



MEDIA STATEMENT BY BENCH MARKS FOUNDATION

Small victory for communities that may be affected by mining

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For immediate release

The Bench Marks Foundation welcomes the recent judgment by the Constitutional Court on the ruling that permission is required from provinces prior to the commencement of mining by those who have obtained mining rights.

This precedent-setting judgment is a step in the right direction toward safe-guarding the rights of communities that may be affected by imminent mining, according to John Capel, Executive Director of the Bench Marks Foundation.

Bench Marks is an independent organisation that monitors corporate performance in the field of corporate social responsibility with the focus on social sustainability and economic empowerment.

“Although communities themselves will not have the power directly to reject mining operations from commencing in their areas, the fact that the mining houses will have to obtain permission from the province first will certainly help. People will have the chance to put their objections to another body other than those in national government who may be biased toward mining,” says Capel.

“In addition, all too often local by-laws are ignored by mining houses. It is therefore heartening that this judgment has stated that mining rights granted under mining legislation is subject to all other laws including provincial laws.

“This judgment is a small but very important victory for the communities whose voices are all too often silenced and ignored.”

The Bench Marks Foundation was launched in 2001 by Archbishop Desmond Tutu in response to the churches’ call in 1993 to monitor and hold businesses accountable in the new South Africa and in Southern Africa. It is chaired by Bishop Jo Seoka.

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Bench Marks Foundation is an independent organisation monitoring corporate performance in the field of Corporate Social Responsibility (CSR) with the focus on social sustainability and economic empowerment. The organisation encourages CSR that goes beyond reporting mechanisms and focuses on the gap between policy and practice, thereby assisting civil society groups and corporations to move beyond philanthropy to more strategic interventions that benefit both the corporations and society. Central to Bench Marks’ agenda is how CSR is integrated into companies’ operations and ensuring that it is at the core of every decision making process.

Issued by Quo Vadis Communications on behalf of the Bench Marks Foundation

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