

CONSTITUTIONAL ASSEMBLY

**THEME COMMITTEE 1
CHARACTER OF THE DEMOCRATIC STATE**

**MINUTES OF THE TENTH MEETING OF THEME COMMITTEE 1
MONDAY 27 FEBRUARY 1995 09H00 ROOM M515**

Present

Marais P G (Chairperson)

Booi M S	Moorcroft E K
Chikane M M	Mukhuba T T
Chiwayo L L L	Mulder P
Cwele C S	Ncube B S
Gumede D M	Nzimande B E
Hangana N E	Ripinga S S
Kekana N N	Routledge N C
Mabuza M C	Schoeman E A
Macozoma S J	Streicher D M
Mahlangu N J	Van Deventer F J
Majola-Pikoli N T	Vilakazi B H
Marais A	Williams A J
Meshoe R K	
Mngomezulu P G	
Mohale M	
Momberg J H	

Technical Experts present:

Corder, H
Heunis, J
Husain Z

APOLOGIES:

None

Leola Rammble and Susan Rabinowitz were in attendance.

1. OPENING

The meeting was opened by the Chairperson at 09h15.

2. ADOPTION OF PREVIOUS MINUTES

The minutes of the Theme Committee meeting of 20 February 1995 contained in document A14 were adopted.

3. MATTERS ARISING

Matters arising from the previous minutes would be dealt with under the other items on the Agenda.

Parties were to submit all outstanding submissions for Block 2 to the Secretary as soon as possible.

4. REPORT FROM CORE GROUP

The minutes of the Core Group meeting of 22 February 1995 contained in document A14 were tabled.

The chairperson reported that it was not necessary for the Report on Block 1 to be rewritten but that the Theme Committee needed to submit a supplementary report to the CC. This would be dealt with under Item 5 on the agenda.

With regard to further items dealt with in the Core Group meeting, a memorandum entitled "Proposed rationalisation of the work of Theme Committee 1" prepared by the Technical Experts was tabled. Prof Corder took the Theme Committee through the document and explained that items (a) and (c) under I) had been completed but that item (b) dealing with areas of common ground between Theme Committees would be dealt with at a meeting between technical advisers of other Theme Committees this afternoon. The Technical Experts would then report back to the Theme Committee.

The meeting also requested the Secretariat should make the arrangements for possible joint meetings of the Core Groups and Technical Experts from the particular Theme Committees.

It was further agreed that, following on a suggestion from the Chairpersons meeting on 16 February 1995 and which was repeated at the Core Group meeting, orientation workshops be arranged at the beginning of each agenda item or each Block on the work programme to familiarise members of the Theme Committee with the particular items.

5. DISCUSSION ON SUPPLEMENTARY REPORT OF PUBLIC SUBMISSIONS AND SUGGESTED SUPPLEMENTARY REPORT TO

BLOCK 1.

5.1 Draft supplementary report on private submissions

All the parties present at the meeting agreed that the supplementary report on private submissions should include classification of issues dealt with according to the contentious and non-contentious points found in the Amended Report on Block 1.

Taking the above into account, we are pleased to report that on a rough classification, approximately 12% of these private submissions deal with non-contentious issues, about 45% with contentious issues and the balance with issues which are to be considered by Theme Committee One later in the Constitution-making process. They will be taken into account when those items are reached.

It was agreed to attach to the supplementary report an Annexure which contains a summary overview of Public Submissions received.

Suggested supplementary report to Report 1

The parties present raised concerns about the report and wished to make amendments. It was agreed that parties who wished to make amendments would do so by direct contact with the Technical Experts through the Secretary and that a supplementary report dealing with Contentious Issues would be submitted at next week's meeting.

6. FINALIZE REPORT FOR BLOCK 1

This item has been dealt with under Item 5 above.

7. GENERAL

Public Participation Programme

A brief report was given by members of the Theme Committee who had taken part in the Public Participation Programme over the weekend and a number of points were raised which the Secretariat was asked to convey to the organisers of the programme. These included poor advertising of the events in the different areas, the timing of the meetings, the accessibility of a venue, inadequate representation of the political parties, the short notice and lack of proper preparation for members and the concern that issues raised by the public at the events are tabled in a report-back.

It was agreed that at future Theme Committee meetings the Public Participation Programme would be a standing item on the agenda.

It was further agreed that the Core Group should discuss a formula which should be used to process the names of members who are able to participate in the CPM's.

8. CLOSURE

The meeting rose at 10h50.

CHAIRPERSON:_____