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**CONSTITUTIONAL ASSEMBLY**

**THEME COMMITTEE 4  
FUNDAMENTAL RIGHTS**

**31 January 1995**

**Room M 46**

**DOCUMENTATION**

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# CONSTITUTIONAL ASSEMBLY

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## THEME COMMITTEE 4 MEETING

### FUNDAMENTAL RIGHTS

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

**Date** : Tuesday, 31 January 1995  
**Time** : 08h30 - 13h00  
**Venue** : Room M 46

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#### AGENDA

1. Opening
2. Minutes
3. Matters Arising: See Agenda Items Below
4. Core Group Report
5. Submissions
6. Closure

**\*\*** *Members are reminded to bring copies of the Constitution and Standing Rules for the Constitutional Assembly to the meeting.*

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**H Ebrahim**  
**Executive Director**  
**Constitutional Assembly**

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# MINUTES

**CONSTITUTIONAL ASSEMBLY**

**MINUTES OF  
CORE GROUP**

**THEME COMMITTEE 4 MEETING**

**24 January 1994 (08h30)  
VENUE E 443**

**Present**

**Mdladlana MMS (Chairperson)**

Green LM  
Mncwango MA  
Mulder CP  
Myburgh GB  
Pandor GNM  
Sizani RK

**Apologies:** Leon AJ

J Tsalamandris and Z Adams were in attendance.

**1. OPENING**

- 1.1 The meeting was opened by Mr Mdladlana.
- 1.2 Mr Myburgh was congratulated by the chair for his appointment as Deputy Minister.
- 1.3 Mr Myburgh informed the Group that owing to his appointment and resultant work load, he would have to stand down as chairperson. The Group agreed that the issue of a replacement for Mr Myburgh as chairperson would be dealt with once they had been informed of Mr Myburgh's replacement.

**2. BRIEFING FROM CHAIRPERSONS**

- 2.1 Mr Mdladlana gave a brief report on the meeting of Chairpersons on 23 January 1995, with reference to the document entitled "Briefing Document for Joint Meeting of Theme Committees" included in the documentation.
- 2.2 In terms of the above document the following was noted:
  - i) The Committee would have to complete its reports by 30 June 1995
  - ii) Deadlines for party submissions would have to be met to ensure the efficient working of the Committee.
  - iii) The Core Group was central in the managing and coordinating of the work of the Theme Committee.
  - iv) Changes could still be made to the Work Programme.

**3. WORK PLAN**

**3.1 Theme Committee Work Plan**

- 3.1.1 The Group considered the Theme Committee's Work Plan, and noted that:
  - i) The issues identified in the Work Programme are not representative of all issues that need to be dealt with and only reflect some aspects of Chapter 3 of the Interim Constitution.
  - ii) Party submissions could\ may add other issues that need attention.

### **3.2 Schedule of Meetings for First Block and Planning**

- 3.2.1 The Group raised concern at the schedule of meetings arranged and the timing of the meetings. It was however agreed to adhere to the schedule of meetings for a short period of time and to review the matter again.
- 3.2.2 It was suggested that the content of meetings should be varied to include seminars, workshops and input from organisations. In this way the meetings could be forums allowing members to actively engage with the subject matter of the Theme Committee.
- 3.2.3 Regarding minutes for the Theme Committee meetings, it was agreed that minutes would only be made available after every two sessions.
- 3.2.4 The ACDP, FF and NP all expressed objections to public participation events taking place on Sundays.
- 3.2.5 The invitation by UWC to a Gender Conference on 27-29 January 1995 was discussed. In general it was agreed that members could attend such events on a multi-party basis, i.e. all parties be represented. In this way, members attending could receive inputs from the public for the attention of the Theme Committee.

### **4. TECHNICAL COMMITTEES**

- 4.1 The Group was informed that technical committees were not yet available for the Theme Committee and that the matter was still being dealt with in the Constitutional and Management Committees.

### **5. COMMUNITY LIAISON**

- 5.1 The Group made a number of suggestions regarding the media campaign undertaken by the administration:
- i) The television advertisement of the Constitutional Assembly is too sophisticated and technical, ignoring the fact that South Africa has a large illiterate population, who also do not have televisions.
  - ii) The constitutional process as a whole is highly technical and élitist.
  - iii) The advertising campaign should attempt to be more simple and understandable in order to appeal and make sense to the broader population.

- 5.2 It was proposed and agreed that the secretariat arrange for the head and representatives of the Community Liaison Department of the CA Administration to address the Theme Committee on their plans to involve grassroots\ community organisations in the constitutional process.
- 5.3 The secretariat was also requested to provide a list of organisations involved in human rights issues.

## 6. SUBMISSIONS

- 6.1 The Core Group agreed that the Theme Committee needs to clarify:
- i) how it intends dealing with and taking into account submissions from the public, and
  - ii) what the process is going to be regarding the writing of Theme Committee reports for the attention of the Constitutional Committee.
- 6.2 The Group agreed that both matters would be referred to the Theme Committee meeting of 25 January 1995, for discussion and decision.

## 7. PREPARATION FOR THEME COMMITTEE MEETING OF 25 JANUARY

- 7.1 It was agreed that the Theme Committee meeting would address the following issues:
- i) How to deal with submissions and the discussion of actual submissions.
  - ii) The drafting of reports for the Constitutional Committee.
  - iii) Discussion of Principle II of the Interim Constitution.

## 8. GENERAL

- 8.1 The issue of requesting research staff to assist the Theme Committee was discussed.

## 9. CLOSURE

The meeting rose at 10h30.



## CONSTITUTIONAL ASSEMBLY

### MINUTES OF MEETING OF

### THEME COMMITTEE 4 FUNDAMENTAL RIGHTS WEDNESDAY 25 JANUARY 1995 (AT 14H00)

#### PRESENT

Mdladlana MMS (Chairperson)

Bakker D  
Camerer SM  
Chalmers J  
Coleman M  
Dlamini BO  
Gamndana T  
Govender P  
Green LM  
Hajaij F  
Jooste JA  
Leon AJ  
Lubidla EN  
Mabandla BS  
Mfayela S  
Mfebe MW  
Mncwango MA  
Mohammed IJ  
Molekane RS  
Mulder CP

Myakayaka-Manzini YL  
Njobe MA  
Pandor GNM  
Phenethi MM  
Piliso M  
Radue RJ  
Rasmeni S  
Rhoda RT  
Saloojee E  
Selebi JS  
Skosana B  
Sizani RK  
Surty ME  
Thomsen B  
Tshivase T  
Tyobeka VM  
Vos S  
Xingwana LM

**Apologies:** Asmal KA, Myburgh GB

J Tsalamandris and Z Adams were in attendance.

## 1. OPENING

- 1.1 The meeting was opened by Mr Mdladlana at 14h10 who informed the Committee about the revised agenda. Mr Mdladlana also advised the meeting about Mr Myburgh vacating the position of chairperson as a result of his appointment as Deputy Minister.

## 2. MINUTES

- 2.1 The minutes were accepted with the following corrections:
- i) Mr JS Selebi was noted as an alternate but is in fact a full member of the Theme Committee.
  - ii) 4.2 iii) should read "Legal recognition..." and not "Legal application..."
- 2.2 It was also agreed that the minutes should reflect that there was broad agreement in the Committee that a Bill of Rights should include political, social and economic rights

## 3. MATTERS ARISING

- 3.1 There were no matters arising.

## 4. CORE GROUP REPORT

- 4.1 The chair with the assistance Ms Pandor gave a verbal report of the Core Group meeting of 24 January 1995 which dealt with the following:
- i) Report of Chairpersons meeting and the Management Committee meeting.
  - ii) Role of the Core Group in terms of coordinating work of the Theme Committee and the writing of reports.
  - iii) Workplan and Technical Committees.
  - iv) How to deal with submissions in Theme Committee
- 4.2 The agenda for the Theme Committee was revised to allow for discussion on matters of substance.

## **5. THEME COMMITTEE WORK PLAN AND SCHEDULE OF MEETINGS**

- 5.1 The chair informed the meeting that while Block 1 of the Work Programme could not be altered it was still possible to change the other blocks of the Work Programme provided the Management Committee was informed.
- 5.2 Agreeing on the first block, the Committee discussed the need to address the philosophical and theoretical underpinnings of each party's conception of a Bill of Rights.
- 5.3 The ANC and PAC was of the view that Principle II must be followed by a conceptual discussion around the Bill of Rights. It is not sufficient simply to review Chapter 3 as is suggested by Block 2 of the Work Programme.
- 5.4 The DP felt that Principle II should be looked at in terms of Chapter 3 of the Interim Constitution as a lengthy theoretical debate would not be practical. It proposed that in fact the provisions of the Interim Constitution imposes this obligation on the Theme Committee.
- 5.5 The NP expressed the opinion that the wording of rights should conform with the provisions of Principle II.
- 5.6 The IFP was in broad agreement with the ANC on the need to discuss the application of the Bill of Rights.
- 5.7 After a general discussion, the Theme Committee accepted a proposal that Block II on the Work Programme should deal with a discussion on the nature and application of a Bill of Rights. This would also give those parties who had not made submissions, enough time to do so for the commencement of Block II.

## **6. TECHNICAL COMMITTEES**

- 6.1 The Chair reported that a subcommittee on technical experts formed through the Constitutional Committee had not yet reached agreement on the issue of technical committees.
- 6.2 The Committee agreed to wait for the decisions of the sub-committee.

## **7. SUBMISSIONS**

7.1 The chair addressed the issue of submissions and how the Committee proposed dealing with them.

7.2 After some discussion there was agreement on the following:

- i) Individual submissions will be regarded as equally important as party submissions
- ii) Oral submissions would also be heard.
- iii) A sub-committee from the Theme Committee will be formed to look at submissions and draft Committee reports.
- iv) The secretariat would assist in categorising submissions and producing a synopsis.
- v) The Theme Committee report would reflect agreements and disagreements with submissions made.

## **8. REPORTS OF THEME COMMITTEE**

8.1 It was agreed that a sub-committee be nominated from amongst Committee members to draft the reports of the Theme Committee for the Management and Constitutional Committees. The sub-committee would be assisted by the technical experts.

8.2 The sub-committee would be representative of all parties and its terms of reference would be clearly spelled out.

8.3 The reports would take into account all submissions and reflect actual discussions of the Theme Committee.

## **9. SUBMISSIONS RECEIVED**

9.1 The secretariat reported that the Theme Committee would receive submissions on issues related to each Block as it is being discussed.

9.2 It was also noted that not all of the political parties had submitted submissions for the first Block.

## **10. CONSTITUTIONAL PRINCIPLE 11**

10.1 It was agreed to defer the discussion to the 26 January 1995 meeting of the Theme Committee.

10.2 The parties agreed to make their submissions available before the meeting. They further agreed that the meeting would deal with party submissions, allowing for the parties to make submissions and for members to discuss the submissions.

10.3 It was agreed that the meeting would commence at 09h30 instead of 08h30 as per the work schedule, to allow members an opportunity to read the party submissions beforehand.

## 11. GENERAL

11.1 With reference to an invitation for members to attend a Gender Conference organised by the University of the Western Cape (UWC) for 27 - 29 January 1995, it was agreed that the parties would submit names to the secretariat who would make the arrangements WITH UWC.

11.2 The Committee agreed that members would be attending to hear the views of the public and not as official representatives of the Theme Committee.

11.2 It was noted that a Seminar organised by the Raoul Wallenberg Institute would take place on the 3rd and 4th of March 1995.

## 12. CLOSURE

The meeting rose at 16h45.

**CONSTITUTIONAL ASSEMBLY**

**MINUTES OF  
MEETING OF**

**THEME COMMITTEE 4  
FUNDAMENTAL RIGHTS  
THURSDAY 26 JANUARY 1995 (AT 09H30)**

**PRESENT  
MDLADLANA MMS (CHAIRPERSON)**

Bakker D  
Camerer SM  
Chalmers J  
Coleman M  
Dlamini BO  
Gamndana T  
Green L  
Leon AJ  
Mabandla B  
Mfebe MW  
Mohammed IJ  
Molekani RS  
Mulder CP  
Myakayaka-Manzini YL

Pandor GNM  
Phenethi MM  
Piliso M  
Radue RJ  
Rasmeni S  
Rhoda RT  
Saloojee E  
Selebi JS  
Sizani RK  
Skosana B  
Surty ME  
Tyobeka VM  
Vos S  
Xingwana LM

**APOLOGIES:** Asmal KA, Myburgh GB, Mncwango MA

J Tsalamandris and Z Adams were in attendance.

**1. OPENING**

- 1.1 The meeting was opened by Mr Mdladlana
- 1.2 The chairperson informed the meeting that the issue of the technical committee remained as yet unresolved.
- 1.3 It was also noted that the FF and ACDP had not submitted their submissions yet.

**2. COSTITUTIONAL PRINCIPLE II: - DISCUSSION OF PARTY SUBMISSIONS**

- 2.1 Mr Sizani spoke to PAC submission entitled "*PAC Submissions on Constitutional Principle II*" included in the documentation.

2.1.1 Points of clarity and discussion:

- i) Questions centred on clarification on what is meant by "other mechanisms" that should be devised to enforce the Bill of Rights. Mr Sizani explained that the South African Human Rights Commission, although a statutory body does not have any adjudicating powers and hence is weak in the implementation of human rights. Mr Sizani said that what is needed is a structure with powers to enforce the provisions of a Bill of Rights.

- 2.2 The ACDP said they had no submission to make at this time but would make a submission available to the secretariat. It was agreed that the submission would be dealt with in the next Theme Committee meeting.

- 2.3 The ANC submission entitled "*ANC Preliminary Submission: Theme Committee 4: Our broad vision of a Bill of Rights for South Africa*", included in the documentation, was presented by Ms Mabandla.

2.3.1 Points of clarity and discussion:

- i) Clarification was asked by the NP of what the ANC meant by "Our People".

ANC replied that it implied that cogniscance must be taken of the interests of all the people in South Africa.

- ii) The IFP asked whether the ANC proposal that the Bill of Rights should make provision for restoring land rights would not lead to a conflict with regards to the roles\ functions of Parliament and the Constitution.

Ms Mabandla replied that while certain instruments could be provided for in subsidiary legislation, some constitutional directive will be needed to set up certain structures.

2.4 The DP submission entitled "**Submission on Constitutional Principle II: Fundamental Rights**", included in the documentation was presented by Mr Leon.

2.4.1 Points of clarity and discussion:

- i) Questions from other parties focused on the following: - what enforceable instruments are being provided in the DP submission; - what is the DP's position on Human Rights Commission; - the DP's understanding of the clause "*due consideration, inter alia, to fundamental rights in Chapter 3*" in Principle II ; - the DP's views on horizontal and vertical application of rights, group rights etc.
- ii) Mr Leon replied to these questions with reference to the DP **Bill of Rights** which was submitted to the secretariat in late 1994.

2.5 Mr Mulder gave a preliminary verbal submission on behalf of the **Freedom Front (FF)** :

2.5.1 Key issues noted in the submission were:

- i) The FF regards Principle II as the point of departure for a Bill of Rights. Principle II makes provision for universally accepted fundamental rights and civil liberties. The implications of Principle II for the work of the Committee is interpreted in terms of the following five aspects by the FF:
  - The drawing up a list of what is regarded as 'universally accepted rights;
  - The relevance of some rights to South Africa by virtue of the diversity of society;
  - Limitation and suspension of rights;
  - The role of institutions such as the Human Rights Commission;
  - The role of the courts in enforcing human rights.

2.5.2 Points of clarity and discussion:

- i) Mr Mulder added that the FF regards itself as bound by all the Principles in Schedule 4 of the Interim Constitution. Principle II further obliges the Committee to consider fundamental rights in terms of Chapter 3.



Mr Mulder also noted that the FF is committed to the process of discussion which may or may not lead to agreement with Chapter 3.

2.6 Mr Skosana spoke to the IFP document entitled "*Theme Committee 4 on Fundamental Rights: First Report on Constitutional Principle II*", included in the documentation.

2.6.1 Points of clarity and discussion:

- i) Questions focused on the IFP's Evolutive Clause; amendments of rights; the form of state and its impact on constitutional rights; the IFP's understanding of rights and obligations; the need to specify references to international treaties\ constitutions that have influenced the IFP's conception of rights.

Mr Skosana accepted that the submission of the IFP need references to other Charters and documents. He also added that rights should not be modified by mere constitutional amendments although the IFP accepted the suspension of rights under certain conditions.

Other issues noted were the relationship between citizen and state and visa versa with regards to the obligations of the citizen; and that rights in the IFP conception may be conceived as society evolves.

2.7 The NP submission was presented by Mrs Camerer, who spoke to the document entitled "*National Party Proposals Regarding Constitutional Principle II (Fundamental Rights and Freedoms)*" included in the documentation.

2.7.1 Points of clarity and discussion:

- i) Questions focused on the NP's understanding of what constitutes a 'family' and hence 'family rights'; minority rights protection in the South African context; and affirmative action.

2.8 The Committee agreed that the party submissions had raised a number of substantive issues and questions. It was agreed however that fuller and more serious discussion on these matters would take place once the Committee started looking at the various issues separately.

### 3. CLOSURE

The meeting rose at 11h20

**SYNOPSIS OF SUBMISSIONS**

# THEME COMMITTEE 4

## VOLUME 2 - SUBMISSIONS

### OVERVIEW OF ALL SUBMISSIONS RECEIVED AS AT 16 JANUARY 1995

TOTAL NUMBER OF SUBMISSIONS		40
i)	Party	3
	<ul style="list-style-type: none"><li>- ACDP</li><li>- ANC</li><li>- FF</li></ul>	
ii)	Organisation	16
	<ul style="list-style-type: none"><li>- Animal Groups Alliance</li><li>- Christian Science Committee on Publication for the Northern Province of South Africa</li><li>- Community Peace Foundation</li><li>- Confederation of Employers of Southern Africa</li><li>- Conscientious Objector Support Group</li><li>- The English Academy of Southern Africa</li><li>- Human Rights Institute of South Africa</li><li>- Institute for Human Rights Education</li><li>- Inyangas National Association</li><li>- Leer and Aktuele Sake, NED Geref Kerk</li><li>- Medical Research Council, Community Health Research Group</li><li>- The Novalis Institute</li><li>- Resources Aimed at the Prevention of Child Abuse and Neglect</li><li>- SACCAWU</li><li>- United Christian Action</li><li>- The Women's Lobby</li></ul>	
iii)	Individual	21

**SYNOPSIS OF ALL SUBMISSIONS RECEIVED**  
**AS AT 17 JANUARY 1995** (Second Volume)

NO	PARTY	SUBMISSION	CATEGORY
1.	ACDP	<ul style="list-style-type: none"> <li>- Bill of Rights should be based on a Biblical approach</li> <li>- Homosexuality should be illegalised</li> <li>- The right to life should also protect unborn children</li> </ul>	<ul style="list-style-type: none"> <li>- Const. Principle II</li> <li>- Nature of Bill of Rights</li> <li>- Equality</li> <li>- Life</li> </ul>
2.	ANC	<ul style="list-style-type: none"> <li>- The Environment, natural resources and living animals\ creatures should be protected and conserved.</li> </ul>	<ul style="list-style-type: none"> <li>- Environment</li> </ul>
3.	FF	<ul style="list-style-type: none"> <li>- Suggests an approach to Principle II and the notion of rights</li> <li>- Universally accepted fundamental rights can be referenced from the UN Declaration of Human Rights 1948 and Covenants of 1966.</li> </ul>	<ul style="list-style-type: none"> <li>- Constitutional Principle II</li> <li>- Nature of Bill of Rights</li> </ul>

No	INDIVIDUAL	SUBMISSION	CATEGORY
4.	BJ Alberts	- Rights in Interim Constitution do not impose obligation on citizen. New Constitution should impose an obligation with rights.	- Obligations, Rights and Duties of Citizens - Nature of Bill of Rights
5.	D Black	- New Bill of Rights should instill an obligation on citizen. - Bill of Rights should be entrenched - Bill of Rights should focus on individual, and be limited to fundamental rights and liberties. - 'Secondary rights' should not be included.	- Obligations, Rights and Duties of Citizens - Nature of Bill of Rights
6.	RE Chalom	- Limitation of Rights - Individual's should have access to courts.	- Suspension and Limitation of Rights - Access to Courts
7.	K Cornish	- Reintroduction of Death penalty.	- Life
8.	J Dalton	- Antisocial behaviour may not be promoted.	- Equality
9.	D Drummond	- Bill of Rights for all South Africans.	- Nature of Bill of Rights
10.	NK Govind	- Citizens should have political rights.	- Political Rights

11.	K Hunter	<ul style="list-style-type: none"> <li>- New Bill of Rights should instill an obligation on citizen.</li> <li>- Death penalty should be retained.</li> <li>- Gender Equality</li> </ul>	<ul style="list-style-type: none"> <li>- Obligations, Rights and Duties of Citizens</li> <li>- Nature of Bill of Rights</li> <li>- Equality</li> </ul>
12.	R Kreerl	<ul style="list-style-type: none"> <li>- Individual protection versus business organisations</li> </ul>	<ul style="list-style-type: none"> <li>- Economic Activity</li> </ul>
13.	ME Lekhoda	<ul style="list-style-type: none"> <li>- Bill of Rights should be based on ANC Freedom Charter.</li> <li>- Discrimination should be ended and state should seek to address inequalities caused by racial discrimination.</li> <li>- Economic and social rights.</li> <li>- Gender Equality and Children's rights should be entrenched in Bill of Rights</li> </ul>	<ul style="list-style-type: none"> <li>- Nature of Bill of Rights</li> <li>- Equality</li> <li>- Economic, Social Rights</li> <li>- Children's rights</li> </ul>
14.	L Makaula	<ul style="list-style-type: none"> <li>- Three generations of rights: Bill of Rights should be applicable to first generation ie. political, civil and procedural.</li> <li>- Second and third generation rights to be made obligations of state.</li> </ul>	<ul style="list-style-type: none"> <li>- Nature of Bill of Rights</li> </ul>
15.	P Mathews	<ul style="list-style-type: none"> <li>- Life and Abortion</li> </ul>	<ul style="list-style-type: none"> <li>- Life</li> </ul>

16.	GT Mduli	<ul style="list-style-type: none"> <li>- Education rights</li> <li>- Death penalty should be imposed on persons found guilty of raping children.</li> </ul>	<ul style="list-style-type: none"> <li>- Social rights</li> <li>- Life</li> </ul>
17.	J McMorran	<ul style="list-style-type: none"> <li>- Content of Bill of Rights; and relationship to Courts and legislation.</li> </ul>	<ul style="list-style-type: none"> <li>- Nature of Bill of Rights</li> <li>- Suspension and Limitation of Rights</li> </ul>
18.	D Nina	<ul style="list-style-type: none"> <li>- Horizontal and Vertical Application of Rights</li> </ul>	<ul style="list-style-type: none"> <li>- Nature and Application of Rights</li> </ul>
19.	MH Prozesky	<ul style="list-style-type: none"> <li>- Religion in Constitution and Bill of Rights. There must be a separation of state and religion.</li> <li>- Preamble must be reworked to deal with the issue of religion.</li> </ul>	<ul style="list-style-type: none"> <li>- Religion, Belief and Opinion</li> </ul>
20.	LV Read	<ul style="list-style-type: none"> <li>- Bill of Rights should be entrenched in Constitution.</li> <li>- Gender Equality</li> <li>- Protection of identity and culture of groups</li> </ul>	<ul style="list-style-type: none"> <li>- Nature of Bill of Rights</li> <li>- Equality</li> <li>- Group and minority rights</li> </ul>

21.	J Roux	<ul style="list-style-type: none"> <li>- Threefolding of social organisation ie. the independent organisation of economic, legal-rights and cultural-spiritual-educational affairs.</li> <li>- Constitution should form a rights-state government to establish and protect human rights.</li> </ul>	- Nature of Bill of Rights
22.	DG Schuster	<ul style="list-style-type: none"> <li>- Bill of Rights should prohibit age discrimination</li> </ul>	- Equality
23.	M Tshiki	<ul style="list-style-type: none"> <li>- Property rights and land expropriation</li> </ul>	- Property
24.	A Wilson	<ul style="list-style-type: none"> <li>- Bill of Rights should include fundamental rights, civil liberties and equality before law.</li> <li>- Suspension of rights for criminals.</li> <li>- Against minority rights</li> </ul>	<ul style="list-style-type: none"> <li>- Nature of Bill of Rights</li> <li>- Suspension and limitation of Rights</li> <li>- Group and Minority rights</li> </ul>



NO	ORGANISATION	SUBMISSION	CATEGORY
25.	Animal Groups Alliance	- Inclusion of a clause for animal protection in Bill of Rights	- Environmental Rights
26.	Christian Science Committee on Publication for the Northern Province of South Africa	- Freedom to choose health care and practice of Christian Science	- Religion, Belief and Opinion
27.	Community Peace Foundation	- Entrenching a horizontal application of the Bill of Rights	- Nature and Application of Bill of Rights
28.	Confederation of Employers of Southern Africa	- Address application of rights by also including a horizontal application of the Bill of Rights	- Nature and Application of Bill of Rights
29.	Conscientious Objector Support Group	- Everyone should have right to conscientious objection to military service	- Obligations, Rights and Duties of Citizens  - Freedom of Conscience
30.	The English Academy of Southern Africa	- Religious equality  - Freedom of conscience and academic freedom is greatly welcomed.  - Equality of language is problematic, although minority languages should be protected.	- Religion, Belief and Opinion  - Freedom of Expression  - Language and Culture
31.	Human Rights Institute of South Africa	- A hierarchy and status of the international human rights treaties should be included in the Constitution.	- Relationship between Charters of Human Rights and the Bill of Rights

32.	Institute for Human Rights Education	- Every citizen is entitled to information towards a full understanding of the Constitution and the Bill of Rights.	- Nature of the Bill of Rights
33.	Inyangas National Association	- Wish that the Association be established to operate in the whole country.	- Customary and Traditional Law
34.	Leer and Aktuele Sake, NED Geref Kerk	- New Constitution should follow basic Christian principles.  - Based on this premise, there should be religious freedom and the acknowledgement of human dignity.	- Nature of Bill of Rights  - Religion, Belief and Opinion  - Human dignity
35.	Medical Research Council, Community Health Research Group	- Implementation of government policy can be jeopardised by a reliance on competing individual rights	- Nature and Application of Bill of Rights
36.	The Novalis Institute	- Article 26 of the UN Universal Declaration of Human Rights be included in new Constitution.	- Education
37.	Resources Aimed at the Prevention of Child Abuse and Neglect	- Equality should also be applied to gay women  - Every women should have the right to choose what happens to her body.	- Equality  - Life
38.	SACCAWU	- Parental rights proposal for working women and men.	- Children  - Social Rights

39.	United Christian Action	- Freedom has to be based upon and in accordance with the 10 Commandments.	- Nature of Bill of Rights - Religion, Belief and Opinion
40.	The Women's Lobby	- Right to life and termination of pregnancy.	- Life