



<b>Country/entity</b>	South Africa
<b>Region</b>	Africa (excl MENA)
<b>Agreement name</b>	CODESA Declaration of Intent
<b>Date</b>	21 Dec 1991
<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, CODESA (Democratic Party, Dikwankwetla Party, Inkatha Freedom Party, ANC, Bophuthatswana Govt, Inyandza National Movement, Intando Yesizwe Party, Labour Party of SA, Natal/Tvl Indian Congress, National Party, National People's Party, Solidarity, SA Communist Party, Transkei Govt, United People's Front, Venda Govt, Ximoko Progressive Party)

**Third parties**

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**Description**

This short agreement outlines agreed principles for a future constitution as a result of the Convention for a Democratic South Africa. It provides for present and future participants to put forward democratic proposals, and that the Convention will establish a mechanism for co-operation of parties with administrations and the South African Government.

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**Agreement document**

[ZA\\_911229\\_CodesaDeclarationIntent.pdf \(opens in new tab\)](#) | [Download PDF](#)

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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**

Groups→Racial/ethnic/national group→Rhetorical  
Page 1, PREAMBLE

... to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;

Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

- that South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;
- that the Constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;

Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

- that the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;

**Religious groups** Groups→Religious groups→Rhetorical  
Page 1, PREAMBLE  
... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:  
... • that the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;

**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** Page 1, PREAMBLE  
... to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;

Page 1, PREAMBLE  
... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:  
• that South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## State definition

### Nature of state (general)

Page 1, PREAMBLE

We, the duly authorised representatives of political parties, political organizations, administrations and the South African Government, coming together at this first meeting of the Convention for a Democratic South Africa, mindful of the awesome responsibility that rests on us at this moment in the history of our country, declare our solemn commitment:

Page 1, PREAMBLE

... to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;

Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

- that South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;

**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.



<b>Political institutions (new or reformed)</b>	<p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 1, PREAMBLE</p> <p>[Declaring a solemn commitment to] establishing a constitution that will ensure, inter alia: • that there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation;</p>
<b>Elections</b>	<p>Page 1,</p> <p>... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:</p> <p>... • that there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation;</p>
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	<p>Governance→Political parties reform→Other political parties reform</p> <p>Page1</p> <p>We, the duly authorised representatives of political parties, political organizations, administrations and the South African Government, coming together at this first meeting of the Convention for a Democratic South Africa, mindful of the awesome responsibility that rests on us at this moment in the history of our country, declare our solemn commitment:</p> <p>that South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;</p> <p>that the Constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;</p> <p>that there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation;</p>
<b>Civil society</b>	<p>Page 2,</p> <p>... We, the representatives of political parties, political organizations and administrations, further solemnly commit ourselves to be bound by the agreements of CODESA and in good faith to take all such steps as are within our power and authority to realise their implementation.</p>
<b>Traditional/religious leaders</b>	No specific mention.

<b>Public administration</b>	No specific mention.
<b>Constitution</b>	<p>Governance→Constitution→Constitutional reform/making</p> <p>Page 1, PREAMBLE</p> <p>... to create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilization and by promoting free political participation, discussion and debate;</p> <p>Page 1, PREAMBLE</p> <p>... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:</p> <ul style="list-style-type: none"> <li>• that South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;</li> <li>• that the Constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;</li> <li>• that there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation;</li> <li>• that there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances;</li> <li>• that the diversity of languages, cultures and religions of the people of South Africa shall be acknowledged;</li> <li>• that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees</li> </ul>

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## **Power sharing**

<b>Political power sharing</b>	No specific mention.
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

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## **Human rights and equality**

**Human rights/RoL** Page 1, PREAMBLE

**general**

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

... • that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees

**Bill of rights/similar** Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

... • that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees

**Treaty**

**incorporation**

No specific mention.

**Civil and political rights**

Human rights and equality→Civil and political rights→Equality

Page 1, PREAMBLE

... to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;

Page 1, Preamble

[...] to strive to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans;

Human rights and equality→Civil and political rights→Freedom of association

Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

... • that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees

Human rights and equality→Civil and political rights→Vote and take part

Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

... • to create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilization and by promoting free political participation, discussion and debate;

... • that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees

Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion

Page 1, PREAMBLE

... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:

... • that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees

Human rights and equality→Civil and political rights→Other

Page 1, PREAMBLE

... to work to heal the divisions of the past, to secure the advancement of all, and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by law;

**Socio-economic rights**

No specific mention.

## Rights related issues

<b>Citizenship</b>	<p>Rights related issues→Citizenship→Citizen, general</p> <p>Page 1, PREAMBLE</p> <p>... to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;</p>
<b>Democracy</b>	<p>Page 1, PREAMBLE</p> <p>... to work to heal the divisions of the past, to secure the advancement of all, and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by law;</p> <p>Page 1, PREAMBLE</p> <p>... to create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilization and by promoting free political participation, discussion and debate;</p> <p>Page 1,</p> <p>... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:</p> <ul style="list-style-type: none"><li>• that South Africa will be a united, democratic, non-racial and non-sexist state in which sovereign authority is exercised over the whole of its territory;</li><li>... • that there will be a multi-party democracy with the right to form and join political parties and with regular elections on the basis of universal adult suffrage on a common voters roll; in general the basic electoral system shall be that of proportional representation;</li></ul> <p>Page 2,</p> <p>We agree:</p> <ul style="list-style-type: none"><li>• that the present and future participants shall be entitled to put forward freely to the Convention any proposal consistent with democracy.</li></ul>
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	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** Page 1, PREAMBLE  
... to set in motion the process of drawing up and establishing a constitution that will ensure, inter alia:  
... • that the Constitution will be the supreme law and that it will be guarded over by an independent, non-racial and impartial judiciary;  
... • that there shall be a separation of powers between the legislature, executive and judiciary with appropriate checks and balances;  
... • that all shall enjoy universally accepted human rights, freedoms and civil liberties including freedom of religion, speech and assembly protected by an entrenched and justiciable Bill of Rights and a legal system that guarantees

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 1, PREAMBLE  
... to strive to improve the quality of life of our people through policies that will promote economic growth and human development and ensure equal opportunities and social justice for all South Africans;

**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, PREAMBLE  
... to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination;

Page 1, PREAMBLE  
... to create a climate conducive to peaceful constitutional change by eliminating violence, intimidation and destabilization and by promoting free political participation, discussion and debate;

**Ceasefire** No specific mention.

**Police** No specific mention.

**Armed forces** No specific mention.

**DDR** No specific mention.

<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.
<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	<p>Page 1, PREAMBLE</p> <p>... to work to heal the divisions of the past, to secure the advancement of all, and to establish a free and open society based on democratic values where the dignity, worth and rights of every South African are protected by law;</p>

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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** Agreed that the present and future participants be entitled to put forward any proposal consistent with democracy; CODESA to establish mechanism to agree leg with SAG to implement agreements

Page 2,

- that CODESA will establish a mechanism whose task it will be, in cooperation with administrations and the South African Government, to draft the texts of all legislation required to give effect to the agreements reached in CODESA.

**Related cases** No specific mention.

**Source** UN Peacemaker [[peacemaker.un.org](https://peacemaker.un.org)]

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