

CONSTITUTION OF THE PAN-AFRICAN PEACE COMMISSION



For the People, by the People.

PREAMBLE

We, the Founding Members of the **Peace Commission of Southern Africa**,

In honour of the late Dr. Peter Munns, and the late H.R.M. King Goodwill Zwelethini, whose unwavering commitment to peace, justice, and participatory governance remains an enduring legacy, affirming the constitutional values of dignity, equality, transparency, public accountability, and democratic governance as enshrined in the Constitution of the Republic of South Africa,

Recognising the escalating economic, social and political turbulence in South Africa and the African region that calls for competent Leadership in co-ordinated, transparent, and inclusive peace-building mechanisms,

Determined to foster morality, public trust, institutional integrity, social cohesion, and the speedy and peaceful resolution of disputes, both nationally and regionally,

Guided by international and regional instruments including:

- **Chapter VI of the United Nations Charter** (Peaceful Settlement of Disputes),
- **The SADC 2001 Protocol Against Corruption**,
- **The African Charter on Human and People's Rights** (Articles 29 (7) & (8)),
- **Aligning itself with The Constitution of the Republic of South Africa** and the right of everyone and anyone access to court or the right to have any dispute resolved by the application of fair, equitable and just laws decided in a fair public hearing before a court or, where appropriate, **another independent and impartial tribunal or forum** as obligated in terms of **section 34 of the Constitution** of the Republic of South Africa Act 108 of 1996.

- South African constitutional jurisprudence, including *Ferreira v Levin* and *Doctors for Life v Speaker*,

Do hereby establish and constitute the Pan-African Peace Commission as an independent, and impartial tribunal or forum, participatory, and a lawful body in service of peace and good governance.

CHAPTER 1: ESTABLISHMENT AND MANDATE

Article 1: Name and Legal Status

1. The body hereby established shall be known as the **Pan-African Peace Commission (Peace Commission)**
2. The **Peace Commission** shall operate as a non-partisan, independent, equitable and consultative peace-building entity, established under the public interest provisions of Section 38 of the Constitution of South Africa.
3. It shall be grounded in integrity and justice, based upon moral, constitutional, and international legitimacy and may establish and maintain a substantive and authoritative presence both within South Africa and across the SADC region, seeking formal recognition through constitutional engagement or amendment.

Article 2: Objectives

The objectives of the **Peace Commission** shall be to:

1. Promote peace, unity, social cohesion, and the speedy, non-violent resolution of conflict within South and Southern Africa.
2. Provide an independent platform for all of humanity, be they citizens, civil society, traditional leaders, and regional actors, so as to engage in peace-building and dialogue.
3. Monitor and raise awareness of threats to peace, stability or safety, including intimidation, corruption, governance failures, and human rights violations.
4. Complement existing state and regional institutions and act with integrity, as a moral and civic watchdogs in times of any such crisis.

5. Mobilise and coordinate public awareness and participation in the promotion of constitutional values, equitable justice, and good governance **so that we may enjoy our freedoms.**

CHAPTER 2: FOUNDATIONAL PRINCIPLES

Article 3: Legal and Ethical Foundations

1. The Peace Commission shall operate in accordance with:
 - The Constitution of the Republic of South Africa;
 - The African Charter on Human and People's Rights;
 - The United Nations Charter;
 - The SADC Protocol Against Corruption;
 - Jurisprudence on public interest and participatory democracy;
 - 'Free-persons' common law and/ or customs, as may be appropriate.
2. The Peace Commission acknowledges that "the people", acting collectively in the public interest, have the constitutional responsibility, honour, commitment, right and duty to establish and participate in such institutions.

Article 4: Guiding Values

The Peace Commission shall be guided by:

- **Peace and Non-Violence**
- **Transparency and Integrity**
- **Inclusivity and Diversity**
- **Public Participation**
- **Constitutional Accountability**
- **Civic Duty and Equitable Justice**
- **Speed and Access**

CHAPTER 3: STRUCTURE AND GOVERNANCE

Article 5: Composition

1. The **Peace Commission** shall consist of:
 - **Executive Council (ExCo)** – the highest decision-making body;
 - **Peace Advisory Council** – composed of regional experts and civil society representatives;
 - **Working Groups** – thematic units focusing on issues such as, and including corruption, economic justice, conflict resolution, and legal reform.

Article 6: Executive Council (ExCo)

1. The Executive Council shall:
 - Provide strategic direction and oversight;
 - Elect a Chairperson from among its members;
 - Ensure Constitutional compliance;
 - Engage with government, international bodies, and the public in general.
2. The elected **Chairman** shall be Mr. Henry William McCarter, until such time as elections are conducted.

3. Article 7: Membership and Participation

1. Membership shall be open to those natural or legal persons acting in a specific public interest and in alignment with this Constitution.
2. Public participation shall be integral to all Commission processes, in line with *Doctors for Life* and Section 38 of the Constitution.
3. The Commission shall maintain gender, generational, and regional balance in its composition.

CHAPTER 4: FUNCTIONS AND POWERS

Article 8: Core Functions

1. Conduct independent investigations into alerts and threats to peace and social cohesion.
2. Issue public reports, recommendations, and alerts on matters of national concern.
3. Facilitate community peace-building dialogues, especially during periods of unrest or transition.
4. Partner with African institutions and civil society for regional integration and solidarity.

5. Propose improved standards and frameworks to guide reforms in governance and anti-corruption mechanisms.

Article 9: Powers

1. To convene public hearings and forums.
2. To collect and publish data related to peace, conflict, and governance.
3. To make submissions to Parliament, the Presidency, Continental & SADC institutions.
4. To develop peace education and public awareness programs.

CHAPTER 5: ACCOUNTABILITY AND TRANSPARENCY

Article 10: Reporting and Oversight

1. The Peace Commission will produce an **Annual Report on Peace and Governance**, and submit reports to:
 - The African Union
 - The South African Parliament,
 - The SADC Secretariat,
 - Relevant civil society platforms.
2. All activities shall be subject to transparency, independent professional ethical review, financial accountability, and community oversight.

CHAPTER 6: RECOGNITION AND LEGITIMACY

Article 11: Advancement of Formal Status to Establish and Maintain a Substantive and Authoritative Presence within the African Region;

1. **The Peace Commission shall undertake** constructive engagement with any institutions with the objective of expanding its moral, legal and institutional standing. This may include:
 - Initiating constitutional and statutory dialogue;
 - Proposing or contributing to the development of enabling legislation;
 - Demonstrating broad-based public support through transparent, inclusive, and documented rapid participatory processes.

Review and Reform of Existing Laws: The Peace Commission shall conduct a comprehensive review of existing and proposed laws, treaties and regulations to identify provisions that unduly restrict individual liberty, freedoms or free enterprise, specifically those which defeat, retard or unnecessarily delay economic opportunities and growth. It shall recommend the avoidance, repeal or amendment of such laws to align with principles of personal liberty, growth and economic freedom.

Evaluation of Proposed Laws: The **Peace Commission** shall evaluate proposed laws and regulations under consideration to assess their potential impact on individual freedoms, economic growth and free enterprise. It shall recommend the rejection or modification of any provisions that unreasonably infringe upon these principles.

Development and Advocacy of New Measures: The **Peace Commission** shall formulate and promote laws, regulations, or operational frameworks designed to enhance free enterprise, personal liberty, freedom, and public safety, ensuring such measures are consistent with constitutional protections and the public interest.

Article 12: Independence

1. The **Peace Commission** shall maintain complete independence from political parties, state institutions, and private interests and any possible influence.
2. All members shall sign a declaration of morality, integrity, impartiality and commitment to public interest values.

CHAPTER 7: TRANSITIONAL PROVISIONS

Article 13: Interim Measures

1. The current signatories and founding members shall serve in an interim capacity until:
 - The Executive Council is elected;
 - Governance structures are ratified;
2. The Chairman shall:
 - Register the Peace Commission as an NPO
 - Coordinate national consultations;

- Facilitate the establishment of working groups;
- Prepare for a national conference within 6 months.

CHAPTER 8: AMENDMENTS AND RATIFICATION

Article 14: Amendments

1. This Constitution may be amended by a two-thirds majority plus one vote of the Executive Council, following consultation and reasonable notice to the Commissioners at that time.

Article 15: Ratification

1. This Constitution is hereby ratified by the Founding Members on the 4th day of March 2026.

CONCLUSION

In recognition of our collective duty to uphold peace, dignity, and constitutional values, we dedicate the establishment and work of the Peace Commission to the memory of Dr. Peter Munns, and the late HRM King Goodwill Zwelethini and the future of a just, equitable and peaceful region.

Let this be the beginning of an enduring civic institution that will stand like a lighthouse in times of turbulence, speak truth in times of silence, and build peace where others sow division.

Signed in Sandton, South Africa on this the 4th day of March 2026



Henry William McCarter
Chairman



Executive Council:

Mr. Henry McCarter (Chairman), HRM Makikele II (Vice-Chairman), HRM Dr. Letsitsa III, HRM Mervyn Dunn, HRM Patrick Dunn, P.M. Dingizwe Manyaka, Lt. Cmdr. Sylvester Mangolele, Nkosi Thulasizwe Ngcobo, Mr. Bongani Ramontja; Dr. Paolo Brogneri, Dr. Faiez Kirsten, Mrs. Michelle Tovey, Mr. Jannie Meyer, Mr. Ronald Plaatjies, Mr. Phakamani Dlamini, Mr. Cobus Pieterse, HRH Nolubabalo Mcinga, Mr. Malungelo Mgolombane, Mr. Godfrey Ngalo, Adv. Roland Shabangu, **Lead Researcher:** Mr. John Schoemann

Pan-African Region: HRM. Kelvin Morgan (Ghana), Mr. Andre Gomes (Angola), Mr. Lennox Sola (Botswana), HRH. Mduduzi Dlamini (Eswatini), Mr. Elisio Faela (Mozambique), HRH. Norberth Tjombode (Namibia), Adv. E Ndala (Namibia), Mr. John Matsoro (Lesotho), Mr. Godfrey Ngalo, Mr. Moyo Mquondsi (Zimbabwe), Prof. Ken G. Morka (Nigeria), HRH A Almajid (Nigeria), Mr. Michael Teekay (Liberia).

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