

## 1989/82. Infringements of trade union rights in South Africa

*The Economic and Social Council,*

Recalling its resolution 1988/41 of 27 May 1988.

Having examined the relevant section of the report of the *Ad Hoc* Working Group of Experts on southern Africa of the Commission on Human Rights<sup>139</sup> and having considered the complaint made by the Congress of South African Trade Unions against the South African régime concerning the infringement of the right of freedom of association, referred to the Council in accordance with its resolution 277 (X) of 17 February 1950 and contained in annex II to the note by the Secretary-General on allegations regarding infringements of trade union rights.<sup>140</sup>

Noting that the reply from the Government of South Africa addressed to the Secretary-General and contained in annex III to the note by the Secretary-General pre-dates the enactment of the legislation which constitutes the subject of the complaint,

Gravely concerned at the further deterioration of the situation as a result of the enactment of new legislation placing drastic restrictions on the exercise of trade union rights,

Noting with indignation that dehumanizing conditions imposed on black workers by the Government of South Africa and police intervention in industrial disputes, including mass arrests, banning and harassment of trade unionists, continue,

Aware of the ever-growing importance of the role of the independent black trade union movement in the struggle against *apartheid*.

1. Takes note of the relevant section of the report of the *Ad Hoc* Working Group of Experts on Southern Africa of the Commission on Human Rights;<sup>139</sup>

2. Condemns the increased repression of the independent black trade union movement by the Government of South Africa;

3. Demands once again that the persecution of trade unionists and the repression of the independent black trade union movement cease;

4. Requests once again immediate recognition of the right of the entire population of South Africa to exercise freedom of association and to form and join trade unions without impediment or discrimination of any kind;

5. Demands the immediate unconditional release of all trade unionists imprisoned for exercising their legitimate trade union rights;

6. Requests the *Ad Hoc* Working Group of Experts to continue to study the situation and to report thereon to the Commission on Human Rights and the Council;

7. Also requests the *Ad Hoc* Working Group of Experts, in the discharge of its mandate, to consult

with the International Labour Organisation and the Special Committee against *Apartheid*, as well as with international and African trade union confederations;

8. Decides to consider at its first regular session of 1990 the question of allegations regarding infringements of trade union rights in South Africa as a sub-item of the item entitled "Human rights";

9. Requests the Secretary-General to persist in his efforts to ensure referral of the complaint made by the Congress of South African Trade Unions to the Fact-finding and Conciliation Commission on Freedom of Association of the International Labour Organisation.

16th plenary meeting  
24 May 1989

<sup>139</sup>E/1989/53, annex

<sup>140</sup>E/1989/49

<sup>141</sup>F 1989/42 and Add 1-4.