THE PRESIDENCY OF THE REPUBLIC OF SOUTH AFRICA
HIS EXCELLENCY, PRESIDENT JACOB G. ZUMA

C/O: MR MICHAEL HULLEY
PER EMAIL: nomusa@presidency.gov.za / charmaine@presidency.gov.za / robert@presidency.gov.za / mike@presidency.gov.za

26 May 2015

Dear Mr. President,

PUBLIC RELEASE OF THE REPORT OF THE MARIKANA COMMISSION

1. This letter is written on behalf of the families of the mineworkers killed on 13 and 16 August 2012. We refer to our correspondence dated 31 March 2015, to which we have not had any response.

2. We write to express concern that the Report of the Marikana Commission of Inquiry (‘the Report’) has not yet been publically released, despite the clear public interest in the report being promptly made available, at least to the parties represented at the Commission.

3. More than seven weeks have passed since the Report was handed to your office by the Commission. Your office has had a reasonable period of time to consider the Report.

4. As you are aware, there have been extensive public calls for the release of the Report as well as a formal request for its release from other parties to the Commission. Despite these calls, there is no indication when the Report will be released.
5. We are sure you will agree that this state of affairs is not in the public interest. We submit that in circumstances where the Marikana Commission of Inquiry was established to investigate "matters of public, national and international concern"; where the Commission committed itself to "Truth, Restoration, and Justice"; where the Commission repeatedly stated that the interests of the families of the victims were paramount; and where hundreds of millions of rand of public funds have been spent on the Inquiry process, it would frustrate the objects of the Commission of Inquiry not to release the Report to the public at large.

6. In this context, it is both in the public interest and in the interest of our clients that the Report be released and that there is no legitimate reason to delay the publication any further.

7. We seek your assurance, within 5 days of the date of this letter, that you will exercise your power to release the Report by 1 June 2015. Further, we seek an indication of when the Report will be released so that we may inform our clients accordingly to save them the trauma of hearing the content of the Report through the media for the first time.

8. In the event that you fail to respond to this letter, or fail or refuse to exercise your power, we will have no option but to consider instituting a review of your failure or refusal to release the report in the High Court.

9. Please direct your response to: Kathleen Hardy at kathleen@seri-sa.org / 082 556 5196.

Yours sincerely,

Kathleen Hardy
Attorney, SERI

Avani Singh
Attorney, LRC