



International Apartheid Debt and Reparations Campaign: Declaration

South Africans living under Apartheid were subject to racially discriminatory laws governing every facet of their existence. These laws restricted where black South Africans were allowed to live and work and the types of jobs they could hold. Apartheid resulted in mass arrests, forced relocation, the loss of homes, farms and businesses, a lack of educational opportunity, poor housing and living conditions, unrelenting misery for many, and overwhelming injustices. Hundreds of thousands of black South Africans and others who chose to stand against injustice were victims of extra-judicial killings, torture, arbitrary detention and other state sponsored violence. In the words of Nelson Mandela, “we remain without homes, without food, without education we only know that our people continue to die in violence on the trains, in massacres, and by assassination.”

Apartheid was directed not just at the majority of people in South Africa but also at people in the neighbouring African countries. These countries were attacked militarily, and destabilised politically, economically and socially.

Beginning in 1950, the world community identified and condemned apartheid as a crime against humanity – an extreme violation of international law – and instituted a variety of sanctions against the Apartheid regime in South Africa, including embargoes on armaments, oil, and technology. However, a number of multinational corporations ignored these pleas, evaded the embargoes, and consciously continued to help the apartheid regime maintain its system of oppression.

Recently, the South African Truth and Reconciliation Commission found that “Business was central to the economy that sustained the South African state during the apartheid years,” and that certain businesses helped design and implement apartheid, while others benefited from cooperation with the security structures of the former state.

Apartheid ended in 1994 with the election of Nelson Mandela as President of the Republic of South Africa, but its consequences live on in a legacy of loss and inequality, ranging across the social and economic spectrum from job and educational opportunities to housing and health care.

After four years of failed attempts to get multinational banks and businesses that propped up the apartheid state to account for their odious profiteering, the Apartheid Debt & Reparations Campaign initiated the filing of legal complaints for reparations in New York on behalf of victims of apartheid..

The corporations aided and abetted a crime against humanity. The resulting social damage requires urgent repair. They made massive profits while the suffering of the victims of

apartheid intensified. However, the banks and businesses consistently ignored attempts to engage with them in discussion about their role in supporting broad social programmes for the reconstruction and development of affected communities and in compensating specific individuals for the damage that they made possible.

Legal action was the only route left open to ensure that the truth is known about the extent of corporate complicity in apartheid abuses and that justice is delivered to those who suffered. The victims cannot be left to pay for their own suffering. Multinational corporations must be put on notice that complicity in crimes against humanity does not pay.

We therefore call on the social movements and all organizations of civil society to sustain and advance the call for:

- Reparation for apartheid victims of human rights violations as a universally-accepted right, including cancellation of the odious apartheid debt and apartheid caused debts;
- International law to protect and enhance the rights of poor and marginalised individuals and communities;
- The right of civil society to file legal claims to ensure the enforcement of their legitimate rights;
- Respect of all human rights and the dignity of all human beings;

We call on foreign governments to:

- Acknowledge that their corporations and banks aided, abetted, and profited from apartheid;
- Respect the right of citizens to legal recourse and not to bring undue pressure to bear on the South African government and other stakeholders to stop the demand for reparation;
- Support the South African government in its position of respecting and upholding the right of citizens to legal recourse;
- Acknowledge that the rule of international human rights law must be upheld;
- Recognise that the peoples of South and Southern Africa for that matter are entitled reparations;

We call on the multinational corporations that were complicit in implementing and sustaining the system of apartheid to:

- Acknowledge that profiting from apartheid was a crime against humanity and was wrong;
- Respect the right of citizens to legal recourse and not to use their economic and political power to unduly influence the positions of public representatives and decision-makers to stop the call for reparations;
- Acknowledge that the rule of international human rights law must be upheld; and to
- Immediately provide reparations to the people of South Africa without having to wait for the lawsuit to take its course;

In endorsing this declaration we act for Justice and in agreement with the International Apartheid Debt and Reparations Campaign:

January

2003