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International Labour Conference

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Sixty-ninth Session, Geneva, 1983

Action Taken on the Declaration concerning the Policy of Apartheid in South Africa

Report of the Committee on Apartheid

1. The Committee was established in accordance with paragraph 4 of the Declaration concerning the Policy of Apartheid in South Africa which was adopted by the . Conference at its 67th Session (1981). It was established, inter alia, for the purpose of monitoring action against apartheid.

2. The Committee was composed of 50 members with the right to vote (20 Government members, 10 Employers' members and 20 Workers' members). It also included 11 Employers' deputy members and 13 Workers, deputy members. In accordance with the usual procedure, equal voting rights for the three groups were assured by the appropriate system of weighted voting. The United Nations, the OAU, a number of Government members and some non-governmental organisations with consultative status, as well as national liberation movements recognised by the Organisation of African Unity, were represented by observers.

3. At its opening sitting, the Committee elected its Officers as follows:

Chairman: Mr. (Zimbabwe) Government member, Zimbabwe).

Visc-Chairmen: Mr. de Silva (Employers' member, Sri Lanka) and Ms. Carr (Workers' member, Canada);

Reporter: Mr. Andersen (Government member, Denmark).

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4. The Committee held 10 other sittings. The Committee's mandate was to examine the Special Report of the Director-General on the Application of the Declaration concerning the Policy of Apartheid in South Africa which examined recent developments in the labour and social fields in South Africa and international action against apartheid. It also contained an analysis of the information supplied by governments and by employers, and workers' organisations on the measures taken against apartheid on the basis of the recommendations contained in the Appendix to the Declaration, as well as an extract from the report of the Governing Body Committee on Discrimination on this subject. The Committee also had before it a list of replies concerning actions against apartheid received from certain governments, employers' and workers' organisations since the Special Report was completed.

5. The Chairman opened the meeting by noting the importance of the Committee's work in the struggle against apartheid, which today represented a major threat to peace and security. The regime in South Africa continued its oppression both inside and outside South Africa, in particular against the frontline States. Aggression had been of a military and economic nature, designed to destabilise the region. His country, however, had overcome South Africa's attempt to disrupt communications by adopting successful counter-measures. He appealed to all nations, including those investing in South Africa, to join in the destruction of apartheid; it was a system which could not be transformed, it had to be

destroyed. It was the task of this Committee to contribute to that objective. He wished to congratulate the International Organisation of Employers, through the Employer? members of the Committee, on bringing about a situation in which the South African employers were forced to withdraw from the Organisation. '

6. On behalf of the Workersi members, the Workers, Vice-Chairman said that she wished to add the congratulations of the Workerst group to those extended by the Chairmagqto the International Organisation of Employers JOE on South ikfrica's withdrawal. She commened the Office on the method of presentation of the information supplied by governments, employersi and workerf organisations which had facilitated evaluation. But the number of replies was disappointing and ten Employersi groups had expressed reservations concerning aspects of the- Declaration and its Appendix and consequently had not supplied the information requested. Certain employers argued that subject to the national interest they could do business with whom they wished. But apartheid affected national interests because South Africa had not only declared war on its own majmity people but wag de-stabilising the southern African region. Only the workers appeared to understand the reality of the United Nations affimmition that apartheid was a crime against humanity and a threat to peace. The Workersi group therefore appealed to those who were sacrificing long-term national interests for the sake of short-term profits. The Committee had still not been given the mole with which to monitor the Declaration: lists of strikes, arrests, detentiens zmd their causes, of companies investing in South Africa, collective agiieemems with Black trade unions and government sanctions againm South Africa had again not. been provided by respondents to the 1L0 questionnaire. The Office must make specific requests for such infcrmation and if it is still not supplied must draw upon its own and Other resources to obtain it. In 19/1

this context the Workersi group wished to know whether the ILO was prepared to make sufficient funds and manpower available to carry out its work against apartheid. The monitoring machinery should not suffer from lack of manpower and resources. Government replies were disappointing. Whilst there was general condemnation of apartheid there was inadequate provision of information on action taken to bring it to an end. The ten member States of the European Community had again submitted a joint reply expressing satisfaction with the observance of the Code of Conduct. This was contrary to information obtained from trade unions in South Africa who were disillusioned with the Code; lacking enforcement machinery, the Code was virtually useless. Whilst the right to reply jointly on certain issues was not denied, countries doing so should also state individually the actions they had taken against apartheid. Major countries, which were also members of the Security Council, had submitted no information on action taken within the United Nations but they were also the major investors in South Africa and had often resorted to the veto in the Security Council to block measures aimed at apartheid. The sincerity of the Western nations involved in the question of ending the illegal occupation of Namibia by South Africa was in doubt. The Federal Republic of Germany had promoted investment in South Africa but had not provided a proper reply; the United Kingdom, although the major supplier, had said nothing about migration to South Africa. The Governments of Norway and Sweden were to be commended for taking positive steps to prohibit further investment in South Africa, but Sweden had nevertheless authorised one of its major companies to increase its investment there. This illustrated the need for vigilance in the monitoring machinery. She wished to reiterate that change in South Africa must be seen in the context of South Africa's apartheid policy. The ILO was correct in saying that a South Africa without Blacks was the ultimate objective of South African policy. Almost nine million Blacks had now lost South African citizenship and, even the so-called labour reforms did not apply to them in the bantustans; workers in agriculture and domestic service were excluded from the legislation and the South African Transport Services denied freedom of association to its employees. Influx control was part of the apartheid policy and the Workers' group called on employers to reject the controlling role they occupied in that system as a consequence of the imposition of fines for illegal employment. A free labour market did not exist and employers should protest to the South African authorities as part of their action against apartheid under the Declaration. Oppression of trade unionists continued and the bantustans were being used by the South African authorities for this purpose; the Ciskei in particular had conducted a campaign against leaders of the South African Allied Workers Union. Black women were suffering, neglected by law and social security and feeling the full effects of influx control; they experienced double discrimination on account of colour and sex and many indignities but were in the vanguard of the Black trade union movement. Forced removals continued, leading to misery, poverty and disease. Whilst conditions such as these persisted, employers were expressing reservations about the Declaration. The Committee was therefore

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faced with the inadequate implementation of its own

Declaration and Programme of Action.

7. On behalf of the Employers' members, the Employers, Vice-Chairman considered that the Special Report contained as much information as was possible in the circumstances. He noted the poor response by all three constituent groups to the ILO questionnaire, with the largest percentage decline in the Workers' replies. The position had clearly not improved for the Black population in South Africa; violations of human rights and repression continued and aggression against neighbouring States had increased, creating international concern and endangering world peace. In spite of the Committee's work the position in South Africa remained unchanged and perhaps one reason was that the problem went beyond labour matters and was essentially a political issue. It was noted that the Workers had not provided any information about what pressures they had exerted on white trade unions in South Africa.

8. Most Government, Employers and Workers members were pleased with the Special Report by the Director-General and made favourable comments. Several of the conclusions reached by the Committee on Apartheid in 1982 had been incorporated into this year's Report, the subject-matter covered had been enlarged as requested and the sources were more varied. There was also a helpful introduction to the Report highlighting some of the main developments over the past year. Many members could only conclude from the information provided in the report that on the one hand the Government of South Africa was continuing its apartheid policy unabated and conducting a policy of 'divide and rule, while on the other hand some governments of Western countries were hardly implementing United Nations policy, including sanctions, nor taking new initiatives to eliminate apartheid. The report had indicated a totally inadequate implementation of the ILO's updated Declaration. There was a tendency to believe that once a resolution had been passed members were relieved from further responsibility. Much paper was used to condemn apartheid but the system continued happily. An African Government member was critical of the Report: he felt that the ILO should analyse more adequately the root causes of apartheid and present its conclusions instead of leaving members to draw their own. In this connection he wanted the ILO to undertake more studies on how and why apartheid continued to survive. Moreover the Report had not mentioned increased foreign investment in South Africa. Several Government members stated that a list of companies investing in South Africa should have been included in the Report. A Government member expressed disappointment at the number of replies to the Director-General's questionnaire, adding that his Government had hoped to see more information on those collaborating with the apartheid regime. Workers' members observed that the special Report had not included information on those who failed to take action; the Declaration had requested this. The Report should also contain a critical analysis of the replies. One Workers' member expressed the opinion that certain replies did not reveal the truth. Some members stated that the ILO should be less timid within its field of competence in its condemnation of apartheid; the style and

approach of the Special Report should be less impartial. South Africa was spending heavily on propaganda and this needed to be countered. The Report had clearly indicated that there had been no improvement in the situation of the Black people of South Africa. Apartheid was not just a form of racial discrimination but was also the crudest form of economic exploitation. Several members were of the opinion that the Report clearly showed that apartheid could not be reformed, only abolished. An African Employers member felt that by reproducing word for word the reservations expressed in certain replies of the Office questionnaire, the Report could be turned into a propaganda tool against the Report itself as well as the ILO action against apartheid. Several socialist and other Government members considered that the Report had continued the trend of providing impartial descriptions and statistics but avoided mention of collusion between Western and South African economic interest, especially in the field of trade and commerce, investments and bank loans. It was the same countries which paralysed action by the abusive use of the right of veto in the Security Council. Codes of Conduct had been drawn up in order to create the false impression that multinational companies were working for change. The Codes had failed and were irrelevant to the situation. The Report spoke of the harsh conditions of the Black people of South Africa, yet these descriptions were still far removed from reality. The Report should make mention of the root causes of apartheid and mention the economic context within which the system operates. Several Employers' members could not accept the claim that multinational companies were supporting apartheid. On the contrary, they were working for peaceful change. Codes such as the Sullivan Principles, which had been adopted by most 4 American companies, were designed to help to eliminate apartheid. Recently new mechanisms had been introduced in order to strengthen the Principles and more emphasis was being placed in them on the promotion of Black entrepreneurship. The ILO should develop contacts with organisations concerned with the Sullivan Principles. This view was shared by the Government member of the Federal Republic of Germany. A European Government member stated that South African sources should be used for the Report, which should continue to give adequate attention to the situation in Namibia in the future. The Representative of the Secretary General stated, in reply to points raised by the Vice-Chairman of the Workers group, that although there had been a reduction for 1984-85 of two man-months per year in the staffing of the appropriate Branch in the Office, this was offset by the provision of additional resources to other services within the Office. In addition, multi-bilateral aid sources had led to increased manpower in the ILO field offices in southern Africa concerned with implementing ILO action against apartheid.

9. Many members condemned in the strongest terms the increasingly inhumane conditions of Black people under apartheid. The South African Government had merely created a smokescreen of changes as camouflage. A Workers' member observed that pleading with the South African regime had not worked; change would not come voluntarily and the war against apartheid would have to be taken to

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South Africa. Apartheid would have to be destroyed through force. As the struggle for freedom and

independence was intensifying, so the brutality of the system was assuming more and more alarming proportions. Several Workerst members referred to the numerous trade union representatives kept in detention without trial and often tortured. Under the circumstances, there was no real freedom of association. On behalf of the Nordic trade unions, a Workersy member paid tribute to the independent Black trade unions which had grown impressively over the past period and Which had become one of the principal platforms for opposition to apartheid. Another Workerst member said that recently there had been some improvements in the provision of vocational training for Black workers. Although this development was slow, it nevertheless marked a step in the right direction. Other members drew particular attention to the grave consequences of the so-called tthomeland" policy of the Government of South Africa which meant that it would become impossible for Blacks to exercise their rights and to bring about change. The apartheid regime had not undergone any basic change. The so-called tthomelandst, policy could only be explained as the logical consequence of the racist system. The Bantustans were really only reservoirs of cheap labour and represented the perpetuation of colonialism. The Government member of Denmark observed that the South African Government never dealt with labour matters as such but only in the framework of apartheid. An Employersi member wanted to correct the criticism by the Workers ViceAChairman that Employers were avoiding taking a stance on the adverse effects of influx control in South Africa. In fact the American Chamber of Commerce in South Africa had written a letter strongly opposing South Africa,s latest attempts to further restrict the movement of Black persons through the Orderly Movement and Settlement of Black Persons Bill. Sanctions and disinvestment would be detrimental to the Black community. An African Government member commented that the Blacks in South Africa would not continue to sit back and allow the regimes brutality to continue.

10. A Nordic Workers' member referred to South African military raids into neighbouring States and considered that mandatory sanctions should be imposed by the United Nations and fully implemented by governments. The Workersi members of Nigeria, Tanzania and Mozambique referred to South African acts against its neighbours and described southern Africa as an explosive zone in which the military situation was being enhanced by destabilising military and economic aggression by South Africa. Attacks on these countries have resulted in the loss of many innocent lives and heavy damage to property. This view was supported by an African Employers, member who also referred to South Africa's policy of tttotal strategy" supported by the spending of millions of Rands on economic oppression, military atrocities and propaganda aimed at the entrenchment and extension of apartheid beyond previous dimensions. An African Government member wished to pay tribute to the dignity and independence displayed by countries in southern Africa which were suffering aggression and violation of their territories by South Africa. It was also noted by the Government member of the United States that

there was active trade between South Africa and member countries of the CMEA.. The Government members of the socialist countries stressed that those . countries had no contacts with South Africa. The Government member of Czechoslovakia referred to the abduction by an illegal movement in Angola, which was supported by the racist regime of South Africa, of more than 60 of its citizens including . women and children. She said that her Government would continue to support the struggle for independence in Namibia. Workersi members expressed firm support for Namibian independence based on Security Council resolution 435 and rejected any other proposal. SWAPO continued to lead the independence struggle. In condemning South Africals military intervention in independent neighbouring States, several members called for increased support for the front-line States as well as mandatory sanctions against South Africa, including an oil boycott. The Goverment member of the Peoples Republic of China expressed her Governmenfs support for the just struggle of the Black people of Namibia, whilst the Government member of the USSR pointed to South Africats continued illegal occupation of Namibia in violation of United Nations resolutions. The Workerst member of Mozambique stated that apartheid persisted because of the support it received from certain Western powers.

11. Speaking on behalf of Nordic trade unions, a Workersl member commented that it was difficult to identify in the Report new initiatives against South Africa by governments. Quoting Nordic examples, he concluded that the actions by governments in general were inadequate for the purpose of ending apartheid. The Nordic trade unions proposed mandatory sanctions through the United Nations, increased effectiveness of the arms embargo and increased economic assistance to the Southern African Development Co-ordination Conference (SADCC) and the front-line States. The Workersl member of Yugoslavia, while welcoming the improvement in the Report, insisted that future reports should take account of the basic fact that apartheid could not be reformed but only destroyed. The Report should also report on those who failed to take action. He suggested that a concerted programme of action should be developed, which should include a public campaign consisting of publicity, protest meetings and the exposure of companies and banks supporting apartheid, embargoes on arms and oil, and the severing of shipping and transport services to South Africa. He promised the full support of the Yugoslav trade unions for the people of South Africa and the front-line States. In the opinion of certain African Workersl members the Committee should endeavour to find the real answer to apartheid which, they urge, should mean the severing of all forms of support for and contact with South Africa by Western governments. Several Workers' members referred to the traumatic effect of sporting contacts with South Africa: considerable sums of money were being offered to attract sportsmeri to South Africa which, while providing South Africa with propaganda tools, was also damaging internal relations and sport in their own countries. The Government member of Tanzania supported the severing of sporting and cultural links with South Africa and also urged the United Kingdom, as the country of origin of most

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emigrants, to discourage migration. Employers

should also refrain from engaging White immigrants in South African firms. Government and Workers members referred to the question of bank loans to the South African Government and parastatal bodies. They were shocked to learn that the ILO continued to deal with the Union Bank of Switzerland (UBS) in spite of United Nations General Assembly Resolution 36/172D of 17 December 1981. The UBS was one of the major lenders to the apartheid regime and had not concealed its intention to continue to lend to that Government. The ILO should sever its links with institutions such as the UBS. They also understood that the ILO Staff Union had adopted a resolution in 1981 concerning the ILO's relations with companies and banks supporting apartheid. One African country had already nationalised a major bank which provided loans to South Africa. The Workers' member of Nigeria referred to bank loans to the South African apartheid regime and mentioned specific loans of 750 million Swiss francs to South Africa by the UBS and the sale of South African gold coins by the UBS in the ILO building. He urged the Committee to ask the Office to discontinue its patronage of the UBS. An African 'Worker' member referred to the provision of landing rights for South African aircraft by certain African countries, whilst other African countries maintained commercial contacts. Such contacts would not end apartheid, which could only be destroyed by force. An African Employers' member, supported by a Workers' member, said that while he supported Codes of Conduct, the South African radio had confirmed their ineffectiveness and had termed them irrelevant to the situation. They called on the authors of the various Codes to re-examine them in order to improve their credibility and to make them more effective. A Government member was also of the opinion that more widespread action against apartheid was required and that the progressive world should remain even more vigilant in the struggle. A second African Employers' member urged increased international support for SADCC countries as one means of achieving their independence from South Africa and avoiding conflict in southern Africa. This view was supported by an African Government member who also called for a increased psychological pressure on South Africa. Another African Employers' member suggested that an alternative to demanding disinvestment by multinational corporations was industrial action by workers to interrupt trade with South Africa. His country was multi-racial and he hoped that that situation could be achieved in South Africa. Government members from southern Africa commented that those taking actions which were contrary to the Declaration should be informed directly by the ILO, and workers should consider the role they can play by ensuring that no violation of sanctions takes place. Several Government and Workers members referred to the IMF loan to South Africa which they described as illustrating the support and protection to the apartheid regime provided by Western governments. In the opinion of a Workers' member, a practical approach was necessary in dealing with South Africa and this had been used by the British Trades Union Congress (TUC) in bringing pressure to bear on British companies operating there. This had contributed to an improvement in the number of

companies recognising or considering recognition of Black trade unions. The Government member of Spain indicated that the policy of his Government was reflected in the Report of the Director-General and emphasised that his Government had donated US\$72,000 to the ILO for a rural development project for SWAPO. His Government also considered that the ILO should play a prominent role in the Second World Conference to Combat Racism and Racial Discrimination. The Government member of Denmark drew attention to Chapter II of the Report regarding Denmark's special appropriation for humanitarian and educational assistance to oppressed peoples in South Africa and Namibia. A Workers' member expressed his concern at cuts in the ILO's budget against apartheid. He called for an ILO world-wide campaign aimed at making known the realities of apartheid. The Government member of the USSR stated his Government's willingness to consider participation in ILO technical assistance projects for southern Africa and the liberation movements, on condition that finance was provided by international organisations. This was additional to existing bilateral aid. The Government member of Cuba expressed his Government's willingness to support all countries trying to develop multi-racial societies. The Government member of Brazil indicated the importance his Government attached to increased trade with and support for the front-line States. He referred to plans to strengthen co-operation within the field of labour. He also supported restrictive measures against apartheid. Western Employers' members were of the opinion that action should concentrate on improved education, training and social policies, which would contribute to a long-term peaceful solution. The observer of the African National Congress (ANC) called for an end to oppression in South Africa, the implementation of sanctions and the ending of trade links; forced withdrawal of South Africa from Namibia and Angola and support for the newly-formed Southern African Trade Union Co-ordinating Committee of the SADC countries. The Government member of the Peoples Republic of China reiterated her Government's support of United Nations measures against apartheid and called on other United Nations members to apply those measures in practice. All forms of assistance to South Africa should be stopped. The Government member of the Federal Republic of Germany, said, that his Government made continuing efforts to utilise its channels of communication with the Government of South Africa to improve the economic and social situation of the victims of apartheid. This was also the aim of , the Code of Conduct of the European Community which was a practical means of bringing about changes, in the labour, economic and social fields. Some Workers' members, including those of Bulgaria, the German Democratic Republic and the USSR, expressed extreme concern about the economic, financial and military aid given to the racist regime in South Africa by leading Western European countries and the United States, contrary to the provisions of the ILO Declaration. They also expressed their concern about European and United States Codes of Conduct which were not obligatory and had no monitoring provisions. The Government member of the United States spoke of his Government's opposition to the institution of apartheid and its policy of unconstructive engagement until through dialogue with those inside and outside Government

in South Africa who supported moves away from apartheid. He referred to support given to Black South Africans in the education and labour fields. Codes were not meaningless. In his Government's opinion a reasonable correlation must exist in the area of action against apartheid between actions recommended, the sources available and the goals to be achieved. In this regard the ILO should not be urged to undertake measures beyond its competence. Several Government and Workers members referred to the need for the Committee to take a new specific and united stand on South Africa in view of the deteriorating situation in southern Africa which was a threat to peace; the Committee should identify the difficulties which prevented it from performing more effective work and should take steps to make those maintaining contact aware that they were supporting the regime. In their opinion the last chance to avoid armed conflict in southern Africa lay in international pressure through sanctions and the isolation of South Africa. There was a growing danger of war if countries supporting South Africa continued to oppose these measures. The Government member of Czechoslovakia observed that the Second World Conference against Racism and Racial Discrimination to be held in August 1983 should be given the ILO's active support.

12. The observer of the African National Congress (ANC) spoke of the decision of the South African regime to execute by hanging three members of his organisation who had been condemned to death. This made a mockery of any talk about evolution and reform of apartheid. He also referred to trade union leader Oscar Mphahlele who had been found guilty of so-called terrorist activities after the second longest trial in South African history. Labour conditions in South Africa continued to deteriorate; wage increases in 1981 had since been offset by the effects of inflation and unemployment. The Declaration of Philadelphia stated that 'labour is not a commodity', but it was in South Africa.- Occupational health needed special attention. Seventy-two per cent of Black workers in South Africa were not covered by legislation on occupational diseases whilst in the mines 750 miners were killed and 28,000 injured every year. Given the high rate of unemployment it was easier to replace injured workers than to protect them. Workers were deported to Bantustans where virtually no medical facilities existed. Many multinational companies were moving their factories to South Africa where there were few social security requirements and where starvation wages were paid. The ANC appealed especially to firms not to rebuild the Koeberg nuclear power plant, which the ANC has already partially destroyed and which could again become the target of an attack. The observer of the Pan Africanist Congress of Azania (PAC) congratulated the ILO for expelling South Africa from its ranks. South African Blacks had a long history of trying to bring about peaceful change but thousands of people had been imprisoned and killed during the struggle for freedom. The only hope now lay with the Black workers and he appealed to the workers in the home countries of multinational corporations to assist the Black workers in overthrowing the apartheid regime. He recalled the example of how Volks-

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wagen workers in the Federal Republic of Germany had assisted Black workers in South Africa during a strike. It was the desire for profit by multinational companies which provided the incentive for continued links with South Africa-and the Bantustans created the conditions for super profit. He strongly protested against the sale of Krugerrands by the Union Bank of Switzerland in the Conference building; United Nations agencies, including the ILO should be the first to break their ties with banks and companies trading with South Africa. His people have shown the armed struggle to be the only means left to change the system in South Africa. He called on Western governments to apply the same practical economic consideration to disinvestment which they had used to determine investment. In a subsequent intervention, the observer of the PAC said that the Government of the United States was hypocritical in saying that it was not its policy to use sanctions because it had already imposed sanctions against other countries such as Cuba, Angola, Poland and the USSR. The Workers' Vice-Chairman reiterated that all persons were equal under the law and the protection afforded by the law,- without distinction as to race, colour, religion, sex, age or disability.

13. The Committee decided to set up a Working Party to prepare conclusions to be included in the Committee's Report to the Conference. The Working Party was composed as follows:

Government members: Cuba (Mr. Heredia Perez); Czechoslovakia (Mrs. Slamova); Denmark (Mr. Andersen); Tanzania (Mr. Tandau); the Islamic Republic of Iran (Mr. Behrouz-Safavi).
Employers members: Mr. de Silva (Sri Lanka); Mr. Sumbwe (Zambia); Mr. Georget (Niger); Mr. Ruth (United States); Mr. Healy (United Kingdom).
Workers: Mr. Mashasi (Tanzania); Mr. Botvinov (USSR); Mr. Knox (New Zealand); Mr. Sunmonu (Nigeria); Mr. Carr (Canada).

Mr. Andersen (Denmark), Reporter of the Committee, acted as Chairman of the Working Party.

14. Before considering the Working Party's conclusions, at the request of the Workers Vice-Chairman the Committee stood in silence for one minute in memory of the three members of the ANC hanged that day in South Africa.

15. In presenting the Working Party's conclusions, the Reporter stated that the Working Party had considered proposals presented by the Workers group. The conclusions reached after long and fruitful discussion marked by a spirit of compromise on the part of all three groups, had been arrived at by consensus but were subject to some reservations. Some employers, in expressing reservations, had referred to page 78 of the English language version of the Special Report with particular reference to points 1, 3, 5, 6 and 11 of the draft conclusions which they considered to make requirements beyond their means and competence. They expressed the right to record divergent views in order to preserve the tripartite structure. Other Employers had reservations about the suggestions in point 5. among others, that foreign capital in South Africa and economic relations with companies in that country were not desirable. But an African Employer and some Government and VVOFCIS, members had been

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of the opinion that investments did not benefit Blacks in South Africa. The Government member of

Denmark and some Employers' members also objected to the naming of individual States in point 4.

16. The Government member of the United States objected to the words noted with deep regret in point 3 because the document on which the Director-General's questionnaire had been based was considered objectionable by his Government. Several Government members, including the member of Angola, did not agree and felt that the questionnaire was adequate. After discussion it was agreed that these words should not be deleted. At the suggestion of the Workers Vice-Chairman, the Committee agreed to substitute the word "requested" for "discouraged" in point 4 in order to strengthen the Committee's wish for individual reports by those who also intended to submit joint reports. The Government members of the Federal Republic of Germany and the United States objected to the naming of four countries in point 4. This was unacceptable as those named had replied to the questionnaire, whereas others had not and virtually none of the replies responded to every question. Various Government and Workers members argued that these countries were mentioned because they were the heaviest investors in South Africa. The Committee also accepted a proposal by the Workers Vice-Chairman that the word "shall" be deleted from the final sentence of point 4 in order to clarify the position of the four countries mentioned.

17. The Government member of Denmark said that as he had indicated in the Working Party, he wished to draw the attention of the Committee to the question of the ILO's competence to deal with questions raised in point 5. The Government member of the Federal Republic of Germany also expressed concern about this matter. In considering point 5 several Government and Workers members proposed amendments which would specifically recommend the International Labour Office to stop dealing with banks lending to South Africa, in addition to the existing reference to constituent members of the ILO. After considerable discussion when certain Government and Employers members, supported by two Workers' members, referred to the need to protect the financial position of the ILO, it was decided not to amend the point 5. Those members who had proposed amendments requested the Office to take note of the strong feelings expressed on this issue. In considering point 6 the Chairman suggested in order to clarify the Committee's requirements that the full text of the relevant point of the 1982 conclusions be reproduced. The Government member of the United States observed that points 13 and 14 held financial implications which should be borne from within the existing financial resources of the ILO. The Workers Vice-Chairman did not accept this point of view and the Chairman noted the reservation. When considering point 9 the Government member of the United States repeated his Government's view that the ILO should not assist a political movement whose aim was to destroy a member of the United Nations. Whilst noting the reservation, the Chairman observed that point 9 conformed with United Nations resolutions on this subject. The Government member of the United States also expressed reservations concerning

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points 10, 11 and 12 because his Government did not believe in the economic isolation of South Africa. The Workers' Vice-Chairman commented that these points were directed at trade unions, not governments. The Government member of the Federal Republic of Germany expressed a general reservation on those points of the conclusions which seemed by their formulation to exclude the possibility of having relations with South Africa and of using those relations to bring about peaceful change. He reserved the position of his Government to the extent that some of the conclusions went beyond the ILO's terms of reference. The Committee then discussed and agreed on the manner in which the reservations by some governments and some employers should be recorded.

18. The following conclusions were adopted by the Committee subject to the reservations recorded by some Employers' members in the 1983 Special Report of the Director-General, in Provisional Record Nos. 22 and 27 of 1982, and in the report of this Committee by a minority of Government and Employers' members of Belgium, Canada, Federal Republic of Germany, United Kingdom and the United States:

1. The Committee reaffirmed its full commitment to the updated Declaration concerning the Policy of Apartheid in South Africa, including the programme of action as adopted by the International Labour Conference in 1981, the implementation of which is to be monitored by the Conference Committee on Apartheid.

2. To meet its monitoring obligations, the Committee carefully examined the Director-General's Special Report on Apartheid of 1983 in the light of the conclusions reached during the 1982 Session of the International Labour Conference. It commended the Office on the presentation of the information whereby replies had been reproduced individually under each item recommended for action, and on the analytical direction the Report is now taking.

3. The Committee was, however, disappointed at the inadequate response of constituent members to the questionnaires circulated by the Office. It noted with deep regret that the number of replies from all three Groups of constituent members had decreased considerably, and that the information contained in the replies did not always conform to the information requested. It was regretted that ten employers, organisations had not supplied information on the items of the programme of action and the Conclusions. On the grounds that they had reservations concerning aspects of either or both the Declaration and its Appendix. The Committee therefore called for greater efforts resulting in precise, detailed, future replies by constituents to the Office's follow-up requests.

4. The Committee noted with regret that, in spite of the recommendations it had made at the 63rd Session of the Conference that governments must in future provide individual replies to the ILO; that replies should contain specific information on action taken in accordance with the 1960 Declaration and should not limit themselves to declarations of principles and intentions, the ten EEC Governments had again submitted a joint reply. All of the ten EEC Governments should be requested to submit supplementary individual replies in addition to their joint reply, as have the Governments of Israel and the Netherlands. Unfortunately, governments representing countries with the heaviest investments in South Africa, such as the United Kingdom, the United States, the Federal Republic of Germany and France, have not reported on steps they have or not taken with regard to their action at the level of the United Nations: action to curb white emigration to South Africa; use of economic, cultural and sports relations; aid to the host States; and other aspects covered in the Declaration and its programme of action.

5. The Committee expressed particular concern over the role of trade and foreign investments and loans to the South African Government, as an important element in maintaining and strengthening the apartheid regime. The Committee recommends that all constituent members of the ILO should stop dealing with banks that lend to South Africa. The Committee deplores this situation and urges the ILO to request these banks to live up to the principles of the Declaration against Apartheid, and to discontinue their dealings with the racist apartheid regime.

6. The Committee reiterated its request for detailed information, including lists of strikes and their causes, arrests and detentions, companies refusing to recognise Black trade unions, companies investing in South Africa, collective agreements signed with Black trade unions, government sanctions against South Africa, etc. It stressed that without such detailed information, supported by recent statistics, it could not meet its obligation of monitoring the implementation of the updated Declaration. Therefore, the Committee expects the Office to draw on all appropriate sources, as indicated in the Conclusions contained in the Committee's Report of 1982, "including the front-line States, the national liberation movements, the Organisation of African Unity and United Nations organisations", in order to supplement the information supplied by respondents. To this end, the Committee requests that the manpower resources of the appropriate Branch of the ILO be strengthened in order to carry out the necessary work for the compilation of a comprehensive Director-General's Special Report on Apartheid.

7. Concerning action by employers, the Committee called on employers to hire, train and promote Black workers not only in their everyday employment, but to positions of authority. Special training schemes should be established for this purpose. Action taken in this field should be reported to the ILO by its constituents for inclusion in the Director-General's Special Report.

8. The Committee further requested employers to lodge protests to the South African authorities over the influx control system, which in various ways reduces their scope for the free engagement and employment of labour and is contrary to ILO Conventions on employment. Moreover, the influx control system is the South African regime's major tool for the implementation of its apartheid Bantustan policies under which 9 million Black people have already been deprived of South African citizenship. These people are thereafter not covered by South African legislation and any limited protection it may provide, and are designated as aliens by the South African authorities. The Committee hopes that employers' organisations will include reports on such protests among actions taken against apartheid.

9. The Committee recommends that the ILO should further develop its assistance programmes for the benefit of the liberation movements recognised by the OAU and the front-line States. Such assistance programmes should cover areas such as vocational training, rehabilitation and employment and should provide fellowships for liberation movement members in Africa and elsewhere.

10. Concerning action by trade unions, the Committee recommends that particular emphasis should be put on discouraging workers from emigrating to South Africa through intensive information campaigns organised in the major supplying countries.

11. The Committee recommends that trade unions should select major companies investing in South Africa for intensive pressure campaigns. These companies should be listed and the unions' campaign should be fully reported to the ILO.

12. National trade union centres, international trade union secretariats, individual unions and shop floor workers are urged to participate as fully as possible in international efforts to implement the Declaration and programme of action.

13. The Committee notes with satisfaction the initiative taken by the Workers group of the ILO Governing Body and the international trade union movement in convening the International Conference of Trade Unions on Sanctions and Other Actions against the Apartheid Regime in South Africa in Geneva in June 1983.

14. The Committee calls upon the ILO to convene in Africa, and preferably in a front-line State. a tripartite conference on apartheid, setting an agenda of four to five priority items of utmost concern in order to have a thorough discussion. item by item. and to find concrete conclusions regarding actions to be implemented.

19. During the last sitting of the Committee, the Government member of United States called for a vote on the adoption of the conclusions. He considered that there had been no formal adoption at the previous sitting. This opinion was not shared by the other members of the Committee. The Chairman indicated that, in conformity with the Committee's earlier practice, the conclusions had been adopted by consensus (with the reservations indicated above)

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during the previous sitting. The Government member of the United States then requested a vote on the adoption of the Report as a whole. After various attempts by other members of the Committee to avoid such a vote, a vote was taken by a show of hands after which the Chairman declared that the report had been adopted by the Committee. One Governzment member (United States) voted against and five Empioyersl members (Belgium, Canada, Federal Republic Germany, United Kingdom; United States) abstained. One of the Employersi members explained that, although he had been ready to accept the report by consensus, his abstention was due to reservations which he had expressed previously and which concerned points in the conclusions.

Geneva, 10 June 1983.

(Signed) K. M. KANGAI,

' Chairman.

M. O. ANDERSEN,

Reporter. _

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Report of the Committee on Apartheid 1

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