Chairperson, who reminded the members that the meeting was convened solely to

~~2. Previous minutes~~

~~The minutes of the previous meeting were~~
~~discussed and unanimously adopted by the members.~~
The meeting was opened by the Chairperson who reminded the members that the meeting was convened solely to

discuss the core-group report which was sent back to the Secretariat for re-evaluation.

2. Discussion of core-group report:

The parties members agreed to endorse the secretariat's core-group report and thereby resolved to present it at Theme Committee level ^{For DEBATE} wherein ~~parties~~ ~~these~~ ~~issues~~ ~~and~~ ~~thereby~~ ~~correct~~ ~~any~~ ~~flaws~~ ~~they~~ ~~might~~ ~~have~~ ~~spotted~~ ~~in~~ ~~the~~ ~~said~~ ~~document~~. By and large

Further, it was agreed ~~that~~ ~~to~~ ~~allow~~ ~~Gen. Nilgou~~ ~~to~~ ~~present~~ ~~his~~ ~~injections~~, ~~on~~ ~~the~~ ~~need~~ ~~in~~ ~~writing~~ ~~to~~ ~~be~~ ~~presented~~ ~~at~~ ~~the~~ ~~Theme~~ ~~Committee~~ ~~meeting~~ ~~on~~ ~~Monday~~. ~~T.C. will function at what we hope~~ ~~to~~ ~~be~~ ~~the~~ ~~need~~ ~~in~~ ~~writing~~ ~~to~~ ~~be~~ ~~presented~~ ~~at~~ ~~the~~ ~~Theme~~ ~~Committee~~ ~~meeting~~ ~~on~~ ~~Monday~~.

2.2. Technical experts

There was consensus on the need for immediate technical ~~Members~~ ~~as~~. The meeting also highlighted the ^{Direct need of} ~~need~~ ~~urgency~~ of technical expertise at T.C.I. level.

Noting the relevance and the urgency of technical expertise at T.C.I. level, the meeting unanimously resolved that there is nothing that precludes Gen. Nilgou from presenting his injections, in writing, at T.C.I. level on Monday.

2.1 Discussion of core-group report:

The meeting agrees to endorse the secretariat's core-group report and further resolved to present it at Theme Committee level for debate, wherein parties would again be allowed to restate issues and thereby correct any flaws they might have spotted in the SAID document.

~~Also~~ Noting the dire need for technical expertise at T.C.I. level, the meeting unanimously resolved to allow parties to submit names to the ~~list~~ of technical experts to the Secretariat before 1400hrs. p.m. on 03.11.1994. Again, it was established that there is nothing that precludes members from making submissions in writing, in an effort to broaden the scope of T.C.I. in Mondays' T.C.I. meeting.

Re reports

Date: 07.11.94

Venue: M46

M.S. Mahajan =

1. Opening: - Highlights, deadline - necessity to work on prog. for action.

2. Adoption - Maulag. Sec - Major

3 M.A. -

4. Dev. of Work Programme: -
Report: CORE - pay

2 meetings - Just to collate submissions that has been done. Asm. revised report - C.G. has accepted the collated report. TC should discuss this programme. Should not be bound with substantive issues.

3) Major things - matters to be discussed

- Not contentious matters

- pg. 7 -

- Past issues to be decided to by F/C I

Concentrate on matters that we regard as priority. We need to make compromises not lengthy arguments

• Miscellaneous: -

Find out areas of common interest, stay away from contentious issues. Find common ground. Demos of majority etc

focus - records Carl but further contacts.
Delegation: Submissions of various parties can
not - is fundamentally important. No party
should be barred from taking contact of "one"

Chairman: We all agree on what we should
do as we must list out our priorities. As
a result there are contentious issues. I suggest that
we start with the preamble, or less contentious issues.
Chairman

Chairman: Agree with Carl we must decide on
priorities, for the common good. Agreeing
Chairman

Chairman: Can agree with Carl, retracts. Careful not
to start with preamble, will narrow our scope.
Chairman

Chairman: Records Carl, preamble held to final pt.
Chairman: Agreement we start with non-contentious
issues, what is our priority. (principles)

Delegation: Objection, essence is to find contentious issues
Could we not get out the job of table the issues
technically. No problem with starting with common
ground, but def. of common good. Suggesting that
we need prioritisation.

Chairman: No option, but to concentrate on
common good; we are not a negotiating forum.

Comar - good

① Priorities - Analysis - priorities should be the word. Propose - process focused is to prioritize the 'issues'.

WATSON - I still want to mitigate from read pg. 7. He want a sub-com on the priorities.

Priorities

pg 8. - Single sov state

- A.Y.C. (18)
- Emphasis on democracy
- Philo. of The States

Oran - C.C. - and forget state is the end of June, sub-com all 7 items.

Mrs. Pinski - Democracy (N.B.)

Mouberg:

Symbols - includes, anthem and the flag. No discuss the new anthem.

Selgate:

Charge the C-group with the following.

- list priorities
- com - formed
- Tech. Issues
- list of issues which overlap/infringe on this

refer issues - research topics. Look on the read of the Sec. C-group should do the drafting.

WOODCROFT

Support Selgate's suggestion, add Mr. Mouberg's suggestions to the Commission and let go Mr. Muns' suggestion.

20
Paul Moorcroft - Point of order, by Mr. Fecare
visiting out of the report, voted by the IFC
granted.
Pinkli

C-G is a very small cone. Conc. of work in a
very small cone.

Case

Basically no problems with the proposal. Change
the nature of the C-group. Need to debate issues
in IFC. Underline this comm.

Heinrich

We have a report. We need to
talk about the 8 pts. Just that we should be
able to discuss this report. C-G will know whether
we have got consensus or not. Synopsis of the report
Moorcroft

Chair Disagrees with Carl.

Submit the w.p. by the 15

Boor

Agrees with Carl. This is enforcement. Take
out priorities, we also have a rd. Removal of
the proposal by ref. issues to the C-G

Girvan

Hard time on process we are dilapidating.
How can we deliver by the 15-11-1994.

Anderson - seconds Jim

Seaton - He had speeches - consensus, let's refer
matter to the C-group.

Niemus

seconds speaker.

Priorities

Guinea - priority

- Equality
- Supremacy of the Constitution
- Rep. govt. what is meant by
- Majority rule

Commission

1. Symbols

2. Rule 36 - raise issue with the C.C.

3. Sep. of powers - 1102

4. Refuge

Gov. Comm. addresses technical issues. That Comm. can be appointed by C.A. Guinea - legal issues - need to clarify the commission. Adv. legal advice on this issue.

5. Jermol proposal = proactive go the C.A. substructure which will consist members of TC and other members

6. Presenting on what a Com. w/ terms of the rules. Guineans support Mergende

Chair = C.C. - has got clarity

Guine: Best my prop. (substructure) should be conveyed to M.C. & C.C.

Mzi: Disagrees with Guine.

Secord
raised
Mton: Supports Guineans' proposal, also go to the core group.

Mton: Opposed (Morgan) the assertion.

Mzi: Prop representation - T. Expert

Mzi: Voluntary should be discussed in TC level. whether it is pol. or technical. Perhaps, we need to wait for the C.C. determination.

Microsoft - rights of processes, ^{citizenship} expatriates
N.B. (Self-determination) - Parties & the C. issue within them, and
- they back to TCI for discussion
- technically - International expertise

~~Access to the~~ Access to technical work at the
W.F. Centre

Gen: Proposal = to manage, to com. people to
Access the avail. material of the W.F. Centre.
Allocate the data. (Agreed)

Submission of names of T/E. parts.

Summary: - leave it to the C.C
Chicago: - entered

U.S.: - put together all exp. and other role players, in
the list.

Chair: Nations have seriated structures - S. Review - go.
should be discussed at some stage. Co-group.

Peter: - Can file country that the parties have
collected. Amn will file. Co-group should
not immediately.

Gen: - W.F. have to fact in that T/C will
discuss the present des. discuss on the priorities.
Documentation - are not numbered - W.C. - proper
categorization for document.

10:00 am

T/C I

Venue: M 46

DATE: 07.11.94

Present: Matheranga M.S. (Chairperson)

- | | |
|----------------------|------------------|
| 1. MS Boozi | K R Mastoe |
| 2. L Chiba | J H Monberg |
| 3. M M Chikane | EK Moorcroft |
| 4. LLL Chikwayo | TT Mukelaba |
| 5. MM Dyani | PWA Mulder |
| 6. LM Fani | CG Nieranus |
| 7. W. Felgate | BS Nobunga |
| 8. F Ginyakwa | BE Nzinande |
| 9. A D Goolson | NT Majola-Pikoli |
| 10. M K hekgoko | S Sexton |
| 11. A Marais | DM Streicker |
| 12. T. Mars | L Swanepoel |
| 13. F S van Deventer | I D van Zyl |
| 14. B H Vilakazi | A J Williams |
| 15. K. M. Zouwi | SS Rikiga |
| 16. D M Gurnede | N.C. Roubidge |
| 17. N.J. Matheranga | |

Apology: P.G. Marais

1. Opening: - Chairperson reminded the members about the importance of seeing to the time-tables sent out work by the 15th Nov. 1994.

2. Minutes - were adopted.

3. Matters arising - none

A. Development of work programme:-

- Prior report on core group meeting: Core-group has had two meetings since the last meeting of the Theme-committee. G group was instructed to go and collect the various party submissions. A re-evaluated report from the Sec has accepted the report. etc I has got to discuss the report.

In this instance, the meeting agreed that it would be proper to itemise areas of commonality and prioritise those for discussion.

assertion ~~proposed~~ that the essence is to find contentious issues and thereby charge the core-group with the responsibility of discussing them, fell away. Thus the ~~other~~ ^{other} ~~matter~~ ^{matter}

There was broad consensus on the following items, that they be listed as priority for discussion at TIC I level.

- (A) Democracy
- (B) Equality
- (C) Supremacy of the Constitution
- (D) Representative govt:- What is the meaning thereof?
- (E) Accountability
- (F) Majority rule

(ii) Issues which would be ~~referred~~ referred to a Commission.

- (A) Symbols
- (B) Separation of Powers.

(B) Discussion ensued as to the difference between a Commission and a sub-committee of the Theme Committee. Administration will seek legal advice on this issue. Que 36 - lead out to numbers.

The proposal that, T/C I should begin to be proactive and suggest the formation of a sub-committee would have to be referred to the GC. - Opposed by Mr. E.K. Moorcroft.

~~5.1. Matters that need separate efforts~~

5.1. Technical experts:-
Issues:-

A) Proportional representation.

The Volkstoot issue should be discussed at T/C I level. We will also need to await the outcome of the debate, on this issue, at C.C. level.

B) The other proposal was that T/C I needs to convey to management comm. the need to access available materials at the World Trade Centre.

Bii) Further item for technical experts - Citizenship and franchise and the question of the rights of prisoners, expatriates.

6.1. A.O.B. - Role-players ^{structures} have been identified by the various parties. Proposal - that this pt. stands over.

Sec. compile everything that has been put together Admin, will collate - Co-Group will collate that peruse the report before submission to T/C I

Point of concern was raised to the effect
THAT AT the beginning of the W.P. there needs
to be a discussion.

Documentation is org.
haphazardly, there is no proper categorization

Meeting rose at 10h00.

Present: Mesroe, Moorcroft, PG Marais, M-Pikou, Felgner
PWA Member, Dynamic,

Opening:-

2. Disc'w.P.:-

Moor - P.P. accepts the report - let us get into details
Marais - Stick to Directorate guidelines: Agreement
ment - do it line by line.

• Issues to be dealt with on a priority basis
• Points are not mutually exclusive, we will cluster all
the diff. viewpoints of eg. democracy, may event. develop
our own themes. Take headings, list party issues
1. notes the headings (proposal) collates all the wisdom
of the parties. G-G we need to dev. a modus operandi.
+ Philosophy of democracy: perhaps a definition

1. Democracy:

① h.c., Multi-p, Freedom-charter; traditional; minority right
and democracy.

Democracy (sub-items)

should form part of the

pg 11
pg 12

Democracy

• Philosophy of Democracy = Mulder

• Systems of democracy

• Rep. govt.

• Freedom of information

• Citizenship and franchise - diff. parties go out but to govern what they understand as democracy, so will collate and we meet at the latest on Friday morning.

Item 1 - Any sub-items - Team 1 to 5. - Under 1 of 1 or the report (provisional) parties will have sub-items under each of these headings.

① Separate reports - N.P. will receive sum of the items

- Not in a position to receive, I.F.P. will have a report in the next meeting.

- A.X.C. still has not got a position.

Constitutional Assembly
Theme Committee I

Minutes of CORE-GROUP meeting

Wednesday 09.11.94 (AT 0800)

Present

N.S. MHLANGU (Chairperson)

MM Dyani

W Felgate

P G Marais

K R Mesuoe

E K Moorcroft

PWA Mulder

Leola Rambe and Khulle RAOU were in attendance.

Apologies: None

1. Opening and WELCOME - The meeting was opened by the Chairperson.

2. Discussion of Report on the work programme.
N.P. Suggestion: That we use the guidelines as a basis for ^{the W.P.} ~~the~~ ~~work~~ ~~programme~~
The meeting resolved that the issues as outlined in the agenda, from (A) i) ii) iii) iv) v) to E ~~is~~ ~~is~~ ~~is~~ ~~is~~ ~~is~~ xi) be the responsibility of the parties to compile, produce / make sub-items, ^{on Thursday mornings before 11.30} The Sec. will collate and reproduce the envisaged documentation.

The meeting also agreed to ^{adjourn until} ~~meet on~~ Thursday, 10.11.94 at 11.30 p.m. to discuss the collated document.
A final ^{core group} meeting on the W.P. is contemplated for Friday 11.11.94 at 0730 am.

④ Separate reports:

Items which IFF & FF agreed/promised to submit issues on Separate reports.

- The meeting accepted the report that was given by the Sec.
- The meeting agreed that submissions itemising each of the sub-headings of the report (ILL DRAFT report) could be submitted to the Sec. by the SDAs - - before 1630 pm.

It was further agreed to meet - - - to discuss the submissions of the vol. parties and the Sec. would tap. One sec. taken and tabulate this into a report for fur. disc. on Friday 01.30

A. MARRIS, MARGA, MARWA, MARI, Mulder, Felgate

MARRIS:- All the issues tabl. by the parties should be
tabled as part of the W.P.

Felgate:- Secondly, reduced everything to subjects
we can consider it, and strive for
- consensus.

Chair :- A.M.C. has subheadings under democracy,
now we must prevent it, trying under certain
topics.

Fel:- We need a comp document.

Chair :- Terms of ref. from the directorate.
Comp doc. indicating what each party
wants to include.

(Proposer) :- Our Theme Comm Ref. to the C.C.
MARRIS :- Our comm has not discussed time frame
Ref. should be in by the 31-3-95

Felgate :- A.M.C. :- Law-draft suggested by the

Chair :- Comprehensive report is expected
by the C.C.; these not be
on-going.

Felgate :- I support 31-3-95, so that
we can have time to
reconsider.

(enrichment)

Submission of Reports :- Comm. will resume working early
next year.

M.B.

: Comm. Ref = end Feb
: T/Comm = ~~end~~ MARCH

M.B. T/C.I. is targeting the end of
March for everything.

Comp. report at Mass. Rep. must be in by the
31.3.95.

Notes: All the...
Notes: ...
- ...

Notes: ...
Notes: ...
Notes: ...

Notes: ...
Notes: ...

(Professor) : ...
Notes: ...

Notes: ...
Notes: ...

Notes: ...
Notes: ...

(continued)
Notes: ...

Notes: ...
Notes: ...

6⁵⁵30

Proposal: Moor, MARRIS, Pivoli, FELGATE, MURDER,

MARRIS: Chair

FEL: DITE parties DIFF interpretations, construction of THE CONSTITUTION.

MOOR: IF THE Sec. is happy with this document - I am happy. We are not here to nego, let us table it!

Pivoli: let us look at the commonalities

(proposal)
MARRIS: I agree with Pivoli, on Monday let us present commonalities to the T.C.

FEL: Res of the CA. - ~~not~~ as a priority - Sec. Cant to T.C. vision of a character of state

Pivoli: reiterates.

Chair: What if this report is tabled AS IT IS on Monday ~~Monday~~ Rules are mem.

MURDER: Seconds MARRIS.

FELGATE: Table this report AS IS on Monday - can be done over the weekend.

HASSAN: More convergencies than divergencies.

MARRIS: Do we have to work with substance
H: No not at this stage, just include it ⁱⁿ your work programme.

MOOR: Supports FELGATE!

MARRIS: no time,

Chair: - Take the DOC. TO THE T/C I. (Rocast)
and discuss with time-frames.

Moore: - Will be an unedited paper, will only state commonalities.

Mazais: - I think it is wrong, I do not want to be
obstructive

Pivari, Teigate, - Melder (will perhaps join you) both
documents will be talked on Monday. Will use
own document computers.

0900 Sunday
M 201

The meeting unanimously resolved to adopt the
report in toto, and to table it in the Theme Committee
meeting on Monday.

Mr. Teigate and Mrs. Mazais-Pivari volunteered to meet
on Sunday to look at look at ~~the~~ areas of
commonality in the submissions.

Core-Group Meeting

Venue :- M 201

Time :- 07H30

DATE :- 11.11.94

M. S. Manjanga (Chairperson)

Felgate W
Mason-Pikou NT
MARA'S PG

Moorcroft EK
Mulder PAW

Apology :- Mesroe KR

Hassen Ebrahim, Leola Rammie and Franice Radu were in attendance.

1. Opening AND Welcome

The meeting was opened by the Chairperson.

2. Discussion of report on the submissions:

By and large it was agreed that the report is adopted in toto. Ms Felgate and Mrs. N.T. Mason-Pikou would meet on Sunday, 13.11.1994 and collate all the points of convergence and divergence. It was emphasised that it would also be highlighted that this be an unedited version of issues.

Core-Group meeting

M-201

13-11-1994

0920

Mar:- let us collate documents - how do we understand our job - need to est. a framework for the process,

Fel:- let us reach consensus, net. of the report, common should be listed, contentious issues should also be listed, to describe the character of the State.

Mar:- your approach is the next stage

Fel:- A work plan that will enable us to look at U.A.S, equality or perhaps we need a commission citizen. - needs technical assistance experts.

Pinar:-

We could list - itemise and not get sub points highlight issues on those parties which want to down wish issues

Mar:- enumerates - refers to 18 Oct. Directorate Const. princ. no I. refers to, ←

Fel:- It is imp. to est. areas of commonalities and differences. Our ref. must be enabling document to the C.C. We need to compromise on our positions.

Maris:- prepared to go along, refers from his report.

MARCO:- Sov - that is detail.

PRE:- Sov - must be dealt with in Commissions.
Sov. we have put under democracy.

PIK:- We have agreed as a methodology, we just list and we do not discuss, then we listen to what the TIC is saying, or else why do not we listen

MAR:- It is going to be diff. For 30 people to produce a
TEL:- that is the nature of the fourth Report.

TEL:- We have a report that lists all the issues.

MAR:- There is no simple set, to democracy -

TEL:- We agree that we report on the already available notes. Report is thin on what should go to the common or to the technical committee. We go party by party.

TEL:- Church & State has been an issue in S.A.
what do we say as a C.G.

• Type of State = politically dealt with

• Sep. of powers = Technical ^{IFP} and ^{M.P.} committee. / A.H.C. commission

Citizenship = Tech. committee

Type of democracy = Commission

Suffrage = Tech. committee

Sep. of powers = Technical committee

Fed. = Sub-comm. are a problem to minority parties

MAR:- We are going into problems, we need to simplify the w.p.

The I.F.P. has got a particular view on these matters. We don't want to direct violently. Logjams need to be avoided.

Pickov: We even differ on process and on the working of a w.f.

Mar: I differ from the I.F.P., I will accept ~~nothing~~ anything that is put on the table.

Report
Leola: We are not in a position to comment.

Pik: Reiterates her proposal, except to cover the pts that were not covered in the report, esp issues that are seen to be contentious, or are we saying how they should be dealt with.

Marris: We are complicating issues, after that were serious issues.

Pikov: We are not able to agree, I think we should postpone discussion.

Fel: Can the Marris position be added in a report. an alt. proposal grouping conflicting views under dispute - and views under dispute.

hear the report as it is - discuss it at T/C I level and report difficulties at B.C. level.

Marris: Protect me tomorrow
Two of you put the problem before the meeting

Fel: I will cont. doing what I think we should have done. I avoided conflict with a draft, Pik. I will also do likewise

Report goes in as it is here. We seem to
logjam on process. C-G has not been properly
deleted.

Prk = In that reg: we will compare after
artic. our problems with process.

Feb: Process issues are key issues

10:20 am

P.G. MARRAS - Chair

Alt. will ... indicate who they are standing in for.

2 Minutes - adopted.

3 Matters arising.

3 Legal ass - C.A. looking for advice.

4. Work Programme

4th DRAFT Report is not yet a W.P. Three members could not agree to refer the matter to the T/C. Pinar & Felgate will del. on the problem.

Pinar - C.G. not able to suggest forward movement - discuss on how to make the process, dec. to make submissions in this form.

tel -

Perhaps I could raise cont. issues as part of I.F.P. submissions. How to tackle tax issues, because a problem. Substantive equity - what it is, will need to be explored. No aquiesce or packing those issues. T/C must give the own process.

Proposal - We prop temp parties on how to tackle issues. Prop - should be based on assessment.

Will submit a document as a submission from the I.F.P.

N.I.

Refers to 4th DRAFT Report. Basis for programme. What is contentious is detail. The 4th is informative, more that we adopt the 3rd draft, plus to be (ii) the 4th Draft as a supplement and also add the dec. like lines we adopted.

~~Let~~ Consider the 4th report (Mandates)

In the Core Group.
Woodcroft:-

Tengate:-

Agreement of G-6 and TIC is a process of excluding other party positions. Mahil, motion is detrimental. Centers.

Mzimama

Supports Mr. Mahlang's proposal.
4th Draft begins to argue party positions.

Wahl:-

3rd DRAFT IS a syllabus. Reiterates.

Tel:-

LEM. FALSE image of THE J.F.P.'s position
so is the 3rd DRAFT, we disagree with.

Macozoma:-

Supports, Math-positions

Niclaus:-

We can't go into detail, now.

Pika:-

Reiterates in support of the motion.

Sevete

Go for the comprehensive report, will not be decided, marks for the 4th report.

Munoz =

supports the 4th report.

Macozoma =

Conceptual diff. 1-3. in the 4th draft.

Chwayo:-

Raise objection to the 3rd Draft-

Seaton:-

SUPPORTS 4th DRAFT.

B
Mzi should have had an integrated report, for the statements in the form of questions.

Gumain:- Subjects - list them. should be comprehensive -
I.O. priority areas. Time - frames, send col assistance,
I.O. times right now.

Felgate:- 4TH is the solution, adopted by
(withdrawing) no. of 5-Sep. and adds the 4TH rep-
proposal:- which will have to be looked at as
- a part of this resolution.
Mzi:-

P.6 - MARISS - Note does not bore well for the
future of this T/C. Informative
discussion. App. for 10 units.
INFORMAL.

MABAYDLA - Summary
- Ben. Cote and postions - are names
removed, issues just stated as
issues.

Carl - Jak Del's whilst we break.

Chair:-

Grammar:- Confusion - lack of clarity caused some confusion Ref. Sec A 2E of This Ref as merged as the LTR Ref as an appendix. Add a para. a u. doc. whose contents may be amended at any time. All parties should submit by 15th Nov

Fec:- We are in agreement.

McBee:- other structures to be considered.

MS-MARK-I have

The meeting was opened by the Chairman. The minutes of the previous meeting were read and approved. The minutes of the previous meeting were read and approved.

The minutes of the previous meeting were read and approved. The minutes of the previous meeting were read and approved.

CONSTITUTIONAL ASSEMBLY
Minutes of the ~~FIFTH~~
meeting of Theme Comm. I
CHARACTER OF THE DEMOCRATIC STATE
Monday 07 November 1994 (0800)

Present

~~MARAIS~~ PG (Chairperson)

CHISA L	(ALTERNATES)	MOORCROFT EK ✓
CHIKANE M M		Mulder PWA
Dyani M M		Nierhaus CG
Fani L M		Azimande BE
Ferguson W		Majumdar NT
Ginwala F		Routledge NC
Kekana M M		Schoeman EA
Macozoma SJ		Seaton S
Mankangu NJ		Stretcher DM
MARAIS PG		Swanepoel L
Meshele KR		FS van Dovenar
Momborg JH		Van Zyl ID
Stoep NR		Williams AJ
Gumede DM		Zondi M
Mohale M		Stoep G
		Routledge NC

Neola Ramble and Kinnick Rahu were in attendance
OPENING AND WELCOME

1. The meeting was opened by the Chairperson.

2. Previous Minutes

The minutes of the p.m. were adopted

3

MATTERS ARISING

The Directorate is in the process of ~~proceeding~~ consulting legal experts on the issue.

4. WORK PROGRAMME

radicality of language
splitting hairs

Declarations FOR ~~VIA~~ Curacao OFE. 513

Queen Victoria no 70 ST.
St. MARTINI GARDENS

A 436 536

ph. 249619 | 249354

G - Steepe

O - Nu = 530 = Documentation

= 438907

splitting hairs

