

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	South Africa
Region	Africa (excl MENA)
Agreement name	Groot Schuur Minute
Date	4 May 1990
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Post Apartheid South Africa and Namibian Independence (1990 - 1994))
Stage	Pre-negotiation/process
Conflict nature	Government
Peace process	South Africa peace process
Parties	Government of South Africa, ANC
Third parties	-
Description	The Parties agree to establish working group to define political offences and consider mechanisms for dealing with amnesties and prisoner releases, with a view to facilitating further negotiations between the parties.

Agreement document [ZA_900504_Groote Schuur Minute.pdf](#)  | [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	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.

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) No specific mention.

Elections No specific mention.

Electoral
commission No specific mention.

Political
parties
reform No specific mention.

Civil society Page 1,
1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately:

Traditional/
religious
leaders No specific mention.

Public
administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing	Power sharing→Political power sharing→Proportionality in legislature Page 1, 1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately:
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 Rights related issues→Media and communication→Media roles
Page 1,
2. ... The government reiterates its commitment to work towards the lifting of the state of emergency. In this context, the ANC will exert itself to fulfil the objectives contained in the preamble. 5. Efficient channels of communication between the government and the ANC will be established in order to curb violence and intimidation from whatever quarter effectively.

Mobility/access Page 1,
1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately:
(a) The leaving of the country without a valid travel document.

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 Justice sector reform→Criminal justice and emergency law→Reform to specific laws
Page 1,
1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately:
... (b) Any offences related merely to organisations which were previously prohibited.

State of emergency provisions Page 1, ... The government reiterates its commitment to work towards the lifting of the state of emergency. In this context, the ANC will exert itself to fulfil the objectives contained in the preamble.

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,
The government and the African National Congress agree on a common commitment towards the resolution of the existing climate of violence and intimidation from whatever quarter as well as a commitment to stability and to a peaceful process of negotiations. Flowing from this commitment, the following was agreed upon:

Page 1,
2. In addition to the arrangements mentioned in paragraph 1, temporary immunity from prosecution of political offences committed before today, will be considered on an urgent basis for members of the National Executive Committee and selected other members of the ANC from outside the country, to enable them to return and help with the establishment and management of political activities, to assist in bringing violence to an end and to take part in peaceful political negotiations. The government undertakes to review existing security legislation to bring it into line with the new dynamic situation developing in South Africa in order to ensure normal and free political activities.

The government reiterates its commitment to work towards the lifting of the state of emergency. In this context, the ANC will exert itself to fulfil the objectives contained in the preamble. 5. Efficient channels of communication between the government and the ANC will be established in order to curb violence and intimidation from whatever quarter effectively.

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	<p>Page 1, 1. ... It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately: (b) Any offences related merely to organisations which were previously prohibited.</p>
Amnesty/pardon	<p>Transitional justice→Amnesty/pardon→Amnesty/pardon proper Page 1, 1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately: (a) The leaving of the country without a valid travel document. (b) Any offences related merely to organisations which were previously prohibited.</p> <p>Page 1, 2. In addition to the arrangements mentioned in paragraph 1, temporary immunity from prosecution of political offences committed before today, will be considered on an urgent basis for members of the National Executive Committee and selected other members of the ANC from outside the country, to enable them to return and help with the establishment and management of political activities, to assist in bringing violence to an end and to take part in peaceful political negotiations. The government undertakes to review existing security legislation to bring it into line with the new dynamic situation developing in South Africa in order to ensure normal and free political activities.</p>
Courts	No specific mention.
Mechanism	No specific mention.

Prisoner release	Page 1, 1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation; to discuss, in this regard, time scales; and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity in respect of political offences to those inside and outside South Africa. All persons who may be affected will be considered. The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21st May 1990. It is understood that the South African government, in its discretion, may consider other political parties and movement and other relevant bodies. The proceedings of the working group will be confidential. In the meantime the following offences will receive attention immediately:
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 Originally sourced from the ANC website: www.anc.org.za [no longer available from source].
Also available from UN Peacemaker: <https://peacemaker.un.org/southafrica-grooteshuur90>
