FAMILIES OF MARIKANA MINERS URGE RAMAPHOSA TO TURN HIS PROMISES ON MARIKANA INTO ACTION

During his reply to the state of the nation address debate in Parliament on Tuesday, President Cyril Ramaphosa said that the state was committed to compensating the families of the striking miners who were killed by police on 13 and 16 August 2012 during the Marikana massacre. In August 2012, these workers, with thousands of others, were on strike demanding a living wage when they were killed after police opened fire on them.

Talking from the podium, Ramaphosa said: “We must be prepared, as government, that where we have failed our people, where we have made mistakes, we will take steps to correct those mistakes. One of such was the Marikana tragedy which stands out as the darkest moment in the life our young democracy.” He promised that he was personally “determined to play whatever role [he could] in the process of healing and atonement for what happened at Marikana.”

The Socio-Economic Rights Institute of South Africa (SERI) represents the 36 families of the striking miners who were killed at Marikana (along with the Legal Resources Centre (LRC) and the Wits Law Clinic) welcomes Ramaphosa’s comments and hope that his promises will lead to action on the part of the state.

If the state is serious about atoning for the Marikana massacre, the families of those killed at Marikana have indicated that a meaningful response will include:

- **A formal and sincere apology to the families of those killed from the Minister of Police for the loss of their loved ones:** The families demand a meaningful apology, made in private and in person, to the families of those killed, followed by a public apology. The apology should not only recognise the state’s responsibility for the shootings but should also apologise for the state’s characterisation of the victims as “criminals”. The pain of living with these characterisations have meant that the last six years have been as traumatic for the families as 13 and 16 August 2012. The state should approach the families to ascertain what form this private apology should take. Once this process is complete, a public apology should follow. An appropriate apology is important to the families to allow them to start the process of healing.

- **The state has to approach the issue of compensation with an attitude that acknowledges the state’s culpability in the massacre:** The state has agreed to pay for the loss of financial support and has agreed to pay for the additional head of damages. The process however, of negotiating the settlement offers has been dragged out and to date none of our clients have been compensated. The state should accelerate the process of settling these claims and in doing so it should take into account the loss of family life and parental care as a means to atonement for its conduct.
The state must ensure that the police officers responsible for the murder of the mine workers are criminally charged and prosecuted for their actions: The state should apologise for its delay and ongoing failure to prosecute the police officers responsible for the events at Marikana. While the National Prosecuting Authority (the NPA) has diligently prosecuted the miners who participated in the strike, not a single police officer has been charged or prosecuted for the murder of the mine workers. The state needs to ensure that those responsible are prosecuted promptly and effectively.

If the state takes these steps it will bring much needed closure to the families who feel that they have been abandoned by the South African government.

Zamantungwa Khumalo, SERI’s attorney said: “We have to remember that at the centre of all of this are wives, children, mothers, brothers and sisters who have lost their loved ones. The families want to move on with their lives however they maintain that the grief still remains. The apology from the state and its representatives is vital for the healing process and must be done in a way that secures the families’ dignity." 

- Read more about the Marikana families’ damages claim against the SAPS here.
- Read the presentations made by the families of the deceased miners before the Marikana Commission of Inquiry here.

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