

Country/entity	South Africa
Region	Africa (excl MENA)
Agreement name	Memorandum of Agreement for Reconciliation and Peace between the Inkatha Freedom party/Kwazulu Government and the African National Congress and the South African Government/National Party
Date	19 Apr 1994
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/conflict level	Intrastate/intrastate conflict

Post Apartheid South Africa and Namibian Independence (1990 - 1994)

South Africa – internal. The roots of the modern South African conflict are found in the British and Dutch colonization of Southern Africa, which resulted in the introduction of a white minority who soon held power in the region. The South African state emerged following a hard-fought pact between the British government and the white Afrikaner minority. ‘Apartheid’ – the Afrikaans word for separateness – became official government policy after 1948. Resistance to this system was widespread and took diverse forms. In 1912, the African National Congress (ANC) was formed to push for reforms in the country. After the 1960 Sharpeville massacre several organisations around the ANC took up arms and began to fight the Apartheid government using violent means. During the 1980s, President P.W. Botha introduced a reform policy that enabled the post-1990 peace agreements, which paved the way for the end of the apartheid system.

South Africa- Namibia. One set of agreements relates to the independence of Namibia which followed from the end of apartheid.

Close

Post Apartheid South Africa and Namibian Independence (1990 - 1994)

Stage	Implementation/renegotiation
Conflict nature	Government
Peace process	South Africa peace process
Parties	MANGOSUTHO G BUTHELEZI President: Inkatha Freedom Party and Chief Minister of the KwaZulu Government
	STATE PRESIDENT F W DE KLERK South African Government/National Party
	PRESIDENT N MANDELA African National Congress

Third parties WITNESSED BY: PROF W A J OKUMU

Description Short agreement outlining the commitment of the Inkatha Freedom Party to participate in National Assembly and Provincial Legislature elections. Emphasises the rejection of violence and the recognition of the Kingdom of KwaZulu/Natal, and the Provincial Constitution of KwaZulu/Natal. The South African Government agrees to give necessary facilities at the disposal of the Independent Election Commission. Addendum to agreement includes the amendment of section 160 of the Constitution and the amendment of Schedule 4 of Act 200 of 1993.

Agreement document [ZA_940419_MEMORANDUM OF AGREEMENT BETWEEN THE INKATHA FREEDOM PARTY.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group Groups→Racial/ethnic/national group→Substantive
Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:
... 3. The undersigned parties agree to recognise and protect the institution, status and role of the constitutional position of the King of the Zulus and the Kingdom of KwaZulu, which institutions shall be provided for in the Provincial Constitution of KwaZulu/Natal immediately after the holding of the said elections. The 1993 Constitution shall for this purpose be amended before 27 April in accordance with Addendum A.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→General references

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 3. The undersigned parties agree to recognise and protect the institution, status and role of the constitutional position of the King of the Zulus and the Kingdom of KwaZulu, which institutions shall be provided for in the Provincial Constitution of KwaZulu/Natal immediately after the holding of the said elections. The 1993 Constitution shall for this purpose be amended before 27 April in accordance with Addendum A.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 4. Any outstanding issues in respect of the King of the Zulus and the 1993 Constitution as amended will be addressed by way of international mediation which will commence as soon as possible after the said elections.

Page 2, ADDENDUM A²⁸

Amendment of section 160 of Act 200 of 1993.

1. Section 160 of the Constitution is hereby amended by the substitution for the proviso to subsection (3) of the following provision:

"Provided that a provincial constitution may - (a) provide for legislative and executive structures and procedures different from those provided for in this Constitution in respect of a province; and, (b) where applicable, provide for the institution, role, authority and status of a traditional monarch in the province, and shall make such provision for the Zulu Monarch in the case of the province of KwaZulu/Natal".

Amendment of Schedule 4 to Act 200 of 1993

2. Schedule 4 to the Constitution is hereby amended by the addition of the following paragraph to constitutional principle XIII:

"Provisions in a provincial constitution relating to the institution, role, authority and status of a traditional monarch shall be recognised and protected in the Constitution".

Elections

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

1. The Inkatha Freedom Party agrees to participate in the April 26-28, 1994 elections for both the National Assembly and Provincial Legislatures.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 2. All the undersigned parties reject violence and will therefore do everything in their power to ensure free and fair elections throughout the Republic of South Africa.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 5. The South African Government undertakes to place the necessary facilities at the disposal of the Independent Electoral Commission (IEC) as it may require in order to facilitate the full participation of the IFP in the April 26-28, 1994 election.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 5. The South African Government undertakes to place the necessary facilities at the disposal of the Independent Electoral Commission (IEC) as it may require in order to facilitate the full participation of the IFP in the April 26-28, 1994 election.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 6. The undersigned parties will facilitate proper provision for:

i) Registration of the IFP ii) The IFP Candidates list iii) Marking by voters of ballot papers.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

.. The undersigned parties hereby undertake to abide by the technical arrangements to be made by the Independent Electoral Commission to implement the matters referred to in subparagraphs (i), (ii) and (iii) above in accordance with the details set out in Addendum B.

Electoral commission

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 5. The South African Government undertakes to place the necessary facilities at the disposal of the Independent Electoral Commission (IEC) as it may require in order to facilitate the full participation of the IFP in the April 26-28, 1994 election.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

.. The undersigned parties hereby undertake to abide by the technical arrangements to be made by the Independent Electoral Commission to implement the matters referred to in subparagraphs (i), (ii) and (iii) above in accordance with the details set out in Addendum B.

Political parties reform

No specific mention.

Civil society No specific mention.

**Traditional/
religious leaders**

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 3. The undersigned parties agree to recognise and protect the institution, status and role of the constitutional position of the King of the Zulus and the Kingdom of KwaZulu, which institutions shall be provided for in the Provincial Constitution of KwaZulu/Natal immediately after the holding of the said elections. The 1993 Constitution shall for this purpose be amended before 27 April in accordance with Addendum A.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 4. Any outstanding issues in respect of the King of the Zulus and the 1993 Constitution as amended will be addressed by way of international mediation which will commence as soon as possible after the said elections.

Page 2, ADDENDUM A²⁹₂₈

Amendment of section 160 of Act 200 of 1993.

1. Section 160 of the Constitution is hereby amended by the substitution for the proviso to subsection (3) of the following provision:

"Provided that a provincial constitution may - (a) provide for legislative and executive structures and procedures different from those provided for in this Constitution in respect of a province; and, (b) where applicable, provide for the institution, role, authority and status of a traditional monarch in the province, and shall make such provision for the Zulu Monarch in the case of the province of KwaZulu/Natal".

Amendment of Schedule 4 to Act 200 of 1993

2. Schedule 4 to the Constitution is hereby amended by the addition of the following paragraph to constitutional principle XIII:

"Provisions in a provincial constitution relating to the institution, role, authority and status of a traditional monarch shall be recognised and protected in the Constitution".

Public administration

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 3. The undersigned parties agree to recognise and protect the institution, status and role of the constitutional position of the King of the Zulus and the Kingdom of KwaZulu, which institutions shall be provided for in the Provincial Constitution of KwaZulu/Natal immediately after the holding of the said elections. The 1993 Constitution shall for this purpose be amended before 27 April in accordance with Addendum A.

Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:

... 4. Any outstanding issues in respect of the King of the Zulus and the 1993 Constitution as amended will be addressed by way of international mediation which will commence as soon as possible after the said elections.

Page 2, ADDENDUM A²⁰

Amendment of section 160 of Act 200 of 1993.

1. Section 160 of the Constitution is hereby amended by the substitution for the proviso to subsection (3) of the following provision:

"Provided that a provincial constitution may - (a) provide for legislative and executive structures and procedures different from those provided for in this Constitution in respect of a province; and, (b) where applicable, provide for the institution, role, authority and status of a traditional monarch in the province, and shall make such provision for the Zulu Monarch in the case of the province of KwaZulu/Natal".

Amendment of Schedule 4 to Act 200 of 1993

2. Schedule 4 to the Constitution is hereby amended by the addition of the following paragraph to constitutional principle XIII:

"Provisions in a provincial constitution relating to the institution, role, authority and status of a traditional monarch shall be recognised and protected in the Constitution".

Power sharing

Political power sharing

No specific mention.

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access No specific mention.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:
... 2. All the undersigned parties reject violence and will therefore do everything in their power to ensure free and fair elections throughout the Republic of South Africa.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source University of Pennsylvania, African Studies Center
https://www.africa.upenn.edu/Govern_Political/ANC_18598.html

