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EUROPEAN COMMUNITY CONDEMNS SOUTH AFRICAN APARTHEID AND SUMMONS 12 AMBASSADORS

The European Community's 10 member states, along with future members Spain and Portugal, have summoned their Ambassadors from South Africa for consultations on the deepening crisis over that country's apartheid system.

The Foreign Ministers of the 12 countries agreed on that action during a special meeting on South Africa July 31 in Helsinki. The Ministers issued a statement condemning the recently imposed state of emergency in South Africa, and the refusal of South African authorities to meet with black leader Bishop Desmond Tutu. They called on the government to open a dialogue with all representatives of the black majority, including those in prison.

The Ministers also reaffirmed their July 22 declaration calling for the immediate release of imprisoned black opposition leader Nelson Mandela, an end to detention without trial, a halt to forced removals of blacks from certain areas of the country, and repeal of discriminatory legislation.

The summoned Ambassadors will be consulted about policies the Community could adopt to help bring about an end to apartheid.

In addition, the Foreign Ministers of Italy, Luxembourg and the Netherlands and a representative of the E.C. Commission will visit South Africa to relay the Community's concern over the deteriorating situation there.

OTHER E.C. ACTIONS

The E.C. Commission and the European Parliament have also expressed their opposition to South Africa's policies of racial segregation and white-minority rule.

The Commission warned in a July 31 statement that unless the country moved quickly to dismantle apartheid, economic sanctions against South Africa were "inevitable." It said the Community must prepare for that

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eventuality, and declared that it was ready "here and now" to draw up appropriate proposals.

The E.C. so far has been divided on the issue of economic sanctions, with some member states pushing for them, and others opposing them as ineffective. Two E.C. member states, France and Denmark, have on their own banned new investment in South Africa.

The European Parliament, which has over the years adopted many resolutions condemning apartheid, on April 18 urged the Community to sever all economic, financial, cultural and military ties with South Africa.

The Parliament condemned "the escalation in the violence and repression" carried out against the South African black population, including police killings of unarmed citizens and arrests of religious and civil rights leaders. It called on Community member states to develop a consistent policy toward South Africa, and to take joint actions with the United States and Scandinavian governments when possible.

CODE OF CONDUCT

E.C. Foreign Ministers in 1977 adopted a code of conduct for Community companies with subsidiaries, branches or representation in South Africa. It calls on the companies to treat their employees equally and to do everything possible to support trade unions for black South Africans. The voluntary code also asks businesses to provide:

- A minimum wage at least 50 percent above the amount required to satisfy the basic needs of a family;
- Equal pay for equal work, and training programs to help black Africans to move out of inferior jobs;
- Fringe benefits, including housing, health services, pensions, educational funds and unemployment insurance;
- Desegregated workplaces.

The most recent E.C. analysis of the code's implementation, covering the period July 1981 to June 1983, found that trade union membership in South Africa had increased rapidly and that Community companies had become more willing to cooperate with black unions.

The analysis was based on reports from 224 companies from all E.C. member states except Ireland and Luxembourg, representing almost 142,000 employees. More than half of the companies (139) were from the United Kingdom, with the Federal Republic of Germany having the second greatest number (51).

The study found that most employees were paid above the code's recommended minimum level, although a small percentage received less than poverty-level wages. Almost all companies reported providing fringe benefits and a majority said they had partially or completely desegregated the workplace. The analysis found a need for better training programs for blacks, as reflected by a shortage of skilled workers.

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In their July 22 statement, Community Foreign Ministers said the code of conduct has "proved to be a useful instrument for the emancipation of black workers in South Africa," but it should be strengthened. The European Parliament has also called for a stronger code.

STATEMENTS BY THE FOREIGN MINISTERS OF THE TEN
ON THE SITUATION IN SOUTH AFRICA AND SOUTHERN AFRICA

July 31, 1985

The Ministers of Foreign Affairs of the European Community together with the Ministers of Spain and Portugal met on July 31, 1985, in order to examine the serious developments of the situation in South Africa. They took note of the debate and of the resolution of the Security Council.

They confirmed their common attitude as it is expressed in their declaration of July 22, 1985, and in particular their strong condemnation of the proclamation of a state of emergency in important parts of that country.

They also condemned the refusal of the South African government to have talks with Bishop Tutu. They called upon that government to open a dialogue with all the representatives of the black majority, including those who are in prison and whose liberation they have requested on July 22.

The Ministers exchanged information about the measures taken or envisaged with respect to South Africa.

They noted that all member states apply certain restrictions in their relations with South Africa.

The Ministers asked the Political Committee to establish an inventory of these measures, and to hold a full discussion of policies which the Ten might pursue and of measures to take in order to contribute to the abolition of apartheid.

They decided to summon their Ambassadors to come for consultations to attend this meeting.

The Ministers asked the Political Committee to report to them at their next meeting.

July 22, 1985

The Ten Foreign Ministers express their profound concern over the continuing human suffering caused in South Africa by the apartheid system which they strongly condemn.

They deplore all acts of violence. In South Africa, violence affects the black population in particular, and the Ten call for its renunciation by all concerned.

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The most recent action by the South African authorities in declaring a State of Emergency in certain areas of the country marks a sharp deterioration in the situation. It must be brought to an end and all those held under its provisions released.

The Ten urge the Government in Pretoria to embark with determination on a policy involving specific actions leading to the abolition of the apartheid system and the implementation of the rightful political and civil rights of the black population. In the absence of any significant progress within a reasonable period of time, the Ten reserve the right to reconsider their attitude.

In their view the first requirement is the rapid opening of a dialogue between the present South African Government and the genuine representatives of the non-white community, with the declared aim *inter alia* of giving proper representation to the black community at the national level.

To improve the prospects for such a dialogue, the Ten believe that the South African Government should:

- release immediately and unconditionally Mr. Nelson Mandela;
- end detention without trial;
- abandon the practice of forced removals;
- remove discriminatory legislation including the pass laws and the group areas act.

CODE OF CONDUCT FOR EUROPEAN COMMUNITY COMPANIES WITH SUBSIDIARIES,
BRANCHES OR REPRESENTATION IN SOUTH AFRICA

1. Relations within the undertaking.

- a) Companies should ensure that all their employees irrespective of racial or other distinction are allowed to choose freely and without any hindrance the type of organization to represent them.
- b) Employers should regularly and unequivocally inform their employees that consultations and collective bargaining with organizations which are freely elected and representative of employees are part of company policy.
- c) Should black African employees decide that their representative body should be in the form of a trade union, the company should accept this decision. Trade unions for black Africans are not illegal, and companies are free to recognize them, and to negotiate and conclude agreements with them.
- d) Consequently, the companies should allow collective bargaining with organizations freely chosen by the workers to develop in accordance with internationally accepted principles.

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e) Employers should do everything possible to ensure that black African employees are free to form or to join a trade union. Steps should be taken in particular to permit trade union officials to explain to employees the aims of trade unions and the advantages of membership, to distribute trade union documentation and display trade union notices on the company's premises, to have reasonable time off to carry out their union duties without loss of pay and to organize.

f) Where works or liaison committees operate, trade union officials should have representative status on these bodies if employees so wish. However, the existence of these types of committee should not prejudice the development or status of trade unions or of their representatives.

2. Migrant Labor

a) The system of migrant labor is, in South Africa, an instrument of the policy of apartheid which has the effect of preventing the individual from seeking and obtaining a job of his choice; it also causes grave social and family problems.

b) Employers have the social responsibility to contribute towards ensuring freedom of movement for black African workers and their families.

c) In the meantime employers should make it their concern to alleviate as much as possible the effects of the existing system.

3. Pay

Companies should assume a special responsibility as regards the pay and conditions of employment of their black African employees. They should formulate specific policies aimed at improving their terms of employment. Pay based on the absolute minimum necessary for a family to survive cannot be considered as being sufficient. The minimum wage should initially exceed by at least 50 percent the minimum level required to satisfy the basic needs of an employee and his family.

4. Wage structure and black African advancement.

a) The principle of "equal pay for equal work" means that all jobs should be open to any worker who possesses suitable qualifications, irrespective of racial or other distinction, and that wages should be based on a qualitative job evaluation.

b) The same pay scales should be applied to the same work. The adoption of the principle of equal pay would, however, be meaningless if black African employees were kept in inferior jobs. Employers should therefore draw up an appropriate range of training schemes of a suitable standard to provide training for their black African employees, and should reduce their dependence on immigrant white labor.

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5. Fringe benefits.

a) In view of their social responsibilities, undertakings should concern themselves with the living conditions of their employees and families.

b) For this purpose company funds could be set aside for use

- in the housing of black African personnel and their families; in transport from place of residence to place of work and back;
- in providing leisure and health service facilities;
- in providing their employees with assistance in problems they encounter with the authorities over their movement from one place to another, their choice of residence and their employment;
- in pension matters;
- in education matters;
- in improving medical services, in adopting programs of insurance against industrial accidents and unemployment, and in other measures of social welfare.

6. Desegregation of places of work.

In so far as it lies within their own competence, employers should do everything possible to abolish any practice of segregation, notably at the workplace and in canteens, sports activities, education and training. They should also ensure equal working conditions for all their staff.

7. Reports on the implementation of the code of conduct.

a) Parent companies to which this code is addressed should publish each year a detailed and fully documented report on the progress made in applying this code.

b) The number of black Africans employed in the undertaking should be specified in the report, and progress in each of the six areas indicated above should be fully covered.

c) The governments of the Nine will review annually progress made in implementing this code. To this end a copy of each company's report should be submitted to their national government.