



Bench Marks Foundation



Annual Report 2013

Bench Marks Foundation

“The Bench Marks Foundation combines high level research and advocacy with strong community organisation and involvement.”



Table of Contents

Our Mission	4
Our Vision	4
Our Values	4
Our Objectives	4
Our people.....	5
Foreword by Chairperson	7
Executive Director's Report.....	9
Operations Report	13
Corporations Research Programme.....	13
Bench Marks Centre for Corporate Social Responsibility	15
Community Support and Capacity-building	19
Community Monitoring School	19
Networking and Advocacy.....	25
Africa Roundtable on Investment Programme.....	25
Development of the Monitoring School.....	25
Networking and Advocacy: Voice Power	25
Mining Crises Response Project.....	31

Our 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.

Our Vision

Bench Marks Foundation's vision is to promote corporate social responsibility and socially responsible investment.

Our Values

The Bench Marks Foundation positions itself as a key role player and as an authoritative voice on Corporate Social Responsibility (CSR). It embeds itself in the community and produces evidence-based research challenging the present CSR paradigm.

It is well positioned to influence how investment shapes development, especially in mining. It is embedded in the churches, promoting values that are pro-poor and for equitable development, human dignity and promoting a philosophy of the integrity of creation. In this way it presents a prophetic voice of the church.

Programme Areas

The Bench Marks Foundation has developed three programme areas that account for most of its activities: *Corporations Research; Community monitoring and Capacity Building; and Voice Power, Media and Advocacy*. Pro-poor and working class values underline the research programmes which gives importance to the impacts of corporations on communities.

The capacity building programme uses an action-oriented participatory approach to elevate community voices in its *Voice Power* programme. This combined approach gives the Bench Marks Foundation its poignancy and relevance. The starting point for the analysis is the *Bench Marks Principles for Corporate Governance*.

The Voice Power, Media Advocacy programme is challenging the present CSR discourse by raising media consciousness, public consciousness and government interest and is taken seriously by corporations who are nervous of being examined by the Foundation.

Bench Marks Foundations' internal research shows that communities derive strength from the organisation's research reports as what they are saying is confirmed by the Bench Marks Foundation.

The organisation has built solid relationships with other Non Governmental Organisations (NGOs) and civil society organisations (CSOs), and has garnered respect from foreign governments and various community organisations.

The Bench Marks Foundation's Community Monitoring School is a valuable resource for communities. The organisation is a valuable resource for communities and acts as an authoritative voice on the community.

Our Objectives

Bench Marks Foundation is a non-profit, faith-based organisation established by the churches in South Africa and is unashamedly on the side of the poor in an iniquitous society.

The objectives are well articulated in the *Principles for Global Corporate Responsibility: Bench Marks for Measuring Business Performance*, third edition (2003). The Principles open with the context of faith, which holds that "justice requires that we stand with those oppressed, impoverished and exploited and we work to change the structures and policies in order to create a fair and sustainable world."

Thus, to assist the poor and working class communities to attain justice, the Foundation has adopted research as a tool for justice and redress.

Research or knowledge on its own without other interventions will be hollow. Thus, the aim of our research is to draw on communities' knowledge while providing information and skills that assist poor communities in seeking democratic and non-violent alternatives to the conditions they find themselves in.

Our people

Board of Directors



Mike Deeb, Bishop Jo Seoka (Chairperson), Piet Beukes, Allan Wentzel, Mokethi Moshoeshoe and John Capel.

The Right Reverend Dr Bishop Jo Seoka (Chairperson)

Ds Piet Beukes

Dr Allan Boesak (not pictured)

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

Mr Mokethi Moshoeshoe

Rev Mautji Pataki, General Secretary of the South African Council of Churches (SACC) (not pictured)

Mr Allan Wentzel (CDT Foundation NPC)

Mr John Capel (ex officio)

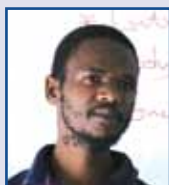
Office Staff



Moses Cloete,
Deputy Director



Simo Gumede,
Administrator



Joseph Magobe,
Rustenburg Coordinator



John Capel,
Executive Director



Eric Mokuoa,
Monitoring School
Coordinator



Busi Thabane,
General Manager



Brown Motsau,
Programme Manager

Associate Staff



Hassan Lorgat,
Advocacy and Lobbying



Bobby Marie,
Education Specialist



David van Wyk,
Lead Researcher



Freek Cronjé, Director Bench
Marks Centre for Corporate
Social Responsibility



Nizar Seleman, Utanga
2013 FK/NCA exchange
participant from Tanzania



Jethro Piri
(intern from Zambia)

Media partner - Quo Vadis Communications

Publications editorial - Leah Marais

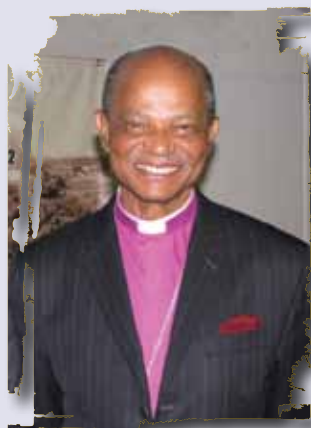
We thank Bread for All – Switzerland, Bread for the World Protestant Development Service Germany, Christian Aid, Diakonia-Sweden, ICCOKerkinActie and Norwegian Church Aid (NCA), our core partners. We also thank Action Aid-South Africa, Action Aid-The Netherlands, Fredskorpet-NCA, IANRA-European Union, SIDA-Embassy of Sweden for their specific project support.

FOREWORD BY CHAIRPERSON



Foreword by Chairperson

Seven years ago, when we released *Policy Gap 1*, the mining sector was viewed by the international community as socially responsible, based on company reporting and as interpreted by investors and shareholders. During this period, we have managed to turn this picture around and no matter how much the companies advertise their image as being socially responsible, they are no longer viewed as such.



*The Right Reverend
Dr Bishop Jo Seoka*

Last year at our Annual General Meeting held in October 2013, our key message to the mining industry was: "Never Again Marikana - We are watching you". The conflict on August 16 2012 between capital, the state and workers cost the nation 34 lives. In one day, this labour dispute resulted in 34 workers killed, with another 10 workers, police and security personnel killed in a few days preceding the Massacre on the 16th. The question remains: will these events and subsequent events and the looming platinum strike, change the culture and mind-set of the industry?

Increasingly the Bench Marks Foundation, through its media and voice power programme, has posed many challenges to the industry, government and civil society. *Coping with Unsustainability, a 10 year review of Lonmin's sustainable development report*, published in October 2013, showed the inaccurate reporting and awards for best storytelling. Our studies have led to a downgrade of mining companies on the JHB SRI and FTSE4Good Index. We believe the Bench Marks Foundation has raised the bar with regard to reporting standards.

Marikana had a profound impact on the country and *Policy Gap 6* published in 2012, focussed on the big platinum producers in the Rustenburg area, firmly

proclaimed that 'something is very wrong in mining,' resulting in the Bench Marks Foundation playing a central role in contextualising the socio-economic conditions in and around mines. Our strengthened advocacy led to a number of meetings with government departments, foreign governments, delegations and parliamentarians from Norway, Sweden and the Netherlands.

We participated in meetings held by the presidential commission on mining and have been taken seriously by the presidency and department of finance. We now engage regularly with government, in particular around social development issues in mining.

We are challenging the present CRS discourse and have heightened media and public consciousness. Communities derive strength from the research reports as what they are saying is confirmed and strengthens their role at community level. In addition we command respect from corporations, government and foreign governments, communities and community organisations. We also have a credible relationship in mining communities and are a leading organisation recognised by communities.

The Community Monitoring School is innovative and sought after by communities and even by government's new citizen-based monitoring programme. Through the Bench Marks Centre at the North West University, we appear in academic journals. The centre has facilitated two PhD dissertations, one of which was on the *Bench Marks Principles*, and in 2013 we had 10 master and doctoral students enrolled.

As the organisation grows, and takes on challenges including that of consolidating its many achievements, it needs to have a clear understanding of its focus and how it will organise itself. It cannot be everything to everyone, nor can it afford to do so. It must remain focused on what it does well but improve on changes at a policy level and community level.

Rt Rev Dr Jo Seoka
Chairperson – Bench Marks Foundation

EXECUTIVE DIRECTOR'S REPORT



Executive Director's Report

The Year in Review

"Bench Marks, which is owned by the churches, and focuses on social responsibility of big corporations, must be lauded for its role in making multi-nationals accountable to communities in which they operate and ultimately the country." - Business Report, 29 November 2013.



Mr John Capel

Realities in South Africa, the region and the continent is situated within a broader neo-liberal international context that favours private accumulation, the development of elites, insiders and outsiders and that all results in growing poverty, unemployment and increasing inequality. Minerals and natural resources are viewed more important than human life, and African governments give mining concessions to foreign multinational companies overriding people's right to land and their livelihoods, irrespective of the cost to them. This allows for a predatory state, backed by a winner takes all philosophy and a business model that down plays other forms of livelihoods. Mining companies in particular portray themselves as developing the common good, but this is built, at times, around perceptions, myths and outright lies. Mines impact severely on water, land and air quality and hence on people's human rights to a safe environment and their right to choose an existence that is not built on market fundamentalism.

Seven years ago when we released *Policy Gap 1*, the mining sector was viewed by the international community as socially responsible, based on company reporting and as interpreted by investors and shareholders. We have managed to turn this picture around and no matter how the companies advertise their image as being socially responsible, they are no longer viewed this way.

Increasingly the Bench Marks Foundation, through its media and **Voice Power Programme**, has managed to pose challenges to the industry, government and civil society.

The release of ***Policy Gap 7 on Lonmin's operations over 10 years of sustainability reports and promises*** showed the industry up. The report showed the inaccurate reporting, half-truths and outright lies that the industry hides behind. Lonmin received the Lang commission award for best reporting initiative. We said that, at best, the report shows Lonmin should receive an award for the best storytelling. Other mining companies are now worried that we will examine them in the same way. Such is the impact the foundation is having.

Policy Gap 6 resulted in a downgrading of all mining companies on the JSE Socially Responsibility Investment Index (JSE SRI) and FTSE4Good Index. The bar has been raised by the Bench Marks Foundation and we will continue to focus on companies' reporting standards and to ensure we begin to turn this around into meaningful development.

The **Community Monitoring School** has grown from training 10 to 15 monitors in 2010 to 100 monitors in 2013. Different levels of training, from basic to advanced, to certified courses at our Bench Marks Centre, are now offered. The school has a footprint in 36 communities in South Africa and has a presence in Botswana, Zambia, Tanzania, Mozambique and Zimbabwe. Community monitors are seen as the eyes of the community and corporations are aware and weary of what they now report. The Community Monitoring School is innovative and its expertise is sought after by communities and even by government's new citizen-based monitoring programme.

The demands on Bench Marks Foundation are growing. We are constantly dealing with a host of government, corporate and civil society initiatives demands on our time.

Government is increasingly calling on the Bench Marks Foundation for comment around mining and housing and performance and evaluation. The organisation is regularly referred to during inter-ministerial meetings. It is regarded as having answers to the socio-economic challenges that have been created by mines such as Aquarius Platinum, Lonmin, DeBeers and Anglo American.

However, we only engage and promote our key messages and avoid becoming a developmental agency for mining. The mining industry would like to co-opt us but we must remain true to our mandate. Having said this, we are exploring ways for further development of communities.

The Bench Marks Foundation regularly receives calls from executives of mining houses to discuss issues affecting the sector as well as from investors from around the world (New York, London, and Sweden, France). It is also regularly invited to embassies and international conferences to share its knowledge of the industry.

In addition we are approached by academics, masters and doctoral students from around the world for permission to use our research and information in their studies or to meet with us.

Journalists seeking opinions and comment on mining issues do not hesitate to contact us. This happens weekly and places the organisation in a position to influence developments around more socially responsible businesses. We are controversial and we are not afraid to say what others won't.

We have a credible reputation nationally and internationally. The organisation commands enormous media respect and has increased its media hits from 100 in 2009 to more than 400 a year. Mentions of the organisation in the media are not restricted to South Africa. In the past year, we have enjoyed coverage in 22 countries across the world. The advertising equivalent reached more than ZAR10million and a Google search prompts millions of hits, indicative of our widespread media coverage and the respect we hold as a commentator. We are increasingly considered an expert

agency on CSR. We believe that the approach of using research, combined with the closeness to communities contributes to our success.

These successes are undoubtedly also due to the sustained support we have received from a number of partners, especially in the ecumenical family of donor partners, who provided special support in the 2012-2013 mining crises project following the Marikana massacre. We also received support from a wide range of civil society organisations.

The Bench Marks Foundation's board remained active and supportive of the staff throughout the reporting period. In particular the chairperson plays an important role and remains close to workers on the platinum belt. Through him giving credibility to workers' demands to be recognised and for their trade union too, much has been achieved for workers living in the platinum mine fields. For that matter, the country as a whole should be grateful for his leadership and preventing anarchy on the platinum belt, Bojanala district.

We have no doubt that the Bench Marks Foundation is influencing the discourse on CSR, specifically in mining, with a lesser influence in the retail and finance sectors. We provide alternative views in the debates around CSR locally and internationally and we have shifted CSR from talk to implementation.

Although mining companies fear being examined by the Bench Marks Foundation, as noted earlier, they still engage with us and seek out our ideas and research. They know it's no longer business as usual. They now realise the importance of doing CSR properly and not just as a public image building tool. But we have a long way to go and we will have to remain vigilant.



Through the **Bench Marks Centre at North West University**, our research regularly appears in academic journals. Our research has also facilitated two PhD dissertations, one of which was on the *Bench Marks Principles*. The Centre currently has 6 PhD students and 11 master students, focusing on a variety of topics, including social licence to operate, women in mining, impacts of resettlements, health in mining-affected communities and comparative studies of mining and other industries around CSR. The aim of the centre is to generate new knowledge on CSR and to act as a think tank on CSR. It is involved in teaching, research, community engagement and critical thinking around CSR. It has linkages with a number of universities in Brazil, India, London, Netherlands and Zambia.

We aim to promote the prophetic voice of the church through our work. Slowly but surely this voice is getting louder. Our chairperson has and does, play a crucial role in facilitating this. It is important for the church to be included in our work and to eventually own it. It is also important to note that the church sector is an area that also needs transformation.

We consciously address churches regarding our research findings on corporations and as the foundation, we are beginning to explore shareholder activism. In addition our awareness building in the churches continues through our research reports and community monitoring school reports. However, a great deal of awareness-building around these issues is still needed in the churches. The main instrument we use to create this awareness is the Church Leaders' Call for Responsible Investment that now has over 200 signatories.

We also work with the Council of Churches in each country in which we have a presence. Our annual AGM targets church leaders where we deliver our key findings from research conducted during the period.

Going forward we know we are well-positioned to be a major role player in bringing about change that benefits the poor and marginalised communities and workers. Our country is one of the most unequal societies in a resource-hungry world in which an almost persistent recession has taken hold.

In the wake of the death of Nelson Mandela at the end of 2013 and 20 years after the dawn of democracy, a new political landscape, with new political formations, is emerging. A black middle class has appeared, while poor and working class people are still faced with poverty and unemployment. This unequal distribution of wealth is hugely destabilising and is one of the underlying causes of the Marikana massacre and the continuing strife in the mining sector.

We recognise the importance of addressing this inequitable wealth distribution, the externalisation of costs and the global order dominating business models when looking at responsible and accountable business practices.

We also acknowledge the need to examine due diligence processes of the financial sector in relation to mining and its complicity in human rights abuses; the CSR awards industry and how it colludes with business to hide the truth.

The Bench Marks Foundation operates in a niche market, filling a vacuum and we have our finger on the pulse on corporate social responsibility. We identify the right issues to be investigated and we research extensively using evidence-based, comparative and long-term (examining, over time, companies' stated commitments and measures) methods as well as utilising community reports and perception surveys.

We will continue to speak out on behalf of those who cannot do so and we will not accept an economy that has failed to transform. We remain committed to our ideals and will keep on playing to our strengths and addressing our weaknesses so that we can continue to be the countervailing force we are. As the discourse on sustainable development focuses on stakeholder participation in local community development where mining is situated, the Bench Marks Foundation's role as a resource becomes more prominent.

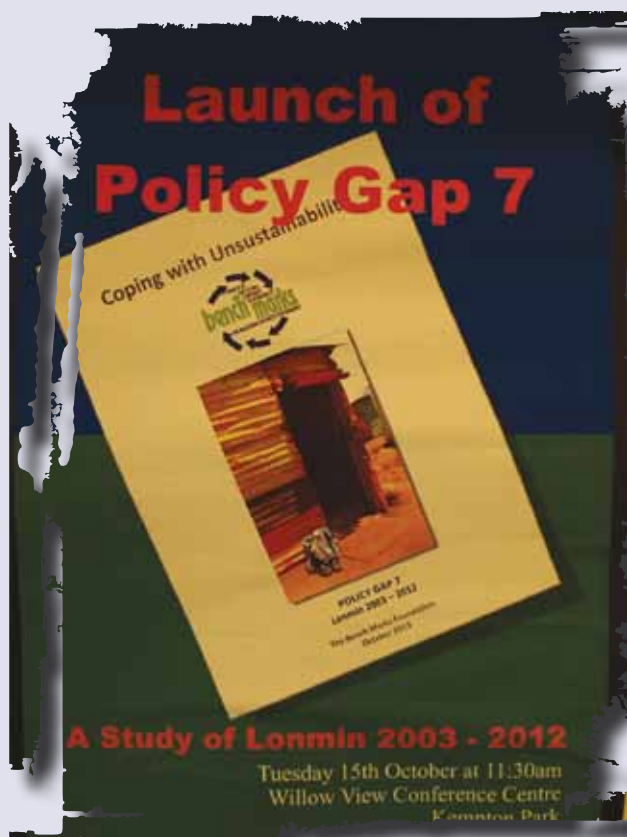
Of crucial importance is our independence and our ability to speak the truth and to side with the poor. We will endeavour to keep this independence intact. And we will continue to remain focused on what we do well: be the voice for the voiceless.

In 2013 the Bench Marks Foundation's main successes were:

- *Training more than 100 activists (a tenfold increase from 2011) in 36 mining communities (an increase from 22 in 2012) while strengthening community organisations in the North West, Gauteng and Free State provinces.*
- *A large media presence in diverse media: radio, television, press and the internet resulting from a ground breaking study, Policy Gap 7, in which the corporate spin of corporations was exposed.*
- *Increased interaction with companies in the mining sector and approaches from investor groups as to where and how they should invest.*
- *A recognition from government of the need to interact more with the Bench Marks Foundation, evidenced by the attendance of the Deputy President at our annual conference and a public acknowledgement by the President in 2012.*
- *Visits from the UK, Dutch, Norwegian and Swedish Government where we engaged them around mining and social responsibility and what mines needed to be doing.*

John Capel
Executive Director

OPERATIONS REPORT



Operations Report

Corporations Research Programme

DeBeers in Botswana said: “We are now taking the recommendations of the Bench Marks seriously and exploring how we can implement them.”

The programme brings together all the research conducted that focuses on a *gap analysis* between corporations’ stated claims about themselves and their corporate social responsibility (CSR) initiatives and the observed reality and perceptions of communities towards the corporations. As far as possible it integrates the voices of communities in the research reports. This evidence-based approach is in turn used in media and general advocacy work.

The overall objective for the research programme is to develop a model around CSR that is

- Evidence based research- and linked to this is the Bench Marks Centre for CSR at North West University- focusing on research and teaching masters and doctoral students. Integrated research that begins with and involves community input and design, backed by rigorous evidence-based surveys and techniques, e.g. Policy Gap 6
- Research that compares company reports on sustainable development initiatives, their facts and figures, data and so on against other sources, such as local institutions, clinics, national data, communities experiences such as Policy Gap (1)
- Research that examines over time company reporting from year to year and examines companies against what their stated commitments are and measures them over time
- Community research reports that rely on community facts and perceptions e.g. Policy Gap 8 and Rustenburg Community voices

- Perception surveys based on the Corporate Personality Index that will be used to develop the Bench Marks Rating Agency by 2016.

Research Studies 2013

Policy Gap 7: Lonmin 2003-2012

This report was completed and launched in October 2013 as a follow up to the 2012 report: **Policy Gap 6: Communities in the Platinum Minefields**. The report examined the CSR initiatives of Lonmin over a 10-year period, and found the company wanting in several aspects.

Several key messages emerged from the report:

- The company conducted its own community perceptions surveys from 2004, but abandoned reporting on perceptions shortly thereafter as these did not improve from about 2007;
- The company consistently damaged the environment, and succeeded in getting government authorities to increase the allowed emissions. As emissions were increased, the company then claimed that it was compliant;
- The company continuously set new goals with regard to its environmental impacts, housing for its workers and impacts on communities. It then abandoned these goals, even though it claimed that “it was the best in class”;
- The company continues to rely on contract workers to lower the costs to shareholders and of doing business;
- The company built a low number of houses for its workers, and failed to convert apartheid-style hostels into family accommodation. It also fell woefully short of accommodating most of its workers, thus condemning them to shacks in townships;
- There were no consequences for the company’s failure to comply with regulations, or meeting commitments it set for itself;
- Hardly any “social capital” was built in communities, despite claims by the company to the contrary; and
- Social responsibility reporting by mining houses amounted to “corporate spin”.

The Bench Marks Foundation called on government, and in particular the department responsible for mining, to exact penalties on companies that do not comply with legislation and to hold them accountable for social commitments made.



Policy Gap 8: Steel at any cost report

This report was conducted in collaboration with the Vaal Environmental Justice Alliance (VEJA), a Bench Marks Foundation partner organisation. VEJA participates in the Bench Marks Foundation Monitoring School programme. Although prepared in 2011, it was launched in November 2013. It is a collection of Community Voices in the Vanderbijl Park area in the Vaal and focuses on workers that were dismissed through the years and the health impacts of the steel plant on a number of communities in the residing in the vicinity of the plant.

Several key messages emerged from the report:

- Workers were operating in risky working conditions inside the plant;
- The company refused to take responsibility nor pay adequate compensation to ex-employees for high levels of work-related illnesses, injuries and deaths
- Excessive air, water and sound pollution emanates from the company and contributes to all forms of pollution;
- Through poor environmental practices, community sustainability is threatened;



- Private companies who assume control of state owned enterprises (SOEs) by and large escape the consequences of both present and historical impacts caused by these SOEs; and
- ArcelorMittal lacked transparency in its disclosures to communities about the company's real impacts and refused to take responsibility for these impacts.

The Bench Marks Foundation called on ArcelorMittal to take responsibility for their present and historical impacts, and to work with organisations in the area to alleviate these impacts. In addition, Bench Marks Foundation called on government to enforce compliance with regulations.

The Swedwatch report

Monitors in the Rustenburg area assisted researchers in completing surveys for this report. The English language equivalent will be published in April 2014. It was launched in Sweden in October 2013.

Impacts of Coal Mining in the Mpumalanga province

This report focuses on Middleburg and was completed for Action Aid Netherlands. After various delays we expect to launch it in 2014.

Khumba Iron Ore report

A final report was completed on Khumba Iron Ore mines' impact on mining communities in the Northern Cape Province. The report forms part of a joint comparative research project with SiR/Sure in Sweden.

Research Impact

As with Policy Gap 6: *Living in the Platinum Minefields* in 2012, **the Policy Gap 7: Coping with Sustainability Lonmin 2003-2012** report received massive media coverage. John Capel, Executive Director of the Bench Marks Foundation, Dick Forslund from AIDC and the Bench Marks Foundation's lead researcher featured prominently in the media.

Two of South Africa's leading business media outlets with the highest circulation figures, *Business Report (IOL)* and *Business Day*, gave extensive coverage on the report.

Reactions to the Bench Marks Foundation reports:

- Lonmin, in *New Age*: "The Bench Marks Foundation is moving more towards more advocacy and away from activism and they are more directly involved in communities and can tell us what to do. The findings are applicable to the whole industry"
- In a meeting between the Bench Marks Foundation and four of Lonmin's senior executives, the executives said they cannot defend their reports. They then pulled their latest sustainable development report from production and indicated that they were now going back four years to review their reports. They said they take the Policy Gap 7 as a learning experience and want the Bench Marks Foundation to guide them in this process.
- ArcelorMittal's CEO on the 28th November 2013: "We want to achieve the same things that the Bench Marks Foundation wants to achieve."
- VEJA praised the Bench Marks Foundation after it received good media coverage on the impacts of steel on its communities. It said that it had been trying to talk to the CEO for many years to no avail. But after the release of the report, the CEO spoke to the Bench Marks Foundation (in a teleconference).

As a direct result of our research projects and reports, the Bench Marks Foundation is regularly asked to arrange 'toxic tours' for the media. During the period, we arranged these tours for a number of TV crews and journalists and in particular for *Special Assignment*, one of the most important and highly regarded investigative journalism programmes on South Africa's public television. The show focused on the depletion of water resources by mining houses. A series of three programmes were produced following this tour and aired throughout the year.

We found that there has been an increasing sensitivity on the part of government, the legislature and industry to respond to the plight of the mining communities. The Bench Marks Foundation participated in initiatives launched by the Presidency and the national housing ministry in areas impacted by mining.

The media focus on mining companies continues to increase as the crisis in the platinum industry continued unabated into 2014. An ever-increasing number of investor groups have met with the Bench Marks Foundation. As Bench Marks Foundation's aim is to see how pressure can be applied on companies in order to change their approaches to business, this increase in media focus, an increased interaction with investor groups and increasing sensitivity on the part of government, legislature and industry may lead to some tangible changes in the way the local authorities, government, industry and industry bodies relate to communities.

Bench Marks Centre for Corporate Social Responsibility

The Bench Marks Centre for Corporate Social Responsibility was officially launched on the 23rd January 2012 in Potchefstroom. It is staffed by two professors, two junior researchers and the lead researcher of the Bench Marks Foundation, David van Wyk.



The Bench Marks Centre, through the Swedish Embassy, participated in a Partnership Driven Co-operation (PDC) during the period. This PDC was between the Bench Marks Foundation, North West University, the Sustainability Research Group (SIR/SuRE) at the Stockholm School of Economics (SIR) and Diakonia Sweden. As in 2012 the Centre benefitted from a grant from the Embassy that allowed it to develop the joint project.

The Centre aims to provide an authoritative academic voice that backs up Bench Marks Foundation's advocacy, assist in the authentication of the Bench Marks Foundation's research, provide peer reviews specifically for Bench Marks Foundation research projects; develop an alternative view to mainstream thinking on SCR and build new thinking on CSR; train CSR practitioners





to influence corporations and government thinking; provide specialised expertise on CSR-related disciplines and assist communities by providing expert knowledge in that regard.

Bench Marks Centre's work is built around three pillars: research and research projects, teaching post-graduate students and community engagement.

The short-term (end of 2013) objective of this project - to develop and consolidate the Centre - was achieved. The long-term objective (beyond 15 months), of the Centre - to conduct research and post-graduate education in the field of CSR and sustainable development, which would feed into communities, and communication and advocacy work that can contribute to sustainable development in Southern Africa- has been achieved and will be furthered in 2014.

Bench Marks Centre's Impact

The centre owes much of its public reputation to the work carried out during the period and to the Bench Marks Foundation, where over a number of years, it has contributed to the organisation's research and conducted peer reviews of Bench Marks Foundation's research. The

centre has developed specialised courses that focus on CSR. The centre is receiving more applications from students than it can accommodate. At the end of 2013, it received more than 40 applications but it can only accommodate a maximum of 10 masters and doctoral students.

Academic research:

Regarding the **Sida project**, since September 2012 the Centre, in collaboration with SuRe of the Stockholm School of Economics, completed the research proposal of the project, conducted a literature study (*CSR and the Supply Chain between SADC and Sweden*) and finalised the methodology for the project. A planning workshop, which was attended by all partners, was held on 25 and 26 February 2013 in Johannesburg, South Africa. The field work for the South African project (Kumba) was executed during August 2013, and the Bench Marks Centre submitted a draft research report in December 2013 during the final 'wrap-up' Workshop in Potchefstroom. SuRe, at the same Workshop, presented research results of the studied mining area in the north of Sweden (LKAB's new mines in the Svappavaara area). The comparative part of the study will be finalised in 2014/2015.

The staff members of the Centre also published three articles in 2013 (one in an international journal) and three research reports (2012 - 2013). Research presentations (amongst others on the Sida collaborative research process) were presented at different conferences,

Student exchanges:

Student exchanges from Sweden: One PhD (from SuRe) and two Master's students (from the Stockholm School of Economics) visited the Centre during June – August 2013. The former is Ms Marijane Johnsson (visit: July to August 2013) and the latter, Ms Maria Strandlund and Ms Xenia Aherdan (visit: June to August 2013).

Staff: Bench Marks Centre for CSR (BMC)



Freek Cronjé
Director



Susanne Reyneke



Charity Chenga



Prof Eddie Bain



Carina Snyman

Student exchanges from South Africa: Two Master's students, Ms Suzanne Reyneke and Ms Carina Snyman (from the Centre), successfully attended an eight week PhD course at the Stockholm School of Economics during September and October 2013.

Furthermore, the Centre, together with other local academic departments engaged in a trans-disciplinary research project on the developmental well-being and health of the inhabitants of the mining township of Bekkersdal on the West Rand. This project is funded by the South African National Research Foundation (NRF). Prof Susanne Sweet acted as an external examiner for one of the Centre's PhD candidates (Ms D. Botha) towards the end of 2013.

Education:

The Centre established three accredited short courses focusing on

CSR: Community Engagement;
CSR: Meaning and Origin; and
CSR: Implementing and Impact.

The community short course was presented in September 2013 for selected community leaders and monitors.

The Sida project gave further momentum to the existing post-graduate programme of the Centre, namely:

- Master's in Development and Management with a CSR Curriculum; and
- PhD in Development and Management with a CSR Curriculum.

Two PhD's completed their research during the Sida project, as well as two Masters students. Furthermore, six students are currently enrolled for the PhD programme, and 11 candidates for the Masters programme are completing research work for their mini-dissertations.

Community work:

Most of the Centre's research projects as well as the Kumba project, have a community engagement dimension. In this regard the focus of the Centre is on community development, social entrepreneurship and ownership, community participation, the development of self-reliance, the importance of a human-centred approach towards development, and a Social Licence to Operate (SLO).

Regarding the NRF project (Bekkersdal), 20 community members have been trained on an introductory level. This certificate course saw field workers assist with research, and engage with communities.

Mr David van Wyk, lead researcher of the Bench Marks Foundation, has on many occasions also assisted in training community members in South Africa (Platinum Belt, etc.), Zambia and Zimbabwe.

Communication and advocacy were enhanced through scholarly engagements during conferences and other academic events, and through community participation. As part of the advocacy role of the Centre, four papers by staff members were presented at the South African Sociology Association (SASA) Conference during July 2013 at UNISA. A research paper from the Centre on the Bekkersdal project was also presented at the annual Eco Health Conference in November 2013 at the Golden Gate National Park.

Since its inception in 2012, the Director and staff have participated in and/or presented 26 national and 21 international conferences and events. The Centre Director has also conducted 10 interviews (nationally and internationally) on the activities of the Centre and other relevant issues since inception.

A brochure and website for the Centre have been completed during the period and are used as communication and advocacy tools to enhance the image of the Centre.

The centre has experienced challenges with regard to advocacy as it is not equipped in terms of staff experience and student intake for that. It relies on the Bench Marks Foundation for much of its community work.

Partnership/networking:

During the period, common meetings, shared and cooperative work, peer reviews, networking online and developing North/South linkages that included academic exchanges, took place. This also involved exchanges between local communities and academic institutions and exchanges between different communities affected by mining. E-mail, Skype and various tools of social media were used to enhance partnerships and networking between partners and between communities. An international workshop was held in December 2013 in Potchefstroom.

COMMUNITY SUPPORT AND CAPACITY BUILDING



Community Support and Capacity Building

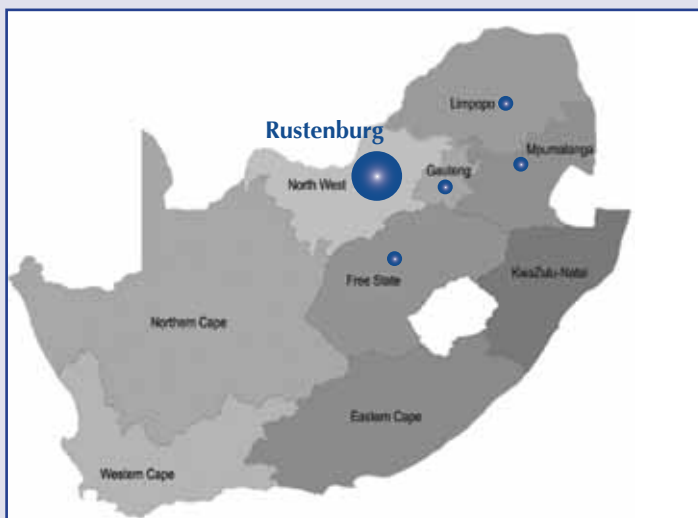
This programme integrates a support programme to community organisations and a *Community Monitoring School* as well as the development of the school in the SADC region to Zambia, Tanzania and Zimbabwe. Where possible this is integrated with the corporate research programme in South Africa and in SADC as a whole.

Community Monitoring School

The Community Monitoring School project is collaboration between the Bench Marks Foundation and local community organisations. The overall objective of the Community Monitoring School is to develop a network of local community groups that are actively involved in monitoring the impact of corporate activity on the environment and community life and who engage in campaigns to bring about change.

The support to the community consists of building centres where communities can interact, mobilise legal assistance for communities and assist organisations to participate in broader platforms where their voices can be heard.

The Community Monitoring School trained 104 monitors – up from 80 in 2013 – from 29 communities in five provinces in South Africa. It worked in partnership with 22 organisations in Rustenburg in the North West Province, Limpopo, Klerksdorp, in the Vaal, in Welkom in the Free State, in the East Rand, in Gauteng and in Middleburg in Mpumalanga.



In total more than 50 workshops were conducted. Forty percent of the monitors who graduated in November 2013 were women.

Seven community facilitators were trained during the period who, in turn, assisted in the training of the monitors together with the Bench Marks fieldworkers. These facilitators followed an *Advanced Training Course*, in which they developed more specialised skills including instruction in writing, use of social media, development of digital maps highlighting communities' impacts in their areas, and strategies on how to deal with local authorities and corporations in their areas. The community facilitators also assisted in running the localised monitoring schools.

The Bench Marks Centre at the North West University (NWU) offered a certificate course that was planned and prepared in 2012 and conducted in September 2013 after sufficient funding was secured through the Embassy of Sweden. This gave some community monitors a more formal education and credits that could be used for further studies.

The voices of the communities, the writings on life in their communities can be accessed across various platforms and especially through the www.communitymonitors.net - A dedicated website that reached an audience of more than 400 people in 2012. This site promotes easier access for the public to the community monitor's work and enables the communities to raise their voices to a wider audience. The site also features the materials used and links to a digital map that focuses on mining hotspots. More importantly the monitors produced booklet containing a collection of the best writings and actions that were completed during the year. **Action Voices 2013** can be accessed on the same website or on Bench Marks Foundation's site.

Monitoring School's impact

The Bench Marks Foundation's support work with communities makes it a recognised and authoritative voice on corporate responsibility to society. Bench Marks Foundation's community work is a vital component in its overall strategy to make corporations more accountable to communities.

The overall number of monitors trained increased by 25% from the 80 trained in 2012, bringing the number of monitors trained since the inception of the school to a total of more than 200. This gave voice to a broader

section of the community and increased the number of monitors able to speak out about the conditions experienced in communities impacted on by the extractive industries.

Monitors' confidence to write their life stories and report on the experiences of their communities has increased exponentially as we can see on the community monitor's website and in *Action Voices* 2013.

The staging of the first certificate course by the Bench Marks Centre at NWU sets a precedent and strengthens the case for recognition of prior learning and action learning processes being integrated into academic training.

In a number of areas, monitors developed an increased ability to organise communities, protest and engage with mining companies in their area as well as to clearly articulate demands specific to their areas. The advanced training of local facilitators further increased and strengthened this capacity to speak out and engage with local authorities and companies.

Monitors in Rustenburg, through their participation in the monitoring school throughout 2011 to 2013, were able to strengthen their organisations to develop an area-wide community organisation called *Bua Mining Communities* that was launched in April 2013. This organisation speaks for the community affected by mining impacts in the broader Rustenburg area.

Strong community engagement has made a huge impact in this region and has allowed the Bench Marks Foundation to be a highly recognised role player that provides concrete recommendations to the industry, government and parastatal organisations and companies.

Bench Marks Foundation's impact on increased organisational ability in communities can be seen from the following testimonies:

Mojalefa Rabolinyane, Bench Marks Monitor, CUBICO, Welkom

August 2013

I have learnt a lot from the monitors I work with in Welkom. The community has the power to change things through simple actions like writing articles and the use of social media. I have developed personally in the monitoring school. I have gained more knowledge and understanding on how government works, on public participation and how to work with people. I have seen how the Monitoring School changes people's lives, not just the people who participate in the school, but the whole community. With programmes like this from the Bench Marks Foundation, we can give power back to the people and let them decide (on) the things that involve them.

*Women are part of the community too and we face the same struggles for better service delivery, good health care centres, education and the opportunity to benefit from our natural resources. We do not want to inherit a legacy of acid mine drainage, tailings dams, contaminated rivers and chronic diseases. (See full interview in *Action Voices* 2013, page 53)*



Tshepo Mmusi, Justice & Peace Commission, Klerksdorp
April 2013

Tshepo rents a house in Klerksdorp where he lives with his two sons and fiancé. He is the sole breadwinner of the family.

"I started with the Monitoring School in 2010 as a trainee monitor. I'm now a support facilitator and from next month will be working as a support researcher with the BMF on community issues around gold and uranium mining. We are linking mining communities from Welkom up to Johannesburg.

Through the Monitoring School I have been exposed to a number of new skills which have contributed to my writing skills and I can now write funding proposals and reports in a professional manner.

As part of the Monitoring School programme we look at how mining companies impact on the environment and if their CSR programmes are contributing to people's wellbeing.

We've had meetings with Uranium One, a uranium company with many unethical practices. We met with employees who had problems with the company's health and safety practices. We approached management and through a long process also linked up with the National Union of Mineworkers, the COSATU offices in Klerksdorp, Jubilee SA, Mariette Lieferlink, and mobilised Solidarity International. Ultimately the company closed down their operations in Dominionville. We are now looking at the rehabilitation of the area and getting compensation for those who got sick working for the company.

Last year, the Monitoring School became involved in service delivery issues in Jouberton, as this area had no electricity for seven years. We met with the local municipality and mobilised the community, held meetings with them and showed them that money had been allocated for the electrification of the area by the government. We met with the IDP department of the municipality, the chief whip, the electrical engineering department and the councillor. The issue was addressed and within eight months the area had electricity. We see this as a great victory.

Through my work with the Monitoring School I can see that the community now has a sense that they can stand on their own and raise issues by themselves. They are able to communicate better, identify problems and take appropriate action.

I feel I've brought light to the people and have grown as a person and now, as they have recognised my ability and competence, I'll be working with the BMF going forward.

Some of my key achievements through the year:

- *Greater confidence in writing, facilitation and research skills;*
- *Engaged with a mining company, Uranium One, in our area and the trade union in our area, mobilising support even though the mine was closed down, to look for ways the area can be restored; and.*
- *Engaged with the municipality, mobilised community support and through this, electricity was installed in an area which had none before this intervention".*

Challenges and lessons learnt

The demand from communities is on the increase. We have been approached by local communities affected by mining in Mpumalanga and the West Rand (Soweto, Krugersdorp and Bekkersdal) to be included in the programme. These areas are all local mining hotspots.

More Face-to-face exchanges between the teams of monitors as well as additional practical training, for example with regard to community radio usage, would be beneficial. In addition to providing socio-political analytic skills and basic research skills, the school should have a more action-oriented approach built into the activities throughout the training period.

In addition, more work needs to be done to curb the challenges faced regarding developing actions that have been identified during the school year and implementing them. Some of the challenges experienced can be attributed to fear - communities fear the authorities. Often adult community members and tribal chiefs hold sway in the community – as well as to the distant relationship between councillors and the community and the lack of responses by councillors to issues.

Although knowledge training in specific areas such as environmental legislation and compliance obligations of companies has partly been addressed through the certificate course that the Bench Marks Centre gave in September, more training is required. To address this, an additional Community Guide has been developed for monitors.





NETWORKING AND ADVOCACY



Africa Roundtable on Investment Programme

The Africa Roundtable on Investment (ART) programme encompasses all our work done with partners on the African continent aimed at developing cross-border solidarity and support for the **Church Leaders Call for Responsible Investment** and to develop an African-wide network that speaks with an increasing authoritative voice.

The impact of this programme is particularly evident from the Alternative Mining Indaba. Now in its 4th year, it is a recognised platform for organisations unable to have a presence at the Mining Indaba. It has expanded into Mozambique, Zambia, Botswana and Zimbabwe.

During the period, Bench Marks Foundation participated in and contributed to the Indaba as well as the preparatory meetings for 2014's indaba. We also contributed to developing key messages emerging from the 2013 Indaba and generated press coverage relating to it.

In addition to presenting the monitoring school and its work to participants of a one-day workshop at the indaba, we mobilised 20 community monitors to speak out on their own behalf and to share their experiences and strategies.

The Alternative Mining Indaba was attended by 85 delegates from South Africa, Zimbabwe, Tanzania, Ghana, Democratic Republic of Congo, Gambia, Mozambique, Zambia, Botswana and Lesotho. Other participants came from the UK, Brazil, Philippines, Ecuador, Norway, Sweden and Canada.

The Bench Marks Foundation also attended the Annual General Meeting of the International Alliance on Natural Resources in Africa (IANRA). At this meeting a project was developed with the objective of developing model mining legislation to be presented to multi-stakeholder forums throughout 2014 through to 2015. The Bench Marks Foundation will develop one of five country case studies focused on *Life, before and during mining* as part of this project in 2014.

The Bench Marks Foundation attended the National Alternative Mining held in Botswana. It also participated in two meetings at the Extractive Industry Transparency Initiative (EITA) in Zambia. At this meeting, Bench Marks

Foundation also presented the monitoring school to the participants.

Following these meetings, the Bench Marks Foundation assisted the Loselo Community in resisting the opening of an open cast mine in rural Zambia and assisted the community in liaising with the Legal Resources Centre in South Africa, so that they could investigate their legal options.

Development of the Monitoring School

With regard to the overall development of the Monitoring School in the SADC region, Bench Marks Foundation hosted a programme officer from Norwegian Church Aid Tanzania, office. The programme officer was an active facilitator in the monitoring school coordinating team. She also participated in the advance school for monitors. We believe this will contribute to the further development of the school in Tanzania NCA. A monitoring programme was also maintained in Zimbabwe under the auspices of ZELA. It is hoped that through the NCA-led SADC extractives programme, these linkages and platforms for mutual learning will grow in 2014 through to 2016.

The Bench Marks Foundation commissioned a consultancy to build on its community perception (monitoring) tools that will enable communities to develop quick profiles on particular mining or retail companies. This work will continue in 2014.

Networking and Advocacy: Voice Power

The programme draws on the Churches and Community Capacity Building and the Corporations Research Programmes. Its aim is to amplify the voices and perspectives of affected communities, churches and networks through strategic lobbying and advocacy efforts targeting decision-makers and leaders in corporations, industry sectors and government.

It develops an advocacy strategy that comprises a large media advocacy component, direct engagements with corporations and government, while building alliances with like-minded organisations.

Its work and an important research report is showcased at Bench Marks Foundation's Annual Showcasing Conference. All Bench Marks Foundation's key stakeholders (government, corporations, community members and local civil and regional (SADC) society organisations) are invited to this conference.

October Annual Conference: We are watching – never again Marikana!

In October 2013, more than a 100 people participated in the Conference held in Johannesburg. The conference was addressed by the deputy President of the country, who was invited due to his key role in stabilising the mining sector following the Marikana Massacre in 2012. The theme of the conference was *"We are watching – never again Marikana!"*

At the conference the Policy Gap 7 was launched. It was commissioned in response to the report on platinum communities in 2012 and the Massacre that occurred days later and to Lonmin's response to the 2012 report. This report is the culmination of the work on the *Mining Crises Response Project*.

Communities, corporations and church allies were present at the launch. The release of the report directly led to meetings with senior management from Lonmin, the outcome of which is reported in this document.

At the conference, the Bench Marks Foundation also presented its *Key Messages* to the public. As in 2012, the conference received good coverage, partly due to the deputy President's presence and partly due to the report itself.

Meetings with corporations

A number of meetings were held with corporations during the year. The first of these was an engagement with the **Chamber of Mines**, in which the Bench Marks Foundation presented short, medium and long term solutions to the industry-wide chamber that represents employers. This followed another meeting held in 2012 in the wake of the Marikana Massacre. At the 2012 meeting, representatives acknowledged Bench Marks' influence in the industry.

Individual meetings were held with Lonmin and community representatives, **Anglo America** regarding its sustainability reports, and Royal Bafokeng Holdings regarding its impacts on communities in Rustenburg.

Each of the meetings with the major role-players in the platinum industry focused on how they could mitigate risks resulting from its impact in communities. An immediate result from the meeting with **Lonmin** was the clean-up of waste dumps in Rustenburg, by the company, a week after the meeting.

Following the release of Policy Gap 8: Steel at Any Cost focusing on ArcelorMittal, a teleconference was held with the CEO of **ArcelorMittal**, the outcome of which was the promise by the company to liaise closer with community organisations in the areas in which they operate and to bring other steel plants together to liaise with communities and find solutions to the various problems identified.

We were asked to give a presentation in which we outlined the limitations of non-statutory reporting at the **United Nations Conference on Investment Reporting**.

Meetings with government bodies

As a result of its accumulated work, the Bench Marks Foundation was invited to and participated in meetings hosted by the national Department of Housing (Human Settlements). This department runs a project focused on communities impacted by mining. It uses the meetings to discuss amongst others, the housing challenges arising from mining. The Bench Marks Foundation also participated in meetings of the Presidency aimed at developing reporting and performance criteria for governments active in mining areas. We also participated in a multi-stakeholder Legotla (consultation) of the North West government, focused on the development impacts of mining in the province.

Working with civil society partners

Bench Marks Foundation has actively participated in the Mining Affected Communities United in Action (MACUA) group. We have assisted it wherever our Monitoring School has a footprint. Here we can cite the monitors from the Free State and Rustenburg, who participate by representing their communities. The Bench Marks Foundation also participated in a meeting of the Presidency in November 2012 with communities. At this meeting, the presidency invited communities to present small case studies of 20 companies that required government to act on issues and enforce compliance. Presentations were also made at this meeting, on the lack of provisions of community inputs into the approval process for issuing mining licences.

Toxic tours of mining areas

Given its reach into communities the Bench Marks Foundation has arranged a number of tours for visiting overseas visitors, the press, funding agencies, foreign diplomatic delegations and other NGOs wanting to have a better understanding of the impacts of mining to further their own campaigns and investment decisions. In this regard we mention in particular journalists from the Mail & Guardian, the Special Assignment documentary team from the South African Broadcast Corporation (SACBC), the Church of Scotland, Swedwatch and Business Report. This has led for example, to three documentaries by the Special Assignment Team on the impacts of water supply in mining areas and in-depth reports in business dailies.

Continuing Press and Media Advocacy Work

The releases of reports are accompanied with a press and media campaign where press conferences are held and media statements are issued. During these periods, media coverage increases dramatically. We estimate that from January to December 2013, more that 367 mentions were obtained amounting to an Advertising Value Equivalent (AVE) of R11 038 202, as a result of the media campaign. In comparison, 2012's AVE was R6 677 496.

To the figure for the period, we must add the local and national radio and television interviews. During the period August to December 2012 and January to October 2013, 59 interviews were recorded.

Along with the key messages accompanying the media releases from the research reports, we also campaigned actively in the press on:

Publications completed and website activity

- Policy Gap 7: Coping with Unsustainability – Lonmin 2003-2012, October 2013;
- Policy Gap 8: Steel at any costs, November 2013;
- Report: Problematic Platinum;
- Community Monitors' website (www.communitymonitors.net) was maintained and a webmaster was employed to ensure regular updates to the website from monitors; and
- More than 60 stories were collected from monitors. A selection of stories together with action plans appeared in *Action Voices 2013* and can also be read on: www.communitymonitors.net.

- The right to legal presentation of the victims of the Marikana Massacre;
- The rights of women mine workers and for the prosecution of the killers of Pinky Mosiane, a miner who was raped and killed underground, an incident which was prominently featured in the Policy Gap 7 published in 2007; and
- The plight of illegal miners.

Voice Power's Impact

As a result of our advocacy work throughout the years, there is an increased willingness by companies to listen to the voice of communities and to look at mitigating the risks associated with mining. In addition we have noticed that there are more opportunities than ever for engagement with government and industry on issues raised by the Bench Marks Foundation and that government is more willing to respond to the plight of communities. This can be clearly seen from the formation of the special response team in the Presidency.





The deputy president recognised the importance of the Bench Marks Foundation in his address to the Annual Conference in October 2013:

“From the onset let me commend the Bench Marks Foundation for its research initiatives that are aimed at resolving social problems affecting mineworkers, communities and the mining sector.

This is even more remarkable because the Bench Marks Foundation is an independent organisation made up of non-governmental, religious and other community organisations that cut across the Southern African Development Community (SADC) region.

Furthermore the Bench Marks Foundation supported by international partners, and working with other research institutions and organisations, applies evidence based and activist research for measuring responsible business practice.

The Foundation’s research methodology is invaluable for providing perspectives and voices that are an approximation of the real situation.

Such interventions are important for measuring the social, economic and environmental externalities that accrue from activities of large corporations.

But most important of all the Foundation’s research work also strengthens the ability of communities to engage with business and government from an informed and level-footed perspective.

Your Policy Gap 6 Review states; overarching principles the Bench Marks research calls for:

- *A sustainable and equitable system of production and distribution;*
- *Preservation of the environment for present and future generations;*
- *Stakeholder participation by the most affected and afflicted communities, as well as;*
- *The general promotion of life and freedom for all.*

The Bench Marks Foundation’s work emulates that of the pioneers of the struggle such as Sol Tshekiso Plaatje and Charlotte Maxeke to name but a few. This year marks the 100 anniversary of the promulgation of the natives land act.”



The **Business Report** on the 29th November 2013:
"Bench Marks which is owned by the churches, and focuses on the social responsibility obligations of big corporations must be lauded for its role in making multi-nationals accountable to the communities in which they operate and ultimately the country at large."

From government officials:

"When it comes to mining, the Bench Marks is mentioned all the time. I participate in an inter-ministerial committee of ministers and departmental officials on the mining crises and they are asking: who are these people? Where do they come from? They know how to campaign". Ministry of Human Settlements (Meeting Anecdote, October 2013).

"We listen and read their reports and we have responded to them, indirectly – see the allocations we've made to developing infrastructure in mining areas (Medium Term Expenditure Framework, October 2012)" - From a journalist (meeting the Ministry of Finance).

MINING CRISES RESPONSE REPORT



Mining Crises Response Project

We highlight this project here too as it consumed significant resources and was an important project for the Bench Marks Foundation. The Mining Crises Response project arose in the aftermath of the Marikana Massacre on 16th August 2012, where 34 platinum mine workers were shot and killed. This followed months of strife in the Platinum belt where 10 other people lost their lives as a result of a strike at platinum producer, Lonmin. The project was conceived in order to give an increased response to requests from media, government, industry and communities in the Rustenburg area where the mine is located.

At first the response was to give context to the tragedy, and comment on the historical context which gave rise to it. Given the demands from different sectors, the Bench Marks Foundation deployed a team, comprising existing staff and associates. Extra workshops in the Rustenburg area were required, reprinting and re-issuing of a number of publications both new and old was required, and we commissioned short term research to be able to respond to ongoing queries and demands relating to the issue. Lastly we had to prepare for participation in the Marikana Commission

During this period the Bench Marks Foundation's Mining Crisis Response Project:

- Issued 20 press releases and held numerous interviews with a host of local, national and international press agencies;
- Reprinted 2 000 copies of its Policy Gap Series reports;
- Supplied more than 2 000 documents to the Farlam Commission;
- Maintained an observer team in the Commission, that was later abandoned due to the numerous extensions of the commissions sittings;
- Commissioned additional research, the main body of work being what became Policy Gap 7: Lonmin;
- Attended a number of public meetings on the Massacre and the context thereof;
- Attended the Parliamentary Portfolio Committee on Mining;
- Had interactions with the Chamber of Mines on its findings; and
- Conducted community workshops in the Rustenburg area.

We risk repeating what is in the main body of the annual reports for 2012 and 2013, but the project in the main elevated the Bench Marks Foundation and made it a reference point for the media, academia, civil society and finally government. The latter had previously ignored requests for interaction.

Even though we now have considerable influence, fundamental change in the industry is still elusive. Going forward, we will need to pay even more attention to policy making in order to make some of these gains permanent.

Marikana Massacre

An inquiry into the human rights dimensions of the Marikana massacre by the South African Human Rights Committee is still pending while we await the completion of the judicial inquiry into the massacre by the Marikana Commission (Farlam). The commission was dogged with delays in 2013 due to the high number of police testifying at the Commission. A delay was also caused by the government's refusal to fund the lawyers representing the families and 273 workers injured during the massacre. As a result of this refusal, the Bench Marks Foundation withdrew from the Commission and, together with a wide range of civil society organisations, opted to oppose the government and demand the continued funding of the lawyers representing the victims in the massacre.

An extract from a media report on Bench Marks Foundation's temporary withdrawal from the Farlam Commission – July 2013:

"The Times writes that the Farlam Commission of Inquiry could collapse following the withdrawal of a fourth legal team yesterday. The Commission is investigating the circumstances of the deaths of 44 people in strike-related violence at Lonmin's Marikana mine in August last year. George Bizos became the third participant to provisionally withdraw from the commission, pending the outcome of a court application for the state to cover the legal fees of wounded and arrested miners. Bizos is acting for the Bench Marks Foundation and the family of one of the dead miners. On Tuesday, lawyers representing the families of dead miners and those representing the Association of Mineworkers and Construction Union (Amcu) also pulled out. The dramatic developments this week have raised fears of damaging the credibility of the commission – South African Labour News"



An extract from the media statement by Bench Marks Foundation on the withdrawal of funding for the commission:

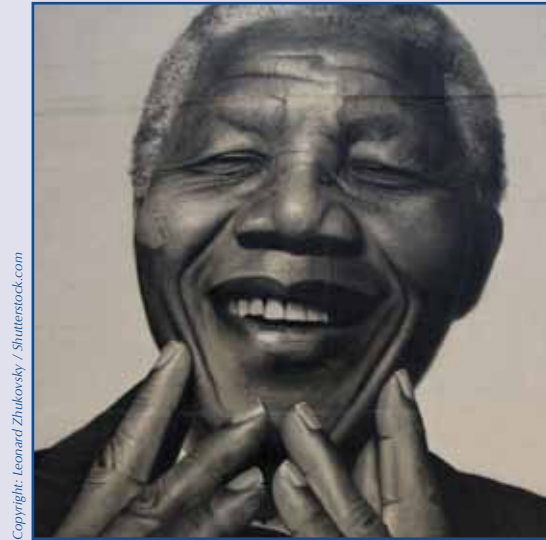
“Financial support has only been extended to a select few,” says Bishop Jo Seoka, chairperson of the Bench Marks Foundation.

“While some parties, such as the minister of police, have the means to hire a senior advocate to sit and listen to the proceedings due to state support, others are unable to have legal representation at all due to lack of funds”.

Seoka said that for justice to prevail, workers and communities need adequate representation. This demands an impartial government role.







**“For to be free is not merely to cast
off one’s chains, but to live in a
way that respects and enhances the
freedom of others”
– Nelson Mandela**



Bench Marks Foundation

6th Floor, Khotso House,
62 Marshall Street, Marshalltown,
Johannesburg, South Africa 2017
PO Box 62538, Marshalltown 2107,
South Africa

Tel: +27 (0)11 832 1743/2
Fax: +27 (0)11 832 1750

info@bench-marks.org.za
www.bench-marks.org.za