



Media Statement by Bench Marks Foundation
All sides will finally be heard at Farlam Commission

14 October 2013

For immediate release

A ruling made at the High Court on 14 October 2013, that the state must pay the legal costs for the survivors of the Marikana Massacre, is a great victory for the workers, their families and for democracy, says Bishop Jo Seoka.

Seoka, who is the Chairperson of the Bench Marks Foundation, said this victory for the workers was an essential step in the battle for justice and for those who would not have had the opportunity to defend themselves or put their story forward due to a lack of funding.

Seoka also revealed that had the latest appeal to the courts failed, they were prepared, as the next step, to mobilise the international community to “fight this matter, as many of us did during the apartheid era”.

The news of the ruling was announced to acclamation by those attending the Bench Marks Foundation’s conference on the future of mining in South Africa and Africa, in the presence of Deputy President, Kgalema Motlanthe who was the keynote speaker.

Members of civil society, mining houses, government and business from South Africa, Africa, Europe and South East Asia and communities directly affected by mining are attending the conference which ends tomorrow, 15 October 2013.

“We are very excited about this ruling,” says Bishop Seoka. “This is a great achievement and the result of a lot of hard work and unnecessary costs.

“Costs which those we represent would never have been able to cover and will now, thankfully, be covered by the state”.

According to the ruling, the Legal Aid Board must pay for all expenses incurred to date by Advocate Dali Mpofu and his team and then to cover all costs related to the Farlam Commission from now onwards.

“We tried all the legal routes to get this matter resolved. We went to the High Court. When that didn’t work, we went to the Constitution Court. When that didn’t work, we went back to the High Court.

“We even obtained a permit, and with a petition in hand, marched to the Union Buildings.

“I am very sure that this positive response would not have happened had we not put pressure on the state.

“We are very pleased that the lawyers will re-join the Farlam Commission tomorrow and that all stakeholders that were involved on that fateful day, can finally have their voices heard”.

Go to www.bench-marks.org.za to view other articles and videos on Marikana or contact Bench Marks on 011 832 1743.

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.

Bench Marks Foundation Contact:
Mr John Capel, Executive Director 011 832 1743 or 082 870 8861 Email: jcapel@eject.co.za