

MINUTES

DATE : 15 FEBRUARY 1991

PRESENT : ALBIE SACHS, PIUS LANGA, ZOLA SKWEYIYA, Z. JOBODWANA,
T. PEKANE, KADER ASMAL, ARTHUR CHASKALSON, ESSA MOOSA
AND BRIGITTE MABANDLA

AGENDA :

1. MINUTES OF LAST MEETING
2. PLANNING OF CONSTITUTIONAL CONFERENCE
3. FURTHER DEVELOPMENT OF WORKING PAPERS
4. PROGRAMME OF FURTHER CONFERENCES
5. INVITATIONS

MINUTES OF LAST MEETING:

There were not available. Brigitte explained that she thought the meeting was a special one directed at reviewing preparations for the conference of the Constitutional court.

PLANNING OF CONSTITUTIONAL COURT CONFERENCE:

Fink gave a report of preparations for the conference. He informed the meeting that the following judges had confirmed that they were coming to the conference.

Hon. Mr Justice Bagwathi from	India
Hon. Mr Justice Crable from	Ghana/Barbados
Hon. Mr Justice Lalah from	Mauritius
Hon. Mr Justice Tarnopolsky	Canada
Hon. Mr Justice Moreira	Portugal
Nadam Renny Granger Constitutional Court	France
Prof. Lunshop	Netherlands
Hon. Mr Justice Dumbutshena	Zimbabwe/Transkei
Ms Eliasson under secretary Justice	Sweden
Proffesor Coetze	Germany
Hon. Mr Justice Coetze	Germany
Hon. Mr Justice Higginbotham	USA Supreme court.

That the commonwealth secretariat had said that they would not be sending anyone. He confirmed that the conference would take place at Magalisburg. Zola reported that cde mandela will open the meeting. It was agreed that the conference should be closed except for the opening, to which journalists and diplomats would be invited. It was agreed that deliberations at conference should not be video-taped.

FURTHER DEVELOPMENT OF THE WORKING PAPER:

It was observed that political developments required that the constitutional committee should speed-up the update of all the working documents. The meeting agreed that the documents should be revised before the patriotic front conference takes place. It was estimated that the conference would take place about the

21st of March 1991. It was agreed that Albie and Kader should work on the principles document whilst Fink and Arthur update the other working document. Zola and Brigitte offered to assist. The meeting agreed that the update should be done within four weeks and that it should be thoroughly examined minutely paragraph by paragraph.

- PROGRAMME OF FURTHER CONFERENCES:

It was proposed that an in-house workshop on interim mechanisms should be held in Johannesburg on the 12th of March 1991. NEC members, SACP COSATU and Civic representatives were to be invited to the workshop. It was also agreed that Pius should organise a Bill of rights conference in Durban from the 10th to the 12th of May 1991. The meeting was informed that Michael Tigar, a lawyer from the USA was visiting South Africa and would be a guest of the community Law Centre of UWC. Michael was due in South Africa on the 9th of March. The meeting also heard that the Community Law Centre and NADEL would be hosting a conference on "Constitution making from the 24th to the 26th of March 1991. thirty lawyers from the N.C.B.L. in the USA were expected to participate in the conference. Members of the committee were expected to attend the conference.

the proposal of NDI was tabled for discussion namely, that NDI would like to organise regional seminars on electoral procedures. It was agreed that the issue needs further discussion but that the committee should consider the proposal.

INVITATIONS:

The committee was invited to a workshop in Namibia with the government of Namibia to discuss the experience of Namibia during the period of transition and negotiations. It was agreed that the workshop takes place from the 15th to the 17th of March. Cde Arthur, Zola, Essa Bulelani, Brigitte, George, Kader and Fink indicated their willingness to participate in the workshop. Cde Louis and Albie said they would not attend. It was proposed that members of the NEC should be invited to the workshop. An invitation to Boston University to discuss Conflict Resolution was tabled and it was agreed that Zola, Louis, Mathole, Bulelani and Fink would go to the conference. The rest of the invitations were not discussed.

GENERAL:

Translation of the Bill of Rights and the booklet, "What is a Constitution", was discussed. The meeting was informed that Xhosa and Afrikaans translations were being done at UWC.

Brigitte reported that she had found the address of professional translators and would pursue the matter.

Matters to follow up:

Invitations

Report on translations.