



MACUA & WAMUA - ADVICE OFFICE

Ground Floor, 62 Juta Street
Braamfontein
2000
Johannesburg
Telephone: 067 720 1594
Website: www.macua.org.za



UPDATE: Sanity Prevails as High Court Orders Immediate Rescue of Trapped Stilfontein Miners

FOR IMMEDIATE RELEASE: 10 January 2025

The High Court of South Africa has ordered Mine Rescue Services to begin operations to rescue miners trapped in Shafts 10 and 11 of the Buffelsfontein Gold Mine in Stilfontein. This ruling follows an urgent application brought by Zinzi Tom, whose brother, Ayanda Tom, is among the hundreds of miners trapped since July 2024.

The court has ordered the State to finalise and send a Service Level Agreement and Letter of Appointment to Mine Rescue Services (MRS), and to ensure that the agreement was signed today.

Once the agreement is signed, the Director-General must release funds, allowing MRS to commence rescue operations without further delay. While there is some uncertainty about whether operations will begin tomorrow or on Monday, MRS has assured the court that they are prepared to act immediately and once payment is made, they will then deploy the team and equipment to begin rescue operations.

The court also mandated the uninterrupted delivery of food, water, and medical aid to the trapped miners over the weekend, with Judge Tolmay imploring all stakeholders to act decisively to prevent further loss of life. If these efforts face any challenges, the court requires immediate notification to intervene.

Judge Ronel Tolmay, in her powerful remarks during the proceedings, stated: "It is unthinkable that people are deprived of food over the weekend. We do not want a situation where this will be marked as the darkest point in our history. On my watch, no one will go without food. From a constitutional basis, it is immoral not to get water and food. It can't be that more people die." The judge also emphasised the constitutional right to life and dignity, stating: "The systems must be in place to ensure that no one goes without basic supplies."

This judgment represents a critical moment in the fight against systemic neglect, with Zinzi Tom's legal challenge serving as a powerful reminder of the state's duty to protect marginalised communities. The High Court's ruling is a significant step in holding the state accountable and prioritising the sanctity of human life over a murderous state agenda. For the miners and their families, this decision brings hope that rescue operations will begin without further delay, marking a turning point in the ongoing struggle for justice.

For media enquiries contact MACUA-WAMUA's media and communications manager, Magnificent Mndebele at 064 785 9746 or magnificent.mndebele@macua.org.za