

<b>Country/entity</b>	South Africa
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	Pretoria Minute
<b>Date</b>	6 Aug 1990
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/intrastate conflict
	<b>Post Apartheid South Africa and Namibian Independence (1990 - 1994)</b>

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)

<b>Stage</b>	Pre-negotiation/process
<b>Conflict nature</b>	Government
<b>Peace process</b>	South Africa peace process
<b>Parties</b>	SAG, ANC
<b>Third parties</b>	-
<b>Description</b>	Agreement establishing guidelines for prisoner release and amnesty established by the Groot Schuur working group (appended); Parties task working group to agree an implementation plan. The ANC agrees to a ceasefire.

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**Agreement document**

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**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** No specific mention.

**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.

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**Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **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.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** Page 2,  
5. With due cognisance of the interest, role and involvement of other parties the delegations consider it necessary that whatever additional mechanisms of communication are needed should be developed at local, regional and national levels. This should enable public grievances to be addressed peacefully and in good time, avoiding conflict.

**Traditional/religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** Governance→Constitution→Constitutional reform/making  
Page 3,  
9. Against this background, the way is now open to proceed towards negotiations on a new constitution. Exploratory talks in this regard will be held before the next meeting which will be held soon.

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### **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.

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### **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.

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### **Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** Rights related issues→Media and communication→Media roles  
Page 2,  
5. With due cognisance of the interest, role and involvement of other parties the delegations consider it necessary that whatever additional mechanisms of communication are needed should be developed at local, regional and national levels. This should enable public grievances to be addressed peacefully and in good time, avoiding conflict.

Page 2,  
7. In view of the new circumstances now emerging there will be an ongoing review of security legislation. The Government will give immediate consideration to repealing all provisions of the Internal Security Act that -  
... (c) provide for a prohibition on the publication of statements or writings of certain persons; and  
(d) provide for an amount to be deposited before a newspaper may be registered.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

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**Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## Justice sector reform

**Criminal justice and emergency law** Justice sector reform→Criminal justice and emergency law→Reform to specific laws  
Page 2,

7. In view of the new circumstances now emerging there will be an ongoing review of security legislation. The Government will give immediate consideration to repealing all provisions of the Internal Security Act that -

(a) refer to communism or the furthering thereof;

(b) provide for a consolidated list;

(c) provide for a prohibition on the publication of statements or writings of certain persons; and

(d) provide for an amount to be deposited before a newspaper may be registered.

The Government will continue reviewing security legislation and its application in order to ensure free political activity and with the view to introducing amended legislation at the next session of Parliament. The Minister of Justice will issue a statement in this regard, inter alia calling for comments and proposals.

**State of emergency provisions** Page 2, 6. The Government has undertaken to consider the lifting of the State of emergency in Natal as early as possible in the light of positive consequences that should result from this accord.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## 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.

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**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.

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**Security sector**



**Security  
Guarantees**

Page 1,

2. The final report of the Working Group on political offences dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the Report will be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed. The meeting has instructed the Working Group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August. The following target dates have in the meantime been agreed upon:

- The body or bodies referred to in paragraph 8.2 of the Report of the Working Group will be constituted by 31 August 1990.
- further release of prisoners which can be dealt with administratively will start on 1 September 1990.
- Indemnity which can be dealt with in categories of persons and not on an individual basis will be granted as from 1 October 1990. This process will be completed not later than the end of 1990.
- In all cases where the body or bodies to be constituted according to paragraph 8.2 of the Report of the Working Group will have to consider cases on an individual basis, the process will be expedited as much as possible. It is hoped that this process will be completed within six months, but the latest date envisaged for the completion of the total task in terms of the Report of the Working Group is not later than 30 April 1991.

Page 2,

4. Both delegations expressed serious concern about the general level of violence, intimidation and unrest in the country especially in Natal. They agreed that in the context of the common search for peace and stability, it was vital that understanding should grow among all sections of the South African population that problems can and should be solved through negotiations. Both parties committed themselves to undertake steps and measures to promote and expedite the normalisation of the situation in line with the spirit of mutual trust obtaining among the leaders involved.

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5. With due cognisance of the interest, role and involvement of other parties the delegations consider it necessary that whatever additional mechanisms of communication are needed should be developed at local, regional and national levels. This should enable public grievances to be addressed peacefully and in good time, avoiding conflict.

Page 2,

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Page 2,

7. In view of the new circumstances now emerging there will be an ongoing review of security legislation. The Government will give immediate consideration to repealing all provisions of the Internal Security Act that -

- (a) refer to communism or the furthering thereof;
- (b) provide for a consolidated list;
- (c) provide for a prohibition on the publication of statements or writings of certain persons; and

(d) provide for an amount to be deposited before a newspaper may be registered. The Government will continue reviewing security legislation and its application in order

<b>Ceasefire</b>	<p>Security sector→Ceasefire→Ceasefire provision Page 1, 3. In the interest of moving as speedily as possible towards a negotiated peaceful political settlement and in the context of the agreements reached, the ANC announced that it was now suspending all armed actions with immediate effect. As a result of this, no further armed actions and related activities by the ANC and its military wing Umkhonto we Sizwe will take place. It was agreed that a working group will be established to resolve all outstanding questions arising out of this decision to report by 15 September 1990. Both sides once more committed themselves to do everything in their power to bring about a peaceful solution as quickly as possible.</p>
<b>Police</b>	No specific mention.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	<p>Page 1, 2. The final report of the Working Group on political offences dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the Report will be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed. The meeting has instructed the Working Group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August. The following target dates have in the meantime been agreed upon: ... - Indemnity which can be dealt with in categories of persons and not on an individual basis will be granted as from 1 October 1990. This process will be completed not later than the end of 1990.</p> <p>Page 1, 3. In the interest of moving as speedily as possible towards a negotiated peaceful political settlement and in the context of the agreements reached, the ANC announced that it was now suspending all armed actions with immediate effect. As a result of this, no further armed actions and related activities by the ANC and its military wing Umkhonto we Sizwe will take place. It was agreed that a working group will be established to resolve all outstanding questions arising out of this decision to report by 15 September 1990. Both sides once more committed themselves to do everything in their power to bring about a peaceful solution as quickly as possible.</p>
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.

**Crime/organised crime** No specific mention.

**Drugs** No specific mention.

**Terrorism** No specific mention.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** Transitional justice→Amnesty/pardon→Amnesty/pardon proper  
Page 1,  
2. The final report of the Working Group on political offences dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the Report will be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed. The meeting has instructed the Working Group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August.

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...

Indemnity which can be dealt with in categories of persons and not on an individual basis will be granted as from 1 October 1990. This process will be completed not later than the end of 1990.

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** Page 1,  
2. The final report of the Working Group on political offences dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the Report will be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed. The meeting has instructed the Working Group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August.  
... - The further release of prisoners which can be dealt with administratively will start on 1 September 1990.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

**Reparations** Transitional justice→Reparations→Material reparations  
Page 1,  
2. The final report of the Working Group on political offences dated 21 May 1990, as amended, was accepted by both parties. The guidelines to be formulated in terms of the Report will be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed. The meeting has instructed the Working Group to draw up a plan for the release of ANC-related prisoners and the granting of indemnity to people in a phased manner and to report before the end of August.  
... - Indemnity which can be dealt with in categories of persons and not on an individual basis will be granted as from 1 October 1990. This process will be completed not later than the end of 1990.

**Reconciliation** Page 2,  
4. Both delegations expressed serious concern about the general level of violence, intimidation and unrest in the country especially in Natal. They agreed that in the context of the common search for peace and stability, it was vital that understanding should grow among all sections of the South African population that problems can and should be solved through negotiations. Both parties committed themselves to undertake steps and measures to promote and expedite the normalisation of the situation in line with the spirit of mutual trust obtaining among the leaders involved.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

<b>Referendum for agreement</b>	No specific mention.
<b>International mission/force/similar</b>	No specific mention.
<b>Enforcement mechanism</b>	No specific mention.
<b>Related cases</b>	No specific mention.
<b>Source</b>	Originally sourced from the ANC website: <a href="http://www.anc.org.za">www.anc.org.za</a> [no longer available from source]. Also available from UN Peacemaker: <a href="https://peacemaker.un.org/southafrica-pretoria-minute1990">https://peacemaker.un.org/southafrica-pretoria-minute1990</a>

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