



STATEMENT BY BENCH MARKS FOUNDATION

## What Government needs to do to prevent another 'Marikana'

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### For immediate release

As strikes in mining communities throughout South Africa continue, the unhappiness that was so apparent during the Marikana strike will not go away until the root causes of discontent is addressed, says the Bench Marks Foundation.

In its various reports released on mining in the country, most recently that on platinum mining in the Bojanala District of the North West Province of South Africa, the organisation puts forward recommendations directed not only to mining companies, but to Government, Parliament and other state bodies as well as civil society and communities.

Bench Marks says that Government has a large role to play in addressing inadequacies in mining in the country. It needs to take a more assertive approach to ensure that mining is done more responsibly. Government was found wanting and lacked a credible response especially around Lonmin and Marikana, only to deal with the situation in the most forceful way possible.

"We need to ask why such a forceful response was taken," says John Capel, Executive Director of the Bench Marks Foundation, "and why 34 workers were killed by the state.

"These workers were not even destroying property whereas the truck drivers' strike has seen trucks being destroyed. None of these workers have been dealt with in the same way as the miners were.

"It begs the question: in whose interests was government's response to Marikana directed to?"

Cape says that one of the main issues that they found in their research was the continued courting of political influence by mining companies. Prominent politicians are still deployed to boards and to senior management or are shareholders.

"This certainly raises questions as to government's bias towards the mining companies and to why there is no real accountability in this sector."

The involvement of government officials in mining companies is undermining democracy, causing tensions and conflict and is undermining the trust of communities in the various spheres and institutions of government.

Government needs to realise that although some may wish to place the blame for all the problems in the sector on the mining companies, "the buck actually stops with Government".

He adds: "Government needs to actively push reform in the sector in order to avert future turmoil and volatile situations such as we've seen in the last two months. Private companies operate to maximise profits and socialise costs, thereby increasing shareholder return. This is unacceptable as communities bear the costs and mines need to recognise they operate on community land.

"They are there only because the community allows them to be and this can easily change as communities are no longer prepared to accept all the negative impacts pushed onto them.

"Government cannot allow corporations to get away with not adhering to legislation and destroying the environment the way they are and it should not allow its officials to become involved in the mines in any way.

“In addition, it needs to deploy agencies and departments such as the Green Scorpions, Departments of Labour, Health, Women, Children and People with Disabilities and all other relevant departments and organisations to investigate what is really happening in and around the mines”.

The organisation also recommends that the Government:

- ensures that local mining communities are included and given representation in all decision-making processes that affect their lives;
- gets mining corporations to not only consult with interest groups that usually receive some kind of benefit, but also to engage with various impacted groups and genuine representative community organisations;
- gets the Green Scorpions to investigate emissions per operation to see if they are in compliance with the law; to penalise mining operations that do not comply with legislation; regulations or waste management standards; to make their report public; increase the level of fines to make their use more effective and deterring and to actively pursue corporations that are not adhering to the laws and regulations and prosecute them;
- actively investigates the appalling conditions under which communities near mining operations live and strives to reduce the number of slum areas as per Millennium Development Goal, target 7, to which it subscribes;
- compels quality enforcement by building inspectors on the poor quality of housing provided by the mines and ensures that those responsible be brought to book;
- inspects the health and safety situation for workers with immediate effect, in particular for occupational related illnesses;
- appoints a special medical rapporteur to investigate the extent of occupational diseases such as platinosis on the miners and on those living in close proximity to mines and processing plants in particular and the effect of the burden these illnesses are placing upon the public sector; and
- investigates the facilities available for women in the mining workplace, the conditions under which they work, and the relations between male and female workers in the mining workplace.

“By taking heed of our recommendations, it is our sincere belief that the basic human rights failings and violations we identified when we did our first study in 2007 and over the years can be addressed,” says Capel.

“The mining companies are painting a very bleak picture of what their financial positions are,” says Capel. “This may be true, but if we compare their exorbitant profits from past years, it’s obvious that a lot more can be done to improve the situation for communities.

“Regardless of what they say, mining is a profitable business and we need to ensure that all involved benefit from it. Miners, their families and communities around mines should not have to put up with inadequate living conditions and bad health, nor the destruction of the environment through pollution caused by mines.

“And they most certainly should not have to fight to be heard. Government has the power to make a huge impact. The question is: does it have the will to do so?”

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### **Notes to editors:**

Bench Marks Foundation is an independent non-governmental organisation mandated by churches to monitor the practices of multi-national corporations to

- ensure they respect human rights;
- protect the environment;
- ensure that profit-making is not done at the expense of other interest groups; and
- ensure that those most negatively impacted upon are heard, protected and accommodated within the business plans of the corporations.

Archbishop Desmond Tutu launched the Foundation in 2001 and the Rt Rev Dr Jo Seoka chairs the organisation.