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For Immediate Release
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AMERICAN COMMITTEE ON AFRICA WELCOMES CONTINUED APARTEID SANCTIONS
BY THE U.S. CONFERENCE OF MAYORS

The American Committee on Africa welcomes the pledge of the U.S. Conference of Mayors to continue sanctions against apartheid at the local level as expressed today by Boston Mayor Raymond Flynn, President of the Conference and Mayor David N. Dinkins.

We strongly condemn President Bush's action lifting the federal sanctions against South Africa contained in the Comprehensive Anti-Apartheid Act of 1986. The basic purpose of the Act, the end of apartheid and the establishment of a non-racial democracy in South Africa have not been achieved. Nor have the condition set out in the Act been met. Hundreds of political prisoners remain in jail, race classification remain in place and most importantly there is no free political process because Black South Africans are still prevented from voting or being elected for a democratic government of their choice.

We believe, with Nelson Mandela, that sanctions must continue until the people of South Africa can vote under a new democratic constitution. This is the message that states and cities from coast to coast sent when they enacted their own "people's sanctions" - divestment and selective purchasing measures. The lifting of sanctions undermines the cause of freedom for which so many brave people have given their lives. For this reason, the measures against apartheid adopted on the city level are of greatly increased importance. Strong state and city action to preserve and enforce sanctions against apartheid now will send a clear message to the people of South Africa that the their brothers and sisters in the United States stand with them in their struggle for freedom and democracy.
THE COMPREHENSIVE ANTI-APARTHEID ACT OF 1986: An Overview

The Comprehensive Anti-Apartheid Act of 1986 was enacted "to guide the efforts of the United States in helping to bring an end to apartheid in South Africa and lead to the establishment of a nonracial, democratic form of government." The Act bans new investment in South Africa and prohibits the import from South Africa of agricultural goods, iron, steel, textiles, shell fish and uranium. It also bans sales to the South African police and military.

The Anti-Apartheid Act allows for the President to suspend or modify the sanctions contained in the Act if five conditions, outlined below, have been met or if three of conditions 2 through 5 have been met and South Africa has "made substantial progress towards dismantling the system of apartheid and establishing a nonracial state." However, the President is not required to lift sanctions if these conditions are met. To lift sanctions, the President must notify Congress 30 Congressional working days in advance. Congress can override the lifting of sanctions by a two thirds majority.

The Bush administration claims that the "conditions" set out in the Comprehensive Anti-Apartheid Act for the lifting of sanctions have been met except for the release of a few remaining political prisoners. This is clearly not the case as a review of the conditions demonstrates.

The President can act to lift sanctions if the South African government:

(1) Releases all political prisoners. The de Klerk government says all but a few hundred political prisoners have been release and these cases are now being reviewed. Human rights organizations estimate that 1,500 political prisoners remain behind bars.

(2) Repeals the state of emergency. While the actual state of emergency has been repealed, the government continues to place restrictions free on political activity through other legal means.

(3) Unbans democratic political parties and permits the free exercise by all South Africans of all races of the right to form political parties, express political opinions, and otherwise participate in the political process. As Blacks cannot vote, they can not participate in the political process. While the African National Congress and other organizations have been unbanned, their activities are regularly banned by local authorities, especially in the KwaZulu bantustan. Also, the access of the African National Congress and other democratic political parties to the state run television is in practice strictly limited.

(4) Repeals the Group Areas Act and the Population Registration Act and institutes no other measures with the same purposes. The government has repealed the Group Areas Act but has allowed communities to establish "standards" which could be used effectively to block Black access to certain areas. The Population Registration Act has also been repealed but race classifications already assigned continue to be used for a variety of racist restrictions such as maintaining segregated schools, differential pensions for Blacks and whites and voters rolls. In fact, the bill that repealed the Population Registration Act specifically said it did not affect any of the other laws that depend on racial classification.

(5) Agrees to enter into good faith negotiations with truly representative members of the Black majority. While the government has had some negotiations with the African National Congress about the conditions necessary for constitutional negotiations to begin, the government's "good faith" is certainly questionable as it has failed to live up to several agreements reached with the African National Congress on such issues as the release of political prisoners.

As is clear from this review, South Africa has not made substantial progress toward dismantling apartheid and establishing a nonracial democracy. If the South African government truly wanted a nonracial democratic form of government, it would accept that a new constitution should be written by a constituent assembly elected on a nonracial basis, and move swiftly to implement this process.

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