

ADVANCING INTERNATIONAL HUMAN RIGHTS

Khulumani lawsuit

On 11 November 2002, the Khulumani Support Group, an organisation of survivors of apartheid violence, instituted a lawsuit in the U S against 23 multinational corporations, for their role in human rights abuses committed in apartheid South Africa. The lawsuit is supported by Jubilee South Africa and a number of national and international organizations. Khulumani alleges that these corporations supplied financing, technology, transportation, oil and arms to the Apartheid government and in so doing, aided and abetted the Apartheid government to violate international law. With their support the apartheid government committed extra-judicial killing, torture, sexual assault, prolonged arbitrary detention, and crimes against humanity. Apartheid has been officially recognised as a crime against humanity by the United Nations

The Khulumani lawsuit provides a strong opportunity to develop and build upon a new global principle, which would be binding on nations, national leaders and multinational corporations. The principle is to hold corporations liable and to secure redress for universally recognised violations of customary international law.

The right of foreigners to institute lawsuits in the United States was upheld by the U S Supreme Court, on 29 June 2004, despite objections from corporations and the US, British, Swiss and other governments. This represents a victory for human rights globally.

But the victory is under threat because some governments, including our own, and some of the world's largest multinationals are opposing the so-called "apartheid lawsuits". The reasons advanced by our government for their opposition to the lawsuits, do not apply to the Khulumani lawsuit.



For more information, you can contact

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What are the facts of the Khulumani litigation?

- The Khulumani lawsuit names as defendants foreign corporations that refused to participate in the TRC process and that failed to take responsibility for their involvement in the apartheid state's security apparatuses.
- The Khulumani lawsuit does not seek to undermine the sovereignty of democratic South Africa. It seeks rather to strengthen South Africa's constitutional democracy.
- The Khulumani lawsuit does not seek any action that is inconsistent with government's approach to achieving its own long-term goals. It supports programmes of community reparation and rehabilitation.

The lawsuit ,if successful, will contribute to making national judicial systems acknowledge the supremacy and universality of Human Rights law, which obligates adherence to behaviour that respects basic human dignity.

Hundreds of individuals and organisations have endorsed the Khulumani lawsuit . They include prominent participants in the TRC, leading international human rights figures, noted religious leaders and academics. We have received extensive support from South African's , people in the United States of America, Latin America, Swiss, Germans and Southern African people and organisations in Swaziland, Malawi , Zimbabwe, Mozambique, Angola ,Zambia and Tanzania.

As soon as the appropriate procedures regarding the filing of the amicus curiae or the friends of the court document have been completed , we will publicise the full list of endorsers.