



## Media Statement by Bench Marks Foundation

**EMBARGOED: 11:30 ON 23<sup>RD</sup> SEPTEMBER 2009**

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### BOTSWANA GOVERNMENT URGED TO ACT ON HUMAN RIGHTS

The Botswana government has come under the whip for failing to protect the rights of its workers and citizens in its pursuit of more diamond investment, a new study by the Bench Marks Foundation says.

According to research released in Johannesburg today by Bench Marks, *De Beers, Botswana and the control of a country*, the Trade Disputes Act of 2004 gives the Botswana government extensive power in respect of industrial relations.

“The right to strike is recognised, but workers must submit their demands to complex arbitration procedures, which unions say always result in strikes being declared illegal. Sympathy strikes are prohibited and the Act does not protect workers’ organisations against acts of interference.

“More significantly the Act discourages strike action by failing to outline circumstances in which strike action may be deemed to be lawful,” the study says.

In August 2004, 3800 Debswana workers at both the Orapa/Lethlakane and Jwaneng mines embarked on strike action for a fair increase in payments and bonuses, rejecting what they regarded as ‘slave wages’. The aftermath of the strike saw Debswana management and the government declare the strike illegal and laying off 461 workers.

“Debswana’s treatment of striking workers in 2004 demonstrates the fact that, technically, workers in Botswana do not have the right to strike. Despite being signatory to various international agreements on labour rights, neither De Beers nor Debswana have ever protested the fact that workers in Botswana do not enjoy this right,” said John Capel, chief executive of Bench Marks Foundation.

The study recommends that mining corporations such as De Beers and Debswana should attempt to conduct themselves according to best global practice standards, and not be content to merely work within the benchmark of the local legislative environment.

“Where labour legislation in Botswana is extremely restrictive of workers’ rights, De Beers and Debswana should apply labour standards at a level equal to the best in the world.

“Communities see the government as an extension of Debswana and De Beers as the partner in a marriage of inconvenience. These parties should be in the forefront of those insisting on better rights for communities, women, minorities and labour,” Capel urged.

The Bench Marks Foundation research on the diamond industry in Botswana is a continuation of the Foundation’s broader SADC research initiative into the extractive industry. The main focus of the

research is CSR practice of mining companies regarding the three basic dimensions of sustainable development – economic, social and environmental – in the areas in which they operate.

**ENDS**

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**Issued by Quo Vadis Communications on behalf of Bench Marks Foundation**

Bench Marks Foundation is an independent organisation monitoring corporate performance in the field of Corporate Social Responsibility (CSR) with the focus on social sustainability and economic empowerment. The organisation encourages CSR that goes beyond reporting mechanisms and focuses on the gap between policy and practice, thereby assisting civil society groups and corporations to move beyond philanthropy to more strategic interventions that benefit both the corporations and society. Central to Bench Marks' agenda is how CSR is integrated into companies' operations and ensuring that it is at the core of every decision making process.

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