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THE HARARE DECLARATION: THE ANC'S CHARTER FOR NEGOTIATIONS

In August 1989 the African National Congress [ANC], the country's oldest political formation, articulated its proposals for a political settlement and for negotiations aimed at resolving the intractable South African conflict. Known as the Harare Declaration, it received international acceptance by the Ad-Hoc Committee on Southern Africa of the Organization of African Unity (OAU), the Non-Aligned Movement (NAM), the Frontline States and (with some modification) the General Assembly of the United Nations. With growing domestic acceptance too, this was indeed a milestone event in the recent history of South and southern Africa.

Salient features

The Harare Declaration and Programme of Action on South Africa, contains five main sections, each of which comprises a number of paragraphs. The main sections are grouped under the headings of: Preamble; Statement of Principle; Climate for Negotiations; Guidelines for the Process of Negotiations and Programme of Action.

(1) As far as the Preamble is concerned, the following are especially noteworthy:

- * The ANC confirmed an African commitment - acting through the OAU - to terminate all conflicts by means of negotiations informed by the principles of justice and peace.
- * Apartheid and racial discrimination were postulated as the sources of conflict and injustice.
- * Permanent peace and stability in southern Africa hinged on the termination of apartheid and the transformation of South Africa into a united, democratic and non-racial country.

- * Equality and human dignity informed the ANC's vision for a new South Africa.
- * Consistency with the Lusaka Manifesto of 1969 was emphasised.
- * Negotiations were not counterposed to armed struggle, both were seen as tactics and not objectives.
- * International pressure on the Apartheid system - notably in the form of sanctions and international isolation - must be kept up until the system was ended.

(ii) Statement of Principles, provided inter alia for:

- * A united, democratic and non-racial state
- * Equality expressed in common citizenship and nationality.
- * Freedom of association, organization and participation in the political process contained in a Bill of Rights.
- * An independent and non-racial judiciary.
- * An economic order informed by the interests of the majority.

(iii) An important part of the Declaration deals with the climate for and the process of negotiations. As far as the former is concerned, the ANC restated the following climate-creating actions on the part of the South African Government:

- * The unconditional release of all political prisoners and detainees.
- * The legalisation of all political formations.
- * The removal of all troops from the townships.
- * The ending of the State of Emergency and the repeal of security legislation designed to circumscribe political activity; and,
- * the termination of political trials and political executions.

(iv) The process of negotiations was envisaged to proceed along the following guidelines:

- * Discussions between the South African Government and the ANC with a view to ending hostilities and agreement on a mutually binding ceasefire.
- * Negotiations should then proceed to form a basis for the adoption of a new constitution informed by the principles outlined above.
- * The different parties should then negotiate the necessary mechanism for drawing up the new Constitution.
- * The parties shall define and agree on the role of the international community in ensuring a successful transition to a democratic order.
- * The ANC proposed the formation of an interim government to supervise the process of both drafting and adoption of the constitution as well as to govern and administer the country pending organisation of national elections.
- * The international community would lift sanctions after the imposition of a new constitution.
- * It was proposed that South Africa should become a member of the OAU.

(v) Finally, the Programme of Action envisaged:

- * Wide international support for the ANC and the Mass Democratic Movement's (MDM) position and proposals on negotiations.
- * The intensification of the campaign for the imposition of further mandatory and comprehensive sanctions against the present system.
- * Support for SWAPO in Namibia and for the Frontline States to enable them to withstand Pretoria's campaign of aggression and destabilisation.

Significance

The Harare Declaration and Programme of Action is a most significant event, the principal reasons being:

- * It reflects current thinking within the ANC as well as within other important regional and international groupings on conflict settlement and negotiations.
- * It places a special responsibility on the South African Government for the creation of a climate conducive to negotiations.
- * The acceptance of the ANC's proposals by the OAU, the Frontline States and the NAM has enhanced the international credibility of the movement.
- * Reference to the international and regional dimensions of the South African conflict and to the special responsibility of Africa are significant features of the ANC's diplomatic and foreign policy posture.
- * With the adoption of this important document, the ANC has contributed towards moving the process of negotiations forward from that of 'talking about negotiations' to that of exploring the conditions for negotiations.
- * Indications that Mr. Nelson Mandela played no small part in the formulation of the Harare Declaration and Programme of Action enhance its importance.
- * Subsequently, the internal ANC leadership recently released, has had exploratory discussions with the external leadership in Lusaka and elsewhere. These discussions took place on the basis of the Harare Declaration and enhanced its acceptance inside South Africa.
- * Significantly, the United Nations General Assembly unanimously endorsed a slightly modified version of the Harare Declaration in December 1989 (In terms of UNGAR S 16/1)

The United Nations General Assembly document departed from the original Declaration in the following respects:

- (a) Its emphasis on agreement concerning the appropriate mechanism for the drawing up of a new constitution. Unlike the original declaration it does not call for an interim government as an integral factor in completing the process.
- (b) It requested the Secretary-General to transmit copies of the UN declaration to the South African Government and 'the representatives of the oppressed people of South Africa' and also requested the Secretary-General to prepare a report for submission to the General Assembly by 1 July 1990 on the progress made in the implementation of the Declaration.

Thus, the UN endorsement of the Harare Declaration and Programme of Action formally placed the question of negotiations firmly on the international agenda. Significantly, this was done with the support of major Western powers.

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