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## **Lives Lost, Rights Denied: ITUC-Africa Demands Justice for the Stilfontein Massacre and Accountability for Those Responsible.**

The African Regional Organization of the International Trade Union Confederation (ITUC-Africa) is deeply shocked and appalled by the unfolding tragedy at the Stilfontein mine in South Africa, where dozens of illegal miners have lost their lives in what rights groups have described as a massacre. We unequivocally condemn the actions and inactions of the South African authorities that led to this preventable loss of human lives.

Reports indicate that miners, many of whom were undocumented migrants from neighbouring countries, were left to suffer and die underground after authorities cut off their access to essential supplies of food and water under the guise of a crackdown operation to “smoke them out”. From this event, ITUC-Africa wishes to make several observations and to demand that deliberate and profound actions be considered and taken to prevent a recurrence.

First, we hold it as sacrosanct that the government must preserve lives, enshrined in the South African Constitution. In this case, the government failed to uphold its duty and mandate to care, irrespective of the circumstances and people involved. The deliberate use of starvation as a weapon against these vulnerable workers is a flagrant violation of their fundamental human rights and the principles of human dignity and decency. When the argument is that the illegal miners refused to surface from the mines because of fear of arrest and prosecution, using starvation as a weapon to “smoke them out” is akin to the analogy of the government folding its hands to allow people to commit suicide even when the government is aware that such persons are attempting suicide, which is also known to the people as a criminal offence. The government has different and effective means to enforce law and order. Using starvation in this instance is undesirable and condemnable.

Second, the conditions of unemployment, poverty and hunger are the basis of desperation for millions of poor families, which are mainly responsible for desperate measures to embrace illegal mining. The government must not only find imaginative and pragmatic means to deal with the systemic neglect of marginalised workers but also seek ways to address the root causes of illegal mining. Indeed, the right to care, protection and regulated work for precarious workers, including migrant workers, are intertwined with the urgency of decent work for all. Therefore, we call on the government of South Africa and other African governments to consciously and continuously seek collaborative and sustainable ways to create decent jobs and expand social protection measures.

Third, we note that the Zama-Zama (hustling initiatives) economy was born out of the labour migration economy of apartheid colonialism that destroyed the livelihoods of millions of Africans and forced them to work in the mines. These miners are often victims of poverty, exploitation, and unsafe and exploitative labour practices in the hands of criminal syndicates and mining companies. We know that mining companies close formal operations and tacitly leave the way for retrenched workers to hustle in the former mining areas with the plan to forcefully compel the miners to sell the precious metals to syndicates controlled by the mega-mining industries. This makes workers hustle without health and safety conditions, no job

security, and no wages, but rely on what they dig and sell to the wealthy cartels for meagre returns but huge risks.

ITUC-Africa demands immediate action and accountability. Specifically:

1. **A Full and Transparent Investigation:** We call for an independent inquiry into the events at Stilfontein, including the actions of law enforcement, the government's delay in rescue efforts, and the role of mining corporations like Buffelsfontein Gold Mine in securing abandoned sites.
2. **Justice for the Victims:** The families of the deceased and rescued miners deserve justice. The South African government must ensure accountability for those responsible for this humanitarian disaster and provide adequate compensation to the victims' families.
3. **Addressing Systemic Inequality:** The government must urgently address the socioeconomic conditions that drive individuals into hazardous and illegal mining activities, including poverty, unemployment, and lack of access to decent work.
4. **Protection of Migrant Workers:** Migrants and undocumented workers, who are among the most vulnerable, must not be further dehumanised. We urge the South African government to uphold its obligations under international human rights and labour standards, including providing protection and dignity for all workers irrespective of their immigration status.
5. **Engagement with trade unions, civil society, access borders, regions and communities:** The voices of workers, trade unions, and civil society organisations must be central in shaping responses to prevent future tragedies and critical stability. Collaborative efforts are needed to ensure protected labour market regulations that promote safe, dignified, and sustainable livelihoods for all workers.

This tragedy must be a turning point. We cannot allow the lives of these miners to be lost in vain. ITUC-Africa reiterates its commitment to advocating for the rights and dignity of all African workers, irrespective of status.



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Lomé, Togo

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