A New Dawn or a Continuing Nightmare?

Twenty-Five Years of Standing with the Voiceless and Reclaiming Community Power

To be Delivered by the Chairperson of the Bench Marks Foundation**, at the Annual Bench Marks Foundation Conference, September 2026**

Introduction: Our Genesis and the Ground of Truth

Comrades, friends, leaders of the faith community, and, most importantly, the brave frontline monitors from our mining-affected communities:

I welcome you all to this historic gathering. We meet at a momentous milestone. This year marks exactly **25 years since the founding of the Bench Marks Foundation**.

A quarter of a century ago, churches and ecumenical faith communities looked at the landscape of democratic South Africa and saw a glaring, painful contradiction. Political liberation had arrived, yet the economic architecture of corporate extractivism remained completely untouched. Multinational corporations continued to enter our rural areas and townships, digging up immense mineral wealth for foreign shareholders while leaving behind a trail of poverty, sickness, and fractured societies.

We stepped into that gap in 2002. Armed with our founding document, the Principles for Global Corporate Responsibility, we set out to measure corporate performance against the fundamental standard of human dignity. For 25 years, our guiding star has been a single, universal truth: **economic life starts with communities, not with corporate boardrooms**.

Through our pioneering *Policy Gap* research series, we have consistently exposed the vast chasm between corporate public relations and the harsh realities on the ground. We have refused to remain neutral. We have stood shoulder-to-shoulder with workers and families through our darkest hours, bearing witness to corporate negligence and state violence from the blood-stained koppies of Marikana to the toxic, dust-choked townships of the Witwatersrand.

But our history is not merely written in research volumes. It is written in the courage of the people. Through our Community Monitoring School, operating in dozens of communities across South Africa and the wider region, we have shifted the power dynamic. We have leveled the playing field by equipping ordinary residents with smartphones, research skills, and legal knowledge, transforming them from passive victims of mining into active, formidable monitors of corporate power.

Part I: The Modern Crises of Extraction

As we look to the next 25 years, we must confront the shifting frontiers of corporate greed. We are living in an era defined by three deep, systemic sub-themes that threaten the very survival of our people. We note the end of large scale industrial deep level mining and the reemergence of Medium, small and srtisanala mining, as mineral depletion happens, minerals are not renewable, therefore mining is not sustainable.

1. The Just Energy Transition vs. The New Green Extractivism

The global North is rushing toward a low-carbon economy, demanding unprecedented volumes of critical minerals—lithium, copper, manganese, and platinum group metals. Multinational corporations are marching into the Global South under the banner of "sustainability" and "the race to net-zero."

But let us be completely clear from this podium: a transition is not "just" if the electric vehicles of Europe and America are built on the forced displacement, underpaid labor, and poisoned water supplies of African communities. We will not allow "green capitalism" to trample over the poor. Clean energy cannot be born from dirty human rights abuses.

2. Ghost Towns, Toxic Legacies, and Sickness [1]

Across South Africa, thousands of mines have been closed, abandoned, or placed under perpetual "care and maintenance" to evade legal obligations. **According to the Auditor-General, there are over 6 000 abandoned, derelict mines across South Africa. At least 2 322 of these are classified as "high-risk" environmental hazards, yet since 2009, the government has rehabilitated a mere 27 of them.** Our lead researchers have shown that a staggering **15 to 20 million South Africans now live directly adjacent to this toxic pollution.**

The cost of this negligence is measured in human lungs. In our landmark *Policy Gap 12* study, "Waiting to Inhale," which tracked household health in mine-impacted communities like Riverlea, Diepkloof, Meadowlands, and Doornkop (Snakepark), the data was devastating. **More than half of the surveyed residents—56.1%—identified persistent respiratory ailments, including chronic coughing, severe sinus, asthma, and tuberculosis, as their primary health battle. In Riverlea alone, where 92% of households explicitly blame the nearby Mooifontein mine dump for their sickness, we found families forced to live permanently hooked up to oxygen machines just to survive.**

When the formal corporations pocket their billions and slip away under the cover of bankruptcy, local economies collapse overnight, leaving abandoned workers stranded without transitional skills, and turning thriving communities into destitute ghost towns.

3. The Power of Community Agency

For too long, corporate executives and state regulators have treated mining-affected communities as mere collateral damage or token boxes to be checked during consultation. We are flipping that script. True accountability cannot come from top-down regulation alone; it requires the organized, legally protected oversight of the people who live on the front lines of extraction. Our communities are asserting their power, conducting citizen science, and rewriting the narrative of exploitation into a story of absolute resistance.

Part II: Our Actionable Demands

We do not come to this 25th anniversary merely to complain. We come with explicit, non-negotiable policy directives for government regulators and corporate executives alike. We demand immediate structural reform in three critical areas:

On Environmental Degradation

- **Criminalise Corporate Eco-Side:** We demand legislative amendments to impose heavy prison sentences on corporate executives who intentionally abandon toxic tailing dams or ignore acid mine drainage.
- **Ring-Fence Rehabilitation Funds:** All mine closure trust funds must be held in independent, state-supervised accounts that corporations cannot access or deplete during corporate restructuring. **A recent 2026 audit revealed that out of 412 coal mines that closed down between 2006 and 2023, not a single one had set aside actual, functional rehabilitation funds.** This corporate evasion must end immediately.
- **Establish a Mining Tax Health Fund:** Enact a state-administered health compensation fund, funded directly by a levy on mining profits, to provide lifetime medical coverage for residents suffering from respiratory and toxic exposure illnesses near mines.

On Reengineering and Repurposing Mining Towns

- **Mandatory Post-Extractive Blueprints:** Mining companies must legally co-design and fully fund a "Life After Extraction" economic plan with local communities at least ten years before a mine's projected closure, so as to repurpose and re-engineer mining towns and mine infrastructure to protect jobs and economic viability..
- **Remediate and Remake the Land:** Force corporations to pay for extensive soil rehabilitation and water purification projects, transforming decommissioned mining land into community-owned agricultural cooperatives and food hubs.

- **Repurpose Infrastructure for Green Energy:** Mandate the structural conversion of old mine shafts, grid connections, and heavy facilities into state-supported solar farms and green energy micro-grids owned by the community.

On Validating Community Opposition

- **Codify the Legal Right to Veto:** Incorporate the principle of Continuous Free, Prior, and Informed Consent (FPIC) into national law, granting indigenous and local communities the definitive legal right to say "No" to mining projects on their land.
- **De-militarise Mining Zones:** Immediately prohibit the use of heavily armed private corporate security forces and tactical police units to suppress peaceful community protests and pickets.
- **Recognise the Constitutional Rights of Communities:** Particularly the tight to live in healthy and safe environments.

Part III: In Memoriam – The Martyrs of the Frontline

Before we outline our strategy for the battles ahead, we must look at the soil beneath our feet and remember the ultimate price that has been paid to protect it. Our 25-year history is written in the courage and the blood of our fallen heroes.

Let us stand together and honor the giants who refused to be bought, broken, or silenced:

- **Mama Fikile Ntshangase:** A leader of the Mfolozi Community Environmental Justice Organisation, gunned down in her own living room in front of her grandchild because she refused to sign away her community's ancestral land to the expansion of the Somkhele coal mine.
- **Sikhosiphi "Bazooka" Radebe:** The fierce chairperson of the Amadiba Crisis Committee, assassinated for defending the wild coast of Xolobeni against titanium mining plunder.
- **The 34 Martyrs of Marikana:** Miners cut down by automatic gunfire for demanding nothing more than a living wage, safe working conditions, and human dignity from corporate boardrooms.
- **Mine workers:** The countless retrenched mine workers not receiving their pensions and severance monies, especially those dying from mine related illnesses such as TB and Silicosis. The hundreds who died and were maimed in mie accidents and the thousands of survival miners (Zama Zamas) who died working in hazardous conditions, or in syndicate wars and police and miliary action.

We speak their names today to remind this house that our struggle is a matter of life and death. Their sacrifice demands that we do not falter. They did not sell out, and neither will the Bench Marks Foundation!

Part IV: Defending the Future Against the General Mining Laws Amendment Bill

Comrades, as we speak, a massive new legislative battle line has been drawn right before us. The state has pushed forward the General Mining Laws Amendment Bill. While the government claims this Bill is a necessary tool to combat illegal mining by introducing massive fines and long prison sentences, our research department has exposed its fundamental, dangerous flaw.

This Bill is a broad-stroke weapon. It treats a deep, structural economic failure purely as a policing problem. It risks criminalising and brutalising the most vulnerable, desperate, and impoverished informal workers—the *Zama Zamas*—who are trapped at the very bottom of the mineral economy. **We have seen the horrific, deadly cost of this approach just this month, with the grim recovery of 78 bodies from a closed shaft in Stilfontein—miners who were cut off from basic food and water because the state chose starvation blockades over systemic formalisation.** This Bill targets the survivalists, while the wealthy syndicate kingpins and corporate labor brokers hidden in air-conditioned boardrooms escape justice completely.

We will not allow the state to use an anti-crime bill to strip away our hard-won rights. We will weaponise the landmark legal precedents we fought for over the last two decades to challenge and defeat the regressive elements of this Bill:

1. **The Xolobeni Precedent:** In 2018, the North Gauteng High Court ruled that the state cannot grant mining rights on communal land without the Free, Prior, and Informed Consent (FPIC) of its inhabitants. We will use this precedent to demand that any sweeping state interventions or land seizures under the new Bill explicitly require community veto power.
2. **The Lesethleng Shield:** Relying on the Constitutional Court's landmark Lesethleng victory, we will legally challenge any provision in this new Bill that attempts to bypass informal land right holders. Traditional authorities and state officials cannot use this legislation to sign away communal surface rights behind closed doors.
3. **The Weapon of Transparency:** Building on legal victories led by public interest groups like the Centre for Applied Legal Studies (CALS), we will compel the Department of Mineral Resources and Energy to make all corporate compliance data, supply-chain tracking, and asset structures fully transparent. If the state truly wants to find the illegal syndicates, they must look where the billions flow, not just where the desperate dug.

4. **Dismantling Corporate Intimidation:** Because the Constitutional Court has ruled that Strategic Lawsuits Against Public Participation (SLAPP suits) are an abuse of the court process, our community monitors can boldly voice their opposition to this Bill and corporate greed without the fear of multi-million-rand defamation lawsuits designed to bankrupt them.

Conclusion: The Next 25 Years of Uncompromised Resistance

Comrades, power concedes nothing without a demand.

Twenty-five years ago, we stepped into the gap to act as the unyielding conscience of an unchecked extractive economy. Today, we stand taller, sharper, and more resolute than ever before. We have proven that when communities are armed with the law, equipped with scientific data, and unified in spirit, even the mightiest multinational conglomerates can be stopped in their tracks.

Let it be known to the corporate boardrooms and the legislative chambers: the Bench Marks Foundation is not stepping back. We will continue to turn victims into monitors, transform protest into binding legal precedent, and fiercely defend the right of every community to live in harmony with creation and say **NO** to the destruction of their heritage.

The road ahead is long, and the dust of the mines still blows through our townships—but the light of justice is on our side.

Amandla! Matla! I thank you