

Bench Marks Foundation achievements last 4 years

1. Introduction

Understanding our achievements is not a simple matter. What is an achievement in a context of extremely high and what could be permanent unemployment, government officials who at most time appear inept and incapable if not corrupt and global corporations who powerful enough to set the terms of both our economic, social and environmental life.

In our work as the Bench Marks Foundation we found that achievement may lead to some change, a few houses here and there, a road, a clinic, clean up of sewage spills as a result of our persistent exposures in the public media. However our more important achievements are not so easily understood.

We see our achievement as our contribution to a new struggle against the truth of powerful elites, in the exploration of alternative vision, ideas and strategies as well as in building the confidence and skill of oppressed and exploited communities to speak out and to refuse to accept anything for them without them.

Our achievement is that we have found concrete ways of keeping the hope alive and rebuilding a new struggle for radical transformation in the context of global destruction by private corporations. We are essentially a thorn in the mining companies side, quote Business Report August 21st 2014. Nevertheless we will articulate how we see our impact.

Our programmatic areas are:

- Holding corporations accountable through evidence based research
- Strengthening communities to hold corporations accountable through community monitoring
- Occupying media space and using the media as a main advocacy strategy and using this space to situate the Bench Marks as the key civil society authority on CSR

2. Synopsis of our achievements past 4 years

The Bench Marks Foundation operates in a niche market and fills a vacuum. We have our finger on the pulse and identify the right issues to be investigated and have a credible reputation nationally and internationally. We command enormous media respect and have increased media hits from 100 a year in 2009 to a 500 a year, has 20 million media mentions, in over 22 countries and is considered as an expert agency on CSR. The Voice Power media advocacy programme is managing to challenge the present CSR discourse, by raising media consciousness, public consciousness, and government interest and is taken seriously by corporations who are scared to be examined by the Foundation. Communities derive strength from the research reports as what they are saying is confirmed by the BMF and strengthens their role at community level.

In addition we commands respect with corporations, government and foreign governments, communities and community organisations. We have built relationships with other NGOs and civil society and are the leading organisation recognised by communities. We have had influence in court proceedings as a resource for communities and acts as an authoritative voice on the community. The

Community Monitoring School has grown from training 10 to 15 monitors a year in 2010 to 140 monitors, with different levels of training, from basic to advanced and certified training. It is established in 39 communities in South Africa and has a footprint in Botswana, Zambia, Tanzania and Zimbabwe. Community monitors are seen as the eyes of the community and are feared by corporations. The Community Monitoring School is innovative and sort after by communities and even by government's new citizen-based monitoring programme.

Government is increasingly calling upon the Bench Marks Foundation around mining and housing; performance and evaluation; and is discussed in inter-ministerial meetings. The organisation is seen to have answers around mining socio-economic challenges created by mines such as Aquarius Platinum, Lonmin, DeBeers and Anglo American. It receives calls from CEOs for companies such as ArcelorMittal and investors from around the world (New York, London, and Sweden, France), and is regularly invited to embassies and international conferences and asked for opinions by journalists.

We are influencing the discourse on CSR and specifically in mining with a lesser influence in the retail and finance sectors. The organisation provides new meaning in the debates around CSR locally and internationally. We have shifted CSR from talking to implementation and have industry worried and specifically mining companies who fear being examined by the Foundation.

We appears in academic journals and have facilitated two PhD dissertations, one of which was on the *Bench Marks Principles*, and has a research and teaching centre called, the Bench Marks Centre for Corporate Social Responsibility at the North West University.

The prophetic voice of the church is promoted through the work of the Foundation and slowly this voice is getting louder. The chairperson plays a crucial role in this.

3. Research

Seven years ago, when we released *Policy Gap 1*, the mining sector was viewed by the international community as socially responsible, based on company reporting and as interpreted by investors and shareholders. During this period, we have managed to turn this picture around and no matter how much the companies advertise their image as being socially responsible, they are no longer viewed as such. We are viewed by academics, foreign governments, civils society and the media as the authoritative voice on corporate social responsibility and sustainable development.

Our research breaks new ground, identifying niche research areas, and within the mining industry has broken new ground. *Policy Gap 6, A Review of Platinum Mining in the Bojanala District of the North West Province* predicted the violent clashes between worker/communities versus the corporations. When the Marikana massacre happened, the Bench Marks was the only organisation that could give a perspective that differed from the conventional view of inter-union rivalry. Our studies had for long painted a dire picture, one of extreme inequalities and exclusion. We managed to down play tensions at the time, protect further carnage from happening and dealt a severe blow to the company's reputation.

The release of *Policy Gap 7 on Lonmin's operations over 10 years of sustainability reports and promises showed the industry up. The report* showed the inaccurate reporting, half-truths and outright lies that the industry hides behind. We said at the best the reports show awards for best storytelling; other mining companies are worried that we examine them in the same way.

Policy Gap 6 resulted in a downgrading of all mining companies on the JHB SRI and FTSE4Good Index. The bar has been raised by the BMF and we will continue to focus on companies reporting and to ensure we begin to turn this around into meaningful development.

Policy Gap 4 and 5 on De Beers on the West Coast and Botswana challenged share ownership model developed between the Botswana government and De Beers. At our launch in 2010, De Beers flew out their top people from London, Botswana along with their South African office to press conference. They challenged us producing their own report and a few days before the launch attacked us in a big way in the Botswana media. Nevertheless, our findings stood the test of time and some government officials and civil society organisations are using the report findings in developing policy around mining.

On the West Coast, we managed with Conservation South Africa to prevent De Beers from whole scale sell off of their near end of life mines forcing them to accept environmental liability.

Now Anglo American deal directly with us from their London head office promoted by Mark Cutifani, CEO. We engage with them on a regular basis as to what we think they should be doing.

4. SADC level

Our research has had a major impact on public discourse about mining and corporate behaviour. Apart from the voluminous newspaper, radio and television reports and interviews, BMF has become a trusted source of preference for investigative journalists, academics and global institutions such as the United Nations.

Thus we made a major input into “... *the occasion of the African Regional Forum on Business and Human Rights on 16 - 18 September 2014 in Addis Ababa, Ethiopia, the Campaign to Dismantle Corporate Power and Stop Impunity of TNCs, brings to the attention of participants to the historic June 2014 United Nations Human Rights Council (UNHRC) Resolution which mandated the establishment of an Inter-Governmental Working Group (IGWG) to develop a binding Treaty for Transnational Corporations and Human Rights.*”

The evidence and interviews we provided was critical in the procedures of the above gatherings. “On June 26th, 2014, the United Nations Human Rights Council (UNHRC) adopted a ground-breaking Resolution to establish an intergovernmental working group with the mandate of investigating the drafting of a legally binding instrument that will enforce human rights obligations on Transnational Corporations (TNCs). This resolution is critical, given the extent of continuing human rights violations, the immense environmental degradation and the growing power of corporations, which is facilitated by a free trade and investment regime that gives corporations more rights than governments and people.”

5. Community Monitoring School

From our humble beginnings 5 years ago, we now work in 39 mining and related industries communities who are directly impacted upon. From working with 10 people we now work with over 130 young people, all of whom are connected to community organisations.

- Exploring new strategies and approaches to strengthen local organisations

- the community monitors schools as a space of action reflection and new action
 - Introducing community activists to the use of innovative methods and techniques of communication (the blog, community newsletter, community podcast and radio show)
 - Training community groups to engage in research that is linked to action (Klerksdorp, Rustenburg, Ekurhuleni)
 - Helping sustain and giving on-going support and helping create to local grassroots community organisation (VEJA – Vaal, Justice and Peace-Klerksdorp, Gubico – Welkom, Mack and SAGRC – Mpumalanga, BUA-MC Rustenburg, EEO – Ekurhuleni)
- Importantly giving individual and personal support to over 100 unemployment young people so that they not only remain hopeful in this time of terrible unemployment but develop a positive attitude of community activism. Change happens at the level of the individual, community organisation, and in the community.
 - At the level of the individual where people without hope are given hope, where they lack confidence, confidence comes, and where they were apathetic now they unlock their latent skills.
 - Community organisations are strengthened in Rustenburg; they are able to bring mines to a standstill just to get the industry to talk to them.
 - At a community level they see sewage spills being fixed up; roads built, and some partake in developing skills. They are more empowered to shape their destiny.

6. Advocacy and media coverage

A quote from *Business Report* 29th November 2013: *“Bench Marks which is owned by the churches, and focuses on social responsibility of big corporations must be lauded for its role in making multi-nationals accountable to communities in which they operate and ultimately the country at .*

Thanks Bench Marks, you tell a bad story well- “we have to be grateful for organisations like Bench Marks Foundation. Whether or not we enjoy their special breed of gloom and misery mongering that make our daily diet of disaster, mayhem, crime and political venality seem almost light hearted and uplifting, you have to admit they know how to tell a bad story well” *Business Report*- 20th August 2014

The Third Umpire – Business Day 21st March 2014- “John Capel, executive director of the Bench Marks Foundation, a constant thorn in the mining company’s sides.” “If the state can’t or won’t safeguard the interests of mining communities, civil society has to step in”.

This is probably our most effective advocacy strategy, and that is to hold corporations publicly accountable and thereby create public consciousness as a pressure point for change. During 2014 so far, we managed to have 200 media mentions and 50 radio and TV coverage across five channels locally and in addition have 6 out of 7 opinion pieces printed during the longest protracted mine strike in our history.

A conference organised by the United Nations' Principles for Responsible Investment (PPI) introduced the BMF as the conscience of the business community, a comment we hear over and over again.

During the 2014 Platinum strike we managed to help prevent the state and corporations from cracking down through the many calls to implying a state of emergency in the area was needed, or by calls by companies to say this was economic sabotage. Our chairperson played a crucial role in standing side by side with the workers and their union and assisted to settling the strike. Our media angle we believe prevented harsher action been taken. We wrote 7 opinion pieces, of which 6 were printed. They are:

- Respect Legitimate Wage Demands 20th April 2014
- Not Enough Focus on Plight of Mine Workers 27th April 2014
- Producers Create Problems with Bad Faith Bargaining 8th May 2014
- End Game of Strike Action is Test for Democracy 15th May 2014
- Bring in the Peace Makers, Give Workers Respect 22nd May 2014
- The Peace Makers have arrived- 5th June 2014
- Church Played a Leading role in ending strike July 16th 2014

In 2013 we had 11 million Rands worth of coverage and in 2012 we played a leading role in commenting on the Marikana massacre and were central to contextualising why this tragic event had transpired. Television stations from around the world lined up outside our offices for a period of two months.

We gave an alternative view based on our studies and closeness to communities and a more accurate description what transpired. This fed into the Farlam Commission of enquiry to establish the causes and our Policy Gap 6 and 7 were used at the commission by Legal Resources Centre. This painted a picture of the socio economic strife.

7. Foreign Governments

Norwegian Foreign Minister

The Norwegian Ambassador to South Africa informed me of the following. She had just returned from Oslo where she had attended the annual meeting between the Foreign Minister, the Development Minister and all of Norway's ambassadors abroad.

“In his keynote address to the entire group of ambassadors the Development Minister talked about his three most memorable experiences from the last 12 months – and he mentioned the visit to Marikana with NCA and Bench Marks Foundation in November last year as one of the three! “

“Notwithstanding this I just wanted to let you know that your work continues being referred to in faraway places – and thank you once again for all the efforts you put into organizing the visit to

Marikana last year. With all the bodyguards, diplomats and complex logistics I know it wasn't the easiest," Norway Ambassador 2013

In addition we have met governments of Sweden, 12 UK parliamentarians, Swiss government development minister, Dutch government policy advisors, 13 UK trade unionists and a host of foreign university students, the Kelly School of Governance, and so the list goes on and on.

Christian aid wrote "Also worth noting that our partner Bench Marks in South Africa clearly made a strong impression on the committee when they visited South Africa, including getting name checked in one of the recommendations". "We therefore welcome the work being done to increase transparency and improve corporate governance in the industry—in particular by organisations such as the Bench Marks Foundation". Quote UK government 2014.

The House of Commons Business, Innovation and Skills Select Committee conducted an enquiry into the extractives sector. As part of their enquiry the MPs visited a range of organisations in South Africa including the Bench Marks Foundation. They were extremely complimentary about the Foundation in the official report of their enquiry. They wrote that it told them how it monitors corporate performance against international measuring instruments known as the Bench Marks Principles. They said it was clear from their conversations that mining companies do not always live up to the high standards that would be expected. The Foundation also highlighted its own research into the corporate responsibility of mining companies in South Africa known as the 'Policy Gap Series' on the legislative environment and the policies and practices of mining companies in South Africa. The Foundation highlighted to the MPs that their work highlighted deficiencies in accountability, transparency and other aspects related to sustainable development and corporate social responsibility.

Select Committees are extremely influential in the British political system. Their reports are published, and must be responded to by the Government. The visit to the Bench Marks Foundation influenced the recommendations of the Committee's report, which highlighted that more must be done to improve the social and environmental performance, transparency and reputation of UK-registered mining companies. It is not easy to get such excellent access to a Select Committee enquiry. It is a real achievement that the Foundation was awarded a visit and featured so prominently in the final report. Everyone at Christian Aid is extremely grateful to Bench Marks Foundation for its help in this enquiry.

The South African Government has established several monitoring bodies and met with the Bench Marks Foundation around citizen-based monitoring and housing. Our studies and especially *Action Voices* (2012) deal extensively with these challenges and this has led to several high profile meetings where government wants to address the issues seriously. We have also been taken seriously by the presidency, department of finance and the national development planning commission who are engaging us around indicators around mining social development.

8. Conclusion

We have established the Bench Marks as the authoritative voice on corporate social responsibility and combine high level research and advocacy with strong community involvement, which is rather

novel and in itself an accomplishment. We also established the Bench Marks Centre at the North West University in teaching, research and community engagement.