

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP STEERING COMMITTEE, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE SUBJECT TO RATIFICATION BY THE WORKING GROUP STEERING COMMITTEE AT ITS NEXT MEETING.

MINUTES OF A MEETING OF THE STEERING COMMITTEE OF WORKING GROUP 2 (CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON MONDAY, 10 FEBRUARY 1992 AT 18H00

PRESENT: Delegates (see Addendum A)
M Phillips (secretary and minutes)

1. Documents Distributed

The following documents were distributed:

Draft minutes of the second meeting of working group 2

Draft minutes of the first meeting of working group 2 steering committee

Working Group 2 proposal (SA Government)

Submission from Ronelle Botha

2. Agenda for Next Working Group Meeting

The agenda for the next meeting of the working group to be held on 11 February 1992 at the World Trade Centre is as follows:

2.1 Ratification of agenda

2.2 Ratification of minutes of previous meeting

2.3 Submissions by delegates on areas of commonality and difference and general constitutional principles

2.4 Adjournment

2.5 Key issues to be addressed: Steering Committee proposal

2.6 AOB

3. Key Issues to be Addressed

The meeting identified the following key issues to be addressed by the working group:

3.1 The balance between central, regional and local government.

3.2 The meaningful participation of political minorities.

3.3 Economic freedom, governmental intervention and economic systems.

3.4 Accommodation of the diversity of languages, cultures and religions.

3.5 Affirmative action and the bill of rights.

3.6 Self-determination.

4. **Document on Key Issues to be Addressed**

The meeting decided to prepare a document summarising the key issues of general constitutional principle which need to be addressed and which the steering committee has identified from the documentation thus far submitted to the working group. The steering committee will consider tabling the document to the working group during its adjournment at the meeting to be held on 11 February 1992.

5. **Next Meeting**

The meeting did not decide on a date for its next meeting.

ADDENDUM A

The following persons attended the meeting of the Working Group 2 Steering Committee held at the World Trade Centre on 10 February 1992:

T Delpont (Chair)
V Moosa
C Eglin
B Ngubane
J Slovo

WORKING GROUP 2

KEY ISSUES TO BE ADDRESSED

1. The balance between central, regional and local government.
2. The meaningful participation of political minorities.
3. Economic freedom, governmental intervention and economic systems.
4. Accommodation of the diversity of languages, cultures and religions.
5. The bill/charter of fundamental rights including :
 - 5.1 Its nature and scope
 - 5.2 Affirmative action
 - 5.3 Second generation rights
6. Role of traditional leaders.
7. Self-determination.

AREAS OF COMMONALITY THAT ALREADY EXIST

1. South Africa will be a democratic, non-racial, non-sexist, sovereign state.
2. The constitution shall be the supreme law.
3. The diversity of languages, cultures and religions will be acknowledged.
4. All will enjoy universally accepted human rights civil liberties including freedom of religion, speech and assembly.
5. There will be separation of powers between the legislature, the executive and the judiciary with appropriate checks and balances.
6. The legislative branch of government will embrace multi-party democracy, regular elections, universal adult suffrage, a common voters roll and in general proportional representation.
7. The judicial branch of government will include:
 - 7.1. A judiciary that will be independent, non-racial and impartial.
 - 7.2. An entrenched and justiciable bill of rights.
 - 7.3. A legal system that guarantees the equality of all before the law.