

## MEMORY OF THE WORLD REGISTER

### Archives of the CODESA (Convention For A Democratic South Africa), 1991 – 1992 and Archives of the Multi-Party Negotiating Process, 1993

(South Africa)

2012-66

#### **1 SUMMARY**

The Convention for a Democratic South Africa (CODESA) was launched at the World Trade Centre in Kempton Park on 20 December, 1991. Nineteen South African political parties took part in the talks and a Declaration of Intent was signed. With this document all the parties committed themselves to the principles of a new democratic order in South Africa. The intention of CODESA was to bring about an undivided South Africa, free from apartheid and discrimination; to work to heal the divisions of the past; to strive to improve the quality of life for all South Africans through economic development and social justice; to create a climate conducive to peaceful constitutional change; and to set in motion the drawing up of a new Constitution. More discussions followed at CODESA II in May 1992. The Multi Party Negotiating Forum (MPNF) followed these talks in 1993.

The Multi Party Negotiating Forum started on 1 April 1993 at the World Trade Centre in Kempton Park. Twenty-six parties were involved. Many technical committees were established, including those on Constitutional Matters; Fundamental Rights; Independent Election Commission; Independent Media Commission; Transitional Executive Council; Violence and also a technical committee on free political activity. A commission on National Symbols was also formed to look into a new National Anthem, Flag and Coat of Arms. Some of the more important issues decided on by the MPNF was an Interim Constitution for South Africa; the establishment of a Transitional Executive Council was approved; an election date was decided on; independent electoral, media and broadcasting commissions were agreed upon.

#### **2 DETAILS OF THE NOMINATOR**

##### 2.1 Name (person or organisation)

Ms Mandy Boatametse Gilder, The Acting National Archivist, National Archives and Records Service of South Africa

##### 2.2 Relationship to the documentary heritage nominated

Custodian

##### 2.3 Contact person (s)

The Acting National Archivist: Ms Mandy Boatametse Gilder

##### 2.4 Contact details (include address, phone, fax, email)

24 Hamilton Street, Arcadia, Pretoria, 2000  
Private Bag x236, Pretoria, 0001  
Tel: 2712 4413205  
Tel: 2712 4413202 (secretary)  
Fax: 2712 3235287  
e-mail: [mandy.gilder@dac.gov.za](mailto:mandy.gilder@dac.gov.za)  
[archives@dac.gov.za](mailto:archives@dac.gov.za)

### **3 *IDENTITY AND DESCRIPTION OF THE DOCUMENTARY HERITAGE***

#### **3.1 Name and identification details of the items being nominated**

Archives of the CODESA (Convention For A Democratic South Africa), 1991 – 1992  
and Archives of the Multi-Party Negotiating Process, 1993

#### **3.2 Description**

Please see the attached inventories, numbers NA 57 and NA 61. (Annexures A and B)

### **4 *JUSTIFICATION FOR INCLUSION/ ASSESSMENT AGAINST CRITERIA***

#### **4.1 Is authenticity established? (see 4.2.3)**

These records were created during the CODESA and Multi-Party Negotiating Forum processes and were collected by the Department of Constitutional Development Service who transferred them to the National Archives and Records Service of South Africa in April 1994. The successor to this department is the Department of Justice and Constitutional Development. The authenticity of the records has been established.

#### **4.2 Is world significance, uniqueness and irreplaceability established? (see 4.2.4)**

The National Party leadership during the 1980's started meeting tentatively with some jailed ANC leaders. This came about due to steady pressure from within South Africa as a result of the armed struggle and the unrest in the townships. This grassroots movement by repressed South Africans was making the country progressively more ungovernable. Internationally the United Nations declared Apartheid as a Crime against Humanity. Anti Apartheid movements sprang up in most countries in the world and the message of the inhumanity of Apartheid was carried throughout the world by South Africans fleeing the regime. Some Afrikaner opinion makers started having meetings with the ANC such as the one in Dakar, Senegal during the 80's. White public opinion was very slowly moving away from confrontation and repression to one of engagement. Internationally economic sanctions were imposed on South Africa to add to the Military sanctions of the 1970's. Sport boycotts were also introduced by the world community and the country became more and more isolated. The protracted war that South Africa fought in Namibia and Angola emptied the state coffers.

These tentative meetings were followed by the then State President FW de Klerk unbanning the ANC, PAC and other organisations in February 1990. This was followed quickly by the release of Nelson Mandela and other political prisoners. Serious negotiations started on 4 May 1990 at the State President's residence in Cape Town. This meeting resulted in the Groote Schuur Minute in which the ANC and the South African Government agreed to try and resolve the climate of violence in South Africa and also to remove obstacles to a negotiation process in South Africa.

This meeting was followed by the Pretoria Minute on 6 August 1990 where further consensus was reached on key points and the ANC also agreed to suspend the armed struggle. On 14 September 1990 the National Peace Accord was signed by representatives of twenty seven political organisations. All of paved the way for formal negotiations to take place.

On 20 December 1991 the Convention for a Democratic South Africa (CODESA I) had its first plenary session in the World Trade Centre in Kempton Park. Working groups were appointed to deal with specific issues. Early in 1992 a whites only referendum was held on the issue of continued negotiation and over 68% of the voters voted 'yes'. During May 1992 CODESA II started. The Boipatong massacre took place in June with the result that the ANC withdrew from the negotiation table and CODESA II ended.

During September 1992 as part of the ANC's programme of 'rolling mass action' protest marchers tried to enter Bisho the capital of the Ciskei, a nominally independent homeland or Bantustan. Twenty eight ANC protesters were killed by soldiers of the Ciskei Defence Force and this incident became known as the Bisho Massacre.

This incident awakened a new urgency in the participants to CODESA I and II to try and find a political settlement. On 26 September 1992 the government and the ANC agreed on a Record of Understanding. On 1 April 1993 the Multiparty Negotiating Forum started. Consensus on many issues was reached and the MPNF ratified an interim Constitution for South Africa on 18 November 1993. A Transitional Executive Council was appointed to run the country until democratic elections could be held. This election took place on 27 April 1994 and The ANC won 62% of the votes and the NP 20%. Nelson Mandela was sworn in as the first democratically elected president of South Africa on 10 May 1994 with FW de Klerk as one of his deputy presidents in a government of National Unity.

In a world context the process happening in South Africa must be seen against the background of the fall of communism in Eastern Europe starting in 1989 in Poland and ending with the break up of the Soviet Union towards the end of 1991. This collapse led to the end of the Cold War. A feeling of freedom and democracy spread the globe and it also impacted in South Africa. White South Africans were long bombarded with the propaganda of a 'total onslaught' against their culture and religion by Communism and with the collapse of Communism this concept also died. It made White South Africans more open to negotiations.

The big irony of the success of South Africa was that while the world attention was focussed upon South Africa and the negotiations ending in the first democratic general

elections at the same time a genocide took place in Rwanda from April to June 1994. More than 800 000 people were killed in a few weeks with the world standing by and doing nothing. The first democratic government in South Africa passed an act in 1995, The Promotion of National Unity and Reconciliation Act, No 34 of 1995 which led to the establishment of the Truth and Reconciliation Commission in South Africa. Later on people involved in the negotiation process and in the TRC would assist at the International Criminal Tribunal for Rwanda which was set up by the United Nations and is based in Arusha, Tanzania. One example is Roelf Meyer the chief negotiator on government side at CODESA and MPNF.

4.3 Is one *or more* of the criteria of (a) time (b) place (c) people (d) subject and theme (e) form and style satisfied? (see 4.2.5)

- a) The CODESA and MPNF records are evidence of a huge political and cultural change in the lives of all South Africans. The negotiations resulted in a minority white political government agreeing to free and fair elections which led to majority political rule where race did not play a part. During the MPNF the public of South Africa was encouraged to send in proposals for a new National Flag and a new National Anthem. This led to a new anthem and flag to be adopted by South Africa on 10 May 1994. All these proposals also form part of the MPNF archival group.
  
- c) For purposes of this nomination only two persons, Cyril Ramaphosa and Roelf Meyer, will be discussed and this is due to the central role they played in the negotiation process. It must however be remembered that hundreds of people contributed directly to the ultimate success of the process and in the end all the people of South Africa embraced the decisions which were made. This led to free and fair elections and a democratic government for South Africa in 1994.

In 1991 Cyril Matamela Ramaphosa was chosen by the ANC to head their negotiation team in the talks with the National Party government. At that stage he was Secretary General of the ANC. He had a background in law and was previously very much involved in the trade union movement in South Africa. In 1987 he received the Olof Palme prize in Stockholm, Sweden. After the first democratic elections took place in South Africa in 1994 he became a member of parliament. He was elected as chairperson of its Constitutional Assembly on 24 May 1994 and played a central role in the government of national unity. In 1997 he resigned from his political positions and moved to the private sector. As a businessman, Mr Ramaphosa is a member of the Coca-Cola Company International Advisory Board as well as the Unilever Advisory Council. He was also the first deputy chairman of the Commonwealth Business Council. He was also appointed together with Mr Martti Ahtisaari as an inspector of the Irish Republican Army weapons dumps in Northern Ireland. Mr Ramaphosa is the Honorary Consul General for Iceland in Johannesburg. In 2007 he was included in the TIME 100, an annual list of 100 persons whose power, talent or moral example is transforming the world. During the 2007-8 crises in Kenya Mr Ramaphosa was chosen by the mediation team headed by Kofi Annan to be chief mediator in charge of leading long term talks, but he withdraw willingly after one of the parties objected.

Roelf Meyer as Minister of Constitutional Affairs and of Communication became the chief negotiator from the National Party government side during the Multiparty Negotiating process in 1993. After the elections of 1994 he became the Minister of Constitutional Development and Provincial Affairs in the government of national unity. Mr Meyer resigned from the cabinet in 1996 and became Secretary General of the National Party. After dissent within the party he resigned from the NP in 1997. Together with Bantu Holomisa he founded the United Democratic Movement before retiring from politics in 2000. He held a number of international positions, including membership of the Strategic Committee of the Project on Justice in Times of Transition at Harvard University in the USA. He became the Chairman of the Civil Society Initiative (CSI) of South Africa. Mr Meyer also uses his experience he picked up during the various negotiating processes to act as a consultant on peace processes and negotiations, for example in Northern Ireland, Rwanda and Kosovo.

It is a widely held belief that the personal respect and the good relationship between Meyer and Ramaphosa had played a big role in the success of the Multi Party Negotiating process.

4.4 Are there issues of rarity, integrity, threat and management that relate to this nomination? (see 4.2.6)

Attach a separate statement if space insufficient.

As the various negotiation processes involved different political parties as well as other groups, copies of the records created for and by CODESA and the MPNF ended up in different archival repositories and private hands at the close of these negotiations. Examples of institutions with CODESA and MPNF records would include The Alan Paton Centre of the University of Kwazulu Natal, the ANC Historical Documents Archive, the Nelson Mandela Foundation, The University of Cape Town and others. It must however be remembered that the collection in the custody of the National Archives and Records Service of South Africa constitutes the most complete set of records documenting the negotiation processes and this nomination concentrate on the CODESA and MPNF records in the custody this institution.

## **5 LEGAL INFORMATION**

5.1. Owner of the documentary heritage (name and contact details)

The National Archives and Records Service of South Africa  
24 Hamilton Street, Arcadia, Pretoria, 2000  
Private Bag x236, Pretoria, 0001  
Tel: 2712 4413205  
Tel: 2712 4413202 (secretary)  
Fax: 2712 3235287  
e-mail: [mandy.gilder@dac.gov.za](mailto:mandy.gilder@dac.gov.za)  
[archives@dac.gov.za](mailto:archives@dac.gov.za)

5.2 Custodian of the documentary heritage (name and contact details, if different to owner)

The same as above

### 5.3 Legal status:

#### (a) Category of ownership

#### (b) Accessibility

In terms of the National Archives of South Africa Act, 1996 (Act No. 43 of 1996, as amended) archives are not accessible for a period of 20 years, though permission may be requested for specific records from this group. Researchers may, however, apply to the National Archivist for permission to consult archives that fall in the closed period.

An application must contain the following:

- The subject and period of research;
- The purpose of the research;
- A list of records indicating the source, volume, description and dates; and  
If it is for purposes of obtaining a degree, a recommendation by a supervisor

As the records under discussion cover the period 1991 to 1993, in terms of the Archives Act they will become totally open for research between 2011 and 2013. All records of the plenary sessions of CODESA are already open for access. All records of the plenary sessions of the MPNP and the Negotiating Council of the MPNP are already open for access.

#### (c) Copyright status

Copyright belongs to the National Archives and Records Service of South Africa (Department of Arts and Culture, Government of the Republic of South Africa)

#### (d) Responsible administration

National Archives and Records Service of South Africa.

#### (e) Other factors

The Department of Constitutional Development Service rendered logistical and registry support during all three negotiating processes. The bulk of the records created were collected by this department and transferred to the National Archives. As the processes also involved different political parties and governments, records collected by these groups and also individual participants found their way to repositories such as the University of Cape Town, the University of Kwa-Zulu Natal, etc

## **6 MANAGEMENT PLAN**

### 6.1 Is there a management plan in existence for this documentary heritage? YES/NO

If yes, attach a summary of the plan. If no, please attach further details about current storage and custody of the materials.

Yes. The collection forms part of the documentary heritage held by the National Archives and Records Service of South Africa, on behalf of the government and people of South Africa. The collection is managed according to the relevant legislation in place; The National Archives and Records Service of South Africa Act, No 43 of 1996 (as amended) and Regulations; the Promotion of Access to Information Act, No 2 of 2000 and the South African Constitution, Act No 108 of 1996. Please see Annexure C .

The records are kept on steel shelves in a climatically controlled vault. The temperature is kept at 20 degrees Celsius and the humidity is 45%. There is an automatic fire protection system installed in the vault operating on CO2 gas. There also is 4 hand held fire extinguishers in the vault. All entrances to the vault are security monitored. Security in the Archives is the function of the Security Management Sub-Directorate.

## **7 CONSULTATION**

- 7.1 Provide details of consultation about this nomination with (a) the owner of the heritage (b) the custodian (c) your national or regional *Memory of the World* committee

According to the guidelines of the South African National Committee of the Memory of the World, all nominations to UNESCO will go via the National Committee to the Minister of Arts and Culture for his/her approval before sending proposals to the Memory of the World programme for enlisting.

## **PART B – SUBSIDIARY INFORMATION**

The following information will **not** be taken into account in deciding whether or not to inscribe documentary heritage on the *Register* but will be included in the database as additional information. Some of this information may be drawn from the management plan (item 6 above).

## **8 ASSESSMENT OF RISK**

- 8.1 Detail the nature and scope of threats to this documentary heritage (see 5.5)

The environmental conditions under which the records are kept are fairly good. The only risk would be if the air-conditioning units fail as there is no back-up system.

South Africa is politically a very stable country. Government is sympathetic to the preservation of heritage.

The physical condition of the paper records and the floppy disks is fairly good. Plans are being implemented to re-format the floppy disks to another medium. This is a long term preservation project that the National Archives is working on.

There is also a national digitization policy that is being developed by the Department of Arts and Culture which will appropriately be implemented by the National Archives and other heritage institutions of South Africa.

## **9 ASSESSMENT OF PRESERVATION**

### **9.1 Detail the preservation context of the documentary heritage (see 3.3)**

Finding Aids NA 57 and NA 61 have been prepared on these groups. The individual volumes are numbered with a source code and a volume number. If a volume is removed from the shelf for a researcher the researcher's details are placed in the place of the volume on the shelf. The volume is only accessible to a researcher in the Reading Room where there is constant supervision by archival staff. The volume has to be returned to its correct vault and shelf on the same day on which it was retrieved.

The vault in which it is stored does not have any windows. The vault is climatically controlled and has a fire and security system in place. The records are kept in archival boxes to further prevent UV light, dust or insects from damaging them. All the lights in the vault are fitted with UV protection fittings. The records are kept on steel shelves and the lowest shelf is about 10 centimetres from the ground. There are no water pipes in or near the vault. The vault is fumigated every six weeks.

#### **Structure and format**

The paper documents in many cases are stapled together or loose. They are stored in archival boxes which protect them against dust and UV light.

#### **Preservation needs**

The best way to preserve these volumes is to have a bi-fold approach where the information can be reformatted onto more stable medium. The paper records can be digitized and stored as a collection electronically. The most worrying are those paper records that are on Xerox paper and the ink is fading fast due to the unstable nature of the surface coating on the paper. These will need to be copied fast and proper strategies for preserving the originals investigated so as to arrest any further deterioration of the records.

Once copied, the originals can then be properly preserved in archival containers. The bindings can either be replaced or repaired. The originals can then be stored away and copies can be used for access.