



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF PROVINCES
OFFICE OF THE CHAIRPERSON

PO Box 15 Cape Town 8000 Republic of South Africa
Tel: 27 (21) 403 2321/3126 Fax: 27 (21) 461 9460
www.parliament.gov.za

OPENING REMARKS BY THE CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES, HONOURABLE N. A. MASONDO, ON THE OCCASION OF THE MINISTERIAL BRIEFING SESSION ON ILLEGAL MINING UNDER THE TOPIC 'MEASURES TO WAGE A CONCERTED BATTLE AGAINST ILLEGAL MINING (ZAMA ZAMAS) AND THE MANIFESTATION OF CRIMINALITY AND VIOLENCE IN THE AFFECTED COMMUNITIES'

VENUE: VIRTUAL **DATE:** 11 AUGUST 2022 **TIME:** 10H00

Greetings!

Programme Director, Deputy Chairperson of the National Council of Provinces, Honourable Sylvia Lucas

NCOP House Chairpersons, Honourable Winnie Ngwenya and Honourable Jomo Nyambi

Minister of Mineral Resources and Energy, Honourable Gwede Mantashe

Minister of Police, Honourable Bheki Cele

Minister of Home Affairs, Honourable Aaron Motsoaledi

Chief Whip of the NCOP, Honourable Seiso Mohai

Honourable Permanent and Special Delegates

Honourable MECs

SALGA Representative, Councillor Jongisizwe Dlabathi

Ladies and gentlemen

1. INTRODUCTION

Programme Director, I would like to start by extending a word of appreciation to you for the opportunity to make these opening remarks on this occasion of the Ministerial Briefing Session on Illegal Mining, otherwise known as the Zama Zamas.

Illegal mining, with its attendant lawlessness, is not a new phenomenon in South Africa. It is often associated with abandoned mines which are somewhat a common feature in our country. However, the gang rape of eight women by heavily-armed men about two weeks ago at an abandoned mine dump at West Village, in Krugersdorp, Mogale City, has led to a national outcry over this form of illegal trade.

The brutal incident of the rape of women was followed by the spread of retaliatory acts of violence, especially from members of the Kagiso community, who accuse illegal miners of terrorising the community of Kagiso and residential areas adjacent to the mine dumps across the West Rand areas.

Today's Ministerial Briefing Session seeks to look at the measures employed by the different spheres of government to address the challenge of illegal mining and the manifestation of criminality and violence in areas affected by illegal mining activities.

2. THE DANGERS OF ILLEGAL MINING

The dangers of illegal mining begin with the risks to the health, safety and the lives of the illegal miners themselves. Their operations, which involve entering and working in mostly abandoned and sometimes operating shafts, and travelling several kilometres underground for several days at a time, are carried out under dangerous conditions. It has been established that sometimes the illegal miners take their children and women with on these precarious expeditions.

The use of explosives during the operations adds to the significant risk to human lives and the environment that is associated with this enterprise.

According to the Minerals Council of South Africa¹, illegal mining has become an unprecedented crisis for the legitimate mining industry as well, especially to mines that are in hotspot or sensitive areas. They say that attacks on legitimate mining operations are being handled with military-like precision by highly skilled, highly trained and heavily armed groups.

The view of the Minerals Council is that as much as the focus of illegal mining has been on abandoned and derelict mines or shafts that are no longer in use, there are instances where the brazenness is to such an extent that there are attempts to take over existing operations.

¹ Article published in Creamer Media's Mining Weekly of 29 June 2022

In an article published in this year's June edition of the Mining Weekly, they cite that a recent example of the violence meted out on mining sites include an armed attack on a Harmony Gold operation earlier this year, as well as a four-hour-long assault at Sibanye-Stillwater's Cooke Shaft, where 150 men attacked the mine's security using an assortment of heavy weapons, including AK47s, R1s, R4s, R5s and 9 millimetre pistols.

This reveals that illegal mining is not only a danger to the lives and limbs of the operators, and the people who are caught in the crossfire, but also a serious act of economic sabotage. It is estimated that billions of rands worth of minerals are lost in South Africa to illegal operators, denying the state the much-needed revenue while creating an incentive for the growth of illegal artisanal mining industry.

3. ON GOVERNMENT INTERVENTIONS

Programme Director, the Mineral and Petroleum Resources Development Act of 2002, was developed in order to provide for equitable access to and sustainable development of the nation's mineral and petroleum resources. The legislation affirms the state's obligation to protect the environment for the benefit of present and future generations, to ensure ecologically sustainable development of mineral and petroleum resources and to promote economic and social development.

The legislation gave hope to South Africans who were previously denied opportunities to participate in mining operations to be able to enter the industry through small-scale mining.

However, illegal mining activities undermine such attempts by government to ensure that the extraction of minerals is done in a manner that promotes the well-being of the citizens.

In this regard, we note the publishing by the Minister of Mineral Resources, in March this year, of the Artisanal and Small-Scale Mining Policy for implementation. The policy, which highlights some of the weaknesses in the current legislation, seeks to foster the creation of a formalised Artisanal and Small-Scale Mining Industry that can operate optimally in a sustainable manner while contributing to the economy in the form of taxes and royalties and through job creation, and for the elimination of illegal operations.

Dealing with illegal mining will also require that we continue to strengthen our capacity to manage our borders as illegal immigrants are contributors to the surge of the Zama Zamas. The unveiling of the first 200 Border Management Authority Border Guards by the Minister of Home Affairs last month is indeed a step in the right direction. This follows the passing of legislation establishing the Border Management Authority by Parliament in 2020, to ensure an integrated and co-ordinated border management in accordance with the Constitution, as well as international and domestic law.

Programme Director, the immediate arrest of the suspects following the Krugersdorp gang rape incident, and the continued arrest of scores of people involved in illegal mining activities in the area and elsewhere, is commendable. We would like to see the police continue to intensify their operations to root out illegal miners and associated criminality, and for the justice system to ensure that criminals are dealt with accordingly.

We understand the anger and frustration of the communities that are victims of atrocities allegedly meted out by illegal mining operators. That their constitutional right to freedom and security is being violated. We applaud them for their courage in fighting criminality, but appeal that in doing so, they should at all times work with the law enforcement agencies.

As public representatives, we have the duty to oversee the actions of government so that at all times government acts in a manner that puts the interests of the people first. As such, we ought to interact with the people more and understand the challenges that they experience with regard to the provision of public services and how these could be addressed. In this way, people may not lose their confidence in the democratic system.

4. IN CONCLUSION

Today's Ministerial Briefing Session seeks to focus our attention on the measures employed by the different spheres of government to address the challenge of illegal mining and associated criminality and violence in areas affected by illegal mining activities.

Illegal mining, and associated violence and criminality is not a new phenomenon in our country. The story of Barney Barnato and Cecil Rhodes in the diamond and gold mining industry and his rivalry with, amongst others, Cecil Rhodes from 1870s up to World War 1, speaks volume. Any student of history will know the clashes over scarce resources during the period of the administration of the British authorities.

Government has taken steps to facilitate the equitable access to and sustainable development of the nation's mineral resources. However, the continued prevalence of illegal mining activities, and their increasing social and economic impacts, require our concerted effort.

Once again, Programme Director, let me appreciate the opportunity to make these opening remarks. I am looking forward to an informative and interactive session.

Thank you!