



MEDIA STATEMENT

For immediate release

HEARING ON APPLICATION BY PARTIES TO JOIN CHAMBER'S CHARTER REVIEW APPLICATION

Johannesburg, 14 November 2017: The High Court will today hear urgent applications by two parties seeking leave to intervene as co-applicants in the Chamber of Mines' application for a review of the DMR reviewed Mining Charter published on 15 June 2017, scheduled to be heard by a full bench of the High Court on 13 and 14 December 2017. The two parties are the Centre for Applied Legal Studies (CALS) and Lawyers for Human Rights (LHR) on behalf of three mining community organisations – Mining Affected Communities United in Action, Women Affected by Mining United in Action, and the Mining and Environmental Justice Network of SA.

CALS and the LHR submitted their papers at a very late stage. The main reason for the Chamber's decision to oppose these parties' application to intervene as co-applicants is because their grounds for review are materially different from those of the Chamber. Our assessment is that it would not be possible for counsel for the Chamber and for the respondent, the Minister of Mineral Resources, to complete argument on a wide range of highly complex issues in the two allotted court days if two entire additional cases are joined. Arguing those grounds would take up a great deal of the limited time available.

The Chamber has agreed not to oppose the admission of Solidarity as a friend of the court. The NUM has also applied to be allowed as a friend of the court. Both these applications will be dealt with by the court at the commencement of the hearing of the Chamber's review application on 13 December 2017.





The Chamber would like to emphasise that CALS and LHR have the legal right to apply to the court to have the Minister's reviewed Mining Charter reviewed and we would have no objection to that at all.

In addition, as these legal groups and their clients are aware, the Chamber has publicly committed to welcoming their participation as legitimate stakeholders in future negotiations on the development of a new Charter that, it is hoped, will follow a successful outcome of this application of the Chamber.

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