

**Apartheid Debt & Reparations Campaign - Jubilee South Africa
Media Statement, Pretoria, IMMEDIATE: Wednesday 9 April 2003**

**Apartheid Reparation Lawsuits Against South African Corporations are
Untimely**

Lawyer-led complaints filed in American courts against South African corporations for apartheid reparations are untimely, Jubilee South Africa's apartheid debt and reparations campaign said in a statement issued today. After thorough consultation over the past two years, the apartheid debt and reparations campaign believes that a different approach is required to encourage South African corporations, as compared to foreign corporations, to repair the persistent social and individual damage done by apartheid.

South African big business was complicit in apartheid and benefited from apartheid. However, the corporations should at this stage be engaged through processes of national dialogue in the framework of the Truth and Reconciliation Commission (TRC) recommendations for reparation, rather than in courts.

Such processes of dialogue should be guided by agreed principles including:

- * Disclosure of discussions that may be held;
- * Participation of apartheid reparations claimants through their representative organisations.

The apartheid debt and reparations campaign acknowledges and respects the integrity of the TRC process and expresses its confidence that there is sufficient pressure to ensure that South African corporations make a meaningful contribution to apartheid reparation. While there are legal grounds for reparations claims, court proceedings should be a last resort only if business fails to respond adequately to a process of dialogue about their liability for apartheid reparation, as was the case with the foreign corporations.

Recognising that South African corporations have to date not made significant contributions to reparations funds, we urge the corporations to engage with the victims of apartheid in whose name lawsuits have been filed, through their representative organisations, including the Khulumani Support Group and Jubilee South Africa, on how they can contribute to apartheid reparation.

Such engagement will go a long way to avoid the negative consequences of long legal battles. It will also contribute to building a broad national consensus towards a new South African society, which the lawsuits cannot achieve in isolation.
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For more information and comment please contact Neville Gabriel, Spokesperson: Apartheid Debt & Reparations Campaign, cell. +27 83 449 3934

**Statement issued by Anglican Archbishop Njongonkulu Ndungane,
concerning apartheid reparations from South African and foreign corporations. Cape
Town, Thursday 10 April 2003**

It is time for the matter of apartheid reparation by South African and foreign corporations to be resolved through a process of dialogue rather than in court. In the case of foreign corporations, victims of human rights violations under apartheid filed reparations lawsuits out of sheer frustration at not being taken seriously in their call for dialogue with the corporations.

Similar lawsuits against South African corporations have emerged on the basis of the Truth and Reconciliation Commission finding that the corporations were significant beneficiaries of apartheid.

However, we must all recognise that legal complaints are simply formal mechanisms to lodge a grievance. These grievances can be taken up and resolved without costly and extended court proceedings. I believe that it is possible, through a process of dialogue in South Africa, to settle the matter of reparation by South African corporations without it having to be decided by American courts. I therefore urge South African corporations to enter into dialogue with victims of apartheid human rights violations through their organisations and representatives to have this matter settled. Such a process will best serve the interests of healing the wounds of our apartheid past that continue to fester today.

Similarly, I am convinced that multinational banks and businesses that originate in other countries should equally approach the apartheid reparation claimant groups so as to discuss an appropriate resolution of this matter. In the interests of truth, justice, and reconciliation, I express my willingness and commitment to work towards the resolution of the matter of apartheid reparations in the best possible manner, in the hope that the corporations and claimant groups will acknowledge the unique opportunity that now exists to overcome our past and respond appropriately. (Ends)