

MACUA & WAMUA - ADVICE OFFICE

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



Women in Stilfontein Lead the Fight Against the State's Failure to Save the Trapped Miners

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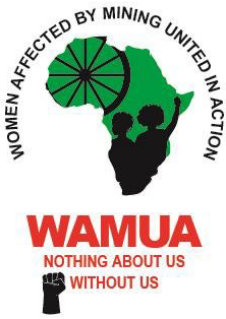
The unfolding humanitarian crisis at the Buffelsfontein Gold Mine in Stilfontein is a stark reminder of how the state's prioritisation of profit over people perpetuates the marginalisation and dehumanisation of marginalised mining communities. This tragedy, like others before it, lays bare a system where the lives of the poor are rendered worthless, and the rhetoric of criminality and xenophobia is weaponised to deflect responsibility and mask inaction.

Zinzi Tom, an affected community member, has taken a courageous stand through Lawyers for Human Rights, filing an urgent application in the High Court of South Africa, Gauteng Division, Pretoria. Invoking Section 38 of the Constitution, she demands that the state take immediate responsibility for funding the rescue of artisanal miners trapped in Shafts 10 and 11 of the Buffelsfontein Gold Mine. Her application is a powerful challenge to a system that criminalises those struggling to survive systemic poverty while shielding powerful entities from accountability.

Zinzi's brother, Ayanda Tom, is among the hundreds of miners trapped underground since July 2024. "I bring this application as an urgent bid to save my brother's life, in hope that he is still alive," Zinzi declares in her affidavit. "I also bring this application in the interests of women and children whose loved ones are trapped underground, facing imminent death."

The case will be heard in the High Court today.

These miners, often described as "illegal" or "criminal" to justify their exclusion from state protection, are not mere offenders—they are desperate individuals forced into perilous labour by a system that profits from their exploitation while denying them dignity and



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safety. This convenient labelling, often laced with xenophobic undertones, allows the state to evade its obligations while further marginalising vulnerable communities.

A letter that emerged yesterday from miners trapped in Shaft 11 exposes the human cost of this systemic neglect:

“Mothers and Fathers, we come in peace.

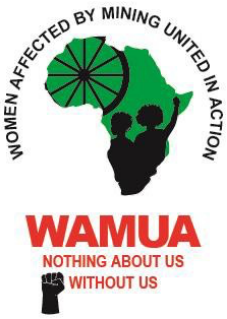
People around us are dying by the hour, and currently, 109 people have died. We are living a fearful existence and would appreciate your sympathy...”

This desperate plea underscores the brutal conditions these miners endure. They have been without food or lifesaving supplies for 15 days, and the mine’s design—Shaft 11 plunging two kilometres underground with no viable exit and Shaft 10 accessible only by a dangerously corroded structure—makes escape impossible without external rescue. Despite these dire circumstances, the state has been paralysed by debates over responsibility, conveniently shifting blame while lives are lost.

Zinzi’s application seeks to break this cycle of neglect and rhetoric. She is asking the Court to compel the MEC of Community Safety and Transport Management in the North West and several national ministers to contract and fund mine rescue services immediately. She argues that the Constitution mandates urgent action to preserve the rights to life and dignity, placing the burden of cost recovery on the state—not on the miners or their communities, who have already paid the ultimate price for systemic failures.

“The lives of poor people cannot be treated as expendable,” Zinzi asserts. “The state must act now to save lives and pursue reimbursement later. The Constitution guarantees the right to life and dignity for all, not just the privileged few.”

The tragedy at Stilfontein mirrors the systemic violence of Marikana, where the state and corporations prioritised economic gain over human life, with women and children left to bear the compounded social, psychological, economic, and emotional labour and burdens. In both cases, the rhetoric of criminality and xenophobia has been deployed as a convenient tool to divert attention from the state’s failure to act decisively.



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Zinzi's fight represents not just her brother but all marginalised mining communities in South Africa, where the poor are criminalised for survival while the powerful profit remains unchecked. Her case is a clarion call to confront a system that sacrifices human lives at the altar of profit and to demand a state that values every life—regardless of wealth, nationality, or status. This is the ultimate test of South Africa's commitment to its constitutional promises of justice, equality, and dignity for all.

For media inquiries, please contact the head of communication and media at MACUA-WAMUA Advice Office, Magnificent Mndebele at 064 785 9746 or Magnificent.Mndebele@macua.org.za