

Country/entity	South Africa
Region	Africa (excl MENA)
Agreement name	South African Constitution of 1993 (Interim Constitution)
Date	18 Nov 1993
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	Framework/substantive - comprehensive
Conflict nature	Government
Peace process	South Africa peace process
Parties	Not signed, constitution known to have been endorsed by the South African Parliament
Third parties	-
Description	This is an extensive transitional document which sets out in particular the powers, authority and limitations of the new government. It is formatted in extensive chapters with detailed sub-sections. It ensures democracy and participation, fundamental human rights, the establishment of new political and legislative institutions and provides for the creation of a new permanent constitution to supersede it.

Agreement document

[ZA_931206_Interim Constitution.pdf \(opens in new tab\)](#) | [Download PDF](#)

Women, girls and gender

Participation

Participation→Effective participation

Page 30, Chapter 8 PUBLIC PROTECTOR, HUMAN RIGHTS COMMISSION

Section 119 Establishment

... (3) The object of the Commission shall be to promote gender equality and to advise and to make recommendations to Parliament or any other legislature with regard to any laws or proposed legislation which affects gender equality and the status of women.

Participation→Citizenship

Page 30, Chapter 8 PUBLIC PROTECTOR, HUMAN RIGHTS COMMISSION

Section 119 Establishment

... (2) The Commission shall consist of persons who are fit and proper for appointment, South African citizens and broadly representative of the South African community.

Equality

Equality→Equality (general)

Page 3, Chapter 3 FUNDAMENTAL RIGHTS

Section 8 Equality

(2) No person shall be unfairly discriminated against, directly or indirectly, and, without derogating from the generality of this provision, on one or more of the following grounds in particular: race, gender, sex, ethnic or social origin, color, sexual orientation, age, disability, religion, conscience, belief, culture or language.

Equality→Other

Page 1, Preamble,

We, the people of South Africa declare that:²⁸

Whereas there is a need to create a new order in which all South Africans will be entitled to a common South African citizenship in a sovereign and democratic constitutional state in which there is equality between men and women and people of all races so that all citizens shall be able to enjoy and exercise their fundamental rights and freedoms;

Particular groups of women No specific mention.

International law No specific mention.

New institutions New institutions→Institutions for women
Page 30, Chapter 8 PUBLIC PROTECTOR, HUMAN RIGHTS COMMISSION
Section 119 Establishment
(1) There shall be a Commission on Gender Equality, which shall consist of a chairperson and such number of members as may be determined by an Act of Parliament.
(2) The Commission shall consist of persons who are fit and proper for appointment, South African citizens and broadly representative of the South African community.
(3) The object of the Commission shall be to promote gender equality and to advise and to make recommendations to Parliament or any other legislature with regard to any laws or proposed legislation which affects gender equality and the status of women.

Page 30, Chapter 8 Public Protector, Human Rights Commissions
Section 120 Composition and functioning
The Act of Parliament referred to in Section 119 shall provide for the composition, powers, functions and functioning of the Commission on Gender Issues and for all other matters in connection therewith.

Violence against women No specific mention.

Transitional justice No specific mention.

Institutional reform No specific mention.

Development No specific mention.

Implementation No specific mention.

Other No specific mention.