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Commissioner Motsweyane  
Provincial Commissioner North West Province  
Private Bag X801  
Potchefstroom  
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And

Ms Khumalo  
South African Human Rights Commission  
Private Bag X2700  
Houghton  
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8 March 2016

**An open letter to NORTH WEST COMMISSIONER OF POLICE and SOUTH AFRICAN HUMAN RIGHTS COMMISSION (SAHRC)**

Dear Commissioner Motsweyane, Provincial Commissioner for North West Province and Ms Khumalo, chief executive for South African Human Rights Commission,

It is with extreme concern that the Bench Marks Foundation notes the ongoing harassment by police of its community monitors in Chaneng, on the North West Platinum belt in Rustenburg, South Africa. This open letter brings to your attention, and that of the wider community, this unacceptable behaviour which is contrary to the spirit and requirements of the Constitution of the Republic of South Africa, and is a blatant disregard of the human rights of those being harassed.

The harassment includes 25 police vehicles descending on one of its community monitor's houses this weekend to arrest him, following an application to submit a memorandum to the Royal Bafokeng Platinum Mine management on 3 March 2016. The application was rejected by the Rustenburg Local Municipality.

Community members of towns such as Chaneng are trained by the Bench Marks Foundation to monitor private corporations, such as mines and government, to ensure that they are acting in an accountable and socially responsible way and to share their findings through community meetings, blogging and other social media tools. The monitors form groups which work together to submit grievances and memoranda of demands to companies on behalf of communities, such as that which had been prepared for the mine authorities on 3 March by the group, Macharora In Action (MIA).

However, our monitors' submissions to do public protests or submit grievances are continually rejected by local authorities, although they follow the procedures set down by law. This continual denial is in contravention of chapter two of the South African Constitution as well as the Gatherings Act. The mining companies themselves do nothing to contribute to the situation. Indeed, the situation would not have escalated had not Royal Bafokeng Mining refused to receive the memorandum in the first place.

Even more troubling is the fact that community members and our monitors continuously endure intimidation and harassment by the police in the area as well as security hired by mining companies.

Community members are afraid. Our monitors too.

Scare tactics such as that experienced this weekend are completely unacceptable and are inconsistent with our Constitution. We strongly condemn the actions that lead to this and call on the Commissioner of Police in the North West Province to investigate this breach of the constitution and human rights.

We also call on the National Minister of Police and the President of South Africa to condemn the actions taken by the police and companies against the community of Chaneng and to launch an enquiry into the situation in the area. We require assurances that the people of Chaneng, and our monitors, will have unfettered freedom as guaranteed in our Constitution to express their grievances and to raise issues that affect their community, whether environmental, political, economic or social, without the threat of violence, being locked up or ostracised.

We shall be exercising our right to report these incidents to the Human Rights Commission and ask it to institute an investigation as well.

Yours sincerely,  
John Capel,  
Executive Director  
The Bench Marks Foundation

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