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|----------------------------|---|
| <b>Country/entity</b>      | South Africa  |
| <b>Region</b>              | Africa (excl MENA)  |
| <b>Agreement name</b>      | 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 |
| <b>Date</b>                | 19 Apr 1994   |
| <b>Agreement status</b>    | Multiparty signed/agreed  |
| <b>Interim arrangement</b> | 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)

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

|                      |  |
|----------------------|--|
| <b>Third parties</b> | WITNESSED BY: PROF W A J OKUMU   |
| <b>Description</b>   | 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. |

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|---------------------------|---|
| <b>Agreement document</b> | <a href="#">ZA_940419_MEMORANDUM OF AGREEMENT BETWEEN THE INKATHA FREEDOM PARTY.pdf (opens in new tab)</a>   <a href="#">Download PDF</a> |
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## Groups

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|--|---|
| <b>Children/youth</b>                    | No specific mention.  |
| <b>Disabled persons</b>                  | No specific mention.  |
| <b>Elderly/age</b>                       | No specific mention.  |
| <b>Migrant workers</b>                   | No specific mention.  |
| <b>Racial/ethnic/<br/>national group</b> | Groups→Racial/ethnic/national group→Substantive<br>Page 1, We, the undersigned, pledge ourselves to Peace and Reconciliation in South Africa and agree to commit ourselves to the following:<br>... 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. |
| <b>Religious groups</b>                  | No specific mention.  |
| <b>Indigenous people</b>                 | No specific mention.  |
| <b>Other groups</b>                      | No specific mention.  |
| <b>Refugees/displaced persons</b>        | No specific mention.  |
| <b>Social class</b>                      | 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.



**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 A<sup>28</sup>

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.

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... 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:<sup>29</sup>

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**

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## **Political parties reform**

No specific mention.

**Civil society**

No specific mention.

**Traditional/  
religious leaders**

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... 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.

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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

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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** No specific mention.

**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** 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.

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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, 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.

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## **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](https://www.africa.upenn.edu/Govern_Political/ANC_18598.html)

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