



MINISTER OF FOREIGN AFFAIRS  
REPUBLIC OF SOUTH AFRICA  
Private Bag X152, Pretoria, 0001 / 120 Plein Street, Cape Town, 8000

4 May 2002

Dear Secretary Powell

**Litigation against Corporations that may have benefited from the Apartheid System**

For some time now, I have been meaning to contact you to discuss several issues of importance to South Africa and the United States, but was cognisant of the fact that you have been very occupied with matters relating to Iraq and the Middle East Peace Process.

I am aware of the importance that the issue of the recent litigation against corporations that may have benefited from the apartheid system is viewed in both the United States and South Africa, and felt it pertinent to bring to your attention the South African Government's position on this matter.

In President Thabo Mbeki's recent statement to Parliament on the occasion of the tabling of the report of the Truth and Reconciliation Commission, he stated emphatically that the South African Government is not, and will not, be party to such litigation. The President further stated that, "we consider it completely unacceptable that matters that are central to the future of our country should be adjudicated in foreign courts which bear no responsibility for the well-being of our country and the observance of the perspective contained in our Constitution on the promotion of national reconciliation".

While the South African Government recognises the right of citizens to institute legal action, its own approach is informed by the desire to involve all South Africans, including corporate citizens, in a cooperative and voluntary partnership to reconstruct and develop South African society. To this end, consultations are continuing with the business community to examine additional ways in which they can contribute to the task of the reconstruction and development of our society, proceeding from the premise that this is in their own self-interest.

Through the Truth and Reconciliation process, the issue of reparations for the victims of apartheid is also being addressed in terms of our Constitutional obligation "... that there is a need for understanding but not for vengeance, a need for reparation but not for retaliation, a need for ubuntu but not for victimisation". With regard to final reparations, government will provide a once-off grant of R30 000 to those individuals or survivors designated by the Truth and Reconciliation Commission (TRC). This is over and above ... other material commitments that have been made.

I would welcome the opportunity for an exchange of views with you on a variety of other important international issues, and look forward to the possibility of meeting with you when I next visit the United States, hopefully later on in the year.

Yours sincerely

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Nkosazana Dlamini Zuma

Colin L. Powell  
Secretary of State  
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Washington, DC