

**ACCORD ON AFRIKANER
SELF-DETERMINATION
BETWEEN
THE FREEDOM FRONT,
THE AFRICAN NATIONAL
CONGRESS
AND
THE SOUTH AFRICAN
GOVERNMENT/
NATIONAL PARTY
23 APRIL 1994**

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TAKING NOTE

of the Constitution of the Republic of South Africa, Act 200 of 1993 as amended;

and

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of the unsigned Memorandum of Agreement between the African National Congress (ANC) and the Afrikaner Volksfront (AVF), dated December 21, 1993;and

TAKING NOTE

of Constitutional Principle XXXIV, dealing with the issue of self-determination;

and

SUBSEQUENT

to the discussions between the delegations of the ANC, the AVF, the South African Government and eventually the Freedom Front (FF) -

The parties represented by these delegations record the following agreement:

1. The parties agree to address, through a process of negotiations, the idea of Afrikaner self-determination, including the concept of a Volkstaat.
2. The parties further agree that in the consideration of these matters, they shall not exclude the possibility of local and/or regional and other forms of expression of such self-determination.
3. They agree that their negotiations shall be guided by the need to be consistent with and shall be governed by the requirement to pay due consideration to Constitutional Principle XXXIV, other provisions of the Constitution of the Republic of South Africa, Act 200 of 1993 as amended, and that the parties take note of the Memorandum of Agreement, as referred to above.

[The Appendix to this Accord contains copies of these documents perused by the delegations.]

- 3.1 Such consideration shall therefore include matters such as:
 - 3.1.1 substantial proven support for the idea of self-determination including the concept of a Volkstaat;
 - 3.1.2 the principles of democracy, non-racialism and fundamental rights; and
 - 3.1.3 the promotion of peace and national reconciliation.
4. The parties further agree that in pursuit of 3.1.1 above, the support for the idea of self-determination in a Volkstaat will be indicated by the electoral support which parties with a specific mandate to pursue the realisation of a Volkstaat, will gain in the forthcoming election.

- 4.1 The parties also agree that, to facilitate the consideration of the idea of a Volkstaat after the elections, such electoral support should be measured not only nationally, but also by counting the provincial votes at the level of:
 - 4.1.1 the electoral district, and
 - 4.1.2 wherever practical the polling stations as indicated by the parties to, and agreed to, by the Independent Electoral Commission.
5. The parties agree that the task of the Volkstaatraad shall be to investigate and report to the Constitutional Assembly and the Commission on the Provincial Government on measures which can give effect to the idea of Afrikaner self-determination, including the concept of the Volkstaat.
6. The parties further agree that the Volkstaatraad shall form such advisory bodies as it may determine.
7. In addition to the issue of self-determination, the parties also undertake to discuss among themselves and reach agreement on matters relating to matters affecting stability in the agricultural sector and the impact of the process of transition on this sector, and also matters of stability including the issue of indemnity inasmuch as the matter has not been resolved.
8. The parties further agree that they will address all matters of concern to them through negotiations and that this shall not exclude the possibility of international mediation to help resolve such matters as may be in dispute and/or difficult to conclude.
 - 8.1 The parties also agree that paragraph 8.0 shall not be read to mean that any of the deliberations of the Constitutional Assembly are subject to international mediation, unless the Constitutional Assembly duly amends the Constitution to enable this to happen.
 - 8.2 The parties also affirm that, where this Accord refers to the South African Government, it refers to the South African Government which will rule South Africa until the April 1994-elections.

SIGNED BY:

.....
GENL CONSTAND VILJOEN
LEADER : FREEDOM FRONT

.....
MR THABO MBEKI
NATIONAL CHAIRMAN
AFRICAN NATIONAL CONGRESS

.....
MR ROELF MEYER
MINISTER OF CONSTITUTIONAL DEVELOPMENT
AND OF COMMUNICATION ON BEHALF OF THE
GOVERNMENT AND THE NATIONAL PARTY

WITNESSED BY:

.....
PROF ABRAHAM VILJOEN

.....
MR JURGEN KÖGL

April 23, 1994

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.

We, the undersigned, pledge ourselves to Peace and Reconciliation in South African 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.
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.
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.
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.
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.
6. The undersigned parties will facilitate proper provision for:
 - i) Registration of the IFP
 - ii) The IFP Candidates lists
 - iii) Marking by voters of ballot papers.

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.

This agreement shall be implemented with immediate effect.

SIGNED BY:

.....
MANGOSUTHU G. BUTHELEZI
President: Inkatha Freedom Party and
Chief Minister of the KwaZulu Government

.....
STATE PRESIDENT F W DE KLERK
South African Government/National Party

.....
PRESIDENT N MANDELA
African National Congress

.....
WITNESSED BY:
PROF W A J OKUMU

19 April 1994

ADDENDUM A

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 proviso:

"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 of 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".