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The Court Finds that the Police are in Breach of the Court Order

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The Mining Affected Communities United in Action (MACUA) is delighted that the High Court of South Africa Gauteng Division has found that the Minister of Police, including his employees, especially the police officers stationed in Stilfontein, have indeed breached the interim court order that was granted in our favour and the artisanal miners who are trapped in Stilfontein, North West.

The defendant argued that its client misinterpreted the court order that Honourable judge Janse van Nieuwenhuizen granted on 01 December 2024, where she ordered the police and other government departments that **"...within two (2) hours of the court order being handed down, allow community members, charitable organisations and interested persons to, in an orderly manner, provide humanitarian aid including water, food, and medication to the artisanal miners trapped underground at Shaft 10 and 11 of the Buffelsfontein Gold Mine."**

Our lawyers, Lawyers for Human Rights, brought this urgent application after the SAPS members stationed in Stilfontein placed arbitrary limitations on the quantity of food that community members can lower down to the artisanal miners trapped underground as well as the number of times food may be sent down. SAPS also refused certain essential food items, **including maize meal, canned fish and soup**, to be lowered down at all without any explanation.

The defendant tried to bring in the issue of "limit" to the quantity of food that can be lowered to the artisanal miners but was decisively dealt with. This clearly demonstrates the state's apprehensiveness and predisposition in how they use starvation and deprivation of food as tools for law enforcement.

MACUA remains committed in fighting for the mining affected communities and that the right to life of the artisanal miners must be respected. We also call on the Department of Mineral and Petroleum Resources to attend to our submissions that we have made to amend the MPRDA of 2002, which excludes mining affected communities from being economically viable and to have a voice in how their resources can be used.

The DMPR has desperately tried to turn the humanitarian crisis unfolding in Stilfontein into a crime matter while trying to shy away from the fact that they have done a terrible job by depriving poor communities the right to be economically viable through the mineral resources that belong to the people. We remain resolute that the sector needs to be regulated and monitored so that an incident like Stilfontein never happens again.

The full application will be heard in Pretoria on Thursday, 05 December.

For media enquiries, contact the head of media and communication at MACUA-WAMUA Advice Office, Magnificent Mndebele at magnificent.mndebele@macua.org.za /064 785 9746.