



FW de Klerk
FOUNDATION

STATEMENT BY FW DE KLERK

I have taken note of the vehement reaction to our response to the EFF's attack on me at the State of the Nation address on Thursday night.

I agree with the Desmond and Leah Tutu Foundation that this is not the time to quibble about the degrees of unacceptability of apartheid. It was totally unacceptable.

The FW de Klerk Foundation has accordingly decided to withdraw its statement of 14 February unconditionally and apologises for the confusion, anger and hurt that it has caused.

By 27 April 1994, under my leadership, the whole legislative framework of apartheid had been dismantled and the way had been opened for the adoption of our present non-racial democratic Constitution.

However, the international crime of apartheid did not disappear with the demise of apartheid in South Africa. In 1998 it was included in the *Statute of Rome*, which established the International Criminal Court. In terms of Article 7(1) a 'crime against humanity' is defined as acts "...committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack."

It includes 'the crime of apartheid' as a crime against humanity and defines it as "inhumane acts ...committed in the context of an institutional regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime."

The FW de Klerk Foundation supports this provision. It can also be seen as the legislative expression of Nelson Mandela's statement during his inaugural address that "never, never and never again shall it be that this beautiful land will again experience the oppression of one by another."

The FW de Klerk Foundation remains deeply committed to national reconciliation and to the achievement of the foundational values on which the Constitution is based - including human dignity, the achievement of equality, the advancement of human rights and freedoms; non-racialism and non-sexism, the supremacy of the Constitution and the Rule of Law and a genuine multi-party system of democratic governance.

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