

Permanent Mission of South Africa

Madame Chair, in response to an earlier comment by an NGO, both the colonial and apartheid government legislated thousands of racial national, regional, and local laws that controlled every aspects of the lives of all Black South Africans to ensure that the white man minority group was the main beneficiaries of the resources and opportunities of South Africa. These black South Africans encompass all those people who self-identity as African, coloured, biracial population and Indian and Asians. For 360 years, the white minority enjoyed a privileged, superior status to other population groups, and consequently oppressed and dehumanized the majority. The UN, appalled by this, declared apartheid a crime against humanity. Following the first democratic non-racial elections in 1994, the government urgently started to put in place measures to remedy the inequalities in the country by repealing these laws and enacting a new South African constitution in 1996, which provides for equality for all. Legislative regulations adopted by the democratic state since 1994, such as the Black Economic Empowerment and Affirmative Action Policies, seek to address over 300 years of colonial and apartheid legacy by providing opportunities for the previously disadvantaged Black people in general, and women, bringing justice for the previously disadvantaged, as a prerequisite to building national unity. The BEE and AA legislation is in line with the Constitution and in line with affirmative actions measures, which enjoy worldwide support in relevant international instruments, like the ICERD, where Article 1(4) reads as follows: "Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination." [Cut off by Chair]