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## **LAWSUIT FILED AGAINST IBM, FORD, GENERAL MOTORS, DAIMLER, AND BARCLAYS FOR COMMITTING HUMAN RIGHTS VIOLATIONS IN SOUTH AFRICA DURING APARTHEID**

*Class Action Suit filed in Southern District of New York on behalf of South African plaintiffs alleging Defendant complicity in crimes against humanity, extrajudicial killings and torture*

**New York, NY** – Human rights attorneys have filed a lawsuit in the Southern District of New York alleging that five multinational companies collaborated and acted purposefully with the South African government to commit human rights violations including apartheid, itself a crime against humanity. Other claims allege complicity in extrajudicial killings, torture, de-nationalization, and cruel, inhuman and degrading treatment during the apartheid regime. The companies named in the suit are Barclays Bank PLC (Barclays), Ford Motor Company (Ford), General Motors Corporation (GM), Daimler AG (Daimler) and International Business Machines Corporation (IBM).

The suit seeks compensatory and punitive damages under the Alien Tort Statute (ATS). By actively participating with apartheid security forces to suppress anti-apartheid organizations and movements, the Defendants violated international law.

“The products and expertise of foreign corporations, including Barclays, IBM, Ford, GM and Daimler, were critical to apartheid’s survival.” said Paul Hoffman, senior partner with Schonbrun, DeSimone, Seplow, Harris, & Hoffman and one of the lead attorneys for the plaintiffs. “The automobile companies actively supported the apartheid system by providing armored military vehicles used to violently suppress and terrorize the black population.”

The complaint details how each of the five companies aided the apartheid regime. In addition to the automobile companies, Defendant IBM actively implemented apartheid by knowingly producing race-based identity documents that stripped plaintiffs of their nationality and citizenships and restricted their travel. Defendant Barclays purposefully promoted apartheid’s goal to geographically separate the races by systematically denying black individuals the opportunity to work in or transfer to offices in predominately white areas.

“The allegations show that the corporate sector had a hand in the arbitrary detention, exile, torture, forced relocation, revocation of citizenship, and extrajudicial killings that made apartheid one of the most brutal systems in the world,” said Dumisa Ntsebeza, a South African advocate also on this case. “In many instances, these companies replicated apartheid within the company infrastructure, making their internal operations rife with rights abuses.”

This suit is an amended complaint of allegations previously filed. The allegations address claims exclusively between private persons and corporations, and do not

involve any claims against the government of South Africa. Since none of the five Defendant companies applied for amnesty before South Africa's Truth and Reconciliation Commission, the government of South Africa expressly reserved the right for civil actions to be filed in court.

"This amended complaint address concerns previously raised by the South African government," said John Ngcebetsha, a South African attorney also representing the plaintiffs. "As Archbishop Desmond Tutu said, litigation seeking compensation from corporations complicit in apartheid's gross human rights violations does not conflict with any policies of the South African government."

The legal team includes Paul Hoffman of Schonbrun, DeSimone, Seplow, Harris and Hoffman; attorney Judith Chomsky; Tyler Giannini from the International Human Rights Clinic at Harvard Law School; attorney Dumisa Ntsebeza, with Duma Nokwe Group of Advocates in South Africa; attorney John Ngcebetsha, with Ngcebetsha Madlanga Attorneys in South Africa; and the law firm of Nagel Rice, LLP.

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