

LOCAL CSOs

1. Centre for Environmental Rights (CER)

The Centre for Environmental Rights CER's mining programme focuses on the environmental management of mining in South Africa. The goal of the programme is to promote environmental justice in the mining sector by advocating for better environmental laws and improved implementation of laws, litigating on behalf of mining-affected communities and civil society organisations, facilitating networking among relevant stakeholders and supporting activists.

The focus of CER's concern and endeavours is not to oppose mining, but to ensure that adequate assessment and mitigation of detrimental impacts take place within reasonable timeframes before prospecting and mining are commenced, followed by predictable compliance monitoring of requirements set, and strong enforcement action taken when non-compliance is found. This is the only way to ensure responsible environmental practices at mines, in the interest of workers, communities and the country.

2. Mining, Environment and Community Alliance (MECA)

Mining, Environmental and Community Alliance (MECA) is a programme of the Centre for Environmental Rights. It is a coalition of civil society, community organisations, academic institutions and law clinics concerned about the impacts of mining on the environment and on the communities that rely on those natural resources. MECA works to implement a Civil Society Legal Strategy to Promote Environmental Compliance, Transparency and Accountability in Mining (the Strategy). The Strategy consists of a range of interventions, implemented independently and collaboratively by the project participants, ranging from national networking and coordination, research, advocacy and litigation.

3. Mining and Environmental Justice Community Network of South Africa (MEJCON-SA)

Mining and Environmental Justice Community Network of South Africa (MEJCON) is a network of communities, community based organisations and community members whose environmental and human rights are affected, directly or indirectly, by mining and mining-related activities.

MEJCON's objectives are to:

- a. Promote and defend the environmental and human rights of communities both directly and

indirectly affected by mining; and to ensure the sustainable use of mineral resources;

- b. Train, develop and capacitate community members;
- c. Access information including information about mining, law, rights, processes and impacts and to share and to distribute that information amongst affected communities;
- d. Support and assist community champions, community organisations and the members of both directly and indirectly affected communities; and
- e. Engage all relevant roleplayers including government at local, provincial and national level, industry, civil society organisations, non-governmental organisations, traditional authorities and the institutions created in terms of chapter 9 of the Constitution of the Republic of South Africa of 1996.

4. Safeguard our Seabed Coalition

The Safeguard our Seabed Coalition (the Coalition) is made up of organisations that represent commercial and small-scale fishing, the environmental sector, and organised labour. Its main objective is to pursue a moratorium on marine phosphate mining in South Africa. The Coalition came about when the Centre for Environmental Rights, together with World Wide Fund for Nature - South Africa (WWF-SA), began working on a project called “Safeguarding our Seabed”. The three key objectives of the project are:

- a. Securing a moratorium on bulk marine sediment mining (short-term);
- b. Supporting the creation of a representative network of Marine Protected Areas (MPAs) (medium term); and
- c. Supporting the development of an effective Marine Spatial Planning (MSP) Framework (longer-term).

5. ActionAid South Africa (AASA)

ActionAid South Africa (AASA) is member of ActionAid International, a global movement of people working together to further human rights and eradicate poverty. The AASA Mining and Extractives Programme seeks to unite mining affected communities into a movement that will act as voice for effective policy regulation and governance to offer a counter balance to the unequal power relations in the sector. The programme also seeks to contribute to building an organisation of women in mining that will take up women’s issues in mining communities to support the establishment of a community-based mining charter as an alternative to the existing Mining Charter (Broad-Based Socio-Economic Empowerment Charter for the South African Mining and Minerals Industry).

AASA has conducted research and compiled a report (Precious Metals II – A Systemic Inequality) to demonstrate how Anglo Platinum has not delivered on its promises and to show

how the lives of people living in the area of the Mogalakwena Platinum Mine have been thrust into deeper insecurity as a result of its operations. The research contained in the Precious Metals II Report was conducted in partnership with the Society, Work and Development Institute (SWOP) of the University of the Witwatersrand. The Report looks at the structural nature of the inequality experienced by the Mapela community in Mokopane, Limpopo and the manner in which the legislative regime governing the mining industry systemically violates the human rights of communities similarly situated.

Through this work AASA hopes to contribute to the necessary and urgent realignment of the mining regime with the clear framework of the Constitution of the Republic of South Africa. AASA trusts that the report will result in a much wider and democratic debate, which must include affected communities, the Department of Mineral Resources, legislators, business and the relevant constitutionally mandated human rights institutions.

6. Mining Affected Communities United in Action (MACUA)

Mining Affected Communities United in Action (MACUA) is a product of dialogues amongst mining affected communities in eight provinces in South Africa. A coordinating committee began the process of uniting communities in a broad movement aimed at presenting the voice of communities who had not been consulted in the process of allocating mining licenses, development of communities and the distribution of mining income and who bear the brunt of the health and environmental degradation and impact of mining.

The coordinating committee embarked on a process of consultation and collaboration with a range of mining stakeholders (including workers, civil society organisations and communities) with a view of building a network of mining affected communities and then to gather a comprehensive mandate from mining affected communities which would form the basis of a People's Mining Charter (the Charter). The Charter was signed and adopted by community organisations, CSOs and leaders, present and former, of trade unions on 27 June 2016 (the anniversary of the adoption of the Freedom Charter). The Charter serves as a tool for communities affected by mining to mobilise and engage with the relevant stakeholders in matters concerning mining.

7. Women Affected by Mining United in Action (WAMUA)

Women Affected by Mining in Action (WAMUA) comprises of women from communities affected by mining, including communities of Carolina, Ermelo, Middleburg and Witbank. WAMUA protest and advocate for women's rights and to bring awareness to the plight of

women affected by mining.

8. Southern Africa Green Revolutionary Council (SAGRC)

Southern Africa Green Revolutionary Council (SAGRC) is an independent membership based and community grounded nonprofit environmental organisation. Its programmes, campaigns and activities are focused on environmental, social and economic justice for communities and the protection of the environment from all forms of degradation and unnecessary over exploitation of natural resources. SAGRC is focused on awareness raising, environmental justice education, advocacy, community organisation and mobilisation. It does this through supporting individual community members, families and community organisations. SAGRC works in building community environmental forums and through building networks, sharing information and resources.

The SAGRC is part of Mining Affected Communities United in Action (MACUA) which is a network of communities, community based organisations and non-governmental organisations fighting the violation of human and environmental rights by both mining companies and decision makers who exclude communities in decision making.

SAGRC has members in Mpumalanga, Limpopo, KwaZulu Natal and the North West provinces. And it has worked with over 60 community based organisations in the Southern African Development Community (SADC) to use the collective power of the grassroots to change corporate and government attitude, practices and policies.

9. Land and Accountability Research Centre (LARC)

The Land and Accountability Research Centre (LARC) Mining Research Team looks at the impact of mining on communities in former apartheid homelands, where land ownership is usually held in a form of trust and where traditional leaders hold inordinate sway. LARC's research focuses on the agreements struck between mines and land owners, the forms of consultation claimed and conducted and the benefit, if any, to ordinary members of these communities.

10. Bench Marks Foundation

The Bench Marks Foundation (BMF) is committed to providing leadership and advocacy on issues regarding the benchmarking of good corporate governance and ethical and socially

responsible investment, as well as linking people and institutions committed to these ideals. BMF believes that the mining sector must engage with the communities in which they operate from the inception of a mine to the closure of a mine. To this end BMF has done research in the area of mining and developed a set of mining and community engagement principles to serve as a guide of what mining companies can do to enhance community engagement.

BMF has also conducted a series of studies called the “Policy Gap” which measure the gap between company policy and practices and opens up opportunities for a new way of doing business that demonstrates to communities, investors and government that mining can play a significant role in addressing our legacy of apartheid and the building of sustainable communities.

BMF has three pragmatic focus areas:

- a. To promote a culture of ethical investments in the churches and faith communities;
- b. To monitor multinational corporations operating in Southern Africa and the rest of the African continent to ensure that they meet minimum social, environmental and economic standards; and
- c. To promote an ethical and critical voice on what constitutes corporate social responsibility.

The Bench Marks Foundation also established the Monitoring Project to capacitate local communities in monitoring the actions of corporations and government in the mining sector and to report and take action where they identify human rights violations that destruct the environment or undermine their community life.

11. Alliance for Rural Democracy

The Alliance for Rural Democracy is a group of civil society organisations that promote human rights and democracy for all South Africans.

12. Centre for Applied Legal Studies (CALS)

The Centre for Applied Legal Studies (CALS) aims to change the behaviour of both the corporate actors that make use of natural resources and the state which regulates this process. CALS focuses on the mining sector, which is a major contributor to economic growth in the country, but also responsible for much environmental harm as well as the exploitation of mine workers and communities affected by their operations.

CALS initiated a social and labour plan (SLP) project to investigate whether the current system of requiring corporations to set out how they intend to share some of the benefits that flow from mining with the communities in which they work is effective. The project examined a representative sample of SLPs of around 50 mines extracting different minerals in various areas around the country.

CALS also provided an analysis of SLPs for a community living in Mokopane, Limpopo, where a new platinum mine was planned. CALS provided an expert opinion of the SLP of the intended mining operation, assessing whether the document was compliant. And in the North West province CALS conducted an analysis of Lonmin's SLP as part of its (CALS') submissions to the Marikana Commission of Inquiry. The analysis showed that, over the four years prior to the Marikana massacre, Lonmin did not fulfil the obligations set out in its SLP.

13. Lawyers for Human Rights

Lawyers for Human Rights (LHR) is an independent human rights organisation with a long track record of human rights activism and public interest litigation in South Africa. LHR uses the law as a positive instrument for change and to deepen the democratisation of South African society. To this end, it provides free legal services to vulnerable, marginalised and indigent individuals and communities who are victims of unlawful infringements of their constitutional rights.

LHR's Environmental Rights Programme focuses on matters concerning the environmental rights of marginalised people in South Africa. The programme complements existing environmental organisations and draws on their extensive experience and expertise while providing professional litigation and advocacy services. It responds to the need to ensure that the environmental rights of people are protected by putting pressure on government to implement existing systems for environmental management within the broader framework of human rights and democratic accountability.

The main goals of the programme are:

- a. to promote constitutionally grounded environmental jurisprudence;
- b. to enforce the environmental rights of marginalised groups in South Africa; and
- c. to ensure adequate implementation of environmental legislation.

The programme also has three focuses. First, it focuses on the disproportionate negative environmental burdens experienced by marginalised groups and seeks to protect the environmental rights of these groups by engaging impoverished communities in both rural and urban areas against environmental degradation in their immediate surroundings. Second, it focuses on the relationship between environmental rights and socio-economic rights and seeks to ensure fair and equitable access and control over natural resources as well as just and equal ownership and utilisation of land. Third, it focuses on the relationship between environmental rights and procedural rights such as the right to freedom of association, access to information, just administration and access to courts and seeks to relate these rights to adequate implementation and enforcement of environmental legislation.

14. Federation for a Sustainable Environment (FSE)

The Federation for a Sustainable Environment (FSE) is widely recognised as the most prominent of the environmental activist stakeholders in the mining industry. FSE is a public benefit, non-profit organisation with the main object of promoting the ecological sustainability of development and the wise use of natural resources in South Africa. More specifically FSE's aims are:

- a. to protect and promote environmental health and functional ecosystems for future generations;
- b. to ensure that developments involving the consumptive / destructive use of natural resources specifically benefit local residents and parties directly affected by the development;
- c. to inform all developmental decision making, including in planning and monitoring activities, that affect local people and natural and environmental resources;
- d. to promote sustainable and just social development as an inseparable consequence of large scale natural resource development projects; and
- e. to take action, including legal action, in situations that may have negative social, economic or environmental impacts that affect people and the environment.

15. Bua Mining Communities (BuaMC)

Bua Mining Communities (BuaMC) is a social movement representing more than 10 mine-hosting communities in and around the Bojanala platinum district municipality in the North West province. These include the Ledig, Motlhabane, Marikana, Ikemeng, Mfidikwe, Chaneng, Tlhabane, Mafanya Tsitsing, Photshaneng, Bapong (Segwaelane), Thekwana, Lefaragatlhe and Baphiring (Luka) communities. BuaMC aims to safeguard and monitor human rights violations and to enhance fairness and justice in all mine-hosting communities within the

area. The movement is part of the community monitors project of the Bench Marks Foundation.

16. Vaal Environmental Justice Alliance (VEJA)

The Vaal Environmental Justice Alliance (VEJA) is a voluntary association of non-governmental and community-based organisations that advocates for a healthy environment and sustainable development in an area of heavy industry and mining in the south of Gauteng called “the Vaal Triangle”. VEJA is made up of environmental organisations and its affiliations extend to surrounding areas such as Sebokeng, Bophelong, Sasolburg, Evaton, Boipatong and Sharpeville. Its focus areas are air quality, waste, water pollution and climate change in the Vaal Area.

VEJA’s objectives are:

- a. to promote a culture of environmental awareness and sustainable development;
- b. to provide a local network of support and assistance to community based organisations, trade unions, religious groups, youth and women’s groups and any other organisations that promote environmental justice and sustainable development in the Vaal;
- c. to promote an understanding of the inter-related nature of social, political, environmental and economic factors limiting or enabling the achievements of a sustainable, equitable and just society and to promote the conservation of natural resources; and
- d. to engage other role players including, but not limited to, local authorities, provincial and national government, industry and commerce in order to promote a healthy, safe and sustainable environment.

REGIONAL CSOs

a. African Coalition for Corporate Accountability (ACCA)

ACCA is a coalition of organisations based in Africa supporting communities and individuals whose human rights are adversely impacted daily by the activities of corporations, both multi-national and domestic. ACCA is made up of civil society organisations working on a range of issues including mining and other extractives industries. For instance, two members of the South African ACCA community, the Legal Resources Centre (LRC) and the Centre for Applied Legal Studies (CALS), co-hosted a public debate entitled “A binding treaty on transnational corporations and other business enterprises with respect to human rights: A good or bad idea?”.

The formation ACCA is a recognition of corporate harms we address in our work and an effort to come together in solidarity to better address these challenges through shared strategies and joint advocacy. ACCA commits to rigorous advocacy with regional and international institutions, governments, national human rights institutions, companies, and communities to implement the United Nations Guiding Principles on Business and Human Rights in a critical and nuanced manner that reflects the challenges of advancing corporate accountability in Africa. ACCA is committed to working collaboratively by communicating strategies, advocacy plans and efforts in the hopes of knowledge and information sharing.

b. International Alliance for Natural Resources in Africa (IANRA)

The International Alliance on Natural Resources in Africa (IANRA) is a regional network of 41 non-governmental and community-based organisations, as well as national networks in African countries including South Africa as well as a country in Europe (Netherlands). IANRA's work focuses on advocacy for more just and sustainable management of natural resources in Africa. It combines community organising, research, and evidence-based advocacy to collectively strive for more just and sustainable use of natural resources that can lead to more inclusive development in Africa.

IANRA has launched the Model Mining Legislation. This Model is to be used by civil society organisations and policy makers to advocate for reforms to mining policies in different African countries and especially for communities to organise around the challenges that they face caused by extractives activities in their environment. The Bench Marks Foundation and ActionAid South Africa are two of the member civil society organisations of IANRA.

Members of IANRA have had discussions about fundraising and implementing a PanAfrican Project to develop and advocate for mineral resource and related policies that protect and promote human rights and work toward inclusive development. This was mainly informed by the Road to Remedy Project which saw many communities visiting others across the sub-regions from Johannesburg to Mombasa through Malawi and Zimbabwe. The project has included case studies on human rights impacts as per the African Charter and Human and Peoples' Rights (African Charter) – focused on 5 countries in Africa including South Africa.

c. Civil Society Forum for the Working Group on Extractive Industries

The African Commission Working Group on Extractive Industries (WGEI) is tasked with looking particularly at Articles 21 and 24 of the African Charter on the right of all peoples to freely

dispose of their wealth and natural resources and to a general satisfactory environment favorable to their development. They are looking for support and information from civil society organisations working on human rights and extractive industries throughout the continent. The Civil Society Forum for the WGEI serves as a platform for information sharing, debate, and dialogue to support the work of the WGEI.

d. African Women Unite Against Destructive Natural Resource Extraction (WoMin)

WoMin (African Women Unite Against Destructive Natural Resource Extraction) is a regional feminist alliance that unifies African women in the fight against resource extraction which destroys land, eco-systems, livelihoods and lives. WoMin seeks to advance alternatives from the perspective of the majority of Africa's citizens for a just equitable, non-destructive, women-centred and African development agenda. It focuses on issues related to women, gender and extractivism and provides a platform of solidarity and co-operation involving civil society organisations and movements working on or with an interest in extractivism and women's rights in Africa.

WoMin aims to build knowledge and awareness, support communities and campaign against corporations that violate women's human rights. It advocates for the reform of national, sub-regional and regional law, policy and systems to protect communities and women, in particular, from the destructive impacts of extractives. And it, alongside allied organisations in African countries including South Africa, is imagining and building a powerful women-led, grassroots driven, women's rights African campaign addressing fossil fuels energy and climate justice.

e. Centre for Human Rights (University of Pretoria)

The Centre for Human Rights at the University of Pretoria (CHR) is assisting the African Commission Working Group on Extractive Industries, Environment and Human Rights (Working Group) in a project to gather information on and investigate the human rights and environmental impacts of the extractive industries sector in Africa. Based on these findings, the project team will proceed to explore ways to mitigate these impacts.

The Working Group was established by the African Commission on Human and Peoples' Rights in November 2009. The mandate calls for the Working Group to:

- a. Examine the impact of extractive industries in Africa within the context on the African Charter on Human and Peoples' Rights;
- b. Research specific issues pertaining to the right of all peoples to freely dispose of their

wealth and natural resources and to a general satisfactory environment favourable to their development;

- c. Undertake research on the violations of human and peoples' rights by non-state actors in Africa;
- d. Request, gather, receive and exchange information and materials from all relevant sources;
- e. Inform the African Commission on the possible liability of non-state actors;
- f. Formulate recommendations and proposals on appropriate measures and activities for the prevention and reparation of violations of human and peoples' rights by extractive industries;
- g. Collaborate with interested donors, institutions and nongovernmental organisations (NGOs); and
- h. Prepare a comprehensive report to be presented to the African Commission.

To this end the CHR, in support of the Working Group, hosted a consultation in July 2015 in Lubumbashi, Democratic Republic of Congo (DRC) which focused on the impact of extractive industries on human rights and the environment in Central Africa. The consultation brought together a range of stakeholders working in the field of extractive industries in the Central Africa sub-region, with a strong representation from the DRC. The consultation included presentations from the participants on issues that included environmental impacts of the extractive industries, community engagement and participation, development and human rights, and the different roles and responsibilities of state and non-state actors.

The Central Africa consultation was the third out of a series of five sub-regional consultations that hopes to cover all the sub-regions in Africa. The first consultation organised and hosted by the CHR and Working Group, in collaboration with the Legal Resources Centre (LRC), focused on Southern Africa and took place in Johannesburg in August 2014, and the second focused on East Africa and took place in Nairobi, Kenya. The findings and submissions from these consultations will be captured in a report that elaborates on the findings, particularly the human rights and environmental impacts, in all the different sub-regional consultations. The fourth sub-regional consultation will focus on and take place in West Africa.

The CHR has also collaborated with the International Corporate Accountability Roundtable (ICAR) to conduct and to release the "Shadow" National Baseline Assessment (NBA) of Current Implementation of Business and Human Rights Frameworks in South Africa. The document represents one of the most exhaustive studies of South African laws, policies, regulations, and standards that pertain to business and human rights at the national level. The CHR and ICAR wish for the document to be used as a tool by all stakeholders, including South African civil society groups, academia, government representatives, business groups, and investors, in their

Descriptions of various civil society organisations (CSOs)
involved in extractive industries in South Africa

efforts to address business-related human rights harms.

