

# BENCH MARKS FOUNDATION ANNUAL REPORT

2011



# Mine firms fail towns

Steelpoort, Lydenburg, Burgersfort cry foul over elusive economic benefits

Lupfert Chilwane

MINING companies must take a long-term view of their economic and social responsibilities. They should invest in infrastructure and services to improve the quality of life in the communities where they operate, and ensure that their operations are sustainable.

It is because communities are the lifeblood of mining that it is important to ensure that the benefits of mining are shared by all. This is why the mining industry should be held accountable for the economic and social benefits it creates in the communities where it operates.

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NO ECONOMIC BENEFIT: Steelpoort communities still struggle for basic needs like water and electricity despite being situated in one of the richest parts of South Africa. People in the area are questioning the economic benefit from the mines.

Steelpoort, Lydenburg and Burgersfort are communities in the northern part of South Africa. They are known for their rich mineral resources, but they are also known for their economic and social challenges.

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# Consultation in Namaqualand

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Consultation in Namaqualand

The Bench Marks Foundation found no evidence of the community projects at Hondeklop Bay that were described in the annual reports of mining group Trans Hex

# Diamond mines 'leave West Coast in lurch'

Ann Crotty

water to wash the diamonds and...

# Bench Marks Foundation backs mining litigation compensation

Lupfert Chilwane

The Bench Marks Foundation, an independent organisation monitoring corporate performance in the field of corporate social responsibility, has thrown its weight behind the calls to have

gold mines where they were required to handle chemicals," he told The New Age.

The foundation, launched 10 years ago by Archbishop Desmond Tutu to monitor and hold big businesses accountable, was due to release its updated study

Development Community (SME) region. It is time for the industry to take full responsibility," Capel said.

This follows recent statements from various human rights groups, including the Legal Resources Centre, Legal Aid

million from mining companies. Spoor & Laidlaw settlement with Anglo Platinum after the company was sued by South African workers from asbestos claims it controlled. On March 3, South Africa's highest court ordered the way for him to seek damages

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# Walmart should answer queries on sustainability

READERS' FORUM

Walmart should answer queries on sustainability



Walmart should answer queries on sustainability

Walmart should answer queries on sustainability

# Big Stink in the Air and on the Trail

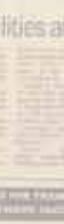
Broken pipes cause sewage to overflow

Filthy oblation facilities a

Commuter turned off by stench at platform toilets

Commuter turned off by stench at platform toilets

Commuter turned off by stench at platform toilets



# ANNUAL REPORT

2011

## THE BENCH MARKS FOUNDATION

1

### *Mission*

*The Bench Marks Foundation is committed to providing leadership and advocacy on issues regarding benchmarking of good corporate governance, ethical and socially responsible investment as well as linking people and institutions committed to these ideals.*

### *Vision*

*The vision of the Bench Marks Foundation is to promote corporate social responsibility and socially responsible investment.*

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## BOARD MEMBERS

**The Right Reverend Dr Bishop Jo Seoka – Chairperson**

**Mr Allan Wentzel, Christian Development Trust (CDT) – Treasurer**

**Rev Mautji Pataki, General Secretary of the South African Council of Churches (SACC)**

**Fr Mike Deeb, Southern African Catholic Bishops' Conference (SACBC)**

**Ds Piet Beukes**

**Mr Mokethi Moshoeshe**

**Dr Allan Boesak**

**Ms Dudu Radebe, Ecumenical Service for Socio-Economic Transformation (ESSET)**

## HUMAN RESOURCES

2



**John Capel**  
Executive Director



**Moses Cloete**  
Deputy Director



**Brown Motsau**  
Programme Manager



**Simo Gumede**  
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Rustenburg



**David van Wyk**  
Lead Researcher



**Prof Freek Cronje**  
North West University

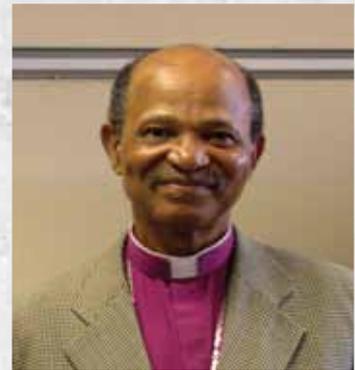
# FOREWORD

I am happy to report the ongoing success of the Bench Marks Foundation. 2011 was a year of many challenges and achievements and the year we implemented our integration of the different programmes of the Foundation. The Bench Marks Foundation is essentially a research and advocacy organisation. It works at two main levels of research: formal scholastic research and community monitoring research. In the former we have our newly launched Bench Marks Centre for Corporate Social Responsibility (CSR) at the North West University, our research arm, and at community level the Community Monitoring School. Communities are trained to develop their capacity through awareness-raising exercises, capturing of information, and recording their experiences of mining, steel and other industries.

We link our formal research process with that of the Community Monitoring School, promoting a participatory research process guided by the *Principles for Global Corporate Responsibility – Bench Marks for Measuring Business Performance*. This has two main advantages: communities own the research outcomes and develop action plans flowing from the participatory research. The Bench Marks Foundation uses the research outcomes to establish how well corporations are doing with regard to their corporate social responsibility obligations and establishes the gap between policy and practice. What we notice is that this gap is growing with many good intentions and policy statements guiding corporations, but with a glaring lack of actual changes. CSR is often merely corporate image-building, with little to show on the ground in communities where it matters most.

We are aware of the structural impediments to corporations behaving responsibly as short-term profit maximisation drives their agenda. This prevents the incorporation of communities' concerns, environmental considerations and ethical practices.

This is why we are developing the Church Leaders Call for Responsible Investment and also down the road, our Bench Marks Rating Agency. The Call is to create awareness, counter irresponsible corporate behaviour and promote alternative investment and developmental objectives. We stand with the poor and are determined to bring about economic justice at the level of corporations. We cannot accept that when it comes to mining that there are winners and losers. The winners are executive management



Rt Rev Dr Jo Seoka  
Chairperson



*We stand with the poor and are determined to bring about economic justice at the level of corporations.*

and shareholders and the losers are poor and vulnerable communities. They suffer the consequences of poor air quality, unsafe drinking water and a host of externalised costs. It is ordinary people who suffer, who do not have access to levers of power and who are largely voiceless and powerless. This is why the Bench Marks Foundation works at community level assisting communities through monitoring corporations' impacts to be able to engage with corporations and local government to have their voice heard and influence pro-poor development in their respective communities.

We have to move away from a top-down approach by corporations to CSR and have impacted groups, communities and affected interest groups determine what really constitutes good corporate citizenship. The planned Rating Agency that is based on comparing how corporations perceive themselves with how communities and other groups perceive corporations is in the long run going to greatly influence future CSR practices. We believe that rating companies in the form of a perception index will inform the business community of what really needs to be addressed.

The Church has a leading role to play in promoting just economic practices at corporate level and we hope that as we grow, we are able to directly influence corporate policy. We have to carefully examine the notion of the corporation as a citizen with more rights than individual citizens, and ensure that economic life begins with communities, serving the interests of humankind and not just a few elite beneficiaries. If we don't, we are asking for turmoil and anarchy as the poor will not indefinitely accept a life of despair, of extreme poverty, and exclusion from decisions that affect them most.

I wish to thank the board of the Foundation for their dedication, in particular Allan Wentzel for his financial management oversight, and Piet Beukes for his critical role regarding research outputs. Thank you to the rest of the board members for their loyal support in helping to build the Bench Marks Foundation. Lastly I thank the staff and the Executive Director of the Foundation, John Capel, for successfully leading the organisation in these recessionary times.

I remind you that Christ is not impartial and is on the side of the poor and exploited and it is through His eyes that we view the world and the role of big business.

I remain your humble servant:

**Rt. Rev Dr Jo Seoka**

Chairperson

Bench Marks Foundation

*The Church has a leading role to play in promoting just economic practices at corporate level and we hope that as we grow, we are able to directly influence corporate policy.*



*Marula platinum mine – an underground mine located in the Limpopo province*

# EXECUTIVE DIRECTOR'S REPORT

The Bench Marks Foundation's accomplishments in the past year include quality research conducted with the active participation of communities, the continued and successful community monitoring programme now more integrated than ever with our research programme, the continued promotion of the Church Leaders Call for Responsible Investment and a rise in our profile as a credible point of reference for churches, non-governmental organisations and the broader civil society on matters relating to Corporate Social Responsibility (CSR) in the Southern African Development Community (SADC) region and beyond.

The aim of the Bench Marks Foundation is to encourage a fundamental change in CSR agendas shifting it from one of image-building to one of active engagement between corporations and communities. Challenging corporations on the one hand and building communities' capacity at the same time, we believe will shift that agenda. As we witness continued philanthropic interventions by companies in mining-affected areas we can see that they fail because communities' needs have not been adequately taken into consideration. We see the building of clinics and schools that stand empty and other ill-conceived community projects that take off and end before they begin, due to a lack of genuine consultation and engagement with communities. In many areas communities affected by mining operations are now more confident in challenging mining corporations due in no small measure to the work of the Bench Marks Foundation.

In the *Rustenburg Community Report* communities state that Xstrata only seem to want to talk to local government councillors. Lonmin has been operating for over 20 years but the communities surrounding them say CSR has achieved very little in addressing the greater social impacts compared to the wealth Lonmin has accrued over the years. Impala Platinum continue their stance of speaking but not acting, promising things and not delivering and the communities say that the company's strategy is to keep them talking and avoid responding to community demands. In the 2011 Mining Indaba Anglo Platinum boasted that they were going to invest R20 billion in communities. What Anglo Platinum have not told the world is that the communities repay the financial institutions through a 60/40 repayment system where the community retains 40% of annual dividend pay-outs and the financial institution takes 60%. This is an interest-bearing debt and should communities accept this deal they will become highly indebted.

Glencore, the highly secretive and biggest commodity trader in the world, is creating more problems in the Democratic Republic of the Congo (DRC) than any other extractive company, and we warn investors not to look at the short-term profits made without considering how these minerals are extracted. Mining is pilfering Africa with benefits accruing elsewhere, while Africa slides into decay all but destroyed by mining impacts both on the environment and on people, leading to wars, civil strife and increasing corruption. Most mining houses now face a credibility problem; a risk to ongoing uninterrupted production and at the root lies their social licence to operate. Communities are becoming more demanding in wanting to see an improvement in their lives and see some of the wealth accruing to them.

## Challenges

In tough economic times, social spending and corporate social responsibility commitments are the first to be cut by corporations. How then do we as an organisation bring about change and how do we measure this accurately? One of the ways is through our advocacy work and responding extensively to mining corporations' conduct both locally and more broadly in Africa. Communicating our research and the findings of the Community Monitoring School to a large audience is also an ongoing challenge.



Mr John Capel  
Executive Director

*In many areas communities affected by mining operations are now more confident in challenging mining corporations due in no small measure to the work of the Bench Marks Foundation.*

The Bench Marks Foundation is continually meeting new and growing demands. We are regularly asked to entertain visitors and respond to requests for information. This involves interviews with foreign correspondents, arranging visits to mining areas, giving input to academic papers and responding to urgent issues such as community protests.



*Community protests in Chaneng,  
North West Province*

### Corporations Research Programme

Developing community capacity to monitor corporate impacts remained central to our research objectives. During 2011 an exciting development was the joint research of community monitors and researchers. This allowed for enriched research outcomes and broadened the active ownership by communities encouraging them to develop their own plans for action in their areas.

Jointly with the Monitoring School, the Vaal Environmental Justice Alliance (VEJA) and a researcher, we did a study involving the communities impacted upon by ArcelorMittal Steel around the Vanderbijlpark area. 140 community members participated in the study which will be released in 2012.



*ArcelorMittal South Africa Limited  
is the largest steel producer on the  
African continent. Its headquarters  
is in Vanderbijlpark.*



*In January 2011, Massmart  
shareholders voted in favour of  
selling to Walmart.*

A desk-based study on Massmart (now Walmart) identifying their operations all over Africa was completed. A further study was hampered by political considerations such as the fact that government approval is required to do research in Botswana. After our last study on De Beers created a furore in Botswana, we wanted to strengthen support from the churches and civil society. In 2012 we will focus on Massmart and identify their impact on economic life in Botswana.

A feasibility study on banking and other sectors was postponed until 2012 to be done as part of the Bench Marks Centre for Corporate Social Responsibility's work at the North West University at the Potchefstroom campus.

## The Bench Marks Centre for Corporate Social Responsibility

A great achievement was the establishment of the Bench Marks Centre for CSR at the North West University (NWU). Work around the establishment of the Centre began in 2009, although a partnership with the University has existed since 2007 when we started working together on research into mining corporations across the SADC area. The Swedish Embassy, through its development arm, the Swedish International Development Agency, will support the Centre and we are putting the finishing touches to an agreement that will see the Embassy provide considerable seed funding that will help the Centre become fully operational.

The Centre is uniquely informed to provide an alternative to similar centres at universities that rely on the business case for social responsibility. The value of the Centre is based on promoting the community as the starting point of economic life and the understanding that if corporations are to be beneficial and accountable to communities at large, corporations cannot enjoy more rights than citizens.

The values that inform the centre are pro-poor, pro-justice and pro-human rights, and this will form the basis of the Centre's output within a developmental framework. We promote a culture of a "learning organisation" which will facilitate the creation of a participatory management culture for future generations as well as those of today.

The Centre will host studies on the role of corporations in society and their impact on democracy. One of the central aims of the Centre is to conduct collaborative research with communities, civil society and trade unions. The Centre will convene "Policy and Praxis Dialogues", conferences, seminars and workshops that will bring together leading CSR practitioners, academics, communities, corporations, government, civil society organisations, trade unions and the media. These will provide forums to study and deliberate on existing experiences of CSR practices.

The Bench Marks Foundation has made great strides in the development of a community perception tool which evaluates business operations and is based on the *Principles for Global Corporate Responsibility – Benchmarks for Measuring Business Performance*. In this regard Johann van Wyk developed a company perception index for his PhD thesis. A longer-term plan is to establish the Bench Marks Rating Agency.

## The Community Monitoring School

The Bench Marks Foundation realises that to hold mining corporations accountable, we can do expert research, but to really understand corporate impacts communities are central, know more and live in the shadow of these giant corporations. Thus our Community Monitoring School is increasingly under demand to be extended to other mining areas in South Africa and to our neighbouring countries and even as far away as Cameroon.



*The Bench Marks Centre for CSR is uniquely informed to provide an alternative to similar centres at universities that rely on the business case for social responsibility.*



Johann van Wyk, a doctoral student at the Bench Marks Centre for CSR.

*Our Community Monitoring School is increasingly under demand to be extended to other mining areas in South Africa and to our neighbouring countries.*

Community monitors in the Limpopo province.



*Learning computer skills in the Community Monitoring School.*

The community monitors supply information every day on mining impacts or general community concerns on the web through Facebook or in blogs and this has attracted other communities to request for the School to be extended to their areas. Our greatest success story, yet our greatest challenge, is to be able to respond to demands and respond to community needs.

2011 monitors were all connected to community organisation so as they were trained they reported back to their organisations. This has led to strengthened civil society organisations in the mining areas we operate in. Our work in Malawi and Zambia continues with our Zambian counterparts providing regular exposés on mining operations. We want to extend the School to Zimbabwe and have a platinum belt area community solidarity focus and eventually joint actions and approaches. A Resource Guide based on our pilot phase experience will also be used by our partners in South Africa, Zambia, Malawi, Tanzania and Zimbabwe.

This flagship programme of the Bench Marks Foundation is now entering its fourth year. 2012 will see a new approach where six of the trained monitors from the 2009 - 2011 periods will now become the trainer-facilitators. They will work directly with community organisations to help these organisations to monitor and record experiences of corporations' impacts. In doing so community organisations will be directly strengthened and close to a hundred activists will be trained per year in the next three years.

### **Community reports**

*Action Voices* continues to be the main publication capturing community voices along with Facebook and blogs. What has changed is that now we produce community research reports. Our first report on platinum mining in Rustenburg, the *Rustenburg Community Report* was completed in December 2011 and distributed at the launch of the Bench Marks Centre. This report bears testimony to many of the findings of the *Policy Gap* series on mining. Communities paint a very different picture of mining compared to the talk from mining multinationals that claim that they integrate communities in their planning. Our challenge is to ensure that the community reports reach the right audiences and that their messages are being heard by governments, corporations and ethical investors.

Six community reports are planned for the next year. Each report will allow communities to talk to a larger audience and assist in influencing the corporate-led agenda around CSR.

### **Networking and advocacy**

The past year has seen us develop a closer relationship with the South African Human Rights Commission (HRC). Our discussions with the HRC have led to a collaborative relationship and the Foundation hopes that this will lead to the formation of a Section 5 committee where our research findings can be presented and taken up by legislators and the government. We also foresee a review of mining in Limpopo as a follow-up to the report released several years ago on Anglo Platinum. The findings in that report did not state categorically any major human rights abuses – an issue the Bench Marks Foundation wants the HRC to make concrete findings on.

During the year, we met with Richard Howitt, a MEP and the European Parliament Rapporteur on CSR, to discuss Business and Human Rights. Mr Howitt leads the European Parliament on CSR and acts in an advisory and ambassadorial role with the Global Reporting Initiative, the UN Principles for Responsible Investment (PRI) and the Prince of Wales Accounting for Sustainability Project.

We also met with Mr Danny Bradlow, the chair of the Independent Review Mechanism, a resolution body of the African Development Bank and a representative of the World Bank where we raised a number of concerns around the Medupi coal plant.

*Our challenge is to ensure that the community reports reach the right audiences and that their messages are being heard by governments, corporations and ethical investors.*

In September 2011 the Bench Marks Foundation addressed the Evangelische Akademie (Bad Boll) and “Brot für die Welt” (Bread for the World) conference on ethical investment in Germany. Participants at the conference ranged from financial institutions and asset managers to the churches. From this conference we received numerous requests for more information and collaboration, specifically from the financial institutions who want to do more advocacy work around our research findings. Conferences like this one allow the Foundation to promote advocacy in Europe using our research and Monitoring School findings.

### **The Church Leaders Call for Responsible Investment**

The central focus of the Africa Roundtable on Investment (ART) during the year was the promotion of the Church Leaders Call for Responsible Investment, a code of conduct for multinational corporations that we want civil society and churches to support. To date we have collected about 120 signatories from influential church leaders. The Church Leaders Call is an advocacy instrument to create awareness and to unite countries around what constitutes ethical investment. The Call supports evenly developed economies, supply chain development and the development of local businesses.

The Monitoring School’s extension into other African countries falls under this overarching programme. So does our research on extractive industries outside South Africa and our focus on retail supermarket chains. We realise that this is an ambitious programme and one that is under-resourced, and thus we are seeking ways to strengthen it. That is why we link monitoring to ART; and centre the Church Leaders Call here. This adds impetus and direction to ART, whose main aim is to monitor investment impacts in Africa. Presently the countries we have ongoing collaboration with are: Botswana, Zambia, Malawi, Zimbabwe and Tanzania. We are at different levels of engagement in each country. In the DRC there are bigger challenges because of language differences and political instability.

### **The Alternative Mining Indaba**

The Alternative Mining Indaba remains an area of advocacy where a number of organisations from about 10 countries get together at the official annual Mining Indaba that brings together ten thousand business leaders, government representatives, the World Bank and investors. The Alternative Mining Indaba counters the main Indaba by debating Africa’s mineral exploitation and discussing strategies to influence democratic development in this sector. The event receives significant media coverage and provides a time to build solidarity and share experiences.



*Discussing community problems.*

*The Church Leaders Call is an advocacy instrument to create awareness and to unite countries around what constitutes ethical investment.*



*Alternative Mining Indaba plenary*



## Showcasing the Bench Marks Foundation

Each year the Bench Marks Foundation hosts an Annual General Meeting that has two purposes: firstly, to showcase the work of the Foundation and to heighten debate on CSR, and secondly, to deal with the business issues of the Bench Marks Foundation. We invite business leaders, church leaders, universities and civil society organisations to come and spend time with us to hear our views on CSR. In 2011 our theme was 'Corporate Social Responsibility – The Truth' and the event was attended by 100 people and all the companies we studied. The value of this is that it keeps the Foundation central to the debate around CSR and invokes some reflection within the companies that attend.

## Voice Power, Media and Advocacy

Through our Voice Power, Media and Advocacy Programme we continue to increase our influence and are weekly asked to comment on mining issues, whether on radio or in the print media. Not one week went past last year without the Bench Marks Foundation being contacted to comment. We are now seen as an expert watchdog in this arena. 2011 also saw us airing opinion pieces in *Business Report* and the *New Age*, both national newspaper. In the former these included a piece on De Beers' closure plans on the West Coast, a highly controversial issue and the other on an equally controversial issue, that of Walmart entering the South African market and by default the whole African market. All in all we had about 100 media mentions in 2011 and hope to increase this.

## Corporate Governance

The Bench Marks Foundation is fortunate that its board is active and fully involved in decision making and contributes with different expertise to the organisation. The board ensures that the organisation functions smoothly, that good financial oversight is in place and assists at high levels to drive issues through. A special word of thanks goes to Bishop Jo Seoka, our chairperson, who inspires the organisation to reach new heights, Allan Wentzel for his financial oversight and common wisdom and to Piet Beukes, for looking at the research outputs. The dedicated and selfless support of all the board members has ensured the success and good governance record of the Foundation.

## Donor partners and funders

A thank you to each one of our donor partners: Christian Aid, Evangelischer Entwicklungsdienst (EED) Germany, Diakonia Sweden, Bread for All Switzerland, ICCO Kerk in Actie (Church in Action), Norwegian Church Aid, Netherlands Institute for Southern Africa (NiZA), Action Aid, Global Green Grants, Embassy of Sweden and the Foundation for Human Rights.

## Conclusion

Slowly we are building up the means to extend our influence and contribute in exciting ways to the development and critique of CSR.

The Bench Marks Foundation has a mandate that is implementable and with the development of the Bench Marks Centre and the ongoing growth of the Monitoring School will allow us to expand our influence and meet the objectives of the board to be on every company's agenda and to become a household name.

## John Capel

Executive Director  
Bench Marks Foundation

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# OPERATIONS REPORT

The Bench Marks Foundation's work during 2011 aimed at closer integration of the different programmes. The research programme in the past was formal using expert researchers who reported back to communities who were not part of the research process or 'owned' the outcomes. This approach changed to involve communities, through the Community Monitoring School, from the beginning of the research process to encourage community ownership of the research.

The research on corporations focused on the platinum belt areas of Rustenburg, Limpopo and Zimbabwe, coal in Mpumalanga and steel in the Vaal and Gauteng areas. Research on the impact of the retail industry progressed through a desktop study of Massmart's operations in Botswana.

A number of community monitoring projects was started in Zambia and Malawi and an exchange programme put in place in Tanzania. Partnerships with civil society organisations in Zimbabwe have been strengthened and work planned for the next year.

During the review period, the Bench Marks Foundation made a number of contacts and participated in network activities in the SADC region and ensured that important community concerns are kept in the spotlight.



Community Monitoring School

## CORPORATIONS RESEARCH PROGRAMME

### SADC Mining Research

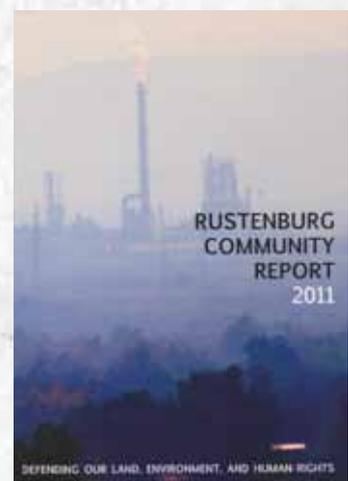
#### Platinum Belt Review – Rustenburg

The *Rustenburg Community Report* is a community-based review done of issues covered by the *Policy Gap 1: The platinum industry in the North West Province (2007)* report. The report was compiled through a collaboration of a number of community groups as part of the Monitoring School and Bench Marks Foundation researchers. It focussed on five areas in the Rustenburg area and involved:

- Consultation with community groups and interviews with focus groups
- Local workshops
- Development of training materials and training community members in research methodology
- Developing a report incorporating the voices of the community
- Drawing up an action plan to be followed in 2012.

The report was completed on 3<sup>rd</sup> December 2011 in a workshop with communities in the area and released on 23<sup>rd</sup> January 2012 at the launch of the Bench Marks Centre at the North West University. The report draws together the views of communities on how mining activity in the area has impacted on their lives. It lists concerns and demands for each of the areas and collectively for the five areas covered.

A second research study on the platinum belt is scheduled to be published in 2012. It compares the findings of the *Policy Gap 1 (2007)* report, with the conditions in 2011. It integrates the community views from the *Rustenburg Community Report*, the responses of five companies who responded to the questionnaires and farmers and landowners affected by mining in the area. These two reports will be the first in a series of reports that will cover the platinum belt area and will be followed by studies in Limpopo and Zimbabwe.





Platinum mine near Rustenburg

### Platinum Belt Review – Limpopo

In Limpopo the development of a research report is still dependent on developing closer ties with communities, organisations and church bodies like the South African Council of Churches, and whether adequate financial resources can be mobilised in 2012 - 2013 for a report similar to those developed in Rustenburg.

Plans are in place for the Foundation to collaborate with the South African Human Rights Commission (HRC) to review its study on platinum mining in the area and to establish whether the recommendations from the HRC's 2008 report had been implemented.

### Platinum Belt Review – Zimbabwe

A background research report was completed and links were established with local partners such as ActionAid International Zimbabwe (AAIZ), Zimbabwe Environmental Law Association (ZELA), Caritas Zimbabwe, International Alliance on Natural Resources in Africa (IANRA) and the Inter-Regional Meeting of the Bishops of Southern Africa (IMBIZA). Work in this area in 2012 we hope will see the extension of the Monitoring School to Zimbabwe and the development of a community research study on platinum mining.

### Coal – Mpumalanga

Together with a consortium in the Netherlands, the Dutch Coal Dialogue (of which the Netherlands Institute for Southern Africa (NIZA) is a partner) the Foundation is developing standards and measurement instruments on the coal supply chain's impact on communities in South Africa. The study focuses on the coal mining areas in Mpumalanga.

A scoping study was completed and field visits to two areas in Mpumalanga were conducted. The Foundation also put in place measures to extend the community Monitoring School to Mpumalanga in 2012. A research report will be submitted to the Dutch partners in 2012.

### Steel – Vaal, Gauteng

During the year, an in-depth study was conducted involving the communities impacted upon by ArcelorMittal Steel. The Monitoring School together with the Vaal Environmental Justice Alliance (VEJA) and a researcher interviewed 140 community members and recorded their experiences in a research report entitled: *Community Voices: An analysis of the socio-economic impact of steel production in Vanderbijlpark*. The report was completed with the collaboration of 8 community activists from the VEJA group and discussed in workshops with the communities in order to determine the advocacy angles resulting from the findings. When the company was approached to give their views, they cancelled two scheduled meetings at the last minute. The report will be presented to communities in early 2012.

### Retail Research

#### Massmart

A desktop research report was completed on Massmart's operations (now merged with the USA-based Walmart) in Botswana through two visits and the development of relations with organisations and research entities in Botswana. The report points to Botswana being host to the biggest number of Massmart stores outside South Africa in the SADC region. The desktop study will be complemented with community viewpoints using the pilot community perception tools developed in what till now had been used primarily in the mining studies.

*140 community members were interviewed and their experiences recorded in a research report entitled: Community Voices: An analysis of the socio-economic impact of steel production in Vanderbijlpark.*

Doing work in Botswana proved to be more difficult than was initially expected as at first organisations were suspicious due to the Foundation's report on DEBSWANA's mines, which created tension with the government. This was exacerbated by political statements made at the time by the ANC Youth League. The situation has improved and confidence has slowly increased with local partners ready to engage with the Bench Marks Foundation on how the field research and case study can best be undertaken.

The Walmart takeover of Massmart had dominated the local media and the Bench Marks Foundation held discussions with unions and researchers questioning the merger in hearings conducted by the Competition Commission. A number of articles were written and some published with regard to the Massmart and Walmart merger.



## BENCH MARKS CENTRE FOR CSR

### Development of the Centre

The name of the centre, the Bench Marks Centre for CSR, was agreed on and the North West University structures approved the creation of a centre in late 2011. The launch of the Centre took place on January 23<sup>rd</sup> 2012 and was attended by more than 200 participants mainly from the university. We were honoured by the presence of the Swedish Ambassador, Mr Peter Tejler, the former Rector of the university, the Rector, Herman van Schalkwyk, Heads of departments at the university, the Board of the Bench Marks Foundation and representatives from different communities.

Fundraising as a key responsibility of the Centre formed part of the ongoing meetings between the Foundation and the NWU. In this regard a proposal with the input from all partners (Diakonia Sweden, SuRE of the Stockholm School of Economics, the Bench Marks Foundation and the North West University) was developed with a grant from the Swedish Embassy. The proposal contains a number of potential research projects and academic programmes developed in collaboration between the partners.

During 2011 the Bench Marks Centre for CSR elaborated on specific research topics through the work of Masters and Doctoral students. There were seven registered PhD students and four registered Masters students.

The Centre participated in a number of national and international conferences and seminars representing the work of the Bench Marks Foundation including a workshop in Lubumbashi, Democratic Republic of Congo (DRC), on Sustainability and Transparency of Glencore's Operations in the Katanga province. This workshop was organised by Bread for All (Switzerland).

### Bench Marks Rating Agency

The Community Perception Index, an analytical framework originally developed as a perception tool for the retail sector was used in the form of a questionnaire in the Platinum Belt Review and the ArcelorMittal Steel studies. This allowed the tool to be tested and further developed.

The community perception tool measures the performance of corporations, especially South African corporations, on the continent. The development of a full rating index is expected by the end of 2013.

*The Bench Marks Centre elaborated on specific research topics through the work of Masters and Doctoral students.*



*A community member speaking at the launch of the Bench Marks Centre for CSR*

## THE COMMUNITY MONITORING SCHOOL

The Community Monitoring School programme builds capacity in communities by providing individual community monitors with specific skills to monitor their environment and encourages the expression of their views through blogs and a number of publications. The Monitoring School is rolled-out in South Africa across the Gauteng, North West, Free State and Limpopo provinces.

Early in 2011 the Bench Marks Foundation concluded the first extension of the Monitoring School programme to Malawi and Zambia. The work was developed together with Citizens for Justice (Malawi) and Caritas Ndola (Zambia). Planning and work for the extension of the programme to Zimbabwe and Tanzania proceeded and will continue in 2012.

### Roll-out in South Africa

This year the Monitoring School programme used a different approach to previous years. Instead of only working with individuals from different community-based groups, the community groups were included in developing action plans with the monitors. While centralised training was given, the tasks were developed in follow-up community workshops with the organisations that nominated the monitors.

### Local orientation workshops

Meetings were held with community organisations to determine their needs and make arrangements for organisations to nominate monitors and agree on a follow-up process in communities. Fourteen such workshops were held with an average participation of 13 participants per workshop and a total of 188 participants in 13 areas. In this way a wider participation was achieved as well as linkages maintained between individual monitors and their community organisations. In the Rustenburg area the monitors participated in the production of the *Rustenburg Community Report*. The programme ran until October 2011 when monitors graduated and the *Action Voices 2011* publication was launched.

### National workshops

The community-based training was supplemented by three national workshops. The first national workshop was held on 28 - 29 March 2011 and was attended by the 14 activists selected by local organisations.

The workshop took place at the Elijah Barayi Centre in Johannesburg and introduced the new monitors to the concept of monitoring and increased the knowledge of the continuing monitors. Expectations and requirements were discussed and the Bench Marks Foundation reaffirmed its support for communities in monitoring the corporations. The workshop covered the understanding of power and political economy and monitors were taken on tours that exposed them to some of the negative impacts of corporations' actions.

The monitors were introduced to computers, the internet, efficient communication channels and free writing exercises which enabled them to more effectively document community experiences. The workshop outputs included daily diary writing, sending emails of events and follow-up workshops within communities.

The second national workshop was held in August in Mayfair, Johannesburg. Ten monitors reviewed their writings and started the programme of Community Action Research which included community organisations.

The third national workshop was held in October at Khotso House in Johannesburg and was attended by 15 monitors. The workshop allowed for the consolidation of monitors' writings and for the publication of *Action Voices 2011*.



Action planning.

14  
Community organisations that nominated the monitors were included in the development of action plans for the communities.



National workshop



*Rustenburg community monitoring group*

### **Follow-up support workshops**

Follow-up support workshops were conducted in local areas after the writings of the monitors were received and evaluated. The workshops dealt with the monitoring action tasks agreed upon and imparted strategies for problem analysis and possible solutions. During the workshops communities were mobilised around the following research focus areas: Mine closure and completion (Soweto, East Rand, Carletonville, Randfontein, Welkom), Platinum Review (Rustenburg and Limpopo), Steel, petrochemicals and coal (Vaal), Uranium (Klerksdorp) and Coal (Mpumalanga).

The first round of follow-up workshops were conducted in the following local areas: Dominionville, Kanana, Jouberton, Chaneng, Mafenya, Ikemeleng, Bophelong, Sebokeng, Sasolburg, Kwa-Thema and Driekop. The second round of workshops were conducted in: Driekop, Johannesburg, Magobading, Chaneng, Rustenburg, Kwa-Thema, Jouberton and Vanderbijl park.

### **Graduation and launch of Action Voices 2011**

The 2011 Community Monitoring School held its graduation ceremony on the 30<sup>th</sup> November in Johannesburg. Eight participants received participation certificates in Johannesburg to further encourage them to enrich their communities. 32 participants came to the event and *Action Voices 2011* was launched and distributed.

### **Extension of Monitoring School to other African countries**

#### **Malawi and Zambia**

In 2010 the Bench Marks Foundation formed a partnership with Citizens for Justice, Malawi and Caritas Ndola, Zambia in what is called the Cross-Border Monitoring Project, an initiative supported by the International Alliance on Natural Resources in Africa (IANRA). In this initiative a number of community monitoring projects was started in Zambia and Malawi. During 2011 links with local stakeholders in the two countries were strengthened and funding was successfully secured at the end of 2011 on the basis of a proposal submitted to IANRA. In Zambia work continued and stakeholders engaged with included: IANRA, Southern Africa Resource Watch (SARW), Zambia Mining Network, CARITAS University of Lusaka and Council of Churches in Zambia (CCZ).

In Malawi the political unrest created initial challenges for the extension of the programme and working with local groups. Civil society organisations that were considered as posing a threat to the state were severely curtailed. Stakeholders engaged with during the year included: IANRA, SARW, Institute for Policy Interaction



*Monitors from Kwa-Thema*



Joseph Magobe and Brown Motsau, Bench Marks Foundation

(IPI), Citizens For Justice (CFJ), University of Malawi and the Council of Churches in Malawi. The work in these two countries also facilitated the development of links with local church leaders around the Church Leaders Call for Responsible Investment. The Monitoring School programme in Malawi and Zambia continues in 2012.

### Tanzania

Originally research work in Tanzania was to focus on Anglo Gold and Barrack Gold. The Foundation revised its approach as after two visits there the Interfaith Committee requested the extension of the Monitoring School programme. An exchange proposal was agreed to with Norwegian Church Aid (NCA) and the Tanzanian partners whereby a person from South Africa will be trained for a month and thereafter will work in Tanzania for a year. In return a researcher from Norway will work with the Bench Marks Foundation over the same period. The cooperation agreement was signed and the exchange programme will be carried out in 2012. The Foundation will send Joseph Magobe to Tanzania for one year to consolidate the training work and an exchange research student from Norway, Maria Styve, will join the organisation in 2012.

The work in Tanzania also promoted the Church Leaders Call for Responsible Investment among local church leaders. The identified stakeholders in Tanzania include: IANRA, Tanzania Interfaith Partnerships, NCA, and University of Dar es Salaam. Strategic support for the extension of the Monitoring School to Tanzania was also sought from Interfaith Leaders, Christian Council of Tanzania (CCT) and the IANRA country network.

### Zimbabwe

Contacts were made with Zimbabwe Environmental Law Association (ZELA) through the African Initiative on Mining and the Environment (AIMES) collaboration and participation in their Annual Meeting that took place in June 2011 in Zimbabwe. An exchange programme was undertaken with the CSR international group and with support from ZELA. From 20 - 23 September, 8 participants took part in the workshop, 4 from Zimbabwe and 4 from South Africa.

The CSR international group will attempt to implement the Monitoring School programme with their resources. Once set up they will invite the monitoring team to share their experiences in Zimbabwe. Work has been done to strengthen partnerships and drawing in other organisations to support the Foundation's work such as the Inter-Regional Meeting of the Bishops of Southern Africa (IMBIZA), Chemistry and Soil Research Institute (CSRI) and Caritas who were added to the list of partners. More work on this is planned for 2012.



Miners at the Marange mine in Eastern Zimbabwe. / AP

*The work in other African countries also facilitated the development of links with local church leaders around the Church Leaders Call for Responsible Investment.*

# COMMUNITY AND CHURCH CAPACITY BUILDING

## Church Leaders Call for Responsible Investment

The Church Leaders Call for Responsible Investment on the African continent was adopted by the Africa Roundtable in 2008. Work to generate support for the Church Leaders Call continued in 2011.

The aim of the Church Leaders Call for Responsible Investment is to develop a common perspective among church leaders on what is meant by responsible investment. Its purpose is to forge a broad-based campaign of church leaders, leaders of other religious faiths and civil society organisations to promote investment that serves the needs of people.

A booklet on the Church Leaders Call for Responsible Investment was published in June 2011 and launched at the Bench Marks Foundation's public Annual General Meeting on the 14<sup>th</sup> June 2011. Sixty-five people added their signatures to the Call, including church leaders and representatives of community-based organisations, nongovernmental organisations and embassies. This is in addition to the 35 people that signed the first version of the Call in 2010 and the initial signatories in 2008.

The Call was also presented to church leaders in Botswana where 15 bishops signed and again in Zambia at a CAFOD-led Conference (8 - 11 November 2011) on advocacy around the extractives industry. Twenty-five bishops from the All Africa Council of Churches (AICC) have signed the Call. Further work in this area is planned for 2012, including promoting the Call amongst civil society organisations, including trade unions and developing the theological rationale of the Call. Plans to further garner support for the Call include approaching the Parliamentary Oversight Committee (which is provided for by Section 9 of the South African Constitution).

## Working with the Magobading Community

The Bench Marks Foundation worked with the Magobading community in Limpopo to assist the community with their engagements with Anglo Platinum. A number of visits to the area took place throughout the year in which the Foundation assisted the community with:

- The recording of elections of community representatives
- Analysis of documents provided by Anglo on disputes around relocation
- Development of self-help projects like community gardening

In May 2011, a Magobading report was presented on documentation received from Anglo Platinum after the mediation process. The release of the report was attended by 24 members of the Community Steering Committee.



*The aim of the Church Leaders Call for Responsible Investment is to develop a common perspective among church leaders on what is meant by responsible investment.*

*Hassen Lorgat and the Magobading community during a report back on the mediation process with Anglo Platinum.*

## NETWORKING AND ADVOCACY

### Africa Roundtable on Investments (ART)

The Africa Roundtable on Investments is a networking instrument which canvasses support for the Church Leaders Call for Responsible Investment across the continent, consolidates and extends the Monitoring School to other SADC countries and builds linkages with important networks working for economic justice in the extractives industry like the International Alliance on Natural Resources (IANRA) in Africa, AIMES and a network of partners of the Norwegian Church Aid.

During 2011, the ART programme concentrated on developing materials and links with community and faith-based organisations in the SADC region, targeting in particular Malawi, Zambia, Tanzania, Zimbabwe and Botswana.



Alternative Mining Indaba

### Alternative Mining Indaba

The Alternative Mining Indaba is in its third year after being launched in 2009. Through the Africa Roundtable, the Bench Marks Foundation organised and hosted the third annual Alternative Mining Indaba in February 2011 together with Norwegian Church Aid and its partners, the Economic Justice Network of the Fellowship of Christian Councils in Southern Africa (FOCCISA) and the International Alliance on Natural Resources (IANRA). The Alternative Mining Indaba runs in parallel to the annual industry-led Mining Indaba in Cape Town. The Indaba brought together 83 participants from a number of countries including: Democratic Republic of the Congo, Kenya, Malawi, Mozambique, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe, Guatemala, Netherlands, Norway and Guatemala.

### South African Human Rights Commission

During the course of the year the Foundation met several times with officers of the Human Rights Commission (HRC) to discuss the *Rustenburg Review Report* (to be published in 2012). This is a follow-up on the report that the HRC published in 2008 on Anglo America's conduct in Limpopo. Discussions included the possibility of setting up a Section 5 committee that will advise Parliament on mining matters. The form of this collaboration will be guided by the HRC's strategic planning sessions.

### West Coast

The Bench Marks Foundation together with Conservation South Africa and HELP (a Section 21 NGO at Hondeklip Bay) developed a critique of the De Beers' sale to Transhex of its operations in Namaqualand. A deposition was sent to the Minerals and Energy Minister of South Africa and the issue was monitored and kept in the spotlight.

### South African Council of Churches (SACC)

As an associate member of the SACC the Bench Marks Foundation attended the regular sessions of the SACC and in particular attended two central committee meetings in 2011, including the investiture (induction) of the General Secretary in Limpopo. The chairman of the Bench Marks Foundation attended the meeting of religious leaders in September hosted by South African Faith Communities Environmental Institute (SAFCEI). This meeting prepared the faith communities' intervention in the COP17 conference held in November 2011.

### African Initiative on Mining and the Environment (AIMES)

The Bench Marks Foundation collaborated with AIMES (African Initiative on Mining, Environment and Society) and participated in the 13<sup>th</sup> Annual AIMES meeting in Zimbabwe in June 2011.



What are the true costs of mining?

## International Alliance on Natural Resources in Africa (IANRA)

The Bench Marks Foundation attended the IANRA AGM meeting in Malawi in May. The meeting succeeded in setting up a framework for continued support for the Cross-Border Monitoring Project and other cross-border activities. A Joint Declaration was agreed to by participants and a proposal was put to the IANRA Steering Committee for the continuation of the work.

## African Development Bank

On 19<sup>th</sup> November 2011, the Bench Marks Foundation met with the chairman of the Independent Review Mechanism Resolution Body of the African Development Bank, Mr Danny Bradlow, and a representative of the World Bank where a number of concerns were raised around the Medupi coal plant. The concerns about Medupi, one of the biggest coal fired plants in South Africa, included: the adverse impacts on communities with regard to land, water, air and food security, as well as on commercial farming and the lack of capacity by government to monitor impacts and to regulate effectively.



Medupi power station

## Bread for All and Swiss Lenten Appeal Campaign

In February, the Bench Marks Foundation's Programme Manager, Brown Motsau, participated in an exchange with Bread for All and the Swiss Lenten Appeal during their annual campaign. He presented the report on Glencore in the DRC which was based on research conducted in 2010 and 2011.

## Free and Prior Consent

The Bench Marks Foundation participated in developing perspectives on Free and Informed Prior Consent (FIPC), together with the Centre for Research on Multinational Corporations – SOMO, and other civil society organisations in South Africa.

## Bread for the World Conference and Evangelische Akademie (Bad Boll)

The BMF's Executive Director addressed a multi-stakeholder forum on corporate social responsibility that was hosted by Bread for the World in Germany in November 2011. A number of requests regarding future collaboration were discussed. The exchange of information between the Bench Marks Foundation and Socially Responsible Investors in Germany continued with the Bench Marks Foundation's partner organisation in Germany, Südwind.

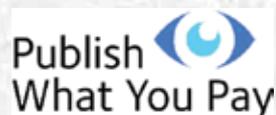
## Publish What You Pay (PWYP)

PWYP approached the Bench Marks Foundation to become one of its official partners in South Africa to support their initiatives on tax transparency and to promote calls for the extractive industries to reveal what they pay in royalties, taxes and other payments.

There are at present two resolutions passed by the US congress that can give civil society access to information. These are: (1502) which deals with extractives in conflict zones and (1504) which deals with the obligations of extractives to publish what they pay. In the Bench Marks Foundation's experience mines never reveal the true costs of mining and use a number of mechanisms to hide profits thus lowering royalties and taxes in order to increase shareholder returns. Work in this area will continue in 2012.

## Conference of Parties (COP17)

Leading up to COP17 the Bench Marks Foundation have participated in a number of forums dealing with the issues of climate change and raising awareness through the church and communities. We have also facilitated two climate change workshops with the South African Council of Churches and Earthlife Africa. These workshops were attended by more than 60 leaders from different churches.



# VOICE POWER AND MEDIA

## Media advocacy

There was a number of engagements with specific journalists writing for the business pages of the *New Age*, *Business Report*, *Business Day* and the *Mail & Guardian* newspapers. This is reflected in the media coverage obtained for the year generated through interviews, press releases and letters to the editors.

During the period from January to December 2011, the Bench Marks Foundation attracted a considerable number of media mentions, including two articles in the editor's sections in the *Business Report* on De Beers in Namaqualand and another with regard to Walmart. The Bench Marks Foundation's activities and views were also extensively published in the *New Age* newspaper.

## Websites

The Monitoring School published all of their main events on their various blog sites. A dedicated website for the School is being investigated as well as other social media that may be appropriate.

The Foundation kept its organisational website current with press releases, published research and information around campaigns. Due to the Internet Service Provider's tracking problems the organisational website was moved to another service provider in September 2011.

## Publications

The following publications were published in 2011: *Action Voices 2011* and the *Rustenburg Community Report*.

## Exhibitions and Other

The Bench Marks Foundation conducted 'toxic tours' – field visits to mines and affected communities – for the following organisations: NCA partners, Stockholm School of Economics, SuRE, Seminarians of the Dominican order, ZELA (Zimbabwe), Canadian Journalists and SARWATCH.

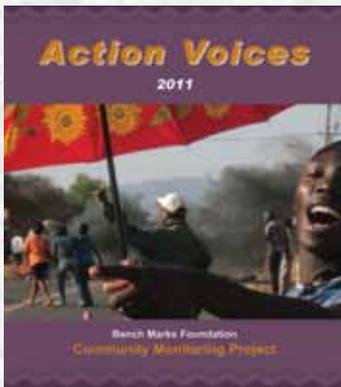
The organisation developed a portfolio of materials, mainly in the form of photo exhibitions and posters that was used in exhibitions like the NGO Fair in Johannesburg and the organisation's AGM.

## Annual General Meeting

The Annual General Meeting with the theme "CSR: The Truth" was held in June 2011. Participants included: staff, board members, church leaders, community monitors, companies, faith-based organisations, funders, government officials, trade union representatives, a representative from a Chapter 9 Institution, North West University members, members from other universities and embassy representatives.

Community representatives spoke at the public AGM and this was followed by interaction with the audience on the impacts that companies have on communities, their lives and livelihoods.

The AGM formed part in the process of raising awareness in church circles about the Bench Marks Foundation's work as well as strengthening the organisation's legitimacy as a church-based organisation.



Caroline Ntoapane speaking at the BMF Annual General meeting

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