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# Training for mine inspectors

ARG 21/1/96

The Argus Correspondent

PRETORIA. — A new era dawns for South Africa's mining industry today when a special mine inspector training programme starts

The programme was initiated by the Department of Mineral and Energy Affairs and will produce not only the country's first black mine inspectors but also the first women inspectors.

Mineral and Energy Affairs Minister Pik Botha said the programme was a response to the Leon Commission on Mine Safety and Health that South Africa's mine inspectorate be strengthened

The department found those willing to do the job were not qualified and those qualified to do it were already employed elsewhere at higher salaries

The only thing to do was to put willingness and qualifications together — that is what the programme is designed to achieve — to find willing candidates and enable them to qualify themselves to do the task, Mr Botha said.

More than 1 200 applications were received for the three year theoretical and practical course which starts today for the 50 chosen applicants.

## Programme will train black mine inspectors

**OWN CORRESPONDENT**

A new era dawns for South Africa's mining industry with the start of a special mine inspector training programme, announced in Pretoria yesterday.

The new programme starts today.

The programme, initiated by the Department of Mineral and Energy Affairs, will produce the country's first black and women mine inspectors.

Mineral and Energy Affairs Minister Pik Botha said the programme was in response to the Leon commission on mine safety and health, which recommended that South Africa's mine inspectorate be strengthened.

The department found that those willing to do the job were not qualified for it, and those qualified for the task were already employed elsewhere at higher salaries.

The solution was to find willing candidates and enable them to qualify themselves for the task, Botha said. The new programme set out to do just that, Botha said.

More than 1 200 applications were received for the three-year course, which will be part theory, part practice. The course starts today.

After evaluation, the number of applicants was reduced to 100. After further assessment, a final 50 applicants were chosen for the course.

(212) Stav 2/12/92 96 (212)

# NUM ready to go to court

BY ROSS HERBERT

~~ET~~ (MA) 5/1/96  
Johannesburg — Management at Gold Fields' Kloof mine allegedly gives injured mine workers light surface jobs and then fires them two or three months later to avoid paying expensive injury compensation, according to Kgalema Motlanthe, general secretary of the NUM

He said the union intended to go to court over 36 such cases at Kloof.

Such allegations are at the heart of the strike, along with complaints that the head of the union at Kloof was unfairly dismissed

Motlanthe said Kloof management had earlier reached an agreement with workers over the issue of dismissal of injured workers, but the mine continued the practice

Kloof management could not be reached for comment, but Gold Fields spokesman Marion Brower said dismissals were "an issue between the company and individual workers"

Yesterday workers continued to meet management and caucus among themselves over whether to return to work



# Fears grow over arsenic poisoning on mine

(212)

CT(BR) 11/1/96

By ROSS HERBERT

Johannesburg — Arsenic poisoning at the New Consort mine near Barberton in Mpumalanga was potentially much more widespread than previously believed, according to an attorney for the NUM

He made an urgent request to the mine yesterday to permit outside doctors to examine workers Eastern Transvaal Consolidated, the Anglovaal unit responsible for the mine, denied the request

In October, a complaint over allegations of arsenic poisoning through the mine's water was lodged with the mineral and energy affairs department An inquiry is scheduled to begin on January 22

The attorney, Richard Spoor, said that in interviewing workers in preparation for the inquiry he came across workers with "symptoms consistent with chronic arsenic poisoning", apparently from sources other than water

Spoor maintains that the evidence suggests arsenic-based gas is being given off at the mine's processing plants

In a report to the union, he said that he examined workers who complained of vomiting, pain in internal organs, darkened skin and pustules and scars over most of their bodies These symptoms were consistent with chronic arsenic poisoning

"We are looking at a far more

serious problem than we previously thought It is a very ugly situation The company wants to play hardball," Spoor said

Spoor recommended that chemists and outside medical staff be brought in to examine the processing plants and the workers

He said an acting mine supervisor gave approval for doctors to examine workers

They had been rushed to the mine, but before arriving at the agreed time, Spoor received a call from company lawyers who denied access to workers and the mine's health facilities

Tim Spindler, a company director, said the company would not agree to expand the arsenic investi-

gation beyond poisoning of water unless a new formal complaint was lodged

"He wants to walk into the mine and examine all and sundry workers," said Spindler, who said the company was acting legalistically because it had been forced to by Spoor

"We'd be very foolish not to defend our legal position. Do you help the guy trying to nail you, to nail you?" he asked

"We'd be glad to sit down with the union and the government. But he should not spring it on us on short notice"

"We don't see any benefit in pre-empting the government enquiry," Spindler said

# Mboweni warns Anglo over layoffs

(212)

BY ROSS HERBERT

ET (MR) 19/1/96  
Johannesburg — The government yesterday put the mining industry on notice that it would require much closer consultation ahead of large layoffs

Anglo American's announcement yesterday that about 10 000 jobs will probably have to go in its gold division took the government by surprise

"I am extremely concerned," said Labour Minister Tito Mboweni. "The mining industry should supply me with a detailed submission on plans for future layoffs and downsizing"

Mboweni's statement came as Anglo announced available profit at its five gold units of R144,8 million for the December quarter, compared with R134,1 million to September

The key news was a R5,1 million loss at Anglo's Free State Consolidated Gold Mines, down from a profit of R12,6 million in the September quarter

Anglo said it planned to close five mine shafts at Freegold, unless present cost and productivity conditions changed

The shafts set for closure include Western Holdings' No 3 and 7 shafts, Freddie's No 9 shaft and Saaiplaas's No 3 and 4 shafts

Anglo said only "significant" improvements in profitability could save the shafts and the 10 000 related jobs. It warned six other shafts were at risk

Overall gold production declined by 2 percent to 56 476kg

Vaal Reefs increased after-tax profit from R131 million in the September quarter to R163,7 million. Western Deep Levels improved after-tax profit from R73,8 million to R82,2 million. Elandsrand, which experienced problems associated with a butane explosion and new finds of butane gas, had a decline in after-tax profit from R41 million to R36 million

□ See Page 16

ST (PT) 21/1/96

## Anglo gets NUM blame for closures

(212)

THE National Union of Mineworkers said on Friday bad management was behind Anglo American's decision to retrench 10 000 workers with the planned closure of five shafts at its Freegold mine.

"It is an indication of serious mismanagement and lack of forward planning," said NUM general secretary Kgalema Motlanthe.

Labour Minister Tito Mboweni, concerned about the pending closure, plans to meet Bobby Godsell, head of Anglo's gold division, to discuss the issue.

Mr Motlanthe said the union had for years campaigned for a social plan to recognise mines had a limited life span. Such recognition would provide for early down-scaling. "But management have not taken this seriously."

The NUM and Anglo management are scheduled to meet in Welkom next week — Sapa

● See Page 4

# NUM confirms

## arsenic poisoning (212)

Fumane Diseko

**T**HE National Union of Mine Workers (NUM) in Mpumalanga says it has confirmation that workers in New Consort Gold Mine, Barberton, show symptoms of "chronic" arsenic poisoning.

The formal inquiry into the alleged poisoning, by arsenic-contaminated water, of hundreds of people living near the mine in October last year, began on Monday.

Both mine owner Anglovaal and the regional director of Mineral and Energy Affairs, Aletus Kloete, refuse to comment until the investigation is completed.

NUM's lawyer, Richard Spoor, states that tests conducted by the South African Bureau of Standards reveal that the concentration of arsenic in refrigerated drinking water was 4,81 milligrams of arsenic per litre of water, and tap water contained 2,75mg/litre. These results are above the legal limit of 0,5mg/litre.

Spoor says he has information that powdered arsenic trioxide had been stored in polypyrene bags in an open shed because it could not be sold to other industries due to its iron content. These bags had apparently burst open and contaminated the area.

"In examining the environmental contamination, we need to look at how the arsenic trioxide is stored and what the levels of poisoning are in the working area, especially the roasting plant," Spoor says.

Miners are also exposed to arsenic in the workplace when the gold is extracted from the ore, which contains arsenopyrite.

A report conducted at the mine on behalf of NUM by Dr Mohamed Jeebhay from Industrial Health Research Group (IHRG), stated that miners had "skin rashes, itchy eyes; bowel dysfunction, abdominal pains; nose ulcers" as well as arsenic dermatitis (skin darkening similar to that caused by skin lightning creams); loss of feeling and swollen, tender livers.

An IHRG industrial hygienist was refused permission by the mine management to inspect the roasting and gold plant.



# NUM: We've been shafted

MTG (MM) 26/1-1/2/96

(212)

Labour wants a greater say in the decisions made on the mines, report **Karen Harverson** and **Vuyo Mvoko**

**N**O ONE is arguing with Anglo American Corporation's call last week that cost and productivity changes are needed at Free State Consolidated Gold Mines (Freegold) to avoid the threatened closure of five of its shafts and the loss of 10 000 jobs.

But chief executive of Anglo's gold and uranium division Bobby Godsell's plea for "more shifts, more blasts and more gold" at Freegold — which reported a R5,1-million loss in the December quarter ended 1995 — must be seen in the context of long-standing demands by workers to review the entire mining industry.

Laments Samson Machidi, National Union of Mineworkers (NUM) regional coordinator in the Free State. "Decisions are being made without our involvement and with no access to information, geological or otherwise."

"If costs need cutting, what about the top-heavy and inefficient levels of management? Why must it always be black workers in the lower grades who lose their jobs? We have a right to a say in the future of these mines and how they are run."

And the government agrees. Labour Minister Tito Mboweni has said: "Both the government and the unions should not be caught by surprise when these things have to happen. These are major restructurings."

NUM assistant general secretary Gwede Mantashe says the profitability of mining operations stretches beyond increasing the output of workers. "It should also include flattening management structures, issues such as double blasting, single panel supervision and numerous others. You can't just address the issue of productivity ad hoc. There is a need for a major surgical overhaul of the industry which management has been avoiding."

"Randgold, by breaking the management structure, took a number of loss-making marginal shafts, and made them profitable," says Mantashe. He questions why the same can't be done for all five loss-making shafts, two of which still have considerable reserves.

"You also need to analyse how much money flowed from the shafts, particularly Saalplaas, to finance headoffice before saying that that shaft was unprofitable," he argues.

He welcomes the summit meeting called by Anglo this week (Thursday) for workers and management to thrash out how to save Freegold's shafts from closure, but questions why it is only called now when the NUM called for problems in the mining industry to be discussed last year



Workers in distress: 'Threat of job losses like a gun to the head'

PHOTOGRAPH: HENNER FRANKENFELD

"They [Anglo] wait for a bad result and then hold the threat of job losses over our head like a gun and say agree to our solution to restore profitability or we pull the trigger," says Mantashe.

Anglo's long-time call for full calendar operations (Fulco) could have been implemented five months ago, says Mantashe, but management wanted to avoid sitting down with workers to

determine the destiny of the industry as a whole. "Instead they wanted to make special arrangements with individual mines which wasn't acceptable."

The NUM has stopped saying no to retrenchments since 1989 and instead, has been calling for a better management of the process. Accepting that all mines have a certain life span, the union has since been calling for forward planning as well as a

"social plan" that they hope would cushion retrenched workers.

Mantashe believes the retrenchment announced by Anglo is part of a bigger plot by big business to usurp the support base of the ANC-led government.

"The government is relying on the business sector to create jobs while it restructures the public sector but

instead all we've seen over the past year are job losses in the private sector."

Employment in the mining industry reached its peak in 1987, but a third of that workforce has since lost their jobs, says NUM.

**T**his week 3 000 workers at Harmony opted for retirement packages in the face of an insecure future. The mine's managing director Bernard Swanepoel hailed the move as a "constructive approach."

When 5 500 workers were to be retrenched from Buffelsfontein mine in Klerksdorp three weeks ago, even the 2 000 who were going to be rehired demanded their packages.

"We need commitment from Anglo American that they will do everything possible to protect jobs," Mboweni said after his meeting with Godsell this week.

Not that there have never been discussions before between the workers' representatives and management.

Among other things, management has proposed that there be low basic wage increases and a full calendar production cycle which will include

weekends and public holidays.

"We've been very explicit," Anglo American public affairs manager, James Duncan said before Thursday's meeting with worker representatives in Welkom.

He said productivity, costs incurred, and the gold price were the main problems facing Freegold at present.

Costs containment programmes, he said, worked to some extent, but the mines now need to look further because inflation has caught up with them. While hedging activities have given "a window of opportunity" the gold price remains largely a function of factors beyond the control of the South African gold producing industry, he said.

**B**ut who's not productive and why? Duncan failed to provide a more direct answer. He said however that the mines are not making the necessary advances to produce gold at a profit, and "it is no longer tenable for the shareholders to bear the consequences."

So should it be the workers who bear the consequences? What of the allegation of "serious mismanagement" which NUM general secretary Kgalema Motlanthe says is responsible?

"We've got to rise above blame and recrimination, it's an absolute psychosis in this country. We are interested in solutions," Duncan said.

Solutions have to be more long-term than "mere dog fights," as Mboweni put it. "We need an interactive approach with mechanisms which provide for joint decision-making, consultation, and information gathering and sharing."

"From a jobs point of view, the mining industry needs to come to the Cabinet and say 'This is where we are today, what the trends are showing, and this is where we are likely to be in the year 2 000'."

Why then, was the government not part of Thursday's solution-seeking meeting between the two parties?

"It would be wrong for the government to say labour or Anglo do this, at this stage. The best thing is to let the parties sort it out. When they notice that you are in favour of one or the other party they'll use you to angle for advantage. You'll add weight on a particular side," says Mboweni.

He is proposing an inter-ministerial summit which will include trade and industry, finance, mineral and energy affairs, and Deputy President Thabo Mbeki's office.

The summit will look at the relationships between the ministries and how

they can all ensure singularity of purpose regarding the creation and preservation of jobs.

Mboweni is setting up a unit that will do continuous research and will advise on a whole range of labour market issues "to make sure policy-making, which is a dynamic process, has a place within the department of labour."



Bobby Godsell: 'More shifts, more blasts and more gold' PHOTO: NAASHON ZALK



Gwede Mantashe: 'There is a need for a major surgical overhaul' PHOTO: NAASHON ZALK

# Dept still trying to end coal mine fire

BY ADAM COOKE

An abandoned coal mine which caught fire in Witbank has spurred the Department of Mineral and Energy Affairs into action as they plan methods to extinguish the inferno, burning in some places as hot as 1 500°C

The mine, which was last worked in 1952 and was ceded to the state in 1994, is just one of a number of hazardous coal mines spread across the Witbank area

The mine flared up on Tuesday last week and large amounts of smoke have since been pouring from its depths

According to witnesses, the flames were leaping up to 10 metres into the air and producing noxious black smoke that could be seen from up to 70km away.

Witbank Wildlife Society chairman, Woden Odenaal, said fumes from the smoke contained high levels of sulphur and were threatening the nearby Vosman township "We have enough problems of people with chest complaints from the pollution in the area as it is. But this is unbearable," he said

Spokesman for the Witbank Council, Pieter de Klerk, said the area was also dangerous because the ground was unstable and prone to collapse. He said a similar mine which was doused by the municipality five years ago had also been burning at a temperature of 1 500°C.

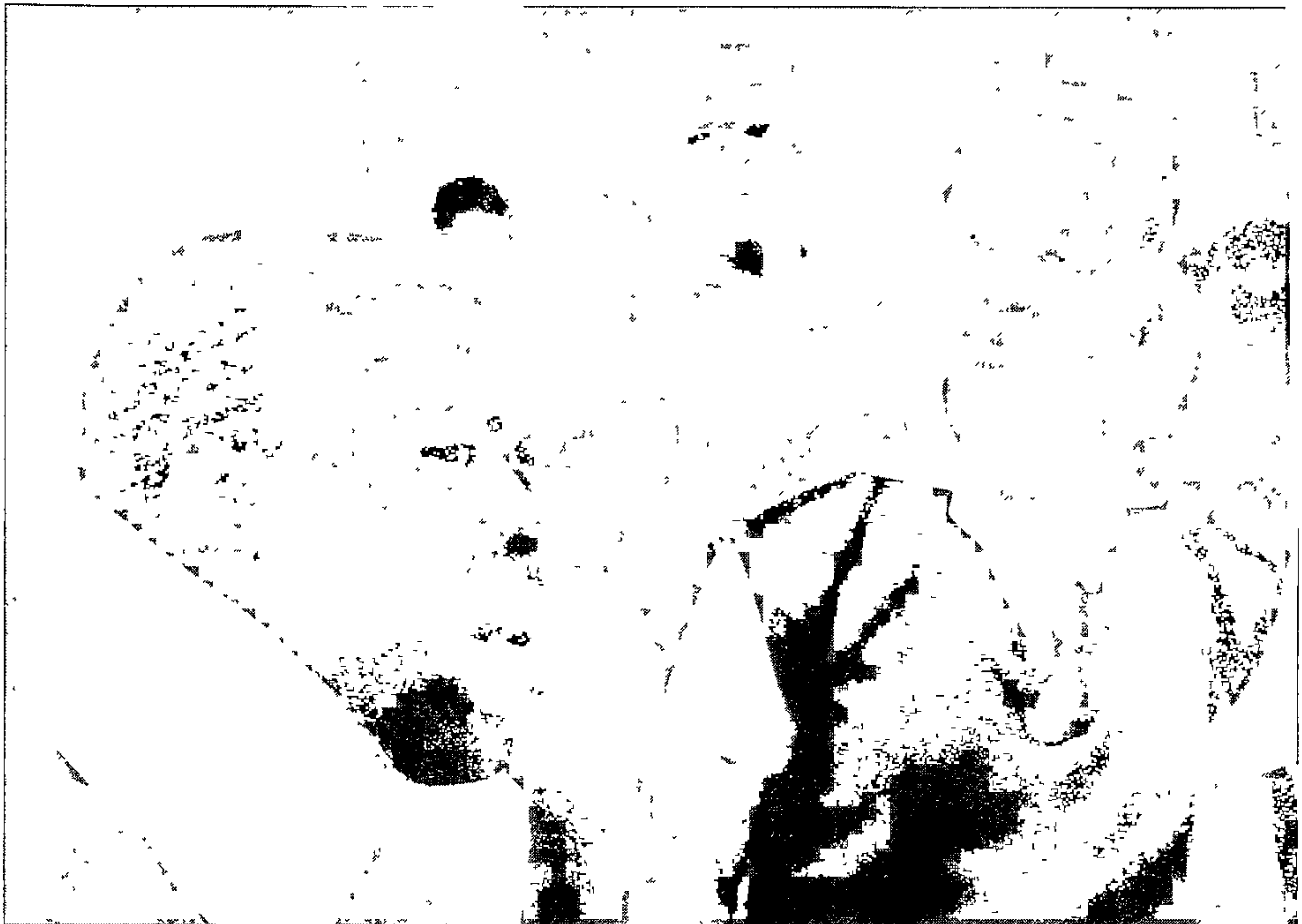
"These mines take years to cool down, and today the same mine is still burning at about 150°C," he said

Aldis Cloete, regional director of the Department of Mineral and Energy Affairs, denied the mine was a "direct threat" to people's health. He added that it was impossible to assess the costs of rehabilitating the mine "as it is not known what the total implication of the underground fire will be"

The mine is in the sensitive catchment area for a number of local rivers, including the Klip Spruit, the main tributary of the large Loskop Dam. High salinity levels in the surface water have been recorded by the Department of Water Affairs and Forestry as a result of pollution emanating from mining

The department found that 70% of the catchment area's sulphate load came from coal mines, specifically abandoned ones





Going home ... mineworker Anderson Penise yesterday vowed he would return home or find another job rather than go underground again.

*Star 31/1/96 (212)*

# 'I vow never to go down a mineshaft again'

**By JUSTICE MALALA**

For mineworker Anderson Penise, the accident which left him injured at Blyvooruitzicht mine yesterday was the last straw, and he vowed from his hospital bed that he would never go down a shaft again.

"My four children deserve to have a father, someone to give them the education I did not have. So I think I will go and look for a safer job," he said.

Penise said he did not see what happened, and that he was safe only because he had been further away from where his colleagues had been working.

"All I heard was a loud noise,

then I found rocks and soil piled on top of me up to the waist. I screamed for someone to come and help me, but there did not seem to be anyone. I pulled myself from beneath the rocks and rushed to the shaft station, where the shift boss found me.

"It was the worst thing I had ever seen. I could hear screams and crying," he said.

Boitumeto Kerebotswe, team leader of the gang of 17 men in-

“**My children deserve to have a father, someone to educate them**”

involved in the accident, said he had been giving instructions to a worker towards the end of the area where work was taking place when he heard the blast and was hurled down by falling rocks and soil.

"I pulled myself out of the rubble and saw that I was bleeding profusely from the head. I managed to bandage myself. Screams were coming from the other side of the rubble, but I could not see what was happen-

ing because the whole passage was blocked.

"After finding the shift boss and showing him where the accident occurred, I was brought up to surface.

"But I am coming back to work here.

"Danger is something we live with here, it is part of the job," said the Botswana resident.

Another survivor, Winnet Ndlela, who suffered eye and other injuries, said he had no fear whatsoever, and would return to work as soon as he was well.

"It could have been any one of the people who work at this mine. This will not stop me working," he added.



Wednesday January 31 1996

## Search for trapped miners

(212)

From Page 1

Star 31/1/96

in the course of the day and two had died. The injured were treated at the mine hospital and one, who had a leg fracture, was transferred to the Rand Mutual Hospital in Johannesburg.

The workers involved in yesterday's accident come from South Africa, Botswana, Mozambique and Lesotho.

National Union of Mineworkers chairman at the mine, Phindile Stofu, said the union would seek an urgent meeting with mine officials to address health and safety regulations there.

"We have already signed an agreement with the mine to introduce full-time health and safety stewards here and, if these agreements had been implemented sooner, perhaps this would not have happened."

Phindile said the stewards would be introduced in February and he hoped that workers would then be able to refuse to enter dangerous work areas, safe in the knowledge that their protests would be backed by professional assessments of their work areas.

# Screaming has stopped, but search for trapped miners goes on

By JUSTICE MALALA  
Labour Reporter

The screams of three miners still trapped 1 928m underground at the Blyvooruitzicht gold mine near Carletonville had faded late last night while rescue teams worked frantically in hot and

arduous conditions to reach them. Nearly 14 hours after the 9am rockburst at the mine's No 2 shaft, which killed two and seriously injured one of the 16 miners working in the area, rescuers had still not reached them.

Mine spokesman Dirk van Heden said this morning two men had been brought to the surface and another body found. Yesterday mineworker Lethunya Monaheng described the rescue operation. "At first I thought we could hear screams behind the rocks and soil blocking the tunnel but by 3pm we could no longer hear a thing."

But no one is stopping and workers were continuing to dig away at the rubble," he said after four hours at the site. His team had managed to find only one of the trapped workers in the three hours it spent underground, but he died soon after they found him.

Randgold human resources director Richard de Villiers said the rockburst occurred at 9am, three hours after the 16-member team of workers had started its work in the area. Of these, 10 had been rescued.

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# Three miners still trapped

The Argus Correspondent

(212) ARG 3/11/96

JOHANNESBURG — Rescue teams worked through the night to try to reach three miners still trapped 1 928 metres underground at the Blyvooruitzicht gold mine near Carletonville

Nearly 24 hours after the rockburst at the mine's No2 shaft which killed two and critically injured two of the 17 workers in the area, rescuers had still not reached them.

Randgold human resources director Richard de Villiers said the rockburst occurred at 9 am yesterday, three hours after the team started work in the area

Of these, 10 were rescued in the course of the day and one had died

The body of another miner was discovered at about 10 pm along with two critically injured miners

Another miner was found working with the rescue team earlier in the afternoon. "He had just carried on working," Mr De Villiers said

National Union of Mineworkers chairman at the mine, Phindile Stofu, said the union would seek an urgent meeting with mine officials.

The Department of Mineral and Energy Affairs will investigate the accident

# Twice lucky for rescued miner

*Spomenan 1/2/96 (212)*

By Noxolo Kweza and Sapa

**M**ALUNGIGA SALELO considers himself lucky to be alive. He was among the miners who were trapped 1 724 metres below surface at Blyvooruitzicht Gold Mine, near Carletonville, on the Far West Rand for 11 hours on Tuesday.

Three miners died, seven of the 15 survivors were injured and two were still missing by late yesterday.

And for Salelo, it was second time lucky to survive a similar near-death situation. Last year he was trapped underground at the same mine when a rock fell and pinned him to the ground.

This time around he was trapped near his workmate Brick Ntombane when ground collapsed in the bowels of the earth on Tuesday morning.

Speaking from his hospital bed at

Salelo will have to go underground again — he has a wife to look after

Blyvooruitzicht Hospital yesterday, the 42-year-old Transkei father of a young boy said "I never thought we would be rescued in time."

"We had no water and I was so thirsty. It was becoming more difficult to breathe as the minutes ticked by. There was just no fresh air coming in," he said.

They were rescued just before midnight on Tuesday by a rescue team that had worked around the clock.

Salelo said he was afraid to go back underground for fear of a third accident he might not survive.

However, he will have to go back to work when he recovers. "I have a

family to look after.

"My wife is ill. She suffers from persistent stomach aches. If I quit this job, where will I find another to support my family?" he said.

Salelo suffered a dislocated left hip and is expected to be in hospital for the next six weeks.

Mine spokesman Mr Dirk van Eeden said the rescue operation would continue until the missing miners were found.

Rescue teams were working non-stop with heavy equipment, hampered by dangerous conditions and the risk of further rockfalls in their efforts to dig through collapsed rock in the mine tunnel to the missing miners.

## Chances recede of rescuing two Blyvoor miners buried alive

(212) Star 1/2/96

By JUSTICE MALALA  
Labour Reporter

The bodies of the two men trapped 1 928m underground since a rockfall at the Blyvooruitzicht gold mine on Tuesday were recovered early today. This brings the death toll to five.

The names of the dead, some of whom were not South African citizens, will only be released

once all families had been informed, said mine spokesman Dirk van Eeden.

Four of the 10 miners injured in the pressure burst have been discharged from hospital.

Five are "recovering very well" in the mine hospital, according to senior medical officer Dr Alan Graham.

The sixth is in Johannesburg's Rand Mutual Hospital.

Rescue operations have now

been completed, but, Van Eeden said, it would take another three weeks for the area to be cleared for operations.

Hopes of finding the last two miners still underground alive began to fade late yesterday, but rescue workers toiled through the night in temperatures of up to 40°C in the hope the men might miraculously be trapped in an air pocket.

Of the 17 miners who were

unaccounted for after the accident at about 9am on Tuesday, two were found unscathed, seven slightly injured and a further three seriously injured.

Two of the men were found dead on Tuesday and another body was found yesterday, mine management said.

The search follows a rockfall caused by a buildup of pressure. The burst measured 2,3 on the Richter scale.

## Hopes fade for trapped miners

JOHANNESBURG: Hopes of finding the last two miners still trapped 1 928m underground after Tuesday's rockfall at the Blyvooruitzicht gold mine near Carletonville alive started fading late yesterday as the death toll rose to three (212)

Mine spokesman Mr Dirk van Eeden said rescue teams would continue working throughout the night to reach the men, in the hope that the earlier "miracle" of rescuing two others trapped underground in an air pocket would be repeated

Of the 17 men unaccounted for immediately after the accident about 9am on Tuesday, two have been found unscathed, seven were slightly injured and three others more seriously injured

Two of the men were found dead on Tuesday and another body was found yesterday

et 11/21/96  
Staff Writers, Sapa, Reuter



# Rockfall at Blyvoor mine is 'unlikely to disrupt production'

(212) ET (BR) 11/21/96  
By FIONA LENEY

Johannesburg — Production would not be materially affected at Randgold's Blyvooruitzicht mine despite Tuesday's rockfall which killed at least three miners, the mine's management said yesterday.

"It is quite a scattered,

old mine, with faces some miles away from the accident site, so mining is continuing elsewhere," said a source who wished to remain anonymous.

The mine's main shaft, which produces about 700kg of gold a month, was closed after the accident. While drilling had resumed, blasting would be suspended until the two miners who were still missing were found, he said.

Blyvoor's share price reflected dismay at the accident and worries over disrupted production. It slipped about 7 percent, or 50c, to R7 yesterday.

"There will be a slight hiccup in production for a day, but I have no doubt that full production will resume quickly."

The dead miners were covered by group life insurance and the mine would not be liable for large compensation payments, the source said.

The rockfall was caused by a seismic tremor measuring 2,3 on the Richter scale.

That is considered serious, but not necessarily lethal unless the epicentre is close to the weakened walls of a working seam, he

said. "This was a pre-conditioned (reinforced) stope

"You can de-stress an area with the best technology in the world, but if the epicentre hits near it, there's nothing you can do."

A mining analyst, who did not wish to be named, said he doubted Blyvoor's share price would suffer seriously from the accident. In production terms, he said, the rockfall was negligible.

"A few years ago an accident like this would barely have made the news. It shows how much awareness of safety issues and working conditions have grown," the analyst said.

Llewellyn Kriel, a spokesman for the Chamber of Mines, said though the trend in mine fatalities was downwards because safety standards were more strictly enforced — 395 miners died last year compared with more than 600 in 1986 — little could be done to prevent the sort of rockfall that killed the Blyvoor miners.

He said seismic tremors, as the people of Japan and California knew to their cost, were extremely hard to predict.

## Miners' bodies recovered

The Argus Correspondent

(212) ARG 1/2/96

JOHANNESBURG — The bodies of the two men trapped 1 928 metres underground since Tuesday's rockfall at the Blyvooruitzicht gold mine were recovered early today. This brings the death toll in the accident to five.

Mine officials were in the process of contacting next of kin, and the names of the dead — some of whom are not South Africans — would be released only once all families had been informed, said mine spokesman Dirk van Eeden.

Four of the 10 miners injured in the pressure burst have been discharged. Five are "recovering very well" in the mine hospital, according to senior medical officer Alan Graham. The sixth is in Johannesburg's Rand Mutual Hospital.

Rescue operations had now been completed, but Mr Van Eeden said it would take another three weeks for the area to be cleared for operations.



## Mine inquiry reveals 1992 crash precedent

Ingrid Salgado

(212)

BD 2/2/96

THE joint inquest-inquiry into last May's Vaal Reefs mine disaster resumed yesterday with testimony from the mine's former manager that he had not been told of a 1992 locomotive accident that bore certain similarities to last year's accident.

Andre Wilkins — who left the mine a few months prior to the disaster — said he had heard about the accident only after last year's disaster. He was not mine manager at the time of the 1992 accident.

The 1992 incident occurred when a slow-moving locomotive under power pushed cars into the mine's No 2 shaft. Nobody was injured.

Last year's accident killed 104 miners when a fast-moving locomotive under power and a man carriage toppled into the shaft.

During questioning from state advocate Regal du Toit, Wilkins said he should have been informed of the 1992 accident.

He agreed with Judge Ramon Leon that steps should have been taken after the 1992 incident to prevent vehicles from falling down the shaft. He also agreed that further safety precautions would have been taken if miners had been killed in that accident.

Leon said the facts of the 1992 accident were different to those of the 1995 disaster, except that both involved locomotives. The question was whether a "reasonable person" ought to have taken steps to prevent a recurrence of the incident.

Wilkins said he did not know why tests were not carried out after the 1992 accident to determine the ability of different systems to stop locomotives at various speeds. Such tests had been conducted after last year's disaster. During his term as mine manager, Wilkins was satisfied that No 2 shaft conformed to Vaal Reefs standards and general industry norms.

# 2 more miners',

# bodies found

By Noxolo Kweza

The bodies of two miners trapped underground since Tuesday's rockfall at Blyvooruitzicht Gold Mine near Carletonville on the far West Rand were recovered early yesterday, bringing the death toll to five.

A rescue team worked around the clock to recover the bodies.

Three miners died and several were injured on Tuesday when 17 workers were trapped 1 724 metres below the surface. One miner is still in a serious condition at Rand Mutual Hospital in Johannesburg.

## Pressure burst

Mine spokesman Mr Dirk van Eeden said yesterday that the names of the dead, some of whom are not South African, would only be released once all their families had been informed.

Four of the 10 miners injured in the pressure burst have been discharged from hospital. Five were "recovering very well" in the mine hospital. The sixth is at Rand Mutual Hospital.

The rockfall was caused by a build-up of pressure in an area of the mine. The pressure-burst measured 2,3 on the Richter scale, according to Sapa.

Van Eeden said mining operations resumed on Wednesday in areas unaffected by the accident. Only blasting operations had been suspended until the rescue operation was completed.

The last time the mine experienced an accident of such magnitude was in January 1991 when six workers died after a pressure-burst.

The affected B4 area was expected to be cleared, safe and operational within three weeks.

B4 forms a small part of the mine's total operation. Production losses were expected to be minimal and would be made up from production in other areas of the mine.

# Mine plunge 'a repeat of '92'

Star 2/2/96

(212)

**By Justice Malala**  
Labour Reporter

A manager at Vaal Reefs Mine's Number Two shaft was not told about a 1992 accident at the mine involving a moving underground locomotive and similar to the one that later killed 104 mineworkers on May 10 last year.

Testifying at the inquest-inquiry into the accident - one of the worst in SA mining history - held in Braamfontein, Johannesburg, yesterday, Andre Wilkens said in the period between September 1994 and March 1995, while he was manager of the shaft, he had not been told of the accident in which an underground locomotive had plunged down the mine shaft.

Judge Ramon Leon, who is leading the inquest, pointed out

that the common thread between the two accidents was that the locomotives had in both cases plunged down the mine shaft while under power.

"When I looked at the 1992 accident in hindsight, (I saw that) one could have learnt something from it," Wilkens said yesterday.

The inquest is charged with determining what caused last year's accident.

Wilkens said during his tenure at the shaft he had ordered an audit of safety measures in place there, and the consultant who carried out the audit had recommended the installation of a new safety device that would hopefully be able to stop a locomotive moving under power toward the shaft.

He said after evaluating the recommendation he had decided

it had "its positive points and its negative points", and had left the decision whether to implement it or not up to shaft engineers at the mine.

He said the audit he received from people present at No 2 shaft at the time of the May 10 accident satisfied him the shaft complied with Vaal Reefs and mining industry standards.

Under cross-examination from state counsel Riegal du Toit, Wilkens said it had never been mentioned to him that changes had been made to the shaft due to the 1992 accident.

In response to a question whether the 1995 accident was foreseeable in light of the 1992 accident, Wilkens said when assessing the 1995 accident one could not exclude noticing the similarities with the one before it.

## Mine manager surprised at recurrence of accident

(212) BDS/2/96  
Ingrid Salgado

THE manager of Vaal Reefs mine would not have expected an accident to recur that was similar to a 1992 accident in which a locomotive under power pushed four cars into a shaft, he told the joint inquest-inquiry into last May's Vaal Reefs disaster.

Mike Prinsloo said recommendations of a report into the 1992 accident were treated "urgently". Mine officials had taken the steps they deemed necessary to prevent a similar incident.

He could not say whether further action would have been taken if people had died in the accident.

He became aware of the 1992 accident only after the 1995 accident.

He was away at the time of last year's disaster, when a locomotive under power and a man carriage fell into the mine's No 2 shaft, killing 104 people.

During questioning from NUM's legal counsel, Karl Tip, Prinsloo said only with the benefit of hindsight gleaned from last year's disaster could he say that the 1992 accident warranted greater attention than was given.

That 104 people were killed last year was "a major tragedy". He had never before come across an accident resulting from a power-driven vehicle.

News of the disaster had come as a "total shock" to him, he said.

He was unaware of an accident at Western Deep Levels South mine in 1987 in which a locomotive fell into a shaft. Prinsloo was a production manager at Western Deep at the time.

Tip said it was "startling" that a production manager at one portion of the mine should not hear of an accident that occurred at the same mine.

Prinsloo agreed that mineshafts were managers' primary safety concern.

It was also inherently dangerous that locomotive rails ran into shafts, he said.

# Grim week for gold mines

as 7 more die  
(2/2) Star 5/2/96

South Africa's second serious gold mining accident in a week has claimed seven lives, an official said at the weekend

Nick Segal, director of strategy and corporate affairs for mine owners JCI, said rescuers had found seven men killed and two injured in the underground rockfall at the Randfontein Estates gold mine near Johannesburg

The accident happened around 11 30am on Friday, about 700m underground, at the mine's Cooke 1 Shaft, where a team was overhauling a section of the shaft.

Segal said production had not been affected and a full investigation into the cause of the accident was under way

A company statement extended sympathy to family and colleagues of the dead and injured

Five miners were killed in an accident at the Blyvooruitzicht gold mine on Tuesday - Reuters





Lest we forget mineworkers at the Blyvooruitzicht gold mine outside Carletonville mourn the death of five of their colleagues in last week's rockfall. A memorial service was held for the dead miners at the Blyvooruitzicht stadium yesterday.

## Mine safety device may have been faulty, probe told

BY JUSTICE MALALA  
RAW 7/2/96  
(212)

The brakes and the dead man's handle - a device designed to stop an underground locomotive if there is no one handling it - of the locomotive that crushed 104 mineworkers to death on May 10 last year may not have been working, the commission of inquiry into the accident heard yesterday.

Alec Freund, counsel for the driver of the locomotive which plunged down Vaal Reef's gold mine's number 2 shaft, put to the engineering manager in charge of the shaft the possibility that a fuse which activated some of the controls could have been bridged.

This would mean the two devices would not operate when the driver tried to stop the locomotive.

Mine manager Pieter Louw told the commission yesterday that the fact the fuse had been bridged and the two devices were not working was not something a driver would expect unless he had been told about it.

The inquest, set up to establish the causes of the accident and to recommend prosecution of those responsible, is likely to end its proceedings within the next three weeks.

# Holfontein water not contaminated, says report

By TAMSEN DE BEER

A laboratory test has revealed that the smelly brown water which drained into a trench last month below EnviroServ's Holfontein hazardous waste site near Springs had a metal content and traces of sewage - but no definitive contamination from the site was evident.

The trench was intended to drain stormwater away from the road just below the site, but neighbouring Holfontein Brickworks objected because of the colour and smell of the water. The trench was later refilled.

Dr Henry Abbot of the Department of Water Affairs and Forestry (DWAF) said the water appeared not to be contaminated by leachate (liquid seepage) from the waste site.

"If it is contaminated, it is at a

very low level. We cannot say there is no indication whatsoever of pollution, but there is no definitive evidence of pollution from leachate," he said.

The main trace metals present in the water were dissolved manganese and iron, with small traces of chromium, vanadium and nickel.

A second sample taken from the water contained aluminium, zinc and lead. These metals might occur in the soil, Abbot said.

Both samples contained an elevated E coli bacterial count, indicating the presence of faecal contamination, possibly from cattle or workers' ablutions on site.

But the DWAF is concerned about the stability of Holfontein's dam walls in the light of continuing high rainfall.

Abbot has recommended the construction of a containment sys-

tem to retain leachate that might escape through a breach in one of the site's walls.

"The improvements they (EnviroServ) have promised are becoming more urgent. The more rain we have the greater the risk becomes," he said.

But EnviroServ spokesman Kevin de Villiers said the company was confident that rain would not cause a problem: "We cannot envisage a situation, even with severe rain, that our walls would be threatened," he said.

Prof Harold Annegarn, of Wits University's Schonland Nuclear Research Centre and president of the National Association for Clean Air, has been contracted by the DWAF to undertake a study on the impact of Holfontein's additional waste load and the effect of certain liquid chemicals on air quality in the area.

~~(212)~~

(212)

Star 8/2/96



# Shortage of inspectors limits mine safety checks

ET (BR) 9/2/94 (212)

BY ROSS HERBERT

Johannesburg — Routine mine safety inspections have virtually ceased because of shortages of government safety inspectors, according to Dick Bakker, the acting government mining engineer.

Bakker is responsible for safety and accident inspection.

"Routine inspections are very, very few and far between. We would like to be proactive and do audits and inspections, we seem only to be doing accident inquiries," he said.

His statement comes on the heels of two serious accidents at Blyvooruitzicht and Randfontein mines where five and seven miners were killed.

Bakker accused the Public Service Commission of obstructing a new plan for higher pay that he said was needed to recruit and retain new inspectors, who were leaving government for better-paid jobs in the industry.

According to Bakker, the average inspector earned R5 000 to R6 000 a month. "Even junior mine officials earn twice that, plus get free housing," he said.

The Leon commission of inquiry into mining health and safety recommended making inspectors' pay more competitive with the private sector. The cabinet approved the proposal in principle last June.

## Refused

The Public Service Commission refused to grant interviews. It said in a written statement that it could not deviate from agreements made with the Public Service Bargaining Council.

Fifty black inspectors have been hired and sent on a three-year training course, but Bakker said there remained an urgent need for more.

"We need between 250 and 350 inspectors, but we now have about 100," Bakker said.

There are 12 vacancies for inspectors.

Bakker and senior members of his staff could not say how many inspections had been conducted in the past 12 months.

Last year, the Leon commission found 90 percent of the risk of fatal accidents occurred in underground mines, but only 30 percent of inspections were underground.

Surface operations accounted for 9 percent of fatalities in 1993, but surface plant inspections represented 40 percent of the total.

The Leon commission acknowledged that the disparity in public- and private-sector pay was a problem, but criticised the existing inspection service for being too top heavy and inefficient.

The commission recommended filling inspection vacancies and hiring 25 more inspectors.



# The spectre of deadly dust settles over mine

By PETER DE IONNO

THERE is something ominous in the clang as workers put the finishing touches to a shed around a massive stockpile of powdered arsenic at a Barberton gold mine.

Like a stable door slammed shut after the horse has bolted, the enclosure of the huge store of poison has come too late to reassure workers at Anglovaal's New Consort Gold Mine.

Fear that they and their families are being poisoned has gripped the 700-strong workforce since October last year when drinking water was found to be contaminated with arsenic trioxide, a by-product of the mine's refining process.

Extended exposure to arsenic trioxide has been linked to an eight-fold increase in lung cancer and increased risks of liver and skin cancers.

The deadly dust has been blamed for the deaths of two infants and a mine supervisor, although these claims have not been substantiated.

Workers have pointed fingers at the mine's management, saying they have tried to cover-up the poisoning crisis and had been racially prejudiced in their safety measures.

Independent industrial health researchers have further accused the management of obstructing their investigation.

The Sunday Times was refused access to the mine this week.

But workers who spoke on condition of anonymity confirmed reports that until last year the mine had operated a racial double

standard in its issuing of protective clothing for workers in contact with arsenic trioxide.

A man found to have chronic symptoms said "The whites and the supervisors were given one-piece suits complete with hoods and overshoes, but blacks were given two-piece olskin suits that did not stop the dust from getting to the skin. The dust stayed on your body and you were not allowed to leave the plant to wash."

His wrists were marked with circular scars which he said had been caused by rashes after his arms were coated with arsenic dust. "They have treated us like fools. In the past when we complained of stomach pain and diarrhoea we were told it was because we had eaten fish with too much arsenic in it."

The chairman of the National Union of Mineworkers, Ephraim Sikhonde, said workers had become angry after white residents on the mine were sent written warnings about the arsenic pollution in the water, while hostel residents had merely been notified by public address messages.

"This management must learn that double standards for blacks and whites are not acceptable," he said.

Anglovaal spokesman Julian Gwillim denied the workers' allegations. He said the Cape Town-based Industrial Health Research Group had been allowed free access to the mine to conduct a study at the mine.

The group found symptoms of chronic, long-term arsenic poisoning in all 16 workers it examined last month.

The symptoms included

rashes, blisters, itchy eyes, and nasal sores.

Stomach cramps and bloody diarrhoea, which are symptoms of acute short-term exposure to arsenic, were recently widely reported by people on the mine when the water was contaminated at levels of 0.7mg of arsenic per litre, more than twice the maximum limit of 0.3mg a litre. It was the second contamination episode in four years.

Urine tests of 19 other workers, conducted by the mine 10 days ago, also show high levels of recent exposure to the poison.

According to figures shown to the Sunday Times by Mr Sikhonde, all of the workers had arsenic levels of between 50.9 and 94.4 micrograms per gram. Levels above 50 are regarded as abnormal and in need of attention.

Mr Gwillim said the company would release the urine test results only to a government inquiry into the pollution of the mine's water supply.

A public hearing will be held at the mine on February 27.

Mr Gwillim said the results of the tests were "inconclusive". However, workers who had shown arsenic levels in excess of accepted limits had been given counselling and would be tested weekly.

An NUM attorney, Richard Spoor, said mine management's attempt to restrict the investigation by Dr Mohammed Jeebhay, of the Industrial Health Research Group, had left the workforce confused and angry.

"Relations with management are so bad that we have not given them the names of people whom we

have found to be poisoned for fear that they will get rid of the problem by getting rid of the people."

Dr Jeebhay said management had refused access to the gold plant, where arsenic trioxide dust is extracted and bagged for storage, and to the roaster section, where crushed ore gives off arsenic fumes and hydrogen sulphide.

He said workers in the recovery plant had reported that fumes were escaping from the roaster into their section but management had not responded to their complaints.

Dr Jeebhay said that, when his team were finally allowed to examine 16 of 24 named workers, they were refused access to records of ongoing industrial hygiene and biological monitoring of workers.

"It creates the impres-

sion that somebody has got something to hide.

"It is unreasonable to prevent an industrial health investigation from inspecting the workplace," he said.

"How can we help solve problems if we cannot see the conditions the workers are exposed to?"

Although his team was escorted directly to the mine clinic, Dr Jeebhay reported seeing white dust, believed to be arsenic, on the road leading to the powder storage shed.

Mr Sikhonde and Hendry Sambo, the chairman of the mine health and safety committee, said mine managers had appealed to them to dismiss Mr Spoor and to deal with the poisoning issue in-house.

"They are afraid for the world to see what is going on inside here," said Mr Sambo.



PREJUDICE . . . Ephraim Sikhonde at the mine where arsenic has contaminated drinking water

Picture: HERBERT MABUZA



## Mine under scrutiny over polluted water

(2/12) (2/12)

BY TAMSEN DE BEER

Star 12/2/96

The Grootvlei gold mine in Springs has come under fire from several government departments for failing to meet permit requirements controlling the pumping of polluted water into the Blesbokspruit

The polluted groundwater directly affects an internationally recognised wetland as well as agriculture downstream

The Department of Water Affairs and Forestry last year granted Grootvlei a permit to pump iron- and salt-rich water on condition that measures be taken immediately to purify the water

The mine was threatened with closure and the cumulative loss of 4 000 jobs if it didn't pump between 30 and 80 megalitres of water daily out of its shafts

But according to Grootvlei general manager Peter Noble, the mine could not afford a desalination plant to purify water without assistance

Environmental stakeholders are deeply concerned about the noticeable damage caused to the wetland by the polluted water since pumping began. Mine management said pumping had been suspended for six weeks, but resumed last week

In spite of heavy rainfall, water discolouration and the deaths of some plants and reeds have been reported. Damage to water organisms, birds and fish has not been ascertained, but seems probable if pumping continues

The Gauteng department of conservation and agriculture has charged the mine with contravening the nature conservation ordinance, and has said a speedy solution to the problem is required

A spokesman for the Department of Mineral and Energy Affairs said an agreement on the desalination plant was being negotiated

# 'Subcontractor responsible for mine tragedy' (212)

CT (BR) 12/2/96

BY ROSS HERBERT

Johannesburg — The seven miners crushed to death on February 2 at Randfontein Estates gold mine died because a subcontractor appeared not to have used proper overhead support, according to conclusions by union representatives who inspected the accident site.

The tragedy refocuses attention on the use of subcontractors and has led to calls for changes in safety law.

Dick Bakker, the acting government mining engineer, said last week that legislation should be changed so statistics were kept on the safety record of subcontractors.

Unions complained that subcontractors offered inadequate training and recruited inexperienced workers who were involved in more accidents than regular mine workers.

Bakker said he could not comment on whether proper overhead support was used at Randfontein, but said he intended to investigate whether the mine had adequate safety systems and whether it was training contract workers properly.

"Where contractors are used there are definitely more workers involved in accidents. From our perspective it doesn't matter. The mine manager is still responsible," Bakker said.

According to the NUM, the Randfontein branch of the union had complained to the mine's management last March about what appeared to be unsafe overhead supports in a tunnel at the mine's Cooke number-one shaft.

The overhead was supported by wire mesh held in place by long bolts drilled into the overhead rock. However, the support system had apparently been in place for several years and had deteriorated.

Randfontein management had

brought in a subcontractor to replace the mesh. According to Charles Freeland, the union's regional organiser who inspected the site last Thursday, the scene appeared as if the subcontractor had cut out the existing support mesh without putting adequate temporary supports in place.

Seven workers were squatting under the unsupported roof when a section of rock of about 12.5m<sup>3</sup> fell down.

"The contract workers obviously didn't have any training. Any trained mine worker would never cut down a wire mesh or stand under it without support," Freeland said.

## Unsafe

"It is quite possible it was decidedly unsafe," said Bakker, who inspected the site on the day of the accident.

JCI spokesman Marc Gonsalves said an inquiry was under way and any comment on the investigation would be inappropriate until findings were complete.

Randfontein employs about 12 000 workers and the number-one shaft had achieved 2 million fatality-free shifts before the accident.

Bakker said the law made no provision for statistics to be kept on the safety record of particular subcontractors. He said he would support changes in the law to require the tracking of contractor safety.

The number of subcontracted workers had grown from 3 percent of the mining workforce in 1987 to 10 percent in 1994.

On coal mines subcontracted workers had grown from 5 percent in 1987 to 16 percent in 1994, according to NUM submissions to the labour market commission.

## Call for culpable homicide charges in mine probe

Renee Grawitzky

SOME Anglo American managers, previous mine managers, as well as the driver and electrician who dealt with a locomotive which fell down a Vaal Reefs mine shaft last year should face culpable homicide charges, the Vaal Reefs joint inquest and inquiry heard yesterday.

This was the state's recommendation in closing arguments to the inquest-inquiry regarding the disaster on May 10 last year in which 104 mineworkers were killed when the locomotive fell down No 2 shaft on to a cage.

The joint inquest-inquiry is reaching its clos-

ing stage after having reconvened last August

The state did not propose any prosecution against the company

Meanwhile, five mineworkers were killed in a rockfall which occurred at Vaal Reefs' No 11 shaft yesterday

Anglo American said the employees killed were from Shaft Sinkers Ltd

The rockfall had taken place 2 400m underground

Sapa reported that the company declined to comment on how production at the mine had been affected, but said that work had been suspended in the accident area

BD 14/2/96 (212)

An inquiry into his death revealed that he had been killed by

was stolen with the docket inside. Answering questions by senior

still be exposed, said Coetzee. Case proceeding.

# Five miners killed in rockfall at Vaal Reefs

FIVE miners were killed by a rockfall at Vaal Reefs gold mine at Klerksdorp in North West yesterday, mine owners Anglo American announced.

Two bodies were recovered soon after the accident and the bodies of two others, listed as missing earlier, were discovered by rescue teams, the corporation's gold and uranium division said.

One of two men injured in the rockfall was admitted to hospital but later died of his injuries.

The other injured man is in a sta-

ble condition. The rockfall occurred at 5 45am on 77 level in the mine's number 11 shaft some 2 400m below surface.

The names of the dead and injured are being withheld until their families have been notified.

In another mining accident on Monday, a miner aged about 30 was killed in a rockfall at Randfontein Estates gold mine on the West Rand.

West Rand police spokesman Sergeant Herman Esterhuizen said the identity of the man, who died of multiple head injuries, was being

withheld until his family had been informed.

No other miners were injured in the incident.

Vaal Reefs was the scene of one of the worst mine accidents in South Africa when 104 miners were killed in May last year after a runaway locomotive and carriage plunged down a shaft and crushed a lift carrying the workers.

At least 3 400 mineworkers have been killed in underground accidents in South Africa during the past five years. - Sapa.

(212) - Sawetani 14/2/96



# Electrician tampered with safety devices, inquest hears

BD 15/2/96 (212)  
AN INQUIRY into one of SA's worst mine disasters heard yesterday that 104 men were killed because an electrician tampered with safety features on an underground train to speed it up

Judge Ramon Leon is chairing the joint inquiry and inquest into the accident at Vaal Reefs last year, where a runaway underground train plunged down a shaft on to a mine lift. Both crashed about 450m to the bottom of the 2 300m-deep shaft, killing all 104 workers in the lift cage

Lawyer Cecil Stenhauer, acting for shaft engineering supervisor Henry Peens and electrical foreman Louis le Roux, told Leon there was clear evidence that electrician Ndwandwe Khoza was at fault

"There is ample evidence from several witnesses, including Khoza himself, to show that bridging out safety features on a locomotive was not permitted under any circumstances

"With his own hands, he rebridged the controller on May 3 1995 and left it in that bridged-out condition for a week afterwards — in an unsafe condition," Stenhauer said

The effect of the bridging out was that once the train was out of control, safety mechanisms would not cut off the current to the motor

Arguing that there was no negligence on Le Roux's part, he said "A

reasonable foreman would not have foreseen an experienced electrician like Khoza would deliberately have flouted all the mine standards by bridging out all safety components

"Peens, as Le Roux's senior, is further removed from responsibility for the conduct of Khoza than Le Roux — and the foreman must rely on the honesty and integrity of his artisans"

Alec Freund and Selwyn Silent, lawyers for train driver Tsepang Jack Mpota, said he inadvertently set the train in motion towards the shaft

"It was a quirk of fate that his conduct was the last in a chain of events which must have involved negligence by others that led to the tragedy"

Mpota was not to know the train's key safety components had been bridged, or that it had been left in a dangerous condition, they said

Renee Grawitzky reports that the NUM said yesterday Vaal Reefs and previous mine managers employed prior to the accident at No 2 shaft should face culpable homicide charges. The union's legal counsel, Karel Tip, said the company should face charges on the basis of negligence for omitting to ensure safety through the reasonable measure of proper safety devices

The proceedings continue today with Vaal Reefs presenting its closing arguments — Reuter



## Tutu is looking for volunteers

Wyndham Hartley

BD 15/2/96  
(202)

CAPE TOWN — The truth commission would have representatives in every town across the country, chairman Desmond Tutu said yesterday.

It had become increasingly clear it was unreasonable to expect people to contact one of the regional offices when they lived far away from them.

"We want volunteers, or if necessary paid people, in each town so that the little people who got the thin end of the wedge can get to tell their story," Tutu said

Commission vice-chairman Alex Boraine said it had been decided to invite all organisations in the country which might have played a role in the conflict of the past to make submissions to the truth commission. They could apply to give evidence to a sitting of the full commission.

Boraine said the decision was aimed at "helping us to fulfil the mandate laid down in the law governing our operations, which is to establish as full a picture as possible of the nature, causes and extent of human rights violations between 1960 and 1993".

He said written submissions could be sent to the commission at PO Box 3162, Cape Town, 8001.

Asked about the meetings between the commission and leaders of political parties, Tutu said they were in the process of setting up a meeting with IFP leader Mangosuthu Buthelezi.

# SANDF purchases 'need investigation'

(212)

Linda Ensor

CAPE TOWN — Irregularities in the procurement of spares by the SANDF appeared more widespread than originally suspected and further investigations might be necessary, state expenditure director-general Hannes Smit said yesterday.

Addressing the parliamentary public accounts committee on the follow-ups to the 1994 auditor-general's report, Smit said it appeared that more firms of suppliers might have been involved in the irregularities

Auditor-general Henri Kluever expressed concern about the long delay by the justice department in taking action against the culprits and the committee agreed to request a report-back from the department

In a letter to Smit in October last year, SANDF chief Gen Georg Meiring said a private audit firm had conducted an independent investigation into alleged irregularities, extended "to include a number of additional firms/suppliers who may also be involved.

"The auditor-general and state attorney have been requested to determine if other government departments have done business with the identified firms," Meiring said

The volume of transactions examined was making the investigation time consuming "However, the investigation has proceeded to the point

where a warrant of attachment in respect of relevant records and books of account of identified firms can be exercised."

The brief given to the state attorney and audit firm specified if irregularities were found, criminal and civil action be brought against firms, individuals and defence force members.

Reuter reports that Kluever also said mine inspections by the mineral and energy affairs department were not scientific and inspectors did not pay attention to some major causes of accidents on SA mines.

A performance audit of the department's mining safety and inspection procedures showed there was no overall strategic plan to achieve objectives or ensure standards were met.

"Aspects which had been identified as some of the biggest reasons for mine accidents — for example poor training of mine workers — did not receive the attention of regional mining engineers during inspections," the report said.

Corrective steps which might have resulted from inspections had limited impact, because they were applied to areas visited by engineers who "could only make a limited contribution towards general upgrading of standards". The report said some corrective steps had already been put into place, including efforts to improve training of mining engineers through practical programmes.

## Vaal Reefs locomotive driver 'cannot be guilty'

### STAFF REPORTER

The driver of the locomotive that plunged down Vaal Reefs Shaft 2 killing 104 people last year could not be guilty of culpable homicide, his counsel argued yesterday.

Presenting final arguments during the inquest into the May 10 disaster, Alec Freund said no person in Tsepang Mpota's position could have foreseen that his actions would have resulted in the deaths

Freund admitted that Mpota had probably "not made a thorough, diligent check" of all safety precautions. But the locomotive had the capacity to run away on the night because of the bridging of certain features of the safety circuit and not because of Mpota's actions.

G Ackerman, representing key underground mining officials, said there were no grounds to make a *prima facie* case against his clients as put forward by counsel for the State

and National Union of Mineworkers (NUM)

■ The Star on Tuesday stated counsel for the NUM had called for "management" to be prosecuted for covering up information vital to an investigation into the accident.

Counsel for the Anglo American Corporation objected, saying "senior officials" had hidden the information from management. The Star apologises for creating any misconceptions.

(212)

Star 15/2/96

## Police arrest second suspect over massacre of job-seekers

A second man from Tokoza has been arrested in connection with the massacre in Alrode last month in which eight people were killed and 23 wounded, police said yesterday.

"The investigation team dealing with the Alrode massacre has arrested a 25-year-old man in connection with the massacre," Supt Wikus

Weber said.

The man would appear in the Alberton Magistrate's Court today, but no further details were available, Weber added.

He did not know if the man was an employee of the NF Die Casting factory. Investigations would continue.

Another suspect, Moses Nkosi,

who was employed at the factory, was denied bail when he appeared in court on Thursday over the murders. He was not asked to plead before being remanded in custody to March 13.

Police had still not established a motive for the slaughter of job-seekers outside the factory on January 29, Weber said. — Reuters.

WEATHER

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for forecast

Newspaper

## Counsel gives last arguments in mine probe

(212)

Renee Grawitzky  
BD 16/2/96

THE circumstances of an accident in which 104 mineworkers died at Vaal Reefs' No 2 shaft were crucial in determining whether anyone was to blame and whether the accident could have been foreseen.

This was said in argument presented by Vaal Reefs' legal counsel' Chris Loxton, instructed by Brink Cohen Le Roux & Roodt, during the closing stages of the joint inquest-inquiry into the Vaal Reefs gold mine disaster in May 1994.

A locomotive fell down the shaft on to a lift cage on May 10, killing 104 miners.

Loxton said that no causal link between the accident and any prior conduct by anyone could be established unless the mechanisms causing the accident could be determined reliably.

The issue of negligence would not be relevant unless such a causal link were to be established.

"An inquiry into causation is logically antecedent to an examination of foreseeability," Loxton said.

"If cause cannot be established, then the question of foreseeability does not arise."

This argument was illustrated by Loxton, who described a scenario in which a motor car collided with another because its brakes failed. It was adequate, he said, "to show that motor cars are generally dangerous and unless they are controlled properly, may injure other road users".

Loxton said what had to be shown was that the driver should have foreseen the brakes might have failed, "leading to a collision. It would also not advance the case to argue that brakes sometimes fail and that accordingly the driver should not have driven the car unless there was no risk that the brakes might fail."

He said the decision about whether to lay charges against a corporation and its employees lay with the attorney-general.



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# 'Act of sabotage' blamed for mine disaster

(212) *AFW 16/2/96*

By ADAM COOKE

An "act of sabotage" by an electrician before the Vaal Reefs disaster that killed 104 men last year should be seen as the single most important factor to emerge from months of investigation, according to Anglo American Corporation's lawyer

During the penultimate session of the inquiry, counsel for Anglo, Chris Loxton, SC, suggested that electrician Frank Khoza had deliberately circumvented safety precautions on the locomotive. The underground locomotive plunged down No 2 Shaft on May 10 last year, landed on a cage and killed the 104 occupants

"It was an act of sabotage in

which he systematically stripped away safety devices," said Loxton, stressing that Khoza was directly responsible for the dangerous state of the locomotive immediately before the accident

He said Khoza's "reckless act" could not have been foreseen by the mine's managers, who could therefore not be held culpable.

Loxton, in presenting what Mr Justice Ramon Leon called his "tome" of submissions, based his argument on the legal grounds that, while the mine was running, it was the responsibility of the managers to ensure safety

Loxton systematically showed how senior officials at the mine gave close attention to their duties and never failed to act with the re-

quired diligence

He said those in managerial positions on the mine were entitled to expect that the mine's employees would act reasonably and lawfully, rather than vice-versa. They were entitled to expect that the mine's standards and safety rules would be obeyed

He said the safety devices in place at the time conformed to the industry's standards

Loxton then went on to implicate the driver of the locomotive, Tsepang Mpota, when he said there was at least prima facie evidence to show Mpota's conduct was the "proximate cause of the deaths"

Today is expected to be the last day of summing up

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### Mine inquest ends

THE joint inquest-inquiry into the Vaal Reefs mine disaster in which 104 mineworkers were killed on May 10 last year when a locomotive fell down No 2 shaft, ends today

The joint inquest-inquiry was set up to determine whether anyone was responsible and whether anyone should be prosecuted (212)

A separate commission of inquiry, agreed to and appointed by President Nelson Mandela and chaired by Judge Ramon Leon, will begin hearing evidence on May 2.

This separate commission will investigate and report on the "steps which can be taken in order to prevent such an occurrence in future or lessen the risk thereof"

BS 19/2/96

# Six mine deaths coincide with tabling of safety Bill

BD 20/2/96 (212)

Renee Grawitzky

THE National Union of Mineworkers has reacted strongly to the deaths of six mine workers killed in two accidents at Anglo American's Vaal Reefs No 2 shaft and Western Deep Levels' East Mine yesterday morning

The union's health and safety coordinator Fleur Plimmer said last night there had been more than 30 mine deaths since the start of the year.

Like the seven workers killed at Randfontein Estates this month, the three killed at Western Deep were contract workers. NUM said there was a trend of contract workers being involved in accidents because management did not ensure they were trained.

The deaths coincide with the tabling in Parliament yesterday of the draft Mine Health and Safety Bill drawn up by the tripartite mining regulations advisory committee, established in the wake of the Leon commission recommendations into mine health and safe-

ty, approved by the Cabinet last year

Anglo spokesman James Duncan said the accident at Western Deep Levels was the result of a rockburst after a seismic event measuring 2.5 on the Richter scale. The one at Vaal Reefs was the result of a rockfall following a tremor measuring 2.6, he said.

Plimmer said attributing the accidents to seismic events "makes it seem like an act of God, which obscures the fact that both accidents could have been prevented".

Acting government mining engineer Dick Bakker said some of the recommendations of the Leon commission, including the drafting of new legislation and the establishment of a number of tripartite committees, had been implemented. The remaining recommendations could be implemented only when funding was approved.

Mineral and energy affairs ministry spokesman Roland Darroll said Cabinet approval of funding was "under consideration".



# Two die in mine

*Sawyer*  
(212) 20/2/96  
THREE mineworkers were killed and another was injured by a rockburst at Anglo American Corporation's Western Deep Level Mine near Carletonville yesterday

In a statement Anglo American Corporation's Gold and Uranium Division said the corporation regretted the deaths

The injured man was reported to be in a stable condition in hospital while the names of the dead have been withheld by the corporation until their next of kin were notified

National Union of Mineworkers (NUM) spokesperson Ms Judith Weymont said the union was concerned about the increasing number of accidents involving contract workers on the mines

"Most of the recent mine accidents have involved contract workers who are not trained in health and safety," said Weymont. NUM was not against the use of contract workers if negotiated and if management explained why they needed to employ such workers

## Six more miners die in two more accidents

BY TARYN LAMBERTI

Star 20/2/96 (212)  
Six miners were killed in two separate accidents yesterday, bringing to 22 the number of mine accident fatalities this year.

Three miners were killed in a rockburst at Western Deep Levels' East Mine near Carletonville on the far West Rand early yesterday, Anglo American Corporation spokesman James Duncan said.

The rockburst, which seriously injured another miner, was caused by an earth tremor measuring 2,5 on the Richter scale and occurred 2 900m below surface.

Less than four hours later, three miners were killed in a rockfall at Vaal Reefs' No 2 shaft near Orkney. Three other mineworkers who were injured during the 8am rockfall are in a stable condition in hospital.

Duncan said the rockfall, about 2 750m below surface, followed a tremor measuring 2,6 on the Richter scale.

► New mine safety bid

# NUM signs education pact

BY NATHAN LIEB

Johannesburg — The gold and coal mining companies in the Gold Fields Group signed an adult basic education and training agreement with the NUM yesterday.

The education programmes provide adults with the opportunity of gaining qualifications equivalent to the formal schooling system.

A basis for further learning is provided, enabling employees to develop skills and knowledge for future education and training.

Joseph Nkosi, the national chairman of education and training for the NUM, praised the agreement, saying this was "a positive, historical first step since it is the first agreement between the NUM and (Gold Fields South Africa) at the mining house level".

However, the union felt that "the actual achievement will take place at the mine level where implementation will (occur)".

Vuyani Spanbo, NUM's regional educator in Gauteng, said this was a good public relations exercise for Gold Fields.

# Mine Bill to usher in new era

By ROSS HERBERT

Johannesburg — The new Mine Health and Safety Bill, which was presented yesterday to the parliamentary committee on mineral and energy affairs, will — according to unions and industry — usher in a new safer, more co-operative era in South African mining.

Johan Greeff, the general manager of technical support at the Chamber of Mines, said the chamber had disagreements with a few aspects of the Bill, but was satisfied with its overall content.

By greatly expanding worker participation in the regulation and enforcement of health and safety standards, the Bill will also expand the amount of management-union contact, taxing the diplomacy, goodwill and time of both sides.

"The affect will be potentially huge because one can get employee ownership of safety issues," said Karl van Gessel, a consulting mining engineer responsible for health and safety at Anglo American's gold and uranium division.

Union representatives will sit alongside industry and government

on a national mining health and safety council which will advise the minister, and mineral affairs and the government mining engineer.

The council will have permanent committees, with worker representation dedicated to regulation, research, occupational health and mining qualifications.

Every mine with more than 20 employees will be required to have an elected health and safety representative at each workplace on each shift. One of the guidelines requires at least one paid full-time health and safety representative for mines with more than 200 workers.

Of greatest potential significance to daily mining practice will be guidelines that Dick Bakker, the government mining engineer is now drafting with the mining regulation advisory committee. Under the Bill, mines must create their own codes of practice, conforming to the guidelines.

The guidelines are quite specific, stating, for example, that mines should use more expensive dynamic supports capable of absorbing seismic shocks.

Other guidelines, now in draft

form, suggest placement of supports about 1.5 metres apart.

The measurement of airborne dust, the major occupational disease threat underground, would change said Bakker. Instead of computing an average exposure for a whole mine, Bakker will require testing in specific work areas.

The extent to which mines have latitude for bending the guidelines to meet local conditions is unclear. But employees sitting on accident investigations and safety councils will probably look to the government guidelines as a yardstick.

In an effort to promote problem-solving and eliminate the incentive to hide facts on accidents, the law will allow the chief inspector to compel anyone associated with an accident to testify. Those testifying will be shielded from prosecution based on their testimony.

Every mine with more than 50 employees will be required to distribute to all shareholders an annual report on safety and one on health.

And management must link records of employee occupational health with their actual work assignments.

# New safety law for mines

(212)

By ROSS HERBERT

ET (22) 20/2/96

Johannesburg — New health and safety legislation with potentially far-reaching effects for South Africa's mining industry was presented to parliament yesterday by Dick Bakker, the acting government mining engineer.

"The new Act will have a strong psychological effect on all the parties and it will bring South Africa in line with the most modern mining legislation in the world," said Pik Botha, the minister of mineral and energy affairs.

Bakker's second in command, Ken Gudmanz, the acting chief director of mine safety and health, said that the Bill represents a total culture change in the entire mining industry.

The Bill resulted from the 1994 Leon commission of inquiry into mining health and safety, which criticised the industry and the government for shortcomings in mining practice, inspection and enforcement of health and safety rules.

The Bill will result in full-time health and safety representatives on all mines which employ over 200 people.

It also will require worker-elected safety representatives.

□ See Page 16



# Funds approved for Leon proposals

BD 21/2/96

(212)

Renee Grawitzky

THE Cabinet has approved the allocation of R29,8m to be included in the mineral and energy affairs department's 1996/97 budget for the implementation of the Leon commission's mine health and safety recommendations, which were released in March last year.

The implementation of some of the key recommendations was being hampered by the failure of the public service commission to approve the proposed new structure for the mining inspectorate and a new salary structure for the inspectorate, department sources said yesterday.

The commission's recommendations ranged from the drafting of new legislation — tabled in Parliament this week — to the restructuring of the inspectorate and the adjustment of the remuneration of mining inspectors.

The commission noted that the inspectorate was understaffed and that one of the reasons for this was the inadequacy of remuneration packages.

The department's acting deputy director-general, Nick Bredell, said the Cabinet's approval had been put into effect by the state expenditure department. He said the money was available but the department was awaiting a positive response from the public service commission to implement the restructuring of the inspectorate and the new mining inspector salary structure.

Sources indicated the commission

did not want to approve the implementation of these two measures as it was felt such issues should be referred for negotiation to the Public Sector Bargaining Council.

The department believed this case fell outside the jurisdiction of the bargaining council, as the approval and introduction of the recommendations did not emanate from union demands.

Instead, sources said, the implementation of the commission's recommendations were the result of a commission of inquiry established by the president, and were subsequently endorsed for implementation by the Cabinet last year.

Commission chairman Judge Ramon Leon said yesterday he welcomed this move "if the money allocated is sufficient for what was recommended".

NUM health and safety co-ordinator Fleur Plimmer said money made available should be used to ensure the mining inspectorate operated more efficiently and was better resourced.

That would entail salary adjustments for mining inspectors to attract quality people, which in turn would ultimately address the lack of enforcement of legislation.

However, she said, this formed only one area for implementation. Electronic recording of inquiries, the improved investigation of accidents and the need to start hiring people with health and environmental backgrounds to ensure an increased focus on health and related issues was crucial.

# Boycott called off after agreement on housing

BD 21/2/96

(13)

THE housing department and the SA National Civic Organisation said yesterday they had resolved outstanding issues on housing delivery, and Sanco had called off its boycott on bond repayments.

Housing director-general William Cobbett and Sanco assistant general secretary Linda Mngomezulu said after meeting in Pretoria that they would in future focus on extending credit to low-income households and creating a normalised environment for lending.

"The department will approach the Association of Mortgage Lenders to involve Sanco in identifying areas in which the record of understanding could be improved," it said.

Sanco would co-operate with the Mortgage Indemnity Fund and Servo to avoid unnecessary evictions.

In addition, Sanco would help formulate the department's housing process document. Problems with inferior

structures and mechanisms for dealing with them would also be discussed.

Cobbett said he regretted it had taken so long to establish a sound and co-operative relationship with Sanco.

He would organise a meeting between Sanco and Housing Minister Sankie Mthembu-Nkondo.

Free State local government and housing MEC Ouma Motsumi said yesterday payments for basic services had improved 5% to 90% in the province.

This "miracle" had produced a 100% payment in Paul Roux, she told a mayors' conference in Bloemfontein to promote the Masakhane Campaign aimed at getting people to pay for the water and electricity they use.

More than 50 Free State mayors signed a pledge in support of the campaign during their terms of office.

Premier Patrick Lekota emphasised people would have to be persuaded to pay for these services. — Sapa

# New mining bill hailed

(212) ~~212~~

## Miners now have the right to refuse to work in dangerous conditions

By **TROYE LUND**

*Star 22/2/96*

South Africa's 500 000 mineworkers have hailed the new Mine and Safety Draft Bill as a "victory for labour"

Mining houses agree, saying the new proposed legislation heralds a co-operative and safer era for the industry

A foreman at the Durban Deep mine in Roodepoort said the "biggest win and largest step from the destruction of apartheid" was the draft bill's provision for miners to refuse dangerous work

"So many times, miners have known a certain job is dangerous, but have had no choice but to obey instructions. We all took chances to keep bread on the table," said the fore-

man, who asked not to be named

To illustrate, he referred to what is considered to be South Africa's worst mining disaster. In 1960 a total of 437 miners were squashed under about 160m of rock when an earth tremor collapsed an incline shaft at Sasolburg's Coalbrook mine.

At an inquiry after the incident, it emerged there had been a tremor before the fatal one and that miners had tried to get out but "were driven back" to continue work. The next tremor killed them all.

Mining houses fully support the need for workers to have the right to refuse dangerous work but fear parts of the bill interfere "excessively with mining operation"

But the National Union of Mineworkers is adamant that mining houses cannot "be trusted to self-regulate"

"If they think some things are too prescriptive then they have brought it on themselves and deserve it," said NUM health and safety co-ordinator Fleur Plimmer.

■ An inquiry into one of SA's worst mine disasters, in which 104 men died at Vaal Reefs gold mine, was provisionally expected to present its findings on April 18, Leon Commission secretary Derek Baker said.

An underground tram plunged down a shaft on top of a lift and both crashed about 450m to the bottom of the shaft, killing all 104 in the cage. - Reuters.

## Workers release hospital staff

STAFF REPORTER

The Boksburg-Benoni Hospital on the East Rand is calm and back to normal after a hostage drama that threatened to close all but the intensive care unit and maternity ward of the hospital

Protesting workers took hospital superintendent

~~15/2/96~~  
Peter Croukamp, his secretary, the nursing director and several matrons hostage yesterday

The workers refused to release them until their demands for higher wages were met.

The protest started at about noon and the staff were released late yesterday afternoon.

*Star 22/2/96*

## Mbeki on poll trail

Deputy President Thabo Mbeki will target minorities and rural communities when he hits the campaign trail in KwaZulu Natal this weekend.

The ANC seeks a turnaround in Indian, white and coloured areas where it fared badly in the 1994 election. The main thrust will be in the Maphumulo district. - Political Reporter.



# Mining engineer slams industry over deaths

CT(BM) 22/2/96 (212)

By ROSS HERBERT

Johannesburg — Dick Bakker, the government's chief safety officer, said yesterday the recent string of mining fatalities were "totally preventable" and called a special mining industry meeting to present "urgent proposals" today.

Bakker referred to recent accidents which included one death at Kloof on Tuesday and another at Randfontein. Five miners were killed on Monday — three at Vaal Reefs and two at Western Deep Levels. Other fatalities include seven deaths on February 3 at Randfontein, five on January 30 at Blyvooruitzicht and five on February 13 at Vaal Reefs.

Statistics are not yet available for February, but 41 miners were killed in January and a source in Bakker's department said February numbers were looking significantly worse.

"These accidents show that there is a total lack of effective control and lack of standards. I am not saying mine managers are not sincere in their desire to prevent accidents, but it is not translating into

effective action. That concerns me greatly," Bakker said yesterday.

Johan Greef, the general manager of technical support at the Chamber of Mines, said "Certainly there have been lots of falls of ground lately. As to the nature of a pattern, I cannot comment."

Fleur Plimmer, the head of safety at the National Union of Mineworkers, said "It's so irresponsible. They keep saying it's seismic events but all the recent accidents point to lack of training."

Bakker also said regular failures to use proper underground supports called into question the viability of new ultra-deep mining projects.

"How can you go to these great depths and not deal with this problem," he said.

Bakker said he wanted to set up an audit team with the government, industry and unions to identify high-risk mines and conduct immediate safety audits.

He complained that mining research was far ahead of actual practice. Bakker said he wanted to implement the findings of the latest mining safety research as soon as

possible and wanted research projects to be more focused on providing immediate safety benefits.

He also wanted to establish an independent system for testing the safety and actual load-bearing capacity of products for supporting overhead rock in underground mines. Falls of rock during seismic events accounted for only about 10 percent of underground fatalities, said one safety expert on Bakker's staff. He said that inadequate supports or the inadequate use of supports accounted for the majority of deaths underground.

"A testing system would prevent every Tom, Dick and Harry from bringing stuff underground without it being tested," said Bakker.

He said a requirement for independent testing would probably require a change in the draft mine health and safety bill now before parliament. In terms of the bill, manufacturers of mining equipment are responsible for its failure, but there is no requirement that supports be independently tested.

# 'Lack of concern' on mine safety

Renee Grawitzky

A LACK of concern for the safety of mine workers on the part of supervisors and the lack of management systems in place to ensure their safety had been major factors contributing to a recent spate of mine accidents, acting government mining engineer Dick Bakker said yesterday.

Speaking after an emergency meeting of the mine safety committee to discuss the accidents, Bakker said a crisis was developing in the industry. During the first six weeks of the year more than 40 mine workers had died in mine accidents.

The meeting had concentrated largely on investigating ways to prevent deaths resulting from

rockbursts and rockfalls.

Bakker said that in recent weeks four accidents involving the deaths of 20 mine workers had occurred as a result of "fall of ground" and rockbursts

Two of these accidents, which did not involve seismic events, could have been prevented. In both instances there had been "minimal or no management involvement to ensure safety measures were being implemented"

"If the current cycle continues, we will have twice as many casualties this year compared with last year," Bakker said

Regarding other accidents, he said "You cannot prevent seismic events but mines can make excavations as safe as possible." The incidence of seismic events in-

BD 23/2/96 (212)  
creased if a mine was situated near geological disturbances

Rockfalls and shake-outs could be prevented by the use of proper support mechanisms. Rockbursts which hit excavation areas were problematic, Bakker said

He said those mines with high accident figures had to be identified. Thereafter a group comprising experts on rockfalls and rockbursts should be set up to assist mines and conduct safety audits

This group would have to investigate management safety systems, supervision, training and the application of legal requirements and mine standards

On mining research, Bakker said "What is available is not being used and what is known is not being implemented"



# Chemical explosion kills man

JOHANNESBURG: An inspector was killed and two artisans were injured yesterday in an apparent vapour explosion at Impala Platinum Ltd's refinery at Springs, the company said.

One of the two injured was in a critical condition and was airlifted to the private Milpark hospital here to be treated at the clinic's burns unit, Impala said.

The company said the accident happened during a routine inspection of a sulphur dioxide vessel at the base metals refinery by the three men, two of whom were inside the vessel when the explosion occurred. The inspector died after being unable to climb out of the vessel.

The names of the three have not yet been released — Reuter.

(212) (~~11~~)

OT 13/96

## Gold Fields miners escape underground fire

Renee Grawitzky

(212)  
BD 1/3/96

A MINE disaster was avoided this week when 104 mine workers at Gold Fields' East Driefontein gold mine evacuated successfully to refuge bays underground after a fire broke out 2 200m below the surface.

Gold Fields said yesterday that pro-to teams worked throughout the night to bring the affected workers to further safety and then to the surface.

Sources claimed that if the mine workers had not been trained properly they would have run in all directions and not have entered the refuge bays.

NUM spokesman Judith ~~Mont~~ said in this instance, ~~training~~ had "played an important part and good use was made of the refuge bays".

Gold Fields said the cause of the fire was still unknown and the effect on production at No 1 subvertical shaft could not yet be assessed.

# Job creation a part of IFP's manifesto

Farouk Chothia

DURBAN — The IFP election manifesto for KwaZulu-Natal advocates the formation of a business commission to spearhead job creation at local level, and proposes that state land be hived off to the private sector.

The manifesto proposes forming crime commissions to combat criminal activity, and the extension of the SAPS reservist system "to allow for local authority volunteer reserve systems".

The manifesto also commits the IFP to a referendum on whether the death penalty should be reintroduced.

The eight-page manifesto, sent to IFP branches, has not been officially unveiled to the public. The IFP is expected to launch its campaign for the May 29 election in the next few weeks.

The manifesto states local authorities would take the initiative to create opportunities for disadvantaged communities with business plans aimed at boosting local economic activity, and by reducing "unnecessary red tape which inhibits business activity".

The business commission would encourage the "structured" development of tourism to create employment without "adversely impacting on" the environment; secure sites for small businesses at low or deferred charges; implement preferential rating systems for vocational and educational institutions; and identify areas where dere-

gulation would increase efficiency

The manifesto refers to a single business commission, but the IFP is believed to envisage a commission for each of eight regional councils. In the case of the crime commissions, the manifesto states they would be established in every local authority to "monitor and report on criminal activity in a co-ordinated and comprehensive manner, and to produce effective programmes to combat crime".

Other proposals on crime are tougher sentences; stricter bail conditions, police salaries to be commensurate with responsibility and value of the profession, and removal of officers from desk work to do "active" policing.

The manifesto says that local government has a role to play in resolving historical disparities in land distribution and in maximising the use of available land. Local authorities should be bound "to provide formal justification for any land vacant. If a satisfactory explanation is not provided, the land should be offered to the private sector".

"Massive potential can be unlocked by harnessing currently redundant or unproductive land held by the state or its agents," the manifesto says.

However, IFP-controlled local authorities would "resist attempts by central government to nationalise communally-owned land" as the IFP believed "development of this land must be vested in communities themselves"

## Mining 'not for women'

(212) ~~(211)~~  
Wyndham Hartley  
BD 5/3/96  
CAPE TOWN — NP and ANC members agreed on one thing yesterday — women should not be allowed to work at the "coal face" in SA mines

However, they faced opposition from their own colleagues in the mineral and energy affairs committee during a briefing on the new Mine Health and Safety Bill

Government mining engineer Dick Bakker, briefing the committee, said that women were no longer prohibited in the new legislation from working underground. He explained that in the past it was specifically outlawed for women to go below the surface unless it was in an administrative capacity or for research purposes.

The ANC's Ismail Mohamed remarked that women were clearly genetically different from men and should not be allowed to work underground. Elizabeth Thabethe (ANC), the only woman MP present, said to prevent women from working in mines would be a breach of the constitutional freedoms which they now enjoyed.

## Traditional leaders' council law rejected

Tim Cohen

CAPE TOWN — Legislation was tabled in Parliament yesterday to circumvent difficulties in the creation of a national council of traditional leaders.

The legislation was rejected by the IFP, mainly because it would prohibit council members from simultaneously holding seats in regional and national parliaments

The creation of the council is provided for in the constitution, but its establishment has been delayed because the formation of regional councils has been stalled in

some provinces by infighting among traditional leaders. Legislation requires that all regional bodies have to be established before a national body can be formed. Council members are elected by an electoral college drawn from the regional houses

The Council of Traditional Leaders Bill circumvents this problem by providing that each house nominate three members to sit on the national body

IFP MP Walter Felgate said the prohibition on council members serving as MPs or members of any provincial legislature was one

reason for his party's opposition. The provision would, for example, exclude Inkatha leader Mangosuthu Buthelezi from the council.

Felgate said discussions aimed at formulating rules for the working of the council had started last year. The rules had been endorsed by the parliamentary constitutional affairs committee.

But the legislation contradicted several agreements, including an agreement that members of the council did not have to belong to regional houses. The legislation included other clauses not previously agreed, Felgate said.



# Govt plan to break mining stalemate

(212) BD 5/3/96

Wyndham Hartley

CAPE TOWN — Parliament's mineral and energy affairs committee will attempt next week to break a deadlock between mine owners and unions on a proposal that mine managements be required to prove they were not responsible in the event of an accident.

The National Union of Mineworkers (NUM), the Chamber of Mines and the mineral and energy affairs department, sitting in the mining regulations advisory committee, have been unable to resolve the deadlock over labour's insistence that the onus be on mines to prove they have not been negligent.

Government mining engineer Dick Bakker told the committee yesterday that the Mine Health and Safety Bill, based on the recommendations of the Leon commission on mine safety, created tough new measures making mine owners responsible for safety and health in and around mines.

In addition to insisting that owners, through their managers, make all necessary safety and health facilities available, there is a "vicarious responsibility" clause which makes the manager and the owner responsible if mine

workers do not comply with the provisions of the legislation.

Owners through their managers will, if the legislation is approved in its current form, be required to ensure conditions for safe operation and a healthy working environment. Even mines that are not being worked will have to take reasonable steps to prevent injuries, ill-health and loss of life.

Bakker said that if the legislation had been in place at the time of the Merriespruit slimes dam disaster, mine management would have been held responsible immediately. The legislation makes the area and environment around the mine the responsibility of the mine as well.

The legislation also gives mine workers the right to leave their workplace when there is reasonable risk that conditions pose a serious danger to their health and safety. Bakker said this would bring SA's mines in line with international practice.

He told the committee the legislation would beef up the inspectorate's powers, allowing almost unfettered powers of search and seizure without a

Continued on Page 2

## Mine safety

Continued from Page 1

warrant, the questioning of anyone on any matter related to operation of the legislation and the examination and copying of any document related to mine safety.

A mine inspector will, if approved, be given the power to shut down a mine or a portion of a mine if he believes conditions endanger health and safety.

The mine manager has the right of appeal to the mines chief inspector and the Labour Court.

Committee chairman Marcel Golding (ANC) told the committee it would accept submissions from interested parties this week. Parties had been asked to make submissions and supply draft amendments for inclusion in the legislation and could give evidence to the committee next Tuesday.

Golding said he hoped that the Bill would be finalised by March 14 and ready for debate on March 19 and 20.



# Mine inspectorate decision pending

Linda Ensor

CAPE TOWN — The Public Service Commission would this week take a decision on the formation of an independent inspectorate to monitor health and safety in the mining industry, commission director general Lucas Stoop told the parliamentary public accounts committee yesterday.

The recommendations for the establishment of the inspectorate within the government mining engineer's division were presented to the commission in September

Stoop's undertaking to give the

commission's response by Friday concerned the numbers of inspectors which it would allow, and the level of their remuneration

Mineral and energy affairs committee chairman Marcel Golding said an independent inspectorate manned with professional staff who were paid adequate salaries was vital to give effect to the Mines Health and Safety Bill tabled in Parliament this week

He said the Bill brought SA in-line with international standards on health and safety, and gave workers the right to refuse to work in dangerous conditions, the

right to training and the right to obtain information

The confusion of health and safety issues with the regulation of mineral exploitation and land rehabilitation issues in the same Act was regarded as detrimental and would be redressed by the proposed stand-alone Mine Safety and Health Act

The formation of an independent, well-paid inspectorate was recommended by the Leon commission of inquiry into mine safety and health and was accepted by cabinet but awaited approval by the commission

bd 7/3/96

(212)

# 'Mine has done nothing for us'

Star 7/3/96 (212)

While walls crumble, villagers take on

Potgietersrus mine over removal

By Justice Malala  
and Christine Romberg

Francinah Ntshelobu returned home from a march on the Potgietersrus Platinum Mine yesterday and vowed never to be moved again by the mine that has been a constant pain for her and her fellow villagers in GaPila since 1969.

Ntshelobu's house is one of about 200 which stand about 500m from the open-cast mine outside Potgietersrus, and which have been slowly cracking from the blasting that takes place there every second or third day.

Every time the mine blasts, it dispatches a bus to ferry Ntshelobu - who is so old she says she does not know her age - and others away from their houses in case they are injured during blasting.

On January 12, a part of Ntshelobu's house fell in. Several other

houses, most of them built with mud bricks, also succumbed to the combination of blasting and rain.

"These people moved us from our first home in 1969 to build the mine, which they said would help us with jobs and schools for our children. But since it started working, all we've had is danger and irritation from this blasting," she said.

Yesterday, about 300 residents of GaPila - which has more than 800 houses - marched on the mine, demanding that the blasting be stopped while talks about relocating them to another area continued.

The residents are also concerned that dust from the blasting could be hazardous to their health; that the mine is not hiring locals; and that, as the mine expands, it threatens to take away even more of their tribal land without ploughing any of its riches back into the community.

Mine manager Alewyn Raubenheimer said the mine agreed



ANDREAS VLACHAKIS

**Tough tannie ...** Francinah Ntshelobu, in front of her ruined house, will not leave her birthplace to make way for mine operations. The village would be safer and better off if it was relocated, but mining operations should not be stopped while this continued.

He admitted a 30cm diameter stone had landed near children on the periphery of the village on one occasion, but said there had never been a serious accident from the blasting. Another case, when a

rock landed in the village, was "sub judice".

Councillor for the area Steven Matlala said if the villagers were relocated, the new land had to be long to them, they had to be compensated for losses and they demanded a shareholding in the mine.

He said because there had been no development of GaPila since the

mine's inception, the new village should be provided with water, electricity, roads and other infrastructure.

Raubenheimer disputed claims that the mine had not contributed to the local economy, saying it strived to have 80% of its staff drawn from local villages. It had also built a clinic, technical col-

lege, crèche and sports fields as part of its community involvement.

But Ntshelobu's mind is made up. "When we came here in 1969, we had to carry our own thatch roofs like dogs, kicked away from our own land. But this time we are not moving (from) here. The mine must move because it has done nothing for us."



# 532 died in rockfalls and other accidents on SA mines last year

(212) Star 8/3/96

By JUSTICE MALALA  
AND TARYN LAMBERTI

At least 60 mineworkers have died since the beginning of the year in rockfalls and other accidents

The toll might have been much higher if the 104 miners trapped at the East Driefontein gold mine in Carletonville last week had not all been rescued

They were trapped 2 200m underground after a fire broke out.

The workers were saved by entering specially prepared refuge bays

Had they not been trained, they might have ignored these and instead run helter-skelter when the fire broke out, thus resulting in death or injury

According to the Department of Mineral and Energy Affairs, 41 people were killed in mines in January alone. According to The Star's records, 19 mineworkers died in February

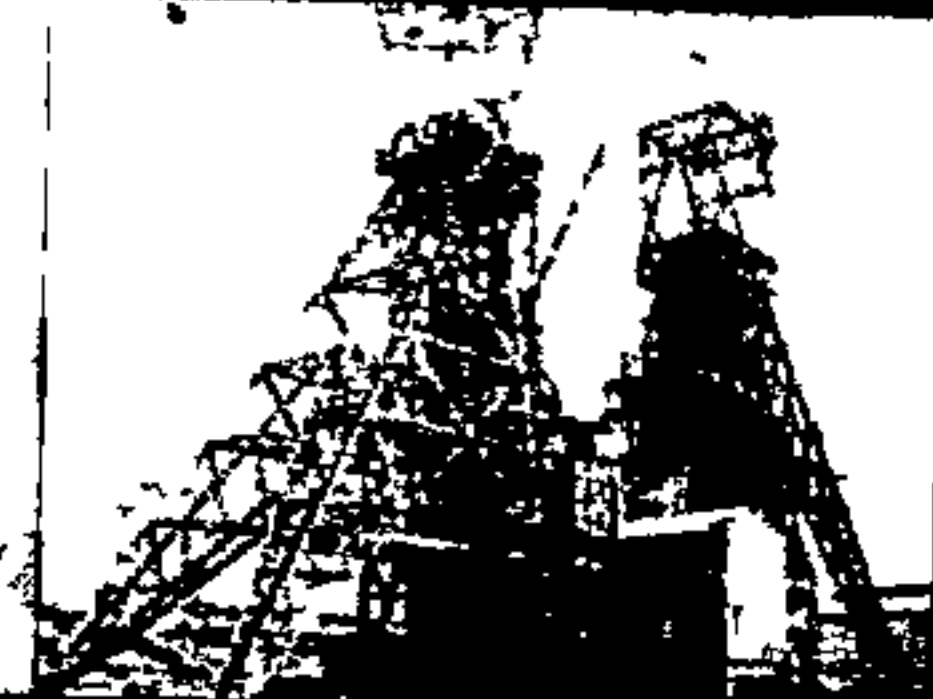
Last year 532 people were killed in mines, while 551 were killed in 1992, 586 in 1993 and 486 in 1994. Last year's major disaster occurred at Vaal Reefs' number two shaft, where 104 people were killed on May 10.

NUM spokesperson Judith Weymont said a considerable number of the accidents, particu-

## MINE DEATHS IN JANUARY '96

Coal mines	3
Diamond mines	4
Gold mines	27
Platinum mines	5
Other mines	2
<b>Total</b>	<b>41</b>

Source: Dept. of Mineral and Energy Affairs



## ... AND IN FEBRUARY

2 Feb	Randfontein Estates gold mine	7
12 Feb	Randfontein Estates gold mine	1
13 Feb	Vaal Reefs gold mine	5
19 Feb	Western Deep Levels East mine	3
19 Feb	Vaal Reefs No 2 shaft near Orkney	3
<b>Total</b>		<b>19</b>

Source: Star Library

larly those related to rockfalls, were avoidable

"A number of these accidents have been attributed to rockfalls and these are avoidable if there is enough roof support in the work area

"The mining industry must address the problem of rock mechanics as a matter of urgency and improve on mine planning and layout as well as basic things like basic roof support systems," she said

Department of Mineral and

Energy Affairs research deputy director Lucie Mouton said the most common forms of accidents on gold and coal mines are falls of ground and those due to transportation problems, which may include underground locomotives or transportation of the raw material.

Accidents related to transportation are the most common in diamond, platinum and all other mines. This is followed by machinery problems and falls of ground.

# Harmony found guilty of culpable homicide

BD 13/3/96 (212)

## Own Correspondent

VIRGINIA — Harmony Gold Mine was found guilty in the Virginia Regional Court yesterday of culpable homicide relating to the 1994 Merriespruit slimes dam disaster, while three of its employees were found guilty of contravening the Minerals Act.

Harmony, represented by director John Berry, pleaded guilty yesterday to the charge. Former GM Dan Jordaan, metallurgical manager Johan Mouton and acting plant superintendent Wayne Hatton-Jones also pleaded guilty.

The three are the last of eight accused employees from Harmony and Fraser Alexander, the construction company that built the dam. An inquiry last year found them responsible for the disaster.

The State withdrew all charges against Harmony plant foreman

Ronnie Bantjes as well as charges of culpable homicide against Jordaan, Mouton and Hatton-Jones.

The trial was split earlier when Fraser Alexander pleaded guilty while Harmony planned to plea not guilty. Seventeen people were killed when mud flooded the small mining town of Merriespruit.

Harmony's legal representative Adv Frans Berry argued that Fraser Alexander was appointed to do contract work for the mine which fell outside the parameters of normal mine expertise. Fraser Alexander was appointed as a specialist to maintain the dams on Harmony's behalf.

Berry gave evidence that R55m in claims against the mine had been handled to date and about 98% of these had been finalised.

Adv Jannie Botha represented the State while Adv Leon Bekker represented Fraser Alexander.



# Mine authorities call for a revamp of safety Bill

Wyndham Hartley

CAPE TOWN — Substantial sections of the new Mine Health and Safety Bill were unconstitutional and should be scrapped to avoid a Constitutional Court challenge, Gencor and the Chamber of Mines said yesterday.

In submissions to Parliament's mineral and energy affairs committee, Chamber of Mines president At du Plessis said the clauses which provided for reversal of onus made mine owners guilty until they had proved their innocence in the event of an accident.

"This is considered to be unconstitutional and totally unacceptable," Du Plessis said. He pointed out that the clause was also in contrast to the recommendations of the Leon commission of inquiry into mine safety, which found no justification for the reversal of onus.

Gencor's Richard Robinson said 11 clauses "in whole or in part" infringed constitutional rights, and a further five clauses "could potentially result in actions on the part of officials that infringe constitutional rights".

In its submission, the NUM acknowledged that the reversal of onus provisions could be unconstitutional, but stressed that without them the enforcement of health and safety in mines would become unenforceable.

During oral submissions to the committee, Chamber of Mines representative Anton van Achterbergh said he was sure all reversal of onus provisions at present on the statute book would eventually be "struck down" by the Constitutional Court.

He said with the wording of the Bill at present, reasonable doubt would result in mine owners being found guilty of an offence while all other citizens would be found innocent if reasonable doubt was found.

BD 13/3/96 (212)

# Sarafina 2 crisis worse

Wyndham Hartley

CAPE TOWN — The financial crisis around the Aids play Sarafina 2 deepened still further yesterday when it was disclosed that the money donated by the European Union should have been paid into the national revenue fund.

DP health spokesman Mike Ellis said yesterday that he had asked Finance Minister Chris Liebenberg what the procedures were for money donated to SA.

Only in exceptional circumstances are donations not paid into the revenue fund, according to Liebenberg. Ellis said Liebenberg's confirmation probably meant that the health department was supposed to follow state tender procedures.

The health department has maintained that because the R14.2m came from the EU they did not have to comply with state tender procedures. Since claiming to have complied with the EU guidelines health director-general Olive Shisana has conceded that there were communications problems.

BD 13/3/96

# Malan trial witness tells of secret camp

Stephané Bothma

DURBAN — About 200 Inkatha members recruited to become KwaZulu policemen were trained at a top secret SA Defence Force island camp in the Caprivi to "act against MK and trained UDF members".

Key State witness JP Opperman told the Durban Supreme Court yesterday he was second-in-command of Camp Hippo, a guerrilla warfare school situated on the Quando River where a group of 30 IFP members received offensive training in kidnapping, sniping and urban warfare.

Opperman, a former military intelligence operative, is testifying against former defence minister Magnus Malan and 10 co-accused, who are facing 18 charges including 13 of murder.

The State claims that Malan, several SADF generals, a number of former and still serving defence force members and six former KwaZulu policemen conspired to murder ANC and UDF targets who had been considered a threat to Inkatha.

However, the court heard yesterday that the first target chosen by the "offensive group" had been a house in KwaMakutha on the Natal south coast occupied by religious leader William Ntuli, several women and children under the age of 10.

UDF member Victor Ntuli, who had allegedly been identified by the group and had been approved as a target by SADF members, had not lived in the KwaMakutha house for several weeks at the time of the attack on January 21 1987, several witnesses testified. They were also unaware of a claim Victor

BD 13/3/96

was a high-ranking UDF member. Opperman told the court he had spent the past month abroad in a witness protection programme. He had started his career in the SADF as a national serviceman in 1976.

While working as an instructor, Opperman had been sentenced to 90 days in detention barracks after a court martial found him guilty of murdering a subordinate following the death of a national serviceman.

About two weeks later Opperman had been released, allegedly after being pardoned by then defence force chief Malan.

Many years later, after having been transferred to MI, Opperman had learnt about a "very sensitive and secret" operation in the Caprivi. "I wanted to join," he testified.

His transfer was approved, and in 1986 he was sent to Camp Hippo as second-in-command of Operation Marion — the covert SADF plan to help the IFP obtain a military capability.

When Opperman arrived at Hippo the 206 Inkatha recruits had already completed their basic instruction, including training in foreign weapons, hand grenades, explosives, ambushes and attacks on moving targets.

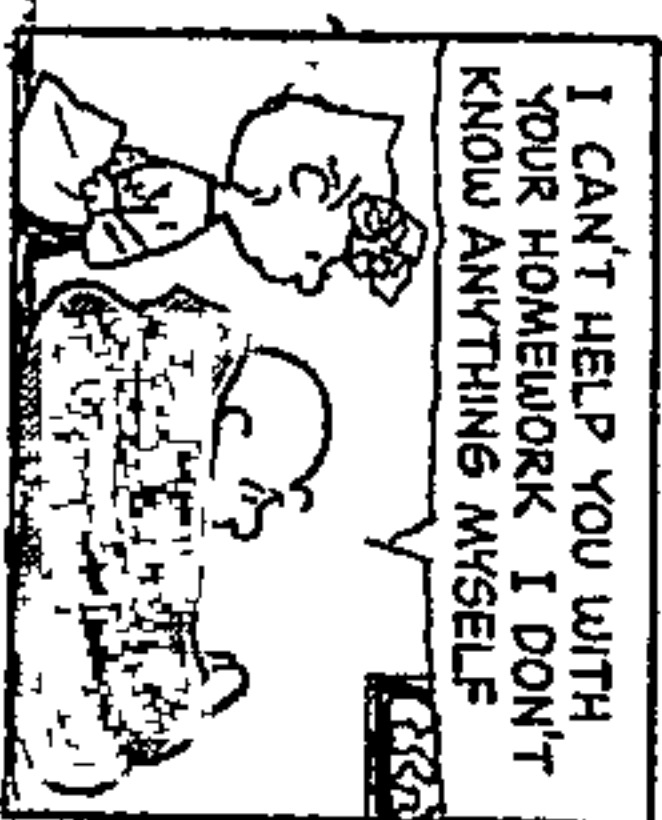
The IFP members had no idea where they were, or who was training them. Rumours were deliberately being spread that they were in Israel.

At all times, all the instructors at Hippo used only code names for themselves. The recruits were split into four groups: offensive, defensive, contra-mobilisation and VIP bodyguards.

Opperman's testimony is due to continue today.

# PEANUTS

By Charles Schulz



# NDP

## Gold mine admits culpable homicide

(212) Star 13/3/96

Virginia - The Harmony gold mine yesterday admitted guilt on a charge of culpable homicide relating to the Merriespruit slimes dam accident in which 17 people died two years ago.

The State withdrew charges of culpable homicide against former general manager Dan Jordaan, metallurgical manager Johan Mouton and plant superintendent Wayne Hutton-Jones. Charges were also withdrawn against Hutton-Jones' assistant, Ronnie Bantjies.

Jordaan, Mouton and Hutton-Jones have admitted that they contravened article 37 of the Minerals Act.

The case in the Virginia Regional Court continues - Sapa.

# Harmony fined R120 000 for disaster

Own Correspondent

VIRGINIA — Harmony Gold Mine, convicted of culpable homicide for the Merriespruit slimes dam disaster in which 17 people were killed in 1994, was fined R120 000 in the Virginia Regional Court yesterday.

Mineral Act

Former Harmony GM Dan Jordaan was fined R15 000 and metallurgic manager Johan Mouton and acting plant superintendent Wayne Hatten-Jones were fined R8 000 each for contravening the Mineral Act.

All accused were found criminally liable in May 1994 by a judicial inquest into the disaster

headed by Judge D Kotze

The disaster occurred when a slimes dam built by Fraser Alexander burst its banks in February 1994, flooding Merriespruit with sludge.

In December Fraser Alexander was fined R120 000 and two employees R25 000 and R15 000 respectively.

Passing sentence yesterday, Regional Court Magistrate M Loubser said he had taken the sentences imposed on Fraser Alexander and its employees into consideration. He said it was a miracle there had not been greater loss of life.

After the court adjourned Harmony director and legal adviser John Berry said he be-

lieved justice had been done although no fine could bring back those lost in the disaster.

He gave the assurance that the mine would do everything in its power to upgrade the suburb.

Upliftment

Harmony had recently paid R4,5m to the Virginia municipality as a contribution towards the upliftment and improvement of facilities and infrastructure of Merriespruit.

Fraser Alexander and the mine have also set up a joint fund worth R10m to settle civil claims for uninsured property losses arising from the slimes disaster

(212)

DD 15/3/96



# Slimes dam tragedy: mine and 3 workers fined

By SHIRLEY WOODGATE  
AND SAPA

Virginia - Fines totalling R151 000 were imposed yesterday on Harmony gold mine and three of its employees in connection with the Merriespruit slimes dam disaster which claimed the lives of 17 people two years ago.

Virginia magistrate Manie Loubscher fined the mine R120 000, former mine manager Dan Jordaan R15 000, and the mine's metallurgical engineer Johan Mouton and plant superintendent Wayne Hatton-Jones R8 000 each.

The mine admitted guilt on Tuesday on a charge of culpable homicide relating to the disaster, and Jordaan, Mouton and Hatton-Jones admitted they had contravened article 37 of the Minerals Act.

Engineering company Fraser Alexander, which was responsible for the dam's maintenance, was

earlier fined R150 000, its regional managers Frikke Botha and Theuns Linde were fined R30 000 and R25 000 respectively, and foreman Adam Uys was fined R15 000.

In addition to the 17 people who were killed when the slimes dam wall above Merriespruit burst and engulfed the suburb in mud, destruction estimated at R50-million included damage to 389 houses, 119 of them destroyed when 600 000 cubic metres of sludge raced through the 2km stretch to the spruit at 60km/h.

Virginia town clerk's secretary Luky Whittle estimated the lives of 3 500 people were touched by the tragedy.

Asked today if the fines were too light for the crime, one resident after another revealed that the most of initial outrage against Harmony gold mine had given way to a desire to resurface and get on with normal living.

star 15/3/96 (212)  
"How do you evaluate a life?" asked Kevin Charlwood, who was mayor of Merriespruit at the time of the disaster.

"Now that it has happened, what matters is not the punishment for what happened but getting lives back together.

"We know it was not deliberate negligence and we know that if the mine knew then what it knows now, that it would have gone to any lengths to prevent the catastrophe," he said.

Many people have been compensated financially, others still wait for payment.

"What this final court case means is that it is all over," said Charlwood. "Many houses have been rebuilt and the brightly painted homes are an improvement on the drab old facebrick.

"The council decided this week to demolish the last of the remaining houses which were damaged beyond repair."



# 10 Rescuers die in mine trauma

(212) ARC 26/3/96

*Rockfall No 2  
hits team as  
they try to  
free miner*

JOSEPH ARANES  
Staff Reporter

A ROCKFALL at Iscor's Tshikondeni coal mine in the Northern Province killed 10 members of the mine's rescue team and injured another three rescuers.

The disaster happened after the proto-team was sent into the mine to free a miner who was trapped after an earlier rockfall.

Mine manager Joe Meyer said the first incident occurred at 11 30am yesterday when the miner, a coal-cutting machine operator, was trapped underground.

"In an attempt to free the trapped miner, a rescue team was sent in but they got caught when another roof collapsed, killing 10 of them. The three injured were taken to the local hospital where they are being treated for minor injuries.

"We have still not located the trapped operator, but we flew in two proto-teams from one of our sister mines, Durnacol in Kwazulu-Natal, and together with the mine's own rescue team are still trying to free him.

"At this stage we are not sure if he is alive but we will continue with the operation until he is found."

Mr Meyer said the mine, located in a small village in the far north of the country, was not producing any coal at the moment while the rescue teams went about their business.

"The search and rescue operation is being hampered as a result of the unstable condition of the mine, which is still caving in at certain places. But the incident is a great tragedy as it is the first fatal accident since Tshikondeni started production in 1983."

The mine produces around 6,6 percent of Iscor's coking coal, needed to power the group's steel works.

# Trapped miner still alive after 10 rescue workers die

Renee Grawitzky  
and David McKay

A TRAPPED mineworker was still alive underground last night after 10 members of a team trying to save him were killed during a rockfall at Iscor's Tshikondeni coal mine in Northern Province on Monday.

The miner, an operator from one of the coal-cutting machines, was trapped 190m underground on Monday morning after a rockfall. Rescue workers, attempting to free the miner, were killed when the roof collapsed.

Iscor said last night contact had just been made with the trapped miner.

The National Union of Mineworkers said Monday's accident was "an example" of a continuous shift miner operating in a section under a large span of unsupported hanging wall which had not been roof bolted.

Iscor's spokesman Ernest Webstock said the causes of the accidents were still unknown and the mine inspectorate was conducting an in loco inspection at the mine.

Iscor's CE and executive chairman Hans Smith said he doubted human negligence had led to the accident. "The rock formation is difficult to predict and safety procedures seem to have been strictly adhered to," he said.

BD 27/3/96 (212)  
Smith said this was the first fatal accident at the mine since it started production in 1984.

"It was our flagship mine in terms of its safety record, which makes the tragedy all the more intense," he said.

Mine accident statistics reveal that deaths on coal mines contributed to a small proportion of deaths in the mining industry.

Last year 413 deaths were reported on SA gold mines compared with 26 on collieries. During the first two months of this year four people were killed on collieries compared with 70 on gold mines.

NUM health and safety co-ordinator Fleur Plimmer argues, however, that collieries employ far fewer workers than gold mines and comparatively the fatality rate per 1 000 workers at collieries was not good.

Smith said production at the mine would not be halted as an underground surface area of less than 5% had been affected by the rockfall.

"Only a small section of the mine has been affected which accounts for only 6,6% of Iscor's total coking coal requirements," he said.

Tshikondeni coal mine produces 300 000 tons of coking coal a year which is railed to Iscor's Vanderbijlpark steel works — its main client.



# Miner freed unharmmed after 36 hours underground

(212) *MANW 27/3/96*

By ADAM COOKE AND  
SHIRLEY WOODGATE

The Tshikondeni coal mine management was "in the clouds" last night after a miner trapped for 36 hours under tons of rock was taken out unharmmed by a second rescue team in Northern Province.

Daniel Maphodo, driver of a coal-cutting machine, was one of four miners trapped when the roof caved in on Monday. A second rockfall killed 10 members of a rescue team.

A spokesman for Iscor, which owns the mine, said this morning that rescuers had been in contact with Maphodo, who was trapped about 200m underground. But they had only been able to rescue him by trying a different angle of approach after the first disastrous attempt.

The rescued miner was in shock but not injured and was taken to Pietersburg Hospital last night.

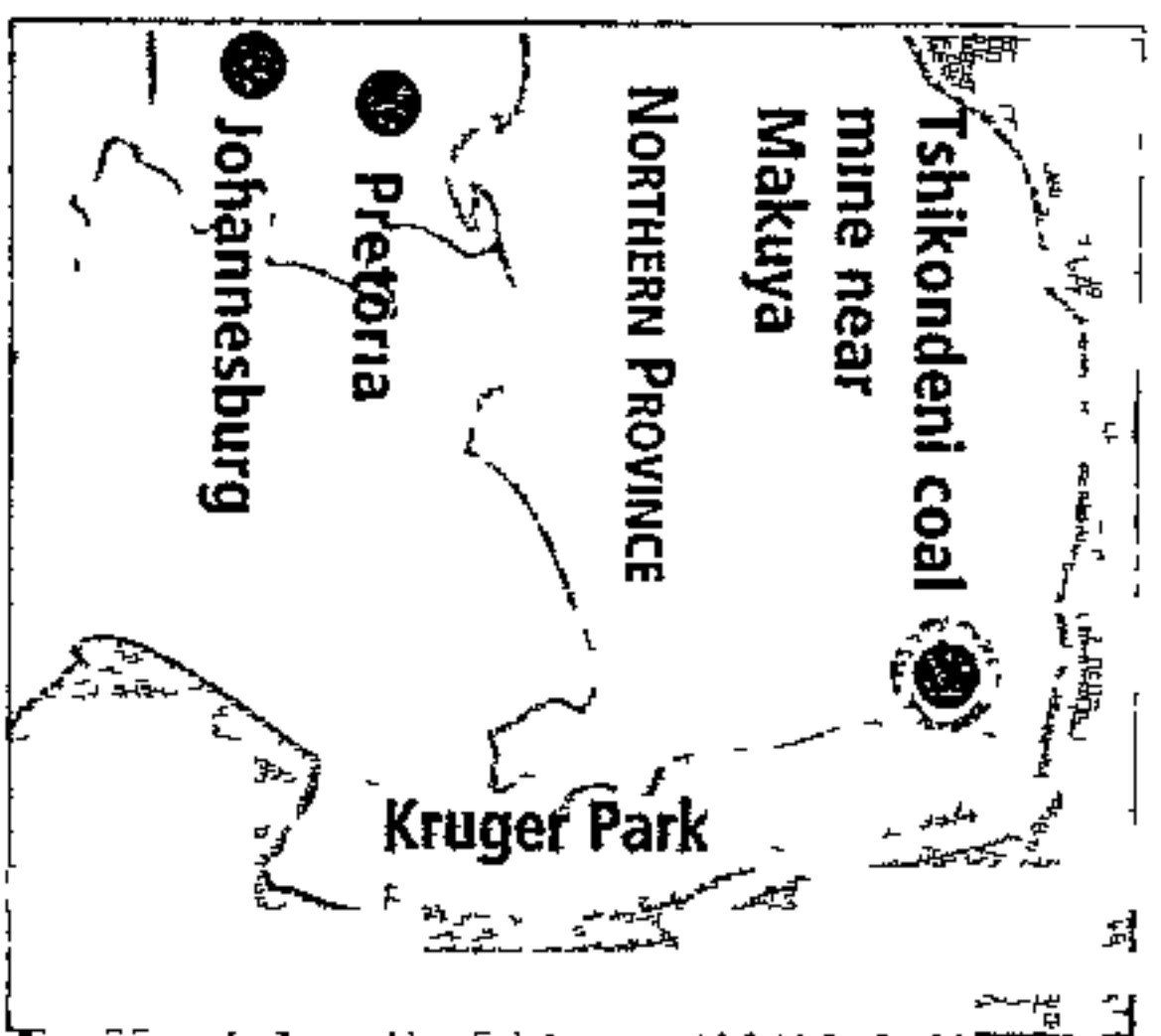
One of the survivors, Kone Ramhuda, spoke of the screams and terror of the scene of the first rockfall.

"The roof began creaking and we just ran for our lives. The sound grew louder and louder and then we knew we were in trouble."

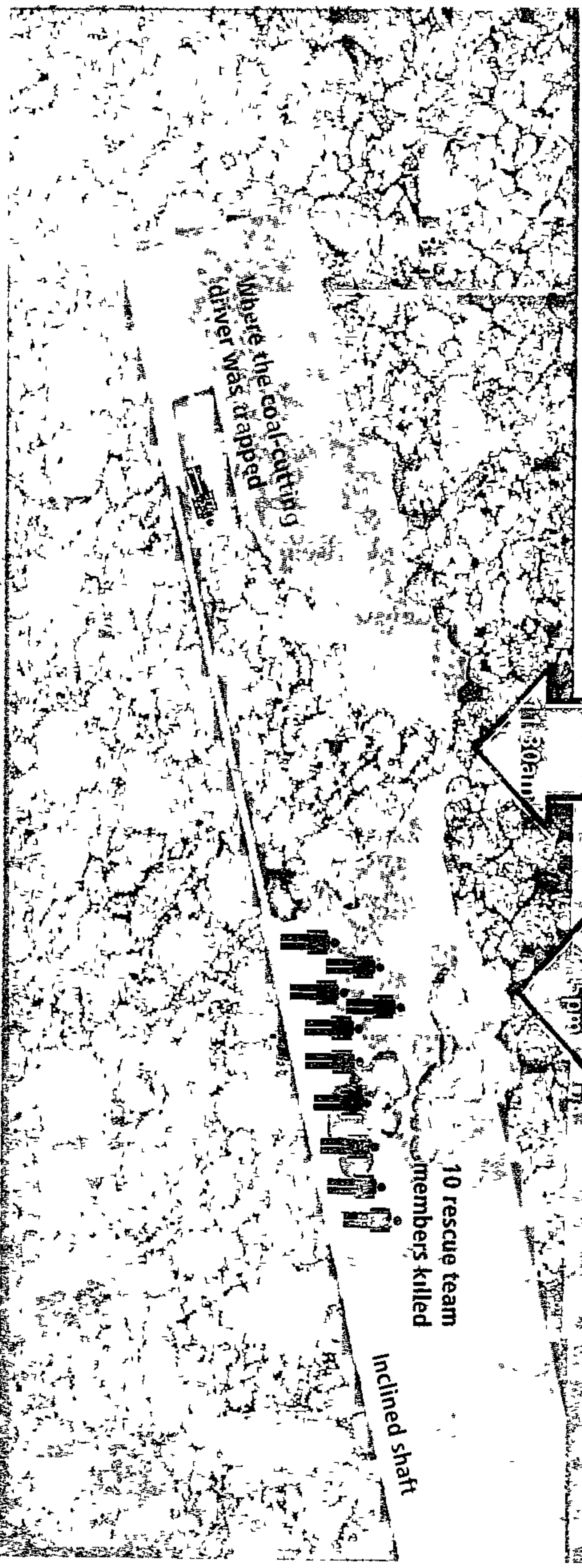
As the avalanche of rocks and debris fell down the shaft, Ramhuda and two colleagues were trapped. The machine driver was also caught in the rockfall.

Ramhuda, speaking from his Pietersburg Private Hospital bed, said they were elated by the sound of the rescue workers. "But then suddenly we heard the roof creaking again - then the sound of things crashing in and people screaming."

He was injured in the second



- Driver of a coal-cutting machine trapped in rockfall at 11 30am on Monday
- At 4 15pm the same day, a second rockfall kills 10 rescuers. The driver of the cutting machine was rescued late last night



rockfall and lay hoping for the best. "We had to wait and see. We didn't know if there were going to be more," he said.

A second team from Iscor's Durracool mine arrived and, according to an Iscor spokesman, "battled to free the dead and the trapped from underground".

The seven survivors were brought to the surface and flown by South African Air Force helicopters to Messina Hospital. Iscor's management has de-

scribed the incident as a great tragedy, saying it was their first fatal accident since Tshikondeni started production in 1984.

The mine, which produces about 6,6% of Iscor's coal needs, is expected to be back in production by this afternoon.

The names of the dead are R J Tshitwannulomoni, L A Ramhuda, T O Ndou, T T Matshele, M E Nditsheni, M G Mamathe, P J Klaassens, A F Banjyes, H J B Naude and A I Dednam.

# 10 killed as mine roof (212) collapses *Sowetan* 27/3/96

**Sowetan Correspondent and Sapa**

TEN miners were killed in an accident at Iscor's Tshikondeni coal mine in Northern Province on Monday afternoon

Iscor spokesman Mr Ernst Webstock yesterday said that a roof collapsed on a rescue team sent to help a coal-cutting machine operator who had been trapped after a rockfall

"In an attempt to free the trapped miner, a rescue team was caught in another collapse of the roof and 10 people were killed," Webstock said. The operator was still missing yesterday

The colliery, in the far northeastern part of the province, about 10km from the Kruger National Park, produces about 6,6 percent of Iscor's coking coal needs

## **Airlifted**

SA Air Force spokeswoman Lieutenant-Colonel Laverne Machine said seven injured people were airlifted to Messina Hospital on Monday night

"Rescue operations are being hampered by the unstable condition of the mine, which is still caving in," she said yesterday

Rescue operations began on Monday afternoon. Two SA Air Force Oryx helicopters from 19 Squadron in Louis Trichardt were called to assist with rescue operations

## **First casualties**

Machine said the first casualties were transferred to Messina Hospital at 10pm on Monday night

The scene at Messina Hospital late on Monday night was chaotic, according to a hospital spokesman

"A number, I honestly don't know how many, were transferred to Pietersburg Hospital after stabilisation and today we only have three patients from the mine," Machine said

She added that a doctor was still at the mine yesterday and she did not have any more information about injuries or fatalities.



## Miner killed in rockfall 932m underground

ARG 30/3/96 (212)

JOHANNESBURG – A miner was killed in a rockfall at JCI's Randfontein Estates while replacing wire mesh on a roof 932m underground in Cooke 2 shaft, JCI corporate affairs manager Mark Gonsalves said. An inquiry was underway, he added.

Seven contract workers were killed at the same mine on February 2.

The National Union of Mineworkers claimed yesterday's accident occurred in exactly the same way as last month's – Sapa.

# 'I WAITED TO DIE'

C.P. (212) 31/3/96

By CHARLES MOGALE

**NDIALA MAMPHODO huddled for 37 hours in the seat of a crane 200 metres underground this week – praying and waiting for death.**

But when death came it claimed ten of his colleagues who were trying to rescue him

By a miracle Mamphodo survived  
 □ Mamphodo (30) this week told City Press of his ordeal following a mine disaster at the Tshikondeni coal mine 85 km north of Tohoyandou

On Monday at 7.30 am he went underground to operate a cutting machine. There was no sign of a threatening collapse

'At about 12.30 pm I heard a miner scream – and with a roar rocks fell around me,' said Mamphodo

Had I not been in the crane I would have been crushed – but the fall crushed the roof of the crane forcing me into a huddled position

He was to sit cramped in that position for 37 hours. Trapped under a mound of rocks, an air-survival kept him breathing, but it only lasted 20 minutes.

As the air ran out I began to pray and waited to die. It was hard to breathe. I felt faint. After what seemed like hours I heard voices calling out to me.

Through cracks in the rock barrier he could see the first rescue team. They began pumping air to him with a compressor and desperately tried to reach him.

It was very dangerous, for their efforts caused more rock falls. A rock fell on my chest – pinning me down.

□ Then there was silence. Mamphodo was unaware that 10 of the men – among them some of his best friends – had been crushed to death by rocks.

'One of the rescue team, my friend Rambada Kone was trapped near me. I called out to him to pray – and he managed to crawl out somehow.'

Hours crawled by while Mamphodo sat in darkness and sweltering heat. He tore off his clothes and told himself 'If death calls, so be it.'

Then a second rescue team arrived and passed him a two-litre bottle of cold drink. 'I had never been so happy to see a bottle of lemonade!' he said.

□ The rescue team told him it was Tuesday. 'I told them 'Just don't bring my wife and kids down here''.

He had last seen them on Monday morning. A specialist mine rescue team from Natal arrived and sent down Mamphodo's brother Joseph – a 'shift boss' – to pass him a hammer and chisel. He could only chip away some rock to sit more comfortably.

After the team had failed three times to blast him free with dynamite, he asked them to cut off part of the crane with a cutting torch.

'They passed me a wet blanket to shield myself. It was risky. If the torch ignited the coal I would burn to ashes. But at last a hole was widened enough for me to be pulled through,' Mamphodo said.

He was airlifted to a hospital in Pretoriusburg – where he learned about the deaths of his ten colleagues.

Fighting back tears, he said their deaths had taught him a lesson in team spirit. 'Words fail me.'

□ City Press witnessed Mamphodo's emotional reunion with his family at Masisi Village, 15 km from the Kruger National Park at midnight on Friday.

His anxious wife Elisa – who had feared him dead – smothered him with kisses.

□ 'Of course I'm going back underground,' said Mamphodo. 'It's my job – and I love it.'



**MAID OF HONOUR ...** Sinnah Seperepere (left), who worked for Helen Joseph as a domestic servant for 8 years, lays a wreath on the grave of her former employer. **Picture: MIKE MZILENI**

□ Traj relates

□ Twi saved 1

## 'Rocks drug 1'

By WALLY MBHELE

AN ALLEGEDly reported to be in South Africa has the appearance of Soweto

A source who was that Dlamini had to an alleged plot Sexwale

Before his disappearance threatened and a Vicky Goswami, with this information

Dlamini was at home on April 6 last who said he was a Mandrax deal

Dlamini, according also planned to of a businessman, activities in India and

City Press source ing where a party Goswami and a high-cussed The debt R1.4 million Dlamini

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■ Premier Sexwale's terday said 'a family member, or tact the premier's

Soweto police confirmed that 'various to Dlamini were

## 'My hu not fly

By JEFFERSON

SHE REPORTED ago – but Nozipho the police for the first

Sithole's husband Azanian Peoples C medical practitioner, his red BMW on

Sithole's interview people who were the his disappearance

## Police ignore girl's plea not to shoot her brother (12)

By PEARL RANTSEKENG

THE PLEAS of a 12-year-old theft suspect's sister to a white police man not to shoot her brother fell on deaf ears

'Please, don't shoot at my brother!' screamed Elizabeth Ngwenya

But the policeman shot Tankiso Ngwenya through his left shoulder blade killing him

Six white policemen went to investigate a theft charge at Tankiso's New Farm home in Meyerton

The boy, together with

three others had allegedly stolen toys, washing powder, bicycles, cutlery, dinner sets and calculators from an auctioneer in Meyerton

Tankiso's friend, Motsamai Phiri (11), recounted the incident

He said last Sunday afternoon he, Tankiso and two other boys had gone to a dumping site in Meyerton

On arrival Tankiso and the two other boys went into the yard

A few minutes later, the three came out with plastic bags full of goods. After separating from



**STILL SHAKEN ...** Motsamai Phiri. **Picture: SIWE RADEBE**

the other boys, Motsamai said he and Tankiso went on their way home but were stopped by a white man who asked

what they had in the plastic bags

'Tankiso explained to him where we had got the items and that they were not stolen'

The man would not believe them and said they had to wait for him. He then went to phone the police. Tankiso ran away

Motsamai said 'In a few minutes the man came back with the police who took me to the police station'

There five policemen ordered him to take them to Tankiso's place

Motsamai said on arrival at Tankiso's place they knocked on the door. Tankiso tried to run away



**MONDAY dawned full of promise at Tshikondeni coal mine**

Joe Meyer, the manager, was preparing for the 600km drive to Pretoria from the mine in the baobab-dotted bushveld in the north-east of Northern Province

His phone rang just after midday. He was waiting to hear that an expansion plan was ready to be presented to Iscor's mining chiefs. But the call was from his mining manager, Alfred Dednam. There had been a fall 200m underground and a driver was buried, trapped inside his coal-cutting machine.

The news was bad but not tragic. Rock falls stopped machines about twice a year. In the past year six workers had suffered serious injury, but in 13 years of operation not one life had been lost.

Orders were given to set up a rescue control-room and both men headed for the coal face 5km down the gently sloping tunnel that follows a 3m-thick seam of coal into the earth.

The coking coal is mined by the squat-pillar method. A criss-cross pattern of access roads is gouged through the seam, leaving behind a checkerboard of pillars. As the cutting machine cuts away the pillars, the roof is supported by wooden poles and left to



**A tale of 10 heroes who died so their comrade could live**

# 36 hours underground

The tight-knit mining community was devastated. Ten men, three of them senior managers, had been crushed to death in a rock fall as they worked to rescue a trapped colleague. Shaken, but undeterred, new rescuers took their places, and 24 hours later Daniel Mamphodo was brought to the surface. PETER De IONNO reports

(212) ST 31/3/96



SURVIVORS . . . Fischer, Rambuda, Mamphodo and Nenwell in hospital

Picture: JOE SEFALE





on cutting machines had just reversed his machine when foreman Bram Coetzee and his section members saw the first shower of rocks that signals a collapse. As they ran to safety, Mr Mamphodo and his machine vanished under 450 tons of coal and rock.

Inside the driver's cab, protected by a roof of 25mm solid steel, Mr Mamphodo was unhurt, but the weight of the rock buckled the support pillars and he had to bend forward and rest his chin on his chest as the roof pressed down on his head. He sat like that for 36 hours.

"I could hear voices outside and I called out, but they could not hear me," he said in his hospital ward this week. He was wrong. The rescue had started before the dust had cleared.

Piet Klaassens, the mine's head of safety, and Alex Bantjes, the head of training, climbed onto the debris and checked the gaping hole in the roof. They helped install steel props and wooden poles to prevent further collapse.

Around the hole's edges, rock bolts, long steel screws designed to solidify an unpropped roof by tensioning the rock, were dangling, giving the lie to a National Union of Mineworkers claim that the section which collapsed had not been supported.

The allegation has infuriated Mr Meyer. "How dare they say that. It is an insult to the good men who died. I have photographs that prove it was supported. We do not sacrifice men for money. This mine is like a family. Out here we live, work and play together. There is no one who would not help another."

The miners worked in three teams, one propping the roof, another using hands and shovels to remove the fall and the third digging a hole through the rubble. After about three hours, Mr Coetzee, head first down the hole, stretched an arm through a gap and felt Mr Mamphodo squeeze his hand.

Mr Mamphodo said "When Bram touched me he said 'Don't worry, you are now alive again.' I was not afraid anymore. I was very thirsty. When they passed me water, I tried to just wet my lips and mouth because I knew I would be there for a long time."

"I thought of many things. I prayed. I was thinking about my young son who misses me when I am not home."

When the second fall came at 4.30pm, the men on top of the debris were caught without warning. Mr Klaassens and Mr Dednam were crushed as they squatted at the side of the

access hole.

Mr Coetzee's left foot was crushed by a boulder as he escaped, but storeman Rudzane Nenwell was trapped, buried to the waist. "I could see the helmets, the arms and legs of people who were not yet dead. Someone was calling for help, but I could not reach them," he said.

Miner Kone Rambuda had replaced Mr Coetzee in the access hole and was talking to Mr Mamphodo and holding his hand when the second fall happened.

"Daniel asked me what was happening. I said everyone is screaming. It seems like the roof has fallen again. I was trapped upside down by my belt."

"It took me about 30 minutes to get out of the hole. By then it was quiet, but the roof was still falling. It was dark because I had left my light behind. I saw some light and went towards it. Underground, where there is light there is life."

Mr Mamphodo stayed calm, unaware of the tragedy. He was not told of the deaths until he was airlifted to hospital. "I just knew when more rocks fell I would be under the ground for a long time."

At first the rescue was concentrated on the 10 men who were buried. The work carried on through Monday night. A second hole was dug to reach Mr Mamphodo from the other side. Miners burrowed through the debris to reach the trapped machine.

However, this side was solid steel and Mr Meyer called for cutting torches. It was a tough call — he

was balancing the now desperate need to rescue Mr Mamphodo against the safety of the entire mine.

Fire and explosion are greater risks in a coal mine than the dangers of falling rock. Ever-present methane gas can be ignited by a single spark and fires can rage and spread into the coal seam in seconds.

"A man's life was at stake, we had to take the chance," said Mr Meyer. "We took hoses in and brought in large numbers of fire extinguishers. We passed a hosepipe to Daniel and gave him wet blankets to protect himself from the sparks."

Just before 10pm, a hole was opened large enough for Mr Mamphodo's head to be seen. At 10.15pm he was free. His only injury was a crushed finger.

"When they brought me out many people, including the families of the men who died, were waiting to welcome me. I could only wave. I want to speak to the families of those who died. I know that these men who died were my friends. They were prepared to do anything to save me."

● The dead men are Alex Bantjes, 34, head of training and development, Alfred Dednam, 44, mining manager, Petrus Klaassens, 51, head of safety, Mmbengeni Mamathe, 26, truck operator, Tshililo Matshete, general worker, Hendrik Naude, 26, fitter, Mbangiseni Nditsheni, 35, loader operator, Thivhuleh Ndou, 29, electrician, Ratshibuvomo Tshitwamulomoni, 43, general operator, and Lufonu Ramabulana, 30, truck operator.

**SAFE AT LAST ... an exhausted Daniel Mamphodo is escorted out of the mine. The picture at the top of the page shows him in his coal-cutting machine**



ST  
3/3/96

176



- (ii) United Kingdom R138 675,80  
America R98 030,65  
Taiwan R 20 047,77  
Russia, Ukraine and Denmark R102 319,26  
Nigeria R38 732,00  
France R 93 165,57  
Total R490 971,05
- (iii) United Kingdom London  
America Washington  
Taiwan Taipei  
Russia, Ukraine and Denmark Moscow, Kiev and Copenhagen  
Nigeria Abuja  
France Paris
- (iv) United Kingdom 4-7 January 1995,  
7-10 May 1995 and  
28-31 October 1995  
America 28 February-5 March 1995 and  
29 April-6 May 1995  
Taiwan 15-21 March 1995  
Russia, Ukraine and Denmark 11-22 June 1995  
Nigeria 18-20 September 1995  
France 13-17 November 1995
- (b) (i) France  
To meet with senior officials of UNESCO

- United Kingdom  
To deliver a message on the President's behalf at the Bath Festival—  
Meet SA Artists in London  
Canada
- (a) To prepare for an Arts Exhibition in contemporary SA Art to be held in 1997 in Canada
- (b) Deliver an address to the National Action Committee on the Status of Women  
China  
Nominated by the President on Government delegation to attend the World Conference on Women
- (ii) France and United Kingdom R31 513,12  
Canada R32 785,23  
China R26 229,69  
Total R90 528,04
- (iii) France Paris  
United Kingdom London, Bath  
Canada Toronto, Vancouver  
China Beijing
- (iv) France 15-19 May 1995  
United Kingdom 19-20 May 1995  
Canada 11-16 August 1995  
China 1-15 September 1995

*Hansard*

**QUESTIONS**

Indicates translated version  
For written reply

**CCB involvement**

97 Prof B TURROK asked the Minister of Defence

Whether a certain person, whose name has been furnished to the South African National Defence Force for the purpose of his reply, was a member of the security branch unit known as the CCB, if so, what are the relevant details?

N206E

**The MINISTER OF DEFENCE**

The Chief of the National Defence Force has advised me that as far as can be determined from available resources, the person whose name was furnished for the purpose of this reply, was not a member of the unit known as the CCB

**SAPs members transferred/seconded to KwaZulu-Natal**

137 Mr H A SMIT asked the Minister for Safety and Security †

(1) How many members of the South African Police Service were transferred or seconded from outside KwaZulu-Natal to this province in (a) November 1995, (b) December 1995, (c) January 1996 and (d) February 1996,

(2) whether such transfer or secondment resulted in violence in KwaZulu-Natal being curbed, if not, why not, if so, to what extent,

(3) whether he will make a statement on the matter?

N278E

**The MINISTER FOR SAFETY AND SECURITY**

(1)

	(a)	(b)	(c)	(d)
Members transferred	30	5	25	5
Members seconded	0	0	0	0
Detached duties	0	300	100	100

**Comments**

No members were seconded to KwaZulu-Natal, however members were deployed on detachment duties as indicated

(2) Yes

The presence specifically of members who performed detached duties in KwaZulu-Natal during the period concerned had a huge influence on the decrease in violence in the province. In certain areas there was an increase during December 1995. This can partly be ascribed to the large number of migrant workers who returned to the province during the festive seasons.

(3) No

**Miners killed/injured in mines**

153 Mr J A JORDAAN asked the Minister of Mineral and Energy Affairs

How many miners were (a) killed and (b) injured in accidents in (i) gold, (ii) silver, (iii) coal and (iv) other mines, during the latest specified period of 12 months, for which figures are available?

N294E

**The MINISTER OF MINERAL AND ENERGY AFFAIRS**

(a) and (b)

	Killed		Injured	
	1994	1995	1994	1995
Gold mines	372	414	6 858	6 249
Coal mines	55	31	239	237
Diamond mines	18	12	119	130
Platinum mines	24	45	415	833
Other mines	17	30	257	295
Total	486	532	7 888	7 744

I should add that there are no silver mines in South Africa. The statistics of mines in Bophuthatswana are included from 1 May 1995. The 1995 figure for miners killed includes the 104 miners who died in the Vaal Reef's accident.

In terms of chapter 25 of the regulations of the Minerals Act 1991 (Act No 50 of 1991), whenever an accident results in—

- (a) the death of any person,  
 (b) an injury to any person likely to be fatal,  
 (c) unconsciousness from heat-stroke, heat exhaustion, electric shock or the inhalation of fumes or poisonous gas, or any incapacitation normally requiring treatment in a decompression chamber,  
 (d) incapacitation from heat-stroke, heat exhaustion, electric shock or the inhalation of fumes or poisonous gas which will prevent the affected person from resuming his normal or similar occupation within 48 hours,

- (e) an injury, other than injuries referred to in (f) below, which incapacitates the injured person from performing his normal or similar occupation for a period totalling four days or more but less than 14 days (to be reported on monthly basis),  
 (f) an injury which either incapacitates the injured person from performing his normal or similar occupation for a period totalling 14 days or more, or which causes the injured person to suffer the loss of a joint, or part of a joint, or sustain a permanent disability,

the manager of the mine or the works shall report such accident to the regional director of the Department of Mineral and Energy Affairs

An accident referred to in (a), (b) or (c) above is to be reported immediately by the quickest means available and must be confirmed without delay

When an injury results in the death of the injured person after official notice has been given or when a slight injury, of which no official notice was given, results in the death of the injured person, the manager must give notice thereof to the regional director without delay

**SAPS members: resignations**

171 Mr T C NTSIZI asked the Minister for Safety and Security

(a) How many members of the South African Police Service resigned or left the service in

each month from January 1994 and (b) how many of these members resigned or left due to (i) ill health, (ii) reaching normal retirement age, (iii) having taken a retirement package, (iv) finding the working conditions unacceptable and (v) other reasons?

N313E

The MINISTER FOR SAFETY AND SECURITY

Latest specified date January 1994 until February 1996)

(a)	1994	1995	1996
January	464	387	316
February	479	355	263
March	403	344	
April	322	499	
May	281	457	
June	284	353	
July	387	396	
August	360	467	
September	336	334	
October	329	322	
November	347	341	
December	375	337	
Total	4 367	4 592	579
(b) 1994	(i) (ii) (iii)	(iv)	(v)
January	90 12	1	361
February	113 98	1* See Note	268
March	119 14		270
April	137 20		165
May	118 15		148
June	93 14	2	175
July	147 23		217
August	140 11		209
September	90 10		236
October	114 8		207
November	114 8		225
December	95 18		262
Total	1 370 251	3	2 743
1995	(i) (ii) (iii)	(iv)	(v)
January	101 15		270
February	83 17		255
March	82 13 11		238
April	98 118 3		284
May	110 44 4		299
June	113 23		217
July	153 17		226
August	255 18		194
September	103 9		222

October	124	9	189		
November	144	9	191		
December	140	21	176		
Total	1 499	313	2 762		
1996	(i) (ii) (iii)	(iv)	(v)		
January	97	17	0	202	
February	86	35	12	0	130
Total	183	52	12	0	332

\*Note Up to December 1995 no statistics for unacceptable working conditions are available

**Police vehicles: Mount Ayliff/Maluti/  
Mt Fletcher police station**

172 Mr G Q M DOIDGE asked the Minister for Safety and Security

- (1) (a) How many police vehicles are based at the (i) Mount Ayliff, (ii) Maluti and (iii) Mt Fletcher police stations and (b)(1) in what condition are these vehicles and (ii) where is maintenance carried out on these vehicles,

- (2) whether the police in these districts patrol and enforce the law in rural areas, if not, why not, if so, (a) in what manner and (b) how effectively?

N330E

The MINISTER FOR SAFETY AND SECURITY

- (1) (a) (i) 6

- (ii) 18

- (iii) 29

- (b) (i) A large number of these vehicles are in a serviceable condition and a number of vehicles are new. Vehicles that have been boarded will be replaced when stocks are available

- (ii) Maintenance is carried out at Kokstad and Umtata

- (2) Yes

- (a) Patrols are carried out in the rural areas utilising available transport. Patrols are also conducted with the assistance of members of the Public Order Police Unit

- (b) Effectiveness is sometimes hampered by a shortage of available transport

**Persons employed by SAPS**

177 Mr D H M GIBSON asked the Minister for Safety and Security

- (1) Whether certain persons whose names have been furnished to the South African Police Service for the purpose of his reply, were at any stage employed by the Police, if so,

- (2) whether these persons are still employed by the Police, if not, (a) when and (b) for what reasons did they cease to be in the employ of the Police,

- (3) whether a firm of attorneys was appointed by the State to represent these persons in connection with their alleged involvement in the Motherwell car bombing in December 1989, if not, what is the position in this regard, if so, what are the relevant details,

- (4) whether any money has been paid by the State to these attorneys, if so, (a) what amounts and (b) in connection with what matters?

N335E

The MINISTER FOR SAFETY AND SECURITY

- (1) Yes

- (2) Yes, two (2) members only. The two members are under suspension pending the Motherwell bomb case. The other three (3) members were discharged

- (a) 30 November 1994

- 31 January 1995

- 31 August 1995

- (b) All three were discharged for medical reasons

- (3) Yes

- The firm Van der Merwe and Bester Attorneys were appointed to represent the said persons in the criminal case

- (4) Yes

- (a) R482 300,96

- (b) For legal costs and imbursements including fees for advocates appointed by them



# New safety body to advise Gencor

BD 10/4/96 (2/2)

Renee Grawitzky

IN WHAT has been hailed as a bold initiative from labour and a first in the mining industry, Gencor's board of directors has appointed a subcommittee which includes labour representation to advise the board on health, safety and environmental issues.

The subcommittee, headed by Gencor director and CEO of Engen Rob Angel, met for the first time last month to consider and review Gencor policy on the three issues.

The subcommittee includes experts in these fields

Subcommittee member and head of the National Union of Mineworkers' health and safety unit, Fleur Plimmer, said yesterday this represented a "bold and positive move on the part of Gencor.

"The challenge to the union was to see if it could make a positive contribution to health and safety management," Plimmer said.

The first meeting provided the union with an insight into develop-

ments at Gencor and into areas where attention was needed.

The subcommittee, besides reviewing current policies, would evaluate Gencor's position with regard to international trends and practices, and "investigate incidents of non-compliance and major risk exposures", she said.

The subcommittee would also monitor Gencor's performance in regard to compliance with legislation and in terms of health, safety and environmental responsibility in accordance with stated goals and objectives and the adoption of acceptable industry practices.

Meanwhile yesterday, the mineral and energy affairs department said a three-year cadet training programme for mining inspectors, run in conjunction with the Witwatersrand Technikon, was "on track".

The Cabinet, in the face of a shortage of inspectors, approved funding of about R3m to train more. The department approved the appointment of 50 trainee mine inspectors at the beginning of the year.



## JOBS

# Poor pay keeps mine safety inspectors away

(212) ST(BT) 14/4/96

EIGHT job advertisements over the past 12 months failed to entice a single suitably qualified inspector to the employ of the Department of Mineral and Energy Affairs.

With South Africa's exceptionally high unemployment, the smattering of applications, or sometimes none at all, seemed surprising. But it is not lack of skill that keeps the mines inspectorate 20% understaffed. It all comes down to money.

More than a year since the cabinet accepted the Leon commission of inquiry's insistence that safety in the mining industry would not improve until inspectors were paid their market value, nothing has changed.

As miners continue to die on a daily basis, the Public Service Commission is still deciding whether it should approve the salary increases that the cabinet accepted were essential. Industry sources suggest that the figures being bandied around will not tempt people back into the profession.

The publication on April 18 of the joint inquiry into the accident at Vaal Reefs gold mine last May that claimed 104 lives might force swifter resolution of the issue.

Mine inspectors claim they cannot be pro-active

The inquiry into the accident at the Vaal Reefs mine in 1995 revealed some shocking shortcomings in mine safety. But little appears to have changed in the industry since then, reports **BROWEN JONES**.

because they are already overloaded with accident investigations.

The industry would say that it is ineffective at policing itself, but through the 62-day hearing, the 6 000 pages of transcript, the 10 500 pages of evidence, the 14 videos and 1 000 photographs of the Vaal Reefs inquiry, it became clear that there are faults at every level of the system.

The engineers themselves are ill-read, managers do not follow through chains of command or personally make sufficient spot checks, communication between different levels of the hierarchy is poor to abysmal, and courage to pursue a line of action that could cause production delays by, say, insisting on working with fully functioning equipment, is nonexistent. There is no reason to believe practices are better at other South African mines.

Many interesting reports were made public during the inquiry.

stations. These were not installed by the time of the 1995 accident. In an information request to Anglo American six weeks ago, and repeated since, the company was unable to say whether extra tankpits had now been installed at Vaal Reefs.

Once the report is published, up to a dozen prosecutions could result, ranging from breach of regulations to culpable homicide.

For anyone other than the judge and his assessors to try to apportion blame on individuals would be wrong. But from the information made public to date, some minor or major breaches of rules are obvious.

There were four men more than the 100 allowed in a cage on May 10 1995 by Stephanus Bekker, the banksman, was responsible for ensuring that the limit was not exceeded.

Assistant onsetter Ngelese Pottsane was responsible for replacing "aeroplanes" and the farm gate. When he left the shaft the farm gate was open. In a statement on June 26, he said the farm gate across the eastern track could not be closed.

Assistant onsetter Mzuvukle Ngilane said a horizontal bar in the farm gate had not been there in the 15 years he had worked

on the shaft. Professor Mike Case of Rand Afrikaans University's electrical engineering department said that there was deliberate bridging of the line contactor and the fuse on locomotive 54B which could have burnt off the shunt, although it could have been damaged by applying the brakes.

The condition of the locomotive's controller created the potential for a runaway. Frank Khoza was responsible for fixing locomotives on level 56. A locomotive driven at a mere 6km/hr (maximum allowed speed 16km/hr) could be driven through a tank trap, so the credentials of the designers and installers of tank traps might also be called into question.

Two workers (employed by contractors Concor), James Mathe and Cipriano MaMatsinhe, were locomotive driver and locomotive guard on level 56. Pheolo Rantho and Victor Cako were also locomotive drivers on the same level.

Tsepong Mpotha was the driver of the locomotive that plunged down the shaft. Mr Mpotha said when he put the plug in the locomotive it moved off at great speed. He could not stop it. The man carriage and then the locomotive fell down the shaft.

## MINING ACCIDENTS IN FEBRUARY 1996

	KILLED	INJURED	DISABLED	NUMBER OF ACCIDENTS
Fall of ground	36	181	2	200
Transport/mining	5	131	1	136
Conveyance/shaft	0	4	0	4
Explosives	1	3	0	4
Heat sickness	0	4	0	4
Miscellaneous	0	4	0	4
				656

People injured in reportable accidents were off work for 14 days or more - the accidents were serious and a financial penalty is levied upon each mine for each fatality and each such injury

Graphic: FIONA KRISCH

Source: DEPARTMENT OF MINERAL AND ENERGY AFFAIRS

If, as was alleged, electricians at the mine could freely cheat during tests, then the quality and culpability of their immediate superiors could be called into question. Anglo American has not felt able to answer a query as to whether all electricians had retaken tests at the mine.

If, as was alleged, Robert Proudfoot, the health and safety coordinator, had never seen a stop block nor knew how to

stop a locomotive from moving beyond a certain point, the quality of his training and the decision to appoint him could be questioned. Mr Proudfoot said he was unaware of previous safety surveys on shaft number two.

The Vaal Reefs accident was the biggest mine accident in South Africa since a fire at Kinross near Secunda in 1986 claimed 177 lives.

When the locomotive

fell, the mine employed 5 500 men. Before those deaths there had been many other incidents, including 14 deaths and 55 injured in April 1995 because of tensions between Xhosa and Sotho workers. Those deaths are as much a part of South African mining as deaths due to faulty equipment or rock falls because of the level of pay, accommodation and the source of the workforce are the employer's choice.



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# State advisers water down Bill on mining

Linda Ensor

CAPE TOWN — The controversial proposal in the draft Mine Health and Safety Bill, which places the onus on mine owners and managers to prove their negligence was not the cause of a mining accident, has been watered down by the state's law advisers.

Despite strong objections by labour, the government mining engineer Dick Bakker proposed that instead of shifting the onus, the onus of proof on the state should rather be lowered.

The Bill is being discussed by the parliamentary mineral and energy affairs standing committee, which has yet to decide on this clause.

The Chamber of Mines and mining houses such as Gencor strongly objected to the reversal of onus, saying it was "totally unacceptable" and unconstitutional in that it overturned the presumption of innocence. The National Union of Mineworkers, however, argued that this was necessary if the safety provisions of the legislation were to be enforced.

Bakker proposed that the nature of the proof required be changed from "beyond reasonable doubt" to "on the balance of probabilities" without shifting the onus entirely on mine owners and managers to prove their innocence.

The balance of probabilities test would

(212) BD 17/4/96  
apply to the issue of negligence only, with all other elements of the charge having to be proved beyond reasonable doubt.

Bakker said most mining accidents were caused by a lack of proper systems and training, but the attorney-general often turned down recommendations for prosecution, saying the cases could easily be defended by employers.

Employers could say they took some steps, such as providing training or installing systems, which would give rise to the reasonable doubt about whether these steps were sufficient to prevent the accident, Bakker said.

He noted that the proposal had been discussed with Judge Leon, who chaired the commission of inquiry into mine safety. Leon, after talks with constitutional experts, had said he "could live with this".

Law adviser Halton Cheadle said the statute was intended to get mine owners to install and maintain safe systems.

Regarding the other controversial provision for "vicarious liability", which would make mine owners and managers responsible if mine workers did not comply with the provisions of the legislation, Cheadle said he was persuaded that "there is no good reason for the inclusion of a criminal vicarious liability provision".

The Bill's other clauses provided sufficient liability for negligence, he said.

# Mine owners object to clause in Bill

(212) Sowetan 18/4/96  
It will be easier to convict owners of  
negligence after accidents

**By Waghied Misbach**  
Political Reporter

IT WILL now be easier for the state to convict mine owners and managers of negligence after a safety accident, according to the new Mine, Health and Safety Bill agreed on in Parliament yesterday

Despite vehement objections by the Chamber of Mines, which sent a strongly worded letter on Monday to the parliamentary portfolio committee, all the political parties agreed to include the clause in the new Bill

Offences under this clause carry a maximum penalty of one year's imprisonment

This now means that the state can presume that the owners or managers of a mine are liable for a safety and health accident

It is now up to owners and managers to prove their innocence

In its letter, the Chamber of Mines

said the principle of making it easier to convict mine managers and owners is an "extremely serious policy decision"

"Such a step is considered to be wrong and potentially very harmful to all parties"

The letter said that a number of countries abroad did not include this kind of provision in their legislation on mining health and safety

## Rejected examples

However, the law firm of Professor Halton Cheadle (a portfolio committee member) rejected these examples in a letter to Marcel Golding, chairperson of the portfolio committee

Calling the chamber's statements "misleading and incorrect", Mr Brendan Barry, a spokesman for the law firm Cheadle Thompson, Haysom said that a number of countries had similar clauses

Barry cited the examples of the United Kingdom, Canada and New Zealand



## Call to prosecute (212) over mine disaster ARG 18/4/96

JOHANNESBURG - An inquest and inquiry into the disaster at the Vaal Reefs gold mine last year, in which 104 people were killed, recommended today that the mining company be prosecuted for culpable homicide.

Mr Justice Ramon Leon, who headed the inquiry and joint inquest into the disaster in No 2 shaft near Orkney on May 10, also found that acts and/or omissions by five employees amounted to culpable homicide.

Delivering his report in Johannesburg, Judge Leon said the Vaal Reefs Exploration and Mining Company was liable for prosecution for culpable homicide.

He said the mine manager at the time, I K Muir, had been negligent in his duties but this did not amount to culpable homicide.

Soon after the report was delivered, the president of the National Union of Mineworkers, James Motlatsi, said Judge Leon's judgment was straightforward and he had clearly found the mine guilty - Sapa.

'Crucial information was not disclosed'

# Prosecute (212) B0 19/4/96 Vaal Reefs, inquiry urges

Renee Grawitzky

A JOINT inquest-inquiry has recommended that Vaal Reefs mine and five of its employees be prosecuted for culpable homicide following the death of 104 mineworkers a year ago.

Judge Ramon Leon, chairman of the joint inquest-inquiry into the disaster at Vaal Reefs No 2 shaft on May 10, and two assessors, Arnold McKenzie and May Hermanus, presented the report yesterday. It urges the attorney-general to prosecute two contract workers from Concor, an underground electrician, the shaft mine overseer and the section engineer.

Tsepang Mpotla, the driver of locomotive 54B which crashed down the shaft, landing on 104 workers, will not face charges of culpable homicide. He was found negligent for contravening section 37 in the Minerals Act because he endangered the safety of employees. However, "while his negligence was one of the direct causes of the accident, he is not guilty of culpable homicide because a reasonable person in his position would not have foreseen the possibility of death".

The report found certain employees failed to disclose crucial information about the state of the locomotive to the police, mineral and energy affairs department officials and mine management, despite knowing about this be-

fore the accident. A senior employee had also tampered with documents before giving evidence.

National Union of Mineworkers president James Motlatsi said: "We have always said responsibility for health and safety rests with mine management." The union indicated that it would launch civil action against the mine on behalf of the families of the deceased.

Anglo American gold and uranium division chairman Bobby Godsell said: "Management fully accepts its responsibility for designing and maintaining safe mines", but all employees and unions had to play a role in ensuring safe work practices.

Godsell called for a meeting on safety with all unions to examine ways of fully involving employees in safety management systems.

Government mining engineer Dick Bakker said "Justice must now take its course. However, we are pleased that Vaal Reefs will be prosecuted as there are far more causes (for the disaster) than negligence by workers."

The ANC said responsibility for ensuring compliance with safety regulations was not management's alone, but had to involve all stakeholders.

The inquest-inquiry had to determine amongst others whether the

Continued on Page 2

## Vaal Reefs (212) B0 19/4/96 Continued from Page 1

deaths were by any "act or omission prima facie involving or amounting to an offence on the part of any person".

The judge found there was prima facie evidence that the deaths could have been foreseen and that a reasonable man in the position of those to be charged would have guarded against that possibility.

They failed, however, to take reasonable steps.

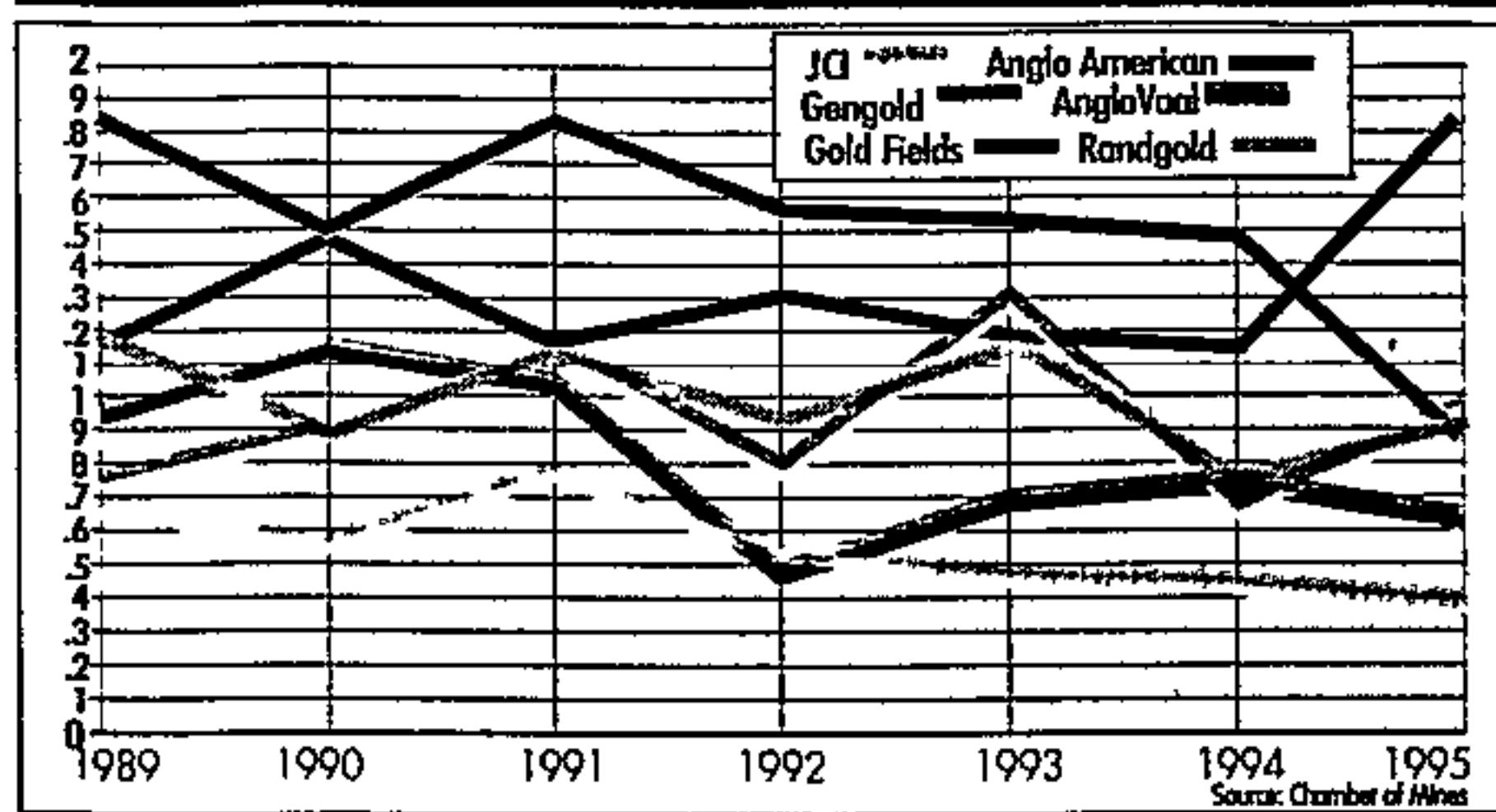
Certain employees failed to take heed that such an accident could occur, despite a similar accident in 1992 when a locomotive under power entered the mine shaft. In addition, they and the mine failed to install adequate

safety devices to prevent this accident. Leon said one of the direct causes of the accident was not the design of a proper safety device but the absence of an RSJ stopblock which was being installed.

The accident was the result of several causes, including the fact that the locomotive was parked in a prohibited area; the electric circuit was damaged to such an extent that it would have run away at the slightest touch of the control lever; the negligent act and omissions of the driver, and the absence of adequate safety devices which would have stopped the locomotive entering the shaft.

Several indirect causes were mentioned, including non-compliance with rules; insufficient training, and weaknesses in communication and demarcating responsibilities on the mine.

### Gold mine fatality rates



## Vaal Reefs likely to face years of legal wrangling

BY ROSS HERBERT

Johannesburg — Years of legal wrangling will be just one consequence of Judge Ramon Leon's recommendation yesterday that Vaal Reefs Mining and Exploration be prosecuted for culpable homicide over the disaster that killed 104 workers last May.

After Leon's finding, Anglo American called for a summit meeting with all its mining unions to try to improve mine safety.

Meanwhile, the NUM vowed to begin civil lawsuits against Vaal Reefs, its managers and its officers.

"We won't wait for the outcome of criminal cases", said Brendan Barry, an attorney at Cheadle Thompson & Hayson, which is representing the NUM.

"The findings and evidence is damning and the company will have to decide whether it wants to defend itself or settle in civil cases."

If the company is prosecuted and found guilty of culpable homicide, its directors could also be personally charged with the

same crime. Potentially, they could be sentenced to jail terms under the Criminal Procedures Act.

Dick Bakker, the acting government mining engineer, said breaches of the Minerals Act would also be prosecuted, including the midnight meeting after the accident where employees and managers allegedly modified records and log books.

"Management fully accepts its responsibility for designing and maintaining safe mines, but all employees ... can and must play their role in ensuring safe work practices each and every shift," said Bobby Godsell, the chairman of Anglo's gold and uranium division.

Bakker said the accident was more severe than most, but it stemmed from the same weak management, poor conformance to standards and neglect that characterised accidents across the industry.

□ How has the industry's safety record changed as a result? See the Business Report safety report card on Page 19.



# Anglo has SA's highest gold mine fatality rate

(212) 19/4/96  
 of (BR)

By Ross HERBERT

Johannesburg — The tragedy that killed 104 miners last year at Vaal Reefs inspired horror across the mining industry, but how much has day-to-day mining safety changed since then?

Which mines have improved mine safety and where has it declined, and how should the government, workers or the public evaluate company safety performance?

A Business Report analysis of safety data from the Chamber of Mines and the government mining engineer shows that Anglo American had the highest gold mining fatality rate of all the major mining houses last year — even if the 104 Vaal Reefs miners' deaths are excluded from its total fatalities.

A single year or a single accident does not necessarily reflect the state of the industry or the progress that has been made. However, as Dick Bakker, the acting government mining engineer, said yesterday after the findings on the Vaal Reefs inquiry were announced, there is a common thread between the contributing causes of the Vaal Reefs tragedy and the causes of the thousands of routine accidents every year.

"In almost every accident, one can find the same underlying causes (as Vaal Reefs). There is a lack of management systems, supervision, training, and negligence and a lax enforcement of standards. There is an absolute need for strict regulation. We cannot have self regulation because things end up like they are now," Bakker said.

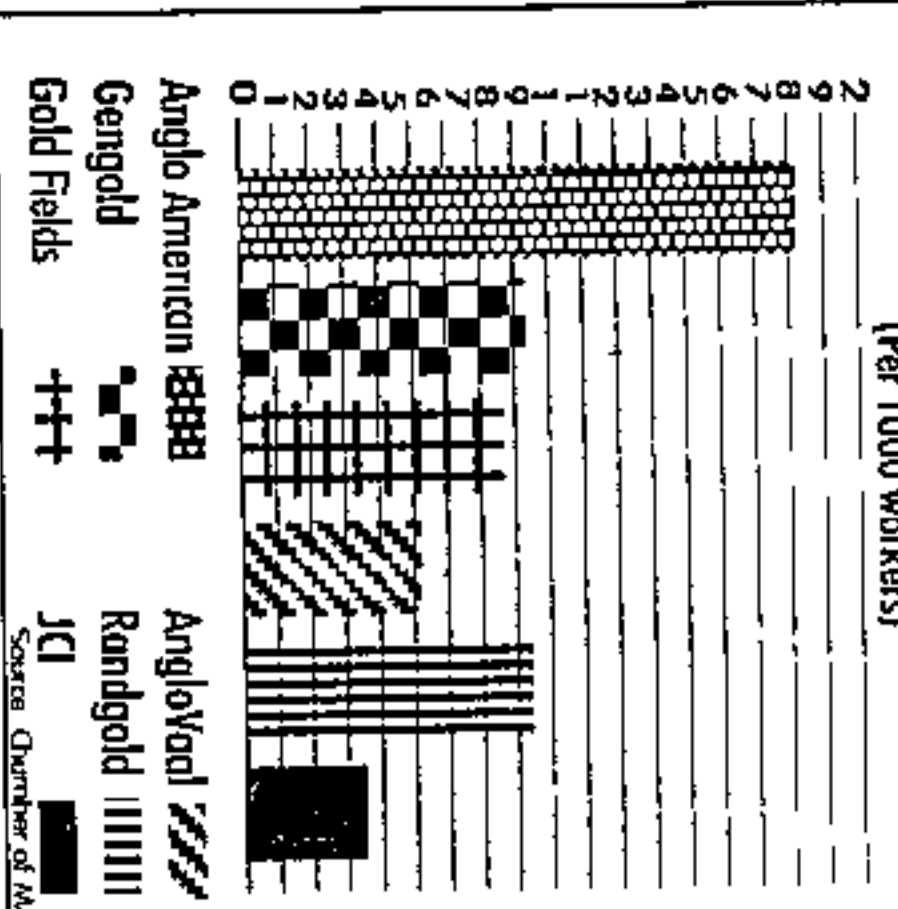
The gold mining industry justifiably stands the greatest safety scrutiny. In terms of the total numbers, gold mines employ far more workers and produce far more injuries and fatalities than other forms of mining.

However, when size is taken into account, gold mining is also far more dangerous for individual workers. For example, the fatality rate — numbers of fatalities a 1 000 workers — has been roughly 10 times as high in gold mines as coal mines over the past decade.

One international system of measuring the severity of the safety problem involves assigning every

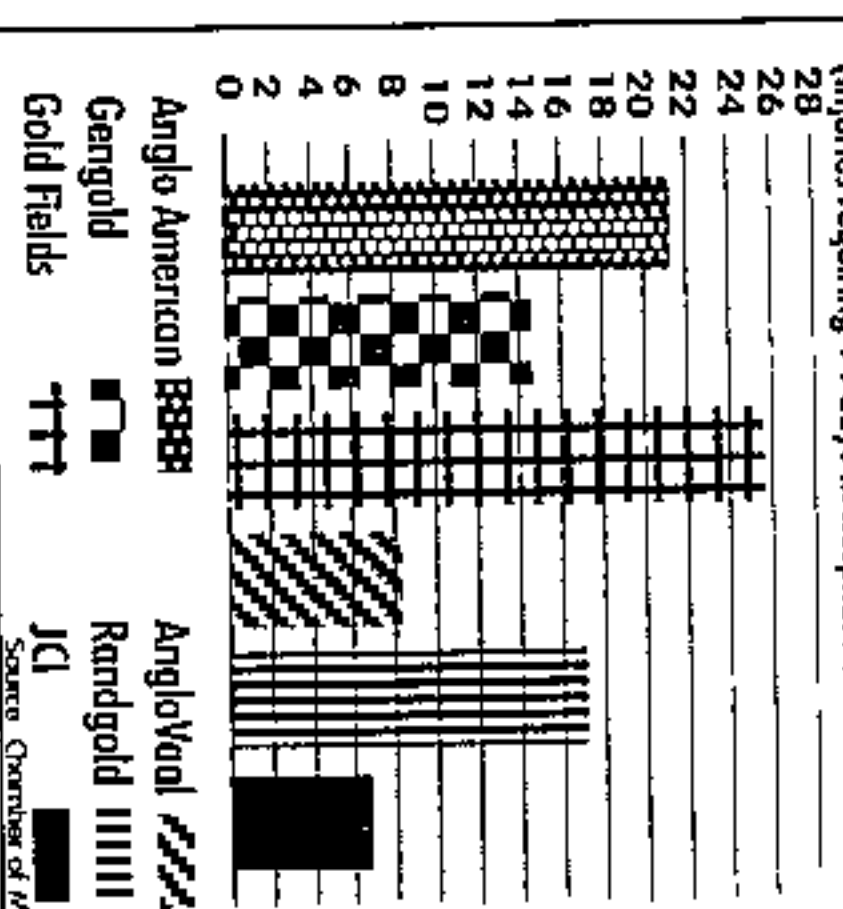
## Gold mines fatalities

(Per 1000 workers)



## Gold mining houses ranked by injury rates

(Injuries requiring 14 days in hospital per 1000 workers)



accident a number of days lost by workers, depending on the extent of injuries. Under this system, monitored by the Safety in Mining Research Advisory Council, a death would count as 6 000 days lost and the loss of a hand would count for 3 000 days lost.

The number of days lost is tallied for every mine over three years. To put the picture in perspective, the entire diamond mining sector had about as many days lost last year as the Libanon gold mine alone. The 61 coal mines tracked by the government mining engineer's office last year lost a total of 1.26 million worker days, fewer than in the Freegold mines alone. Last year, Gold Fields and Sasol had the highest coal mining fatality rates, 1.29 and 1.1. Other coal miners were significantly lower: 0.19 for Anglo, 0.38 for Gencor, 0.24 for Lonrho and 0.33 for Iscor.

How did Anglo American and the other mining houses perform in the gold sector?

According to Chamber of Mines figures, for every 1 000 workers Anglo had a fatality rate last year of 1.83 compared to a gold mining average of 0.93, excluding the Vaal Reefs deaths.

Anglo American's rate, excluding the Vaal Reef's fatalities, is 1.11, a slight decline from 1994's rate of 1.14 but still higher than any of the other mining houses.

The gold mining fatality record at Randgold and Gengold worsened last year, while Anglo Vaal and JCI made small improvements in their gold mining fatality rates.

The most significant improvement was registered by Gold Fields, which achieved a 41 percent drop in its fatality rate last year.

Looking at a single measurement is not enough. Gold Fields made significant progress in fatalities last year, but its injury rate last year and in five of the last seven years was the highest in the industry when measured by the number of injuries resulting in a 14-day or longer hospital stay, which must be reported to the government. From 1989 to 1994, its gold mining fatality rate was also substantially above the other mining houses.

Karl van Gessel, who is responsible for safety at Anglo American's gold and uranium operations, said the company has made a substantial investment in safety training, systems for monitoring underground seismic activity and in the implementation of new underground support systems.

Over seven years, Anglo's fatality and injury rates have declined, but only modestly.

"There has not been much of a decline in accidents, that I would agree with. On effort on seismic accidents particularly I would give us an A. In absolute results I would say we have done poorly. Where we fall down is probably in involvement of the work force. We need a lot more worker involvement," Van Gessel said.

Over the long term significant progress has been made on injuries, but fatality rates have declined less significantly.

In 1970, gold mines in the Chamber of Mines had an injury rate of 58.95 a 1 000 workers. Last year it was 18.54. The fatality rate over the same period fluctuated from 1.23 in 1970 to 1.48 in 1978 to 1.03 in 1994, with rates between 1.15 and 1.22 in most years.

There a wide variety of causes for accidents, from heat stroke to

## Gold mines ranked by rate of fatalities a 1 000 workers

Mining House	Mine	Total deaths	Deaths per 1 000 workers	Injuries needing 14 hospital days	14-day injuries per 1 000 workers
Anglo American	Vaal Reefs	142	3.06	905	19.49
Anglo American	Elandsrand	19	2.24	148	17.46
Anglo American	Western Deep Levels	38	2.16	515	28.30
Gengold	St Helena	8	1.97	76	18.76
Gold Fields	Leeudoom	14	1.74	191	23.75
Anglo American	Western Holdings	21	1.38	331	21.81
Randgold	ERP	9	1.34	108	16.02
Gengold	Bulfsfontein	9	1.31	78	11.38
Anglo American	President Brand	13	1.30	213	21.22
Anglo American	Unsel	3	1.22	69	28.02
Gengold	Kloof	3	1.17	328	27.20
Gold Fields	Krinos	7	1.03	110	16.21
Gold Fields	Deelkraal	6	1.00	272	45.20
Anglo American	Saaiplaas	8	0.94	247	29.10
Randgold	Durban Deep	1	0.93	6	5.59
JCI	HJ Joel	3	0.93	33	10.23
Anglo American	Freegold Metallurgy	3	0.91	10	3.04
Anglovaal	ET Consolidated	2	0.89	13	5.77
Randgold	Byvooruitzicht	3	0.86	69	19.88
Gold Fields	Dooitfontein	3	0.83	126	34.95
Randgold	Harmony	12	0.82	270	18.39
Anglo American	Freegold Engineering	2	0.80	13	5.18
Anglo American	President Steyn	10	0.76	259	19.61
Anglovaal	Loraine	5	0.72	25	3.62
Gengold	Winkelhaak	5	0.70	52	7.26
Gold Fields	Libanon	6	0.64	186	19.85
Gold Fields	East Driekloof	7	0.59	275	23.04
Anglovaal	Harbeestfontein	10	0.55	181	9.99
Gengold	Leslie	1	0.53	34	18.10
Gold Fields	West Driekloof	7	0.49	306	21.49
Gengold	Beatrix	3	0.46	101	15.53
JCI	Western Areas	5	0.42	91	7.61
Anglo American	Freddies	6	0.41	396	27.00
JCI	Randfontein Estates	4	0.26	81	5.32
Anglovaal	Village Main Reef	0	0.00	1	7.87
Gengold	Barberton	0	0.00	3	3.81
Gengold	Grootevlei	0	0.00	20	10.28

<sup>1</sup> Taken over by Randgold 22 December 1995

<sup>2</sup> Taken over by Randgold 1 January 1995

<sup>3</sup> Taken over by Randgold 8 November 1995

<sup>4</sup> Taken over by Randgold 1 February 1995

explosions to machinery problems. Many are impossible to predict or prevent.

The single most deadly category of accidents is among the most preventable: what the industry calls falls of ground, which include the fall of loose rock, sudden bursts of rock due to high pressure and falls caused by tremors or other seismic events.

Last year falls of ground accounted for 30 percent of all reportable injuries and 59 percent of the 309 fatalities on the Chamber's gold mines, excluding Vaal Reefs

and concrete. By filling vacant space, the system cuts down on tremors that result from the gradual collapse of old mining areas.

Van Gessel argues that backfill has been around for five years but its safety-enhancing value accumulates over time. It has only begun to produce benefits for Anglo in the past two years, but promises future benefits.

Unions and government inspectors still complain that South Africa's progress has been far slower than in other countries.

"There has been effectively no change in the rate of casualties due to falls of ground and rockbursts," said Gerner Gurrutua, the manager of rock engineering at Mungtek.

The increasing depth of South African mines is part of the problem: the deeper the mine, the more pressure and generally the more severe the accident when a fall of ground occurs. Gold Fields and Anglo have more deep mines than the other mining houses, and JCI is about the shallowest.

A bigger and more solvable problem is failure by the industry to consistently apply the safety techniques that it has at its disposal. Bakker said Rock supports are often used improperly, blasting techniques are poor, new technology is adopted slowly and workers have only a vague understanding of why certain procedures improve safety, he said.

And too often, as was the case in Vaal Reefs, common-sense procedures are ignored.

The inquiry found, for example, that the mine's electricians had intentionally bypassed one of the key safety systems on a quarter of its locomotives.

South Africa could cut its underground rockfall casualties by 30 to 40 percent if the best practices were used across the industry, Gurrutua and other experts said.

"I think the message to industry is they must not be lax as they obviously have been," said Derek Baker, an inspector in the government mining engineer's office and one of three people involved in writing the Vaal Reefs findings.

"The record-keeping in this case was pathetic. Hopefully this will get the message across to the industry that that is no excuse," he said.



# Call to charge mine for tragedy

Star 19/4/96 (212)

Inquiry urges that Vaal Reefs and five employees be tried for culpable homicide, but management has not come down on those found responsible

By JUSTICE MALALA  
Labour Reporter

**N**o disciplinary action has been taken by management against the five Vaal Reefs gold mine employees found responsible for the negligent and unlawful deaths of 104 mineworkers who died in last year's disaster there

The inquest-cum-inquiry into the disaster, headed by Mr Justice Ramon Leon, yesterday recommended to the attorney-general that the mine, two of its officials and three mineworkers be charged with culpable homicide

Charmaine Russell, spokesman for Vaal Reefs mine owners Anglo American, said management had

not initiated any action against any of the five found responsible. Disciplinary action would be taken against the men only if they were found guilty in a court of law

Releasing his findings in Johannesburg to a hall packed with Anglo executives and labour leaders, Judge Leon said the manager of the mine before the accident had also been negligent but was not guilty of culpable homicide

The inquest found the driver of the locomotive was not responsible for the deaths and was guilty only of contravening safety regulations of the Minerals Act. A relieved Tsepang Mpota started sobbing when he heard this

Judge Leon said the company should be charged with culpable

homicide because of the cumulative effect of the indirect causes of the accident. These included unsatisfactory procedures and weaknesses in the system relating to parking of locomotives, the electrical department, weak communication, development of standards and an "attitude of fatalism"

The three mineworkers found guilty are Ndwandwe Khoza, Victor Cako and Mlindelhi Quluba, who had used the locomotive that caused the accident on the afternoon before the tragedy

Officials Hendrik Wood senior and Marthinus Jansen van Rensburg were found guilty, prima facie, of culpable homicide because a safety device, the stop-block, was not in place

The inquest found that electrician Khoza and the two other mineworkers had used the loco on the afternoon before the accident "and had experienced the dangerous state it was in but had failed to report it or take it out of service"

The inquiry found the accident had several causes - the loco and the man carriage were parked in a prohibited area, the electric circuit of loco 54B was bridged out and damaged to such an extent that the loco would run away at the slightest touch of the control lever, the absence of an adequate safety device that would have stopped the man carriage and the loco from entering the shaft, and the opening of both shoulders of the humble hook safety device

## Union plans court action over compensation for families

By JUSTICE MALALA

The National Union of Mineworkers intends filing civil suits against the Vaal Reefs Exploration and Mining Company for compensation on behalf of the families of its members who died in the locomotive disaster last year

NUM president James Motlatsi said the findings of the inquest-inquiry vindicated much of what the union had been saying over

the years on improving safety and health measures on mines

Of the 104 dead, 94 were NUM members. Although a figure has not yet been worked out, the union said compensation for the families would run into millions of rands

"It is the first time in the history of the mining industry that a mine has been found liable for prosecution. (It is also) the first time management has been rightly held responsible for its failure to provide

decent health and safety conditions on the mine, and we welcome it"

Anglo American Corporation said the report needed to be studied thoroughly. Gold and uranium division chairman Bobby Godsell said he intended to invite all the relevant unions and employee associations to a safety summit to examine ways of implementing the full involvement of employees in safety management systems

He expressed concern at the

continuing high level of fatal accidents among gold mining companies serviced by the division

The ANC said the finding would help put a spotlight on safety regulations in the industry

The families of the dead mineworkers have already received the usual benefits due to them from the mine and are in line for grants from the Vaal Reefs trust fund, which has received more than R10-million in donations

# Loco driver's tears of relief

By WILLIAM-MERVIN GUMEDE

Tsepang Mpota, driver of the Vaal Reefs mine locomotive that fell down a shaft killing 104 workers in a lift cage, wept when he heard he would not be charged with culpable homicide

Mr Justice Ramon Leon, chairman of the joint inquest-inquiry into the May 10 disaster at Vaal Reefs' No 2 shaft, said on Thursday "While his negligence was one of the direct causes of the accident, he is not guilty of culpable homicide because a reasonable person in his position would not have foreseen the possibility of death"

After the verdict was delivered, Mpota (38) headed for the Orkney memorial to the 104 workers, bent down in front of it and prayed (212)

"I cried in pure relief," he said

Although for Mpota, after 11 months of "living hell" testifying and waiting since the accident, the worst is over, there is more to come

Found negligent for contravening section 37 of the Minerals Act because he endangered employees, he faces another round of hearings

His lawyer, Selwyn Silent, said "When I picked up Tsepang on Thursday morning he had a big bag packed with clothes, saying that in the event he had to go to jail he should at least have some spare clothes"

Mpota said his family in Lesotho, expecting him to be jailed, had already said their farewells

IMPACT

## ◆ Tears of relief

The inquest-inquiry report urged the attorney-general to prosecute two contract workers from Concor, an underground electrician, the mine shaft overseer and the section engineer. It found that employees had failed to disclose information about the locomotive's condition to police, mine management and government officials, and that a senior employee tampered with documents before giving evidence

Judge Leon said there was evidence that the deaths could have been foreseen and that a reasonable person in the situation of those charged would have guarded against that possibility. He said the mine had failed to install adequate safety devices to prevent the incident.

Anglo American gold and uranium division chief Bobby Godsell said management accepted responsibility for designing and maintaining safe mines and called for a meeting with unions to find ways to include employees in safety management systems

National Union of Mineworkers president James Motlatsi said "It is the first time management has rightly been held responsible for its failure to provide decent health and safety conditions on mines"



# Anglo stoical on 'homicide' Reefs verdict

ST(BT) 2/14/96 (212)

By JULIE WALKER

THE recommendation by Judge Ramon Leon that Vaal Reefs be prosecuted for culpable homicide following last year's accident in which 104 miners perished was taken stoically by Bobby Godsell, chairman of Anglo American's Gold and Uranium division, which manages the mine

"The report is a substantial document which we need to study thoroughly," says Mr Godsell, who called for a safety summit involving management, unions and employee associations

"I am concerned about the continuing high level of fatal accidents among the gold-mining companies serviced by this division

"Management fully accepts its responsibilities for designing and maintaining safe mines, but all employees must play their role in ensuring safe work practices each and every shift," says the labour relations specialist.

"I am convinced that we will not see a meaningful reduction until we can work together with employees and unions in a fully cooperative effort"

Mr Godsell says management fully accepts the role of unions in drafting mine health and safety regulations as provided for in the new draft law, as well as the unions' role in health and safety committees and in monitoring procedure by full-time and part-time stewards

"In fact, we are not aware of any major difference between ourselves and organised labour on these subjects. Why then should we delay any longer in combining our efforts, resources and ideas to make this industry a safer place to work?"

Mr Godsell says Anglo's mines will not wait for the new law to be fully implemented. They will start to bring about the structures for which the law provides. All

relevant bodies will be invited to attend a safety summit to explore ways of implementing better safety procedure

The inquest and inquiry into the accident found that acts and/or omissions by five employees of Vaal Reefs amounted to culpable homicide. The employees contravened the Minerals Act

The report says that the locomotive which plunged down the No 2 shaft onto a cage carrying the men who died had been standing in a prohibited area, its electrical circuit had been damaged to such an extent that it would run away at the slightest touch, its driver had continued to operate the locomotive in spite of its being defective, it had not been inspected before use, and there was no adequate safety device to prevent it entering the shaft

James Motlatsi, president of the National Union of Mineworkers, welcomes the recommendation to prosecute the mine, but sympathises with the workers who were found

guilty because they had been following instructions. "They cannot refuse to work even when instructions are dangerous," he says

The report criticises mine electrician Nwandwe Khoza, who had known that the locomotive was in a dangerous state and the circuits bridged out at the time of the accident. "He knew it was highly dangerous but sent this potentially lethal instrument back into the workplace," says Mr Leon

Vaal Reefs shares lost 300c to R402 on Friday. The mine's market capitalisation is R7,7-billion



BOBBY GODSELL

By CAROL PATON

**TSEPANG MPOTA'S** year of hell ended this week when Mr Justice Ramon Leon delivered his report into the Vaal Reefs mine accident at Orkney in which 104 miners died on May 10 last year.

Mr Mpota, a 31-year-old Mosotho miner, was the driver of the locomotive that plunged down a lift shaft, smashing into a loaded cage carrying the miners down the shaft.

As Judge Leon presented his findings to a packed room of mine managers, government and union officials, an interpreter provided a whispered translation to Mr Mpota, who sat at the back of the room with his head bowed.

He had arrived at the hearing that morning with his attorney, Selwyn Silent.

Mr Silent said "When I met Tsepang at our offices in Klerksdorp this morning, he had brought a bag packed with clothes and

# Mine disaster driver's TEARS OF REVENGE

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personal belongings. He thought that the judgment, like the inquiry where he testified, would take a couple of days."

When the short proceedings ended, declaring him not guilty of culpable homicide, Mr Mpota was unable to speak and sat sobbing into his hands. He then embraced his attorney, the man who had seen him through "the worst time of his life."

"People at home were worried that today he was going to jail," said Mr Silent. "This judgment has come as a surprise to him and he has expressed what he feels through his tears," he said.

The inquiry found that the Vaal Reefs mine and five employees were *prima facie*

guilty of culpable homicide.

The five employees had either failed to report the dangerous state of the locomotive after using it or, in the case of the section engineer and mine overseer, had failed to install a safety device which would have prevented the accident.

Mr Mpota was found to be negligent and guilty of contravening the Minerals Act and certain mining regulations, but the judge said he "would not have foreseen the possibility of death" as a result of his actions.

On the evening of May 10 1995, when Mr Mpota arrived on duty, he had checked the locomotive before inserting a plug that

powered it. But as soon as he did so, the vehicle ran away towards the shaft. He had tried to stop it, was unsuccessful and jumped off.

The locomotive smashed into the shaft at the same time as the cage carrying 104 miners was travelling down. The impact detached the cage from its cable, causing it to plunge down the shaft.

Seconds later, his workmates arrived on the scene to find Mr Mpota "crying terribly and screaming".

"I could see that he was frightened, he could not stand still," said a witness.

Speaking through Mr Silent on Friday, Mr Mpota said that he had spent the previous night at the Number 2 shaft where the accident took place and where his brother still works. "People came to my room and they were all very happy for me. But, I have decided that I cannot go back to working in the mine."

"Tsepang will be going home to Lesotho today, to take the good news to his wife and three children," said Mr Silent.

On his way through the mining town of Orkney he will pass the memorial to those who died, a place he told Mr Silent that "I will go and visit to pray one day."



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**THE NIGHTMARE IS OVER. . .** Locomotive driver Tsepang Mpota wipes away tears of relief at the conclusion of the judgment into the Vaal Reefs mining disaster **Picture: CAROLINE SUZMAN**





Elizabeth Kau, tasked with ensuring the safety of her male colleagues, believes that she can make a difference

# Quiet, yet determined pioneer

Dangerous conditions, the task of making mines safe – and dealing with wolf whistles – part of the job for first woman mine inspector

BY LEE-ANN ALFREDS

Nothing about Elizabeth Kau shouts "pioneer". She is just your typical South African twenty-something – non-assuming, softly-spoken, confident but a bit shy. Or, rather, that is how she would come across if you judged a book by its cover.

But Kau (22) has been where few other women have and if she attains her goal, danger will become part of her life.

For Kau is an apprentice mine inspector – one of two women presently in training who will become the first women to work underground, monitoring safety conditions on South African mines.

It is not a job Kau ever thought she would end up doing, but when the opportunity came up, she jumped at it.

"After matriculating in 1992 I first tried my hand at architecture, but gave that up after six months. Then I studied electrical engineering at technical college.

(212) Star 22/4/96  
 "I was in my second year of engineering when I saw the Department of Mineral and Energy Affairs' advertisement calling on black people interested in being mine inspectors, to apply for their affirmative-action project. I immediately sent in my CV and here I am," she said.

Kau said the attractions of the job

**'They blasted ... I thought the mine was going to collapse'**

were that it was not a typical profession for women, and that it would give her an opportunity to improve the working conditions of miners.

"Maybe, this way, I'll be able to make a difference," she said.

She is determined, despite South Africa's poor mine-safety record and the prospect of spending life deep in the earth in sweltering conditions

"It was cold and dark and I was very scared the first time I went down a mine. When they blasted, I thought the mine was going to collapse. But once you have been down lots of times, you forget you are underground," Kau said.

It also does not bother Kau that she will be a woman in a man's world.

"The males on the course are fine, but when I go down the mines, the mineworkers whistle at me when I pass them. I could not believe it the first time it happened, but I just ignore it," she said.

Fellow students Aaron Nkosi and Lovely Cemane think it is fine women are on the course. "It's okay because we now all have equal opportunities," Cemane said.

Fred Wilmans, a group leader of the project, said the department had embarked on the affirmative-action project because of the lack of mine inspectors in the country.

After the students graduate, the course is to be taken over by the Witwatersrand Technikon.



# Management and employees to blame for disaster

THE Vaal Reefs mine disaster on May 10 last year in which 104 mine workers were killed elicited a barrage of attacks over who was responsible, with initial blame put at the door of mine management.

The recommendations of the joint inquest-inquiry into the disaster, released last week and which called for the prosecution of the mine for culpable homicide, was taken up as a political victory by the labour movement.

This attitude is understandable in view of past adversarialism surrounding the issue of health and safety. However, perhaps both parties should move beyond point-scoring and rhetoric into a mode designed to ensure that such accidents do not happen again.

The "nailing" of mine management shifted the focus away from the fact that the inquest-inquiry did not target only the mine as an entity, but recommended that five employees, including NUM members, be prosecuted for culpable homicide. Besides these charges, they and a number of other employees, includ-

ing the driver of the locomotive, face charges of contravening the Minerals Act and regulations.

Anglo American has stated safety is a responsibility of all parties — with the onus resting on mine management to ensure a culture of safety is created and the necessary conditions put in place to achieve this.

It is questionable, in view of the findings, whether such conditions were in place at the mine at the time of the accident.

This could partly be due to hierarchical reporting structures. The overriding impression created during the proceedings was the perpetuation of a "them and us" attitude, with each witness attempting to absolve himself of any blame or responsibility and a reinforcement of archaic management structures.

Arnold McKenzie, one of the assessors, said in a separate report that the safety culture on the mine was not well established.

Employees were inclined to say "this is not my responsibility", and although safety was preached on the mine, employees were still inclined

## RENEE GRAWITZKY

to sacrifice safety "in order to get the rock out of the mine".

This raises the age-old conflict between costs and safety which was highlighted in the 1960 inquiry into the Coalbrook Colliery disaster in which 437 people died.

The report acknowledged that "mining is inherently dangerous both to life and health" and that employees had to bear the cost for safety measures.

Thus a perpetual conflict of interest arises... as to the nature and extent of the safety measures that may be considered reasonably practical and reasonably necessary.

It is important to examine the reasons provided for recommending the prosecution of the mine.

The relevant provision of the Criminal Procedure Act provides that any act or omission on the part of a director or employee of a company could for be imputed to the company, if those acts or omissions were done in the furtherance of the

business of the company. Therefore the company could be convicted of culpable homicide on the basis of the conduct of its employees.

The indirect causes of the accident include problems associated with the locomotive parked in a prohibited area and the associated non-compliance of procedures tolerated on level 56 where the accident occurred. Questions were raised regarding the training of locomotive drivers and the training of electricians and underground section electricians, the general state of the electrical department where sub-standard equipment remained in use and insufficient communication at the mine and between the shafts on accident information and reliance on outdated safety standards.

Although the mine faces charges, the inquest-inquiry did not find the former two mine managers or the current mine manager prima facie guilty of culpable homicide.

The report said both the mine manager at the time of the accident and the engineering manager, who took up their positions just prior to

the accident, were not informed about past accidents or about independent safety audits of the shafts.

Tsepang Mpotla, the driver of the locomotive will not face charges of culpable homicide because although his negligence was one of the direct causes of the accident, it was found that "a reasonable person in his position would not have foreseen the possibility of death".

The recommendation that five employees face culpable homicide charges was based on their direct involvement in the accident either by bridging out the electric circuit of the locomotive and their failure to report the dangerous condition of the locomotive, or not ensuring a safety device was in place.

Labour's attempt to turn the finding against the mine into a political victory undermines not only the spirit of the recommendations that safety should be approached in a non-partisan way, but also detracts from the full findings of this probe which show that mine management and employees were responsible for the disaster.

## PARTLY VIEW

(212) 80 26/4/96



# Miners gain a foothold in the slippery shafts

(212)  
M+G 26/4 - 2/5/96

The mining industry is about to introduce a state-of-the-art health and safety system, reports **Eddie Koch**

**A** REVOLUTIONARY health and safety Bill for the mining industry — along with last week's dramatic findings of the inquiry into the Vaal Reefs disaster — will give thousands of workers who experience some of the worst safety standards in the world a state-of-the-art system for managing underground accidents

Judge RN Leon's finding that mine management was mainly to blame for the grisly death of 104 workers at the Vaal Reefs gold mine, combined with provisions in the new draft law that could make mine owners automatically guilty of homicide unless they can prove they took strict measures to prevent accidents, will place the mining industry under unprecedented pressure to clean up its safety record

Leon ruled that the driver of a locomotive which ploughed into an underground lift at Vaal Reefs was not primarily to blame. He recommended instead that the company, a former manager of the mine and two senior line-management officials be charged with negligence and culpable homicide

The judgment contrasts dramatically with that of the official inquiry into the accident at Kinnross in 1986, when 177 people died in the worst tragedy in the history of gold mining in South Africa. Management at Kinnross was exonerated and a welder was convicted of two minor counts of breaching the Mines and Works Act, and fined R100 — less than 60c a life

"This is the first occasion in the history of mine accidents that I know of in which a mine manager has been held to account for the causes of a disaster," says the National Union of Mineworkers' (NUM) health and safety co-ordinator Fleur Plummer



Dark days: Mourners at the funeral for the Vaal Reefs victims. Management has been blamed for the accident

PHOTOGRAPH HENNER FRANKENFELD

"Together with the mine's health and safety Bill, it will help to end the culture of victim-blaming that has so far characterised accident inquiries."

Leon chaired the official inquiry into the causes of the Vaal Reefs accident, and was assisted by May Hermanus from the labour movement and Arnold McKenzie from the office of the Government Mining Engineer. His report found *prima facie* evidence that two men at the top of the line-management structure of the mine, Hendrik Wood (shaft overseer) and Marthinus van Rensburg (section engineer), were guilty of culpable homicide, along with Frank Khoza (section electrician), Victor Cako and Mndeli Guluba (locomotive drivers)

The report recommends that the Vaal Reefs Mining and Exploration Company should be charged with culpable homicide and that a former manager at the mine, a Mr Muir, be charged with negligence for failing to deal with warning signals that had emanated from a similar accident on the mine in 1982

It adds: "He [the manager] adopted far too supine an attitude, leaving the whole matter to 'the engineers'... It seems to us that any reasonable person in the position of a mine manager ought to take all reasonably practicable steps to ensure, as far as is reasonably practicable, that adequate steps are being taken to prevent similar occurrences in future"

The driver of the locomotive that plunged down a shaft into a cage bringing miners to the surface was found not guilty of culpable homicide, although Leon ruled that he should face minor charges of negligence. The matter has been referred to the attorney general's office, which is expected to bring criminal charges

against the mine and some of its most senior officials

The recent judicial and legislative innovations — bound to affect the fate of thousands of workers who are injured or killed every year on the mines — reflect a profound shift in the amount of power that mine owners are able to wield over government policy since the 1994 elections

A number of mineworkers' leaders have taken high government positions since the elections. President Nelson Mandela is honorary president of the union, Marcel Golding, head of the parliamentary portfolio committee that brokered the new Bill, is the NUM's former assistant general secretary, and chief constitutional negotiator Cyril Ramaphosa is its general secretary

**'From having a really weak system, we are now on the verge of implementing some of the best legislation in the world'**

This shift in the nature of the state is the major reason why mine companies have agreed to negotiate a law that will create a modern system of health and safety management in the industry. The Bill, due to be tabled in Parliament early next month, includes many clauses the union fought for unsuccessfully in the decade before government power changed hands

One of its most controversial provisions states that, in the case of a fatal accident, an individual mine manager will be liable for criminal prosecution unless he can prove reasonable steps were taken to prevent the causes of the incident

"The Bill explicitly shifts the burden on to a mine manager to prove he is innocent, because of the enormous responsibility these officials have for protecting the lives of thousands of workers," says Plummer. "It is a matter of principle for us. If this law applied at the time of the Vaal Reefs accident, the mine managers would have been obliged to prove they did everything possible to prevent it"

**T**he country's large mining corporations are strongly opposed to the "reversal of onus" clause and are considering a Constitutional Court challenge if Parliament keeps it when the legislation is passed, on grounds that it contravenes the basic right to be presumed innocent until proven guilty

"If an offence is committed by a member of staff, the manager and owner of the mine will be presumed guilty of the same offence. In its current form, the Bill gives more rights to a common criminal, robber or rapist than it does to a mine manager," says John Stewart, head of safety management at the Chamber of Mines

Apart from this fundamental disagreement, the draft law is a "consensual product" of intense "tripartite" bargaining and negotiation between unions, the major mining houses and the Department of Mineral and Energy Affairs. It provides for

● Elected health and safety representatives who will participate in all safety management systems on mines. Workers will also be able to elect a full-time health and safety representative who will carry out this task with full pay

● Joint health and safety committees made up of elected workers and senior management officials, with the

power to implement policy decisions

● A revamped mines inspectorate which will, in effect, create an expanded government agency made up of people experienced in occupational health and industrial hygiene

● A mandatory system of risk assessment on every mine, according to which management will be obliged to identify potential hazards and design systems to eliminate, control or minimise the risk (The risk assessment system is linked to the controversial clause which makes management criminally culpable for fatal accidents unless it can prove procedures outlined in the Bill were complied with)

● The right of workers to a free flow of information about risk assessment, accident statistics, codes of practice, accident inquiries and occupational disease statistics

● The right of workers to refuse to work if they have "reasonable justification" to believe a serious danger is present

● Hazard awareness training for workers before they start employment, at regular intervals and before any major changes to the production process

Industry and labour agree that they have come up with a state-of-the-art system to minimise fatal accidents on the mines. Says Plummer: "From having a really weak system, we are now on the verge of implementing some of the best legislation in the world"

Adds Stewart: "It is fully up-to-date legislation, in line with a recent International Labour Organisation convention on mine safety that has yet to be ratified. In that context, without having studied all other mine safety legislation, we must surely rank among the most progressive in the world"



# New study shows high rate of illness among ex-miners

(212) ARG 27/4/96

DAVID ROBBINS  
Staff Reporter

HUNDREDS of thousands of ex-miners could have occupational diseases and compensation payable could run into several billions of rands

This disturbing evidence of the high burden of mining-related disease in South African rural areas has emerged from a scientific study in the Transkei. When the results are extrapolated over all areas in southern Africa from which mining labour has traditionally been drawn, an alarming picture emerges.

However, Bobby Godsell, chairman of Anglo American Corporation's gold and uranium division, has warned against extrapolation.

"I say emphatically that we need to be extremely cautious. The study needs to be supported by other research.

"In particular, I would like to see a control study done in a rural area where no recruitment to the mines took place. This could help to show how much disease - in particular tuberculosis - should be attributed to mining and how much to other causes."

Mr Godsell has nevertheless referred to the study as "an important event in the life of the mining industry in South Africa".

"We are distressed at what the study has revealed," he said.

"There is clearly a serious problem which the industry will have to address.

"But I don't know whether it's ever possible to fully compensate for the past

"In a mature and declining gold mining industry the choice may well be between redressing past injustices and protecting present jobs."

The preliminary results of the study, undertaken by the Epidemiology Research Unit (ERU) in March this year, indicate that about 55% of a sample of ex-miners in the Libode district of the Eastern Cape have pneumoconiosis (dust diseases, including silicosis) with or without tuberculosis, to a degree that would allow for compensation in terms of the Occupational Diseases in Mines and Works Act

Details of the research are contained in a preliminary report to be published in the South African Medical Journal

In mid-1995 researchers Anna

Trapido and Nokuzola Mqoqi visited hospitals in and around Umtata to assess the level of compliance with the Act, which stipulates that mineworkers are entitled to an annual medical examination and to compensation if they have an occupational disease.

Ms Trapido and Ms Mqoqi found little awareness of these statutory provisions among doctors and health administrators.

Their subsequent study, which examined a random selection of miners taken from the recruitment records of the Employment Bureau of Africa for the Libode district confirms a huge burden of untreated disease.

The ERU study provided for a full hospital examination, including X-rays and lung-function tests, of about 500 ex-miners over a 12-day period.

The results show that of the first 150 men examined, 13 percent had tuberculosis only, 23 percent had tuberculosis and pneumoconiosis and a further 32 percent had pneumoconiosis only.

These results were confirmed by a second medical opinion and are now being re-examined by the certification committee of the Medical Bureau of Occupational Diseases.

Tony Davies, the recently-retired chief director of occupational health and the doctor who did the random sample and volunteer examinations at Libode, estimated that around R5 million in compensation would be required for the men he had examined

When these results are extrapolated to the total population of miners recruited in Libode between 1969 and 1980, the estimate leaps to around R70million.

The ERU's director, Brian Williams, has pointed out that if the miners from this single magisterial district were to be compensated according to the law, nearly all the national compensation fund of about R80 million a year would be consumed.

"It also probably means that compensation payable across all the mine recruitment areas in South Africa and some neighbouring states could easily amount to several billions of rands.

"It is now imperative," he added, "that the key players in mining sit down with government and seriously address the issues which this research has raised."



# Mining industry could face billions in payouts over occupational disease

By DAVID ROBBINS

Hundreds of thousands of ex-miners could be suffering from occupational disease, and compensation payable in terms of the law could run into several billion rands

This disturbing evidence of the high burden of mining-related disease in South African rural areas has emerged from a recent scientific study in the former Transkei

When the results are extrapolated over all areas in southern Africa from which mining labour has traditionally been drawn, an alarming picture emerges

However Bobby Godsell, chairman of Anglo American Corporation's Gold and Uranium Division, has warned against the

dangers of extrapolation

"I say emphatically that we need to be extremely cautious. The study needs to be supported by other research. In particular, I would like to see a controlled study done in a rural area where no recruitment to the mines took place. This could help to show how much disease - in particular tuberculosis - should be attributed to mining and how much to other causes"

Godsell has nevertheless referred to the study as "an important event in the life of the mining industry in South Africa"

"We are distressed at what the study has revealed", Godsell said. "There is clearly a serious problem which the industry will have to address. But I don't know whether it's

ever possible to fully compensate for the past in a mature and declining gold mining industry, the choice may well be between redressing past injustices and protecting present jobs"

The preliminary results of the study, undertaken by the Epidemiology Research Unit (ERU) last month, indicate that about 55% of a sample of ex-miners in the Libode district of the Eastern Cape suffer from pneumoconiosis (dust diseases, including silicosis) with or without tuberculosis, to a degree that would allow for compensation in terms of the Occupational Diseases in Mines and Works Act

Details of the research are contained in a preliminary report to be published in the

South African Medical Journal next week.

In mid-1995, researchers Anna Trapido and Nokuzola Mqoqi visited hospitals in and around Umtata to assess the level of compliance with the act, which stipulates that mineworkers are entitled to an annual medical examination, and to compensation if miners are found to be suffering from an occupational disease

Trapido and Mqoqi found little awareness of these statutory provisions on the part of doctors and health administrators

Their subsequent study, which examined a random selection of miners taken from the recruitment records of the Employment Bureau of Africa for the Libode magisterial district, confirms a huge burden of untreated

and uncompensated occupational diseases

The ERU study made provision for a full hospital examination, including x-rays and lung-function tests, of about 500 ex-miners over a 12-day period last month

The results show that of the first 150 men examined, 13% had tuberculosis only, 23% had tuberculosis plus pneumoconiosis, and a further 32% had pneumoconiosis only

These results were confirmed by a second medical opinion at the time, and are currently being re-examined by the certification committee of the Medical Bureau of Occupational Diseases

Professor Tony Davies, the recently retired chief director of occupational health and the doctor who did the random sample

and volunteer examinations at Libode estimated that around R5-million in compensation would be required for the men he examined. When these results are extrapolated to the total population of miners recruited in Libode between 1969 and 1990, the estimate leaps to around R70-million

ERU director Dr Brian Williams has pointed out that if the miners from this single magisterial district were to be compensated according to the law, nearly all of the national compensation fund of about R80-million a year would be consumed "It also probably means that compensation payable across all mine recruitment areas in South Africa and some neighbouring states could easily amount to several billions of rands"

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Star 27/11/96





# Mines, unions at loggerheads over disease-study findings

Star 29/4/96

(212) (511)

By DAVID ROBBINS  
Health Writer

Reports that hundreds of ex-miners from a single magisterial district in the former Transkei are suffering from an occupational disease that would allow for compensation has sparked a series of warnings from the various parties involved

The National Union of Mine-workers' health and safety co-ordinator Fluer Plimmer, quoted in a weekend newspaper, put the blame for the situation on the mining industry for allowing unhealthy work conditions

Research conducted under the auspices of the Epidemiological Research Unit (ERU) has established that more than 50% of ex-miners recruited between 1969 and 1980 in the Libode district of the Eastern Cape are suffering from pneumoconiosis (dust-related diseases), some

with and some without tuberculosis, to a degree that would allow for compensation in terms of the Occupational Diseases in Mines and Works Act

The ERU's director Dr Brian Williams pointed out that, if the results of the study were extrapolated across all rural areas from which miners have traditionally been recruited, billions of rands could be owing to tens of thousands of diseased miners all over southern Africa

Williams added that, if the miners from Libode were compensated in accordance with the law, nearly all of the national compensation fund of about R80-million a year would be depleted

However, Bobby Godsell, chairman of Anglo American Corporation's Gold and Uranium Division, has warned against the dangers of extrapo-



Anglo's Bobby Godsell ...  
"further research needed".

lation

"I say emphatically that we should be extremely cautious. The study needs to be supported by other research

"In particular, I would like to see a control study done in a rural area where no recruitment to the mines took place

"But I don't know whether it's ever possible to fully compensate for the past," he added. "In a mature and declining gold mining industry, the choice may well be between redressing past injustices and protecting present jobs"

The study was done by researchers Anna Trapido and Nokuzola Mqoqi who, in mid-1995, visited hospitals in and around Umtata, and found little awareness of the statutory provisions

They subsequently examined a random selection of miners - taken from the 1969-1980 recruitment records of The Employment Bureau of Africa for the Libode magisterial district - and found a large burden of non-compensated occupational disease

■ See Page 19 for the first in a three-part series of articles on this important health issue



# Digging up the past links mines to rural suffering

(212) Star 29/4/96

New evidence fuels the debate over occupational diseases, finds Health Writer

David Robbins, in the first of a series of three articles focusing on this sensitive issue

For a long time arguments have simmered about the level of disease in Southern African rural areas which for more than a century have supplied South African mines with their vital supply of labour

Anecdotal evidence has indicated the burden placed on these rural communities by the mining industry is extremely onerous

On the other hand, some scientists have argued the causes of high disease levels in the rural areas (including South Africa's former homelands) should be sought in the socio-political and developmental realities of the rural areas, rather than in a single industry

But now there is fresh evidence of a more scientific kind a random-sample study of ex-miners in the Libode magisterial district in the old Transkei homeland carried out by the Epidemiological Research Unit (ERU), which is a small unit (with an annual budget about R3-million)

It is indirectly funded by the Department of Health through a levy on the mining industry as laid down by the Occupational Diseases in Mines and Works Act (ODMWA).

The function of the ERU has, since its inception in 1979, been to carry out research into mining diseases

According to documents in the files of the National Centre for Occupational Health (NCOH), the research carried out in previous years was "first class" but "largely restricted to white miners"

No surprises here, since the ODMWA itself restricted compensation for occupational diseases suffered by black miners to only 10% of that paid to white miners

The law was changed in 1993, and at the same time the ERU was entrusted with the task of developing its work "in ways that will effectively address the problems of health and safety for all miners"

This is the context in which the Libode study was carried out

In mid-1995, researchers Anna Trapido and Nokuzola Mqoqi vis-



Just for the record... Anna Trapido bases her research on a rural community

ited hospitals in the Umtata area to assess the degree of compliance with the ODMWA, which stipulates ex-mineworkers are entitled to a six-monthly benefit examination and to compensation if suffering from an occupational disease

Little awareness of these statutory provisions on the part of doctors and health administrators was found

Trapido, who holds a biological anthropology degree from Cambridge in the United Kingdom, takes up the story "We wanted to assess the burden of occupational disease in a rural community, and we were greatly assisted in this by the discovery of complete recruitment records for Libode, a magisterial district situated between Umtata and Port St Johns"

The records were those of The Employment Bureau of Africa (Teba), which had recruited 11 706 miners from Libode between 1969 and 1980

To accurately determine the prevalence of disease, Trapido needed to take a analysis of 400

men "In fact, we doubled up to 800 to account for possible deaths"

The sample was randomly selected according to accepted scientific procedures. Then the process of tracing the former miners began

"The communities, as well as the staff of Teba in Umtata, were astonishingly helpful," Trapido says

"In fact, they were able to account for all 800 men

## Results present a sombre picture for the industry

"Although 446 were found to be dead and a further 116 were still working in the mines, the remaining 238 were brought to St Barnabas Hospital in Libode where willing staff assisted with the task of preparing them for the

ODMWA benefit examinations"

In addition, a further 264 "volunteers", with a minimum of 10 years' experience in high-dust mining jobs, were also examined

Working at a rate of more than 40 examinations a day, Prof Tony Davies, the recently-retired chief director of Occupational Health, examined 500 ex-miners in 12 days

His diagnoses were verified by a second opinion provided by Dr Clifford Panter of NCOH

The results present a sombre picture of the burden of disease, much of it undoubtedly caused by the mining industry, on a rural community

In its submission to the recent Leon Commission on mining, the Chamber of Mines referred to an "alleged" burden of disease which would require rigorous scientific research to substantiate

The results which have now been published from Libode detail the condition of the first 150 men to be examined, 105 of them from the random-sample Teba registers, and 45 from the 264 "volunteers"

They show that of these 150, 13% had tuberculosis only, 23% had tuberculosis plus pneumoconiosis, and a further 32% had pneumoconiosis only

All these results are currently being verified by the certification committee of the Medical Bureau of Occupational Diseases (MBOD)

According to the ODMWA, compensation must be paid to miners who have worked at least 200 shifts in high-risk work and who are suffering from pneumoconiosis (dust diseases like silicosis)

If tuberculosis is also present, higher compensation is paid

Tuberculosis on its own is only compensatable within a year of the affected miner leaving the mines

Actual cash amounts involved in compensation vary according to length of service and other variables, however, a reasonable average would be between R10 000 and R30 000

Prof Davies estimates that this works out to about R5-million in compensation for those men examined in the study

If the results are applied to the full population of recruits between 1969 and 1980, the figure leaps to around R70-million

According to the ERU's director, Dr Brian Williams, if the Libode results are taken as a general guide, a figure of "several billions of rand" could be required to compensate diseased ex-miners living in rural areas all over southern Africa

Dr Lettie le Grange, medical adviser to the Chamber of Mines, said the chamber would need to see the written-up research before commenting on it

"We must also wait for the findings of the certification committee of MBOD

"When these are to hand, we'll certainly consider the facts," Le Grange said

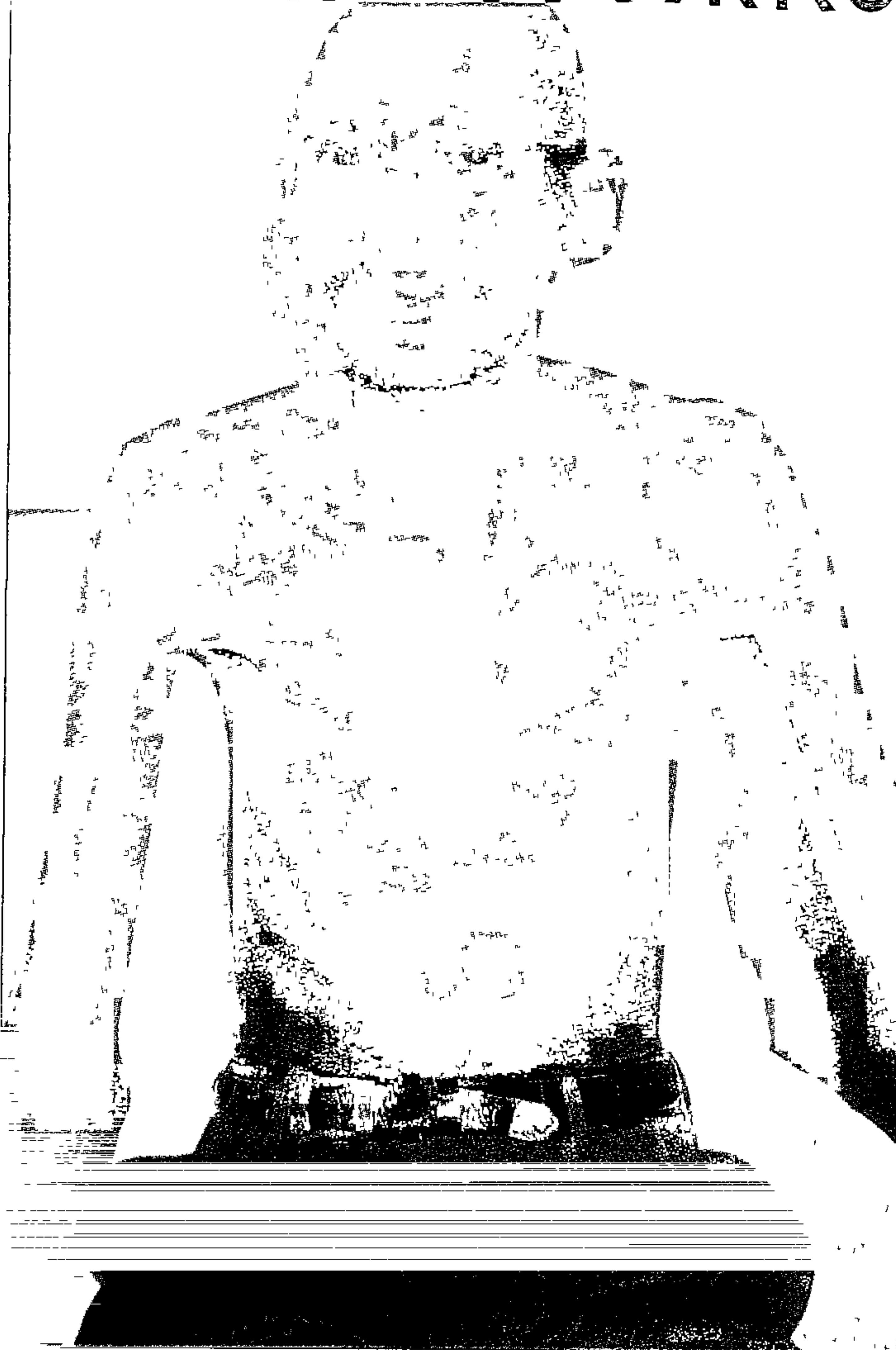
In spite of this cautious approach, the ERU research seems more than likely to provide considerable food for thought for the entire mining industry



## Church in Southern Africa

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P.O. Box 21  
Langa Township  
7455  
Tel: 53 - 5713



Under scrutiny ... a former miner waits to be examined during the Libode study on occupational diseases in southern Africa.

Dr Brian Brink, Anglo American Corporation's health manager, was invited with other high-ranking mining officials to Libode while the ERU study was in progress.

"There can be no doubt,"

### Further research needs to be done, says Anglo chief

Brink says, "that the research has been carefully prepared and executed, and we are going to have to wait with the results."

"When it comes to occupational disease, we must be accountable."

Bobby Godsell, chairman of Anglo's gold and uranium division, says steps are already being taken to match individual miners at Libode with their mining medical records.

"The study illustrates how imperative it is to maintain effective disease monitoring during employment and how important the exit medical examination is."

"We are using this study to redouble our efforts to provide a quality service in these areas."

"It's in everyone's interests - the individual miner's, society's, and also our own - that we do."

However, Godsell stresses that to extrapolate from this one small study to the southern African region as a whole is dangerous.

He said, "I say emphatically that we need to be extremely cautious."

Godsell also thinks that the Libode

study needs to be supported by other research which might help to illuminate some of the "causative assumptions" made.

"In particular, I would like to see a control study done in a rural area where no recruitment to the mines took place."

"This could help to show how much disease - in particular tuberculosis - should be attributed to mining and how much to other causes such as poverty and unhealthy living conditions."

In spite of these reservations, however, the possibility is that many southern African rural communities are shouldering a debilitating burden of occupational disease.

The questions are: What can be done about it?

■ See *The Star* tomorrow for the second article in this series.

## West Driefontein shaft ablaze

BD 30/4/96

Business Day Reporter

(212)

FIREFIGHTING teams were last night still battling to contain a blaze detected at the weekend about 1 000m below the surface at West Driefontein mine, a Driefontein Consolidated Limited spokesman said.

The fire was discovered in an area served by the No 7 shaft and no casualties had been reported.

Prototeams also sealed off the East Driefontein mine to prevent a second fire, reported yesterday in the No 4 subvertical shaft, from spreading. The cause of the fires was still unknown.

Mine management said stoping crews had been relocated to other areas to minimise production losses. The effect on production would be assessed later.

Early this month it was reported that East Driefontein lifted working profit to R157,4m (R100,7m) for the March quarter. Gold production increased to 6 740,7kg (5 920,0kg).

Driefontein Consolidated, which includes the West Driefontein mine, increased profit after tax to R217,7m (R177m).



POLITICAL BRIEFS

Mine safety bill passes hurdle

DRAFT legislation to improve safety on mines was approved by the National Assembly's mineral and energy affairs committee yesterday after three months of intense negotiation.

The Mine Health and Safety Bill is to be debated by the National Assembly on May 9.

The bill proposes that employers and employees be obliged to identify health and safety hazards on mines and to minimise and control these.

It also provides for employees to be represented on health and safety committees.

CT 115/96

(212)

# Libode study must be used to prevent the current generation of miners being riddled with disease

By David Robbins  
Health Writer

Recent research at Libode in the Eastern Cape has graphically illustrated the likely burden of mining-related disease placed on rural communities throughout southern Africa

Examinations on ex-miners recruited in the 1970s in Libode has revealed that more than 50% could be compensatable, and if these results are extrapolated over southern Africa as a whole, the compensation costs will run into billions of rands

But what has caused this heavy disease load in the first place, and what is being done to improve the situation for the country's present and future miner populations?

Health problems in the mines take many forms - not least those to do with sight, hearing and physical capability - but our focus must remain on the lungs. At Libode, alarmingly high levels of

pneumococcosis (including silicosis and obstructive airways disease) and tuberculosis were found in the ex-miners examined

Pneumococcosis is indisputably a mining related disease. It is caused by long exposure to dust in generally restricted environments, and it's "progressive" which means that it can continue to develop long after the exposure has ceased. It needs to be added, though, that obstructive airways disease (similar to emphysema) can also be caused by smoking

The source of tuberculosis, on the other hand, is more difficult to pin down. While doctors agree that the presence of pneumococcosis, especially silicosis, predisposes the sufferer to TB as well, it's difficult to tell whether the latter disease can be said to originate on the mines, where stress and close living conditions might aid the spread, or in the wider world beyond the fence

It's probably a combination of both, says Dr Gavin Churchyard,

head of internal medicine at Anglo American's Ernest Oppenheimer Hospital in Welkom. He points to studies which show that well over 90% of new mining recruits have already been infected in their home environments or previous jobs by the TB bacillus

Taking these considerations into account, what is being done on the mines themselves? How many of the current generation of miners will end their days riddled with occupational lung diseases?

When the early miners first scrambled into their hand-dug holes, there could have been little thought for safety or health. As operations progressed and became more formal - and as miners began to die - these things demanded more attention

But awareness of the real problems dawned gradually. It was only in the 1950s, for example, that the increasingly obvious links between dust and pneumococcosis gave rise to the practice of wetting the stopes

Legislation followed which increased protection for those who toiled underground. Dust control measures have been tightened up through this legislation, as have been the general responsibilities of the mining companies

In South Africa, however, the process was skewed by racial considerations. The Medical Bureau for Occupational Disease (MBOOD) was established to keep a check on the health of white miners - during and after their careers. Black miners were supposed to be x-rayed on the mines at regular intervals

On the best mines, they were not a lot of pneumococcosis was picked up, simply because so much of it developed after the men had stopped mining

The presence of TB in a black miner traditionally resulted in his dismissal and repatriation. It was

only in the early 1980s that the law changed to place the responsibility for treatment on the mine

Today, no miner is supposed to be sent home until his TB is cured or at least is being treated. And from the good mines, no miners are

## Men need care after they stop mining

A glance at the facilities at Anglo's Ernest Oppenheimer Hospital confirms that a high standard of health care and occupational disease monitoring is being routinely carried out. New recruits are extensively examined before they join the mine. No men suffering from TB are taken on - unless of course they have worked on an Anglo mine before

Thereafter, all miners are examined once a year, a process which includes x-rays and lung-function tests. Finally, a full-scale exit examination ensures that

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miners who are completing their careers are sent home healthy

But will all this prevent a repetition of the Libode results? The mine doctors I spoke to at Ernest Oppenheimer Hospital are sceptical. As Dr Colin Eisenstein, a medical consultant to Anglo's Gold and Uranium Division, puts it: "You have to realise that there are two distinct responsibilities. One is on the mines, the other is beyond the fence. The structures are in place to prevent a repetition of Libode. But responsibility passes beyond our control once the miner leaves our employment"

Then, as we have seen, pneumococcosis is probably left to "progress" (there is no effective treatment) without anyone noticing sufficiently to consider the miner's legal right to compensation. And what happens with TB is anyone's guess

"Health systems in the rural areas simply aren't geared to look for occupational disease," says Eisenstein. "The question, now, is

not to cast around looking for somewhere to lay the blame, but how we can start to bridge the gap between the responsibility on our mines and the responsibility, presumably of the state, beyond"

This gap between the two responsibilities is indicated by a glance at the TB control programmes currently being carried out at all Anglo's gold mines in the Free State. It is in the results of the programme that the gap is most clearly illumined

Although new recruits are free of active TB, the incidence of the disease among a population of about 70 000 miners currently stands at 1 000 per 100 000 (1%). Does this mean that something terrible happens to these men on the mines?

Churchyard, who is also chairman of the TB control programme on the Free State mines, says hostel living is having some, but not a significant, effect on the transmission of the disease. The point which Churchyard

and other mining doctors make is that the mining population is not isolated. Miners pass to and fro between their compounds and the communities outside. They also go home to the rural areas for their annual holidays

And now, of course, the ability of HIV to accelerate the spread and progress of the disease is exacerbating an already serious problem which festers in the gap between the responsibility given to the mines, and that which must be assumed for the world beyond

The way ahead will be fraught with difficulties. South Africa has a right to know whether the work at Ernest Oppenheimer Hospital is representative of the mining industry as a whole. South Africa also has a responsibility to ensure that those entrusted with the governance and execution of mining take steps to bridge the gap between the efforts of the mining houses on the one hand and those of state health to improve the general level of rural care on the other



# Draft legislation on mine safety approved

Tim Cohen

BD 2/5/96

(212)

CAPE TOWN — The National Assembly's mineral and energy affairs committee has approved draft legislation aimed at improving mine safety, scrapping a controversial clause which would have shifted the onus of proof onto mine owners to prove they were not responsible for mine accidents.

Committee chairman Marcel Golding said he was "delighted" agreement had finally been reached on the Mine Health and Safety Bill after three months of negotiations. Golding, who has worked on the issue of mine safety both while in the trade union movement and as an MP for more than a decade, said the legislation would be debated by the National Assembly on May 9.

Golding said the disputed "onus clause" had been dropped in favour of a much more balanced clause which reflected a fair set of responsibilities for government, employees, managers and owners.

The Chamber of Mines and mining houses strongly objected to the "reversal of onus" which they claimed was unconstitutional

because it overturned the presumption of innocence. The committee opted for a formulation which would not shift the onus onto mine owners, but which would reduce the burden of proof required from "beyond reasonable doubt" to "on the balance of probabilities", thus making conviction easier to obtain. Golding said the legislation provided for a new regulatory framework, a new set of rights and obligations and an enhanced safety inspectorate.

He said the new legislation would not on its own save lives. A "beefed up" safety inspectorate would be critical for the success of the new system. Golding said he did not expect the application of the legislation would lead to substantial cost increases to mining houses. He said the Bill attempted to promote a culture of health and safety in the mining industry and encourage training in health and safety through co-operation and consultation between all parties.

The legislation still requires the assent of the Senate mineral and energy affairs committee, although no substantial changes are expected.



## Mine safety Bill supported by all

(212)  
CAPE TOWN — The Mine Health and Safety Bill was read a second time in the National Assembly yesterday and received support from all parties.

Introducing the debate, Mineral and Energy Affairs Minister Pik Botha said it would take very little to prevent most mining accidents. It was true that in some cases mining was inherently dangerous, but many accidents took place because of poor control. The Bill was aimed at ending this.

Damage to miners' health could also be prevented in almost all cases by controlling conditions in the work place.

ANC general secretary Cyril Ramaphosa, who was National Union of Mineworkers secretary general for nine years from 1982, welcomed the Bill and said NUM had fought for the right of miners to work in a safe place.

The Bill gave mine workers their health and their lives back, he said — Sapa.

BD 10/5/96

# New device to prevent mine locomotive accidents to be tested

By MANDLA MTHEMBU

A device to prevent locomotive accidents at mines, which was demonstrated before the Leon Commission of Inquiry, will be tested officially at the Western Deep Levels gold mine in Carletonville next Monday

The device, a double active stop-lock, was developed from

212 Star 13/5/96  
the single stop-block by Western Engineering and Mining Supplies in an effort to prevent accidents similar to last year's Vaal Reefs mine shaft disaster, which killed 104 miners

At van Wyk, who demonstrated the R12 000 device, said it could stop a 50-ton locomotive travelling at 10km/h

"The device is designed to

stop a train by means of the impact and friction which is released by the energy of the moving train," he said

The double stop-lock consists of two swivel stop-blocks installed in tandem, 4m apart, between the tracks. These two stops are interconnected in such a way that one stop-block is always in the stop (vertical) position

## Pik pilots Bill through despite concerns

CAPE TOWN — Outgoing Mineral and Energy Affairs Minister Pik Botha successfully piloted the Mine Health and Safety Bill through the Senate yesterday, despite telling the House he suspected parts might be unconstitutional.

The Bill was approved unanimously.

Speaking during the Bill's second reading, Botha said he would ask President Nelson Man-

(212) BO 23/5/96  
dela to postpone the operation of a controversial clause dealing with the onus of proof in the prosecution of a mine owner or manager.

This would allow the Chamber of Mines and the National Union of Mineworkers the opportunity to negotiate an amendment.

Botha said he believed the clause was unconstitutional as in many instances the

State's onus would be reduced to a formality of proving that a serious injury had occurred.

"Such an injury is no more than a reportable injury as defined in the regulations," he said.

However, the accused had a full burden of proof to establish that everything practicable had been done to provide and maintain a safe and healthy work environment, he said — Sapa.



## Swazis aged 12 treated for sexual diseases

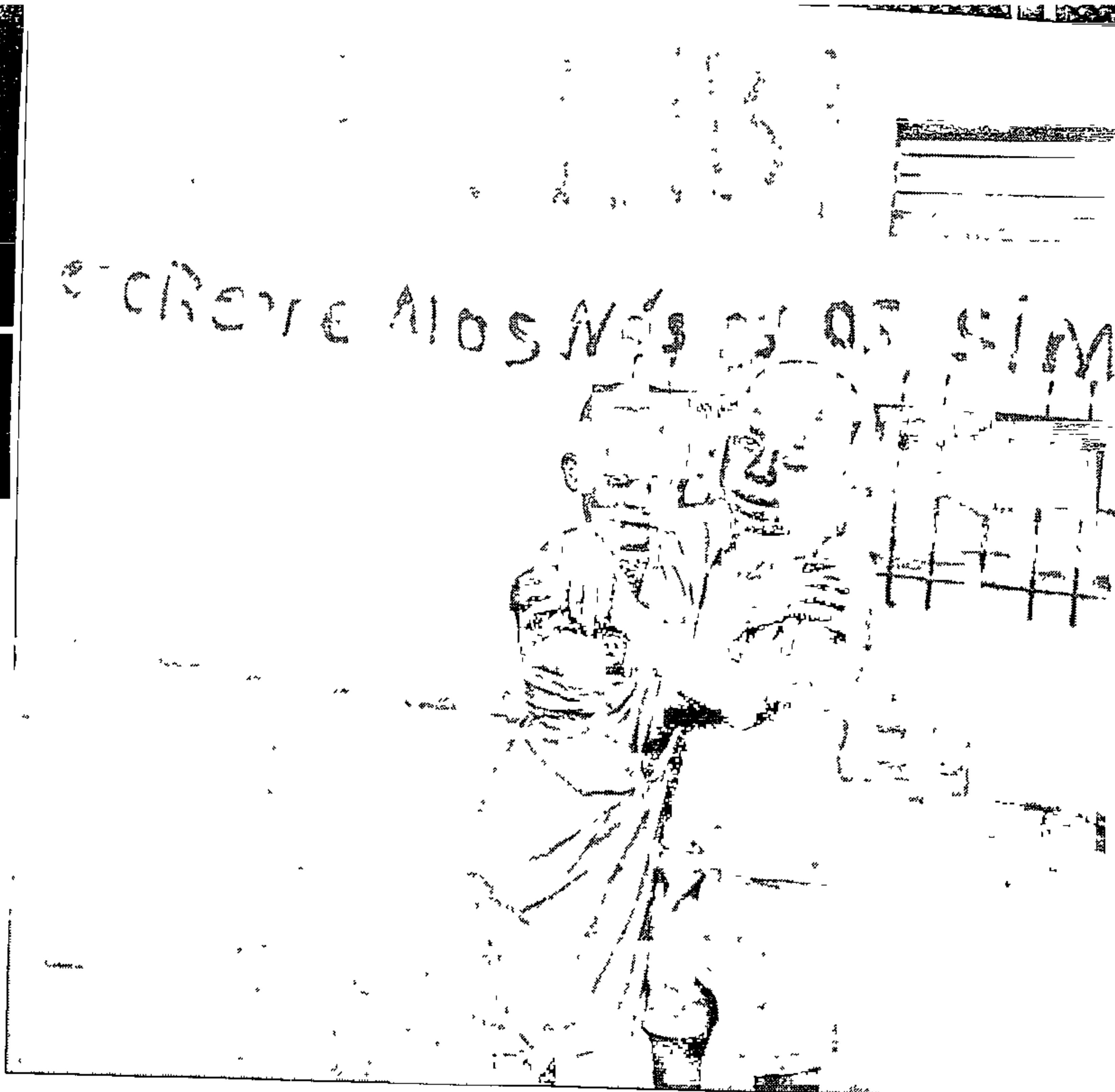
(212)  
ART 29/5/96

MANZINI. - Hundreds of patients, including 12-year-old children, at the Manzini regional health clinic each month suffer from sexually transmitted diseases (STD), a Swaziland parliamentary meeting has heard.

Addressing MPs at the Manzini regional administration headquarters, public health matron Mary Magwaza called on them to help clinics and hospital nurses contain the rapid spread of STDs in the Manzini area.

She said MPs should address constituency meetings to sensitise parents about the need to inform their children of the dangers of STDs, including HIV and Aids.

Ms Magwaza said that the Health Ministry would arrange regular workshops to educate people about the dangers and prevention of STDs, including HIV and Aids, and rape - Sapa



Flashback .. these children were victims of the war between the MPLA and Unita. The fight for the independence of Cabinda from the rest of Angola is still claiming the lives of many children.

PIC SOWETAN

# Swazi democracy might come by force

(212)

*Sowetan 17/6/96*

By Vuyisile Hlatshwayo

**MBABANE** - Given the the dualistic system of Swaziland's government, the democratisation of this bastion of traditionalism in Southern Africa might only come about through political and civil strife

This was graphically manifested by the frustration of disgruntled pro-democracy advocates during the first session of the so-called people's parliament, a general gathering of the people, at the royal Ludzidzini cattle byre recently

For the first time in the history of the tiny kingdom, the traditionalists and progressives bayed for each others' blood over what the pro-democracy group viewed as cosmetic political changes by King Mswati, which in any case favour the traditionalists and the royal family

Swaziland is run by two systems, the traditional and the Western. The Western model works in the constituted parliament, while the predominant traditional system operates at the royal headquarters, Ludzidzini Residence

## Demands of democracy

The architect of this dual system was the late King Sobhuza II, who advised Swazis to create a unique means of government by copying the positive values of the Western and African systems

Now this dual system is proving unworkable and divisive because it does not cope with the demands of democracy

The gathering of the people's parliament was attended by almost 20 000, many of whom had expected they would be able to discuss the removal of the 1973 decree banning political parties

They also hoped for the freedom to elect an accountable and transparent government, the reintroduction of a Bill of Rights and the repeal of draconian laws such as the Industrial Relations Act and Non-Bailable Offences Act

But the main outcome was that the king fired the unpopular prime minister, Prince Mbilini, without replacing him

The move was welcomed by pro-democracy organisations such as the Swaziland Federation of Trade Unions, the People's United Democratic Movement and the Swaziland Democratic Alliance

Mswati touched a raw nerve when he announced at

the meeting that he would continue with behind-the-scenes appointments to his advisory body - the Swazi National Council

Then he appointed 21 people to the council, including five princes and two unionists. This caused consternation among the pro-democracy group, which had wanted to be able to choose council members in a democratic fashion

When the people's parliament closed, the pro-democracy group was left with the view that it had been nothing more than window dressing on the part of the king

It was felt that the traditional government would continue to dominate the Western government model, making it difficult for parliament to operate freely - *African Information Afrique*



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## Miner's body found, accident toll now 3

(212) Star 21/6/96

The recovery yesterday of the body of a miner at Vaal Reefs gold mine near Orkney brings to three the number killed in a rockfall on Tuesday.

Seven miners injured in the accident were still in hospital. They will be under observation for a few more days, a mine spokesman said. Three workers were

discharged yesterday.

Meanwhile, rescue workers were continuing their search for more missing miners.

The deaths of the three miners have raised this year's toll in the gold mining industry to 58. January had the highest toll, with 27 miners killed in accidents. - Staff Reporter

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MINING - Accidents

1996 - 1997

# Tentative moves toward change in Swaziland

MTG 8-15 | 8/96 (212)

## Bheki Nxumalo

**A**s the pressure mounts for political change in Swaziland, King Mswati III has announced a 29-person constitutional committee to draw up a new constitution for the country.

At a meeting of the nation on July 26 (a public event which anyone may attend) held at the Ludzidzini Cattle Byre, Swaziland's traditional capital, the king also announced the appointment of Sibusiso Dlamini as prime minister and executive director of the International Monetary Fund.

The appointments come three months after the king promised concrete democratic changes at a previous meeting of the nation on May 8, at which he fired former prime minister Prince Mbilini.

The delay between the May 8 announcement and the appointments drew criticism from the Swaziland Federation of Trade Unions (SFTU), the opposition People's United Democratic Movement (Pudemo) and the media.

The constitutional committee will travel the country, soliciting views on what the constitution should include. It will then draw up the final document which will be adopted at

another meeting of the nation.

With a budget of almost R2-million, the committee has not yet been given a time limit, and although it was appointed two weeks ago, has not yet met.

The committee's members have been drawn from a diverse spectrum. While conservative members, including four chiefs, have been appointed, it also has significant liberal representation. The SFTU's Themba Msibi, Mario Masuko, a member of Pudemo and Dr Jerry Gule of the Institute for Democracy and Leadership (Ideal), are some of the more liberal appointees.

The SFTU, Pudemo and Ideal earlier this year formed a coalition, the Swaziland Democratic Alliance, to try to force change in the country.

Since their members' appointment, these groups have held a string of meetings to decide whether or not they should co-operate with the committee.

They have been stalling because a 1973 decree, which bans political activity, has not been lifted, and because it is not yet clear whether their members have been appointed as individuals or representatives of their organisations.

Last weekend, the SFTU called a mass meeting where it resolved that the appointees would take part in the process, provided that 18 demands were met. These demands included the immediate repeal of the 1973 decree, a guarantee that chiefs do not harass their followers for holding dissenting political views and access to all media (Swaziland's radio, television service and Swazi Observer newspaper are state-owned).

There have been fewer reservations from those who are wary of the constitutional committee about Dlamini, who has had considerable international experience during his time in the IMF — even the Democratic Alliance is pleased with the appointment.

# Swazi commission to draft 'home-grown' constitution

BD 12/8/96 (212)

MBABANE — Faced with pressure from both internal and external forces, King Mswati III has finally heeded calls for democratic reform in Swaziland

The 28-year-old king has set up a 29-member constitutional review commission to draft a new "home-grown" constitution

Swaziland has been operating as an absolute monarchy since April 1973 when the late King Sobhuza suspended the Westminster-style constitution adopted at independence in 1968, banned all political parties and introduced the traditional Tinkundla (constituency) system

However, despite the ban of political parties and activities, the country, once dubbed a peace-loving nation, experienced a myriad social, economic and political problems. The problems culminated in a spate of strikes and the resurgence of underground parties and civic groups

The groups, the most notable of which are the People's United Democratic Movement and the Swaziland Federation of Trade Unions, have since formed an alliance called the Swaziland Demo-

cratic Alliance (SDA)

The constitutional review commission represents a cross-section of Swazi society, including members of banned political parties, trade unions, employers and academics. These include Mario Masuku, leader of the People's United Democratic Movement, Themba Msibi of the Swaziland Federation of Trade Unions, Muhawu Maziya of the Swaziland Federation of Employers, Jerry Gule of the Institution of Democracy and Leadership and Nkoko Hlatshwayo, a law lecturer at Swaziland University

Also included was Mndeni Tshabalala, a traditionalist who was forced to resign from leading a Tinkundla. People felt Tshabalala would frustrate the constitutional reform exercise

The constitutional review commission will visit all 55 Tinkundla centres in the country and obtain people's views about the new constitution. But there have already been some misgivings from the SDA, which has threatened to pull out of the commission

The SDA wanted the king to lift the ban on political parties forth-

with. It also demanded freedom of assembly and political expression without fear of arrest, intimidation or harassment

The SDA was also worried that it did not know the terms of reference of the constitutional review commission. Besides, all representatives of the commission had been selected by the king and his Swazi National Council without the consultation of the people. The SDA also did not know the criteria used for selection.

Bonginkosi Dlamini, secretary general of the People's United Democratic Movement, said: "The arbitrary hand-picking of the individuals into the constitutional commission is contrary to the accepted norms and practices of democracy"

So far, there are more questions than answers about the commission due to lack of transparency. Nothing has been done to allay fears of the unknown among SDA members. Unless Mswati actively involves the people in his new socio-economic and political initiatives, they will continue to consider them as cosmetic rather than real changes. — AIA



(212)  
**Workers die in  
mine rockfall**

JOHANNESBURG· Two miners  
were killed in a rockfall in the No 9  
Shaft at Free State Consolidated  
Mines Limited Western Holdings  
on Monday night.

CT 21/8/96

# AFRICAN BUSINESS

*Senate backs chief's bid to nationalise property*

## Land call shocks Swazis

CT(BE)23/8/96 (212)

By Tom Holloway

Mbabane — A motion by a Swazi senator calling for the nationalisation of all land in the country has sent shock waves through the tiny kingdom

Prince Bhekimpf, a Swazi chief and former prime minister, this week moved that Muntu Dlamini, the natural resources and energy minister, pilot a concessions and partitions amendment Bill through parliament to repeal the concessions Act of 1907

The senate passed the motion on Tuesday

In an emotional speech, the prince referred to former Swazi kings Mbandzeni and Mswati I, who had given concessions of vast areas of the land to European settlers

The prince said the land was only loaned to them, but they had claimed ownership and used and sold it as they pleased. This was "essentially stealing land that had been lent to them by the king"

The prince said the so-called private farm owners in Swaziland were using land that was initially concession land. Therefore, everyone claiming to own land in

Swaziland now should be made to give it back to its original and rightful owner, the king, who should then decide what to do with the land

He made no mention of compensation. He said it was "shocking" that King Mswati III had to buy back concession land now needed for development when such land already belonged to him and the Swazi nation

A somewhat startled Dlamini, who unsuccessfully opposed the motion, warned senators it would have serious political and economic implications and would shut the

door on investment

Swazis, including land owners, subsistence farmers on national land, business leaders and cabinet ministers, have strongly condemned the motion as ill advised, shocking, unbelievable and "a short cut to economic suicide"

Musa Hlope, the executive secretary of the Federation of Swaziland Employers said that if the motion succeeded, it would be unconstitutional and bad news for Swaziland, which is about to embark on democratic constitutional reforms — Independent Foreign Service

## Another miner killed at East Driefontein

By Guy Oliver

(212) CT (BR) 30/8/96  
LABOUR EDITOR

Johannesburg — An East Driefontein miner was killed in a shooting incident late on Wednesday night, continuing the strife plaguing Gold Fields mines

In the past six weeks at least 28 of Gold Fields workers have died in incidents of violence at East Driefontein, Northam Platinum and Leeudoorn mines

The apparent motives for the spate of killings have varied from union conflict between the ANC-aligned 350 000-strong National Union of Mineworkers and the IFP-aligned United Workers Union of South Africa to criminal elements operating within the mining compounds

Tito Mboweni, the labour minister, backed a commission of inquiry into the mining industry this week. James Motlatsi, the NUM president, spoke to Northam Platinum workers on Wednesday in an attempt to persuade them to allow 600 Zulu-speaking colleagues back into the mine's hostels

The Zulu workers have been billeted outside the hostel since early this month when four workers were killed in clashes at the mine

Motlatsi dismissed suggestions that the killings were linked to union factions on the mine because Zulu-speaking miners of the National Union of Mineworkers formed part of those being ostracised at the workplace

Tjoekie Grundlingh, the East Driefontein relief manager, said yesterday that a miner was shot and killed in a hostel kitchen while a NUM meeting was taking place nearby late on Wednesday. Workers refused to report for work after the killing was discovered

"We've been losing about 25 percent of our daily production since August 16 up to and including last night (Wednesday). Now we're losing 100 percent production," said Grundlingh

He said 1 700 Zulu miners of the 12 950 workforce had been confined to their hostels since August 16 when three Zulu miners were killed at the workface



# Mine unions act on safety

*Sanetan 5/9/96*

*(212)*

**By Abdul Milazi**  
Labour Reporter

TRADE unions in the mining industry took the first bold step towards ensuring that the safety of workers was in their own hands when they met Minister of Mineral and Energy Affairs Panuelli Maduna for top-level discussions on the issue on Tuesday.

The decision to meet Maduna by the Mining Labour Caucus, a group of six major trade unions and associations representing 90 organised mine workers, was to discuss the implementation of the Mine Health and Safety Act

which allows employees to take part in health and safety matters in their workplace for the first time.

The new law, facilitated by Maduna's predecessor Mr Pk Botha after the May 10 1995 Vaal Reefs Mine Disaster which claimed 104 lives, allows trade unions to nominate representatives to a range of influential bodies in the industry.

These include the Mine Health and Safety Council and the Mining Qualifications Authority.

Led by the National Union of Mineworkers the caucus' duty would be to provide a forum for labour to

develop common approaches to issues affecting workers.

The caucus represents over three quarters of members of registered trade unions in the industry, and therefore allowed to nominate all the labour representatives.

NUM vice president Senzeni Zokwana said "Our aim is proper coordinated representation for labour in important governance structures that have been opened by the Act to all workers for the first time."

Zokwana said trade unions had been working together informally for more than a year.

*Sanetan 5/9/96*

*(212)*

(212)  
**4 miners killed in  
accident at Leeudoorn**

Four miners were killed and three seriously injured in an accident in the Number One sub-vertical shaft of the Leeudoorn mine near Westonaria on Monday night

A spokesman for the Goldfields Mining Company said the accident occurred when a stage rope broke while the men were inspecting an orepass 2700m below the surface

The names of the deceased are being withheld until their next-of-kin have been notified of their deaths - Sapa

*Star 11/9/96*

# Mining still the most dangerous industry

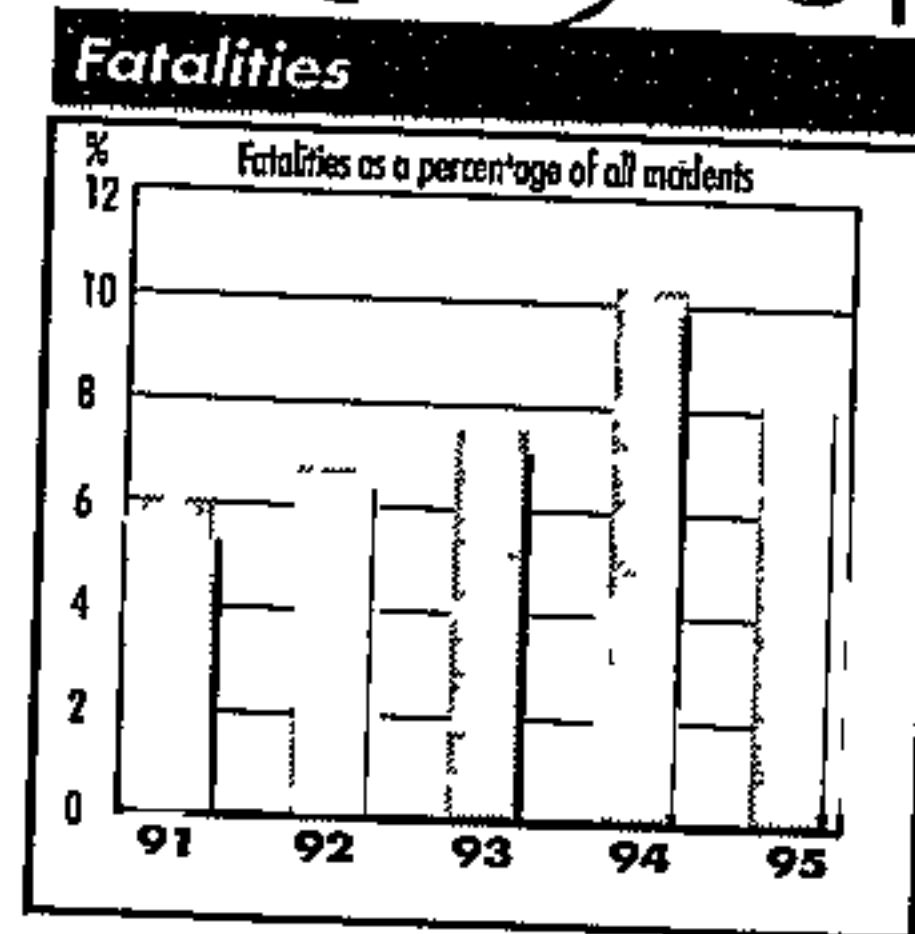
By Thabo Leshilo

(212) CT(BR) 18/9/96

Johannesburg — A total of 942 people, excluding miners, died in the workplace last year, according to the labour department's annual report for last year.

However, mining remains the most hazardous industry in the country. According to statistics from the mineral and energy affairs department, 533 people died on the mines last year. During the same period, 7 739 were injured and there were 7 900 reported accidents.

In its recently released report, the labour department said that it investigated 10 556 serious workplace accidents last year.



"What is of most importance is that although there has been an increase in fatalities, from 913 to 942, the percentage of incidents reported has dropped from 10,18 percent to 8,92 percent," the report said.

The trend since 1991 showed a 1,3 percent decrease in fatalities, after a steady 1 percent increase over the previous four years (see graph).

The report showed that the transport industry was the most dangerous after mining. Transport accounted for 54 percent of the 942 deaths. The industry had 492 deaths and 2 015 accidents last year, compared with 433 deaths and 1 551 accidents the previous year. The report said the number of accidents investigated had increased since the labour department had taken over responsibility for health and safety on the railways in 1992.



Star 3/10/96

## Three miners die in rockfall (212)

Three miners were killed in a rockfall at the West Driefontein gold mine near Carletonville yesterday.

Goldfields spokesman Marion Brower said the rockfall, about 1 100m below the surface, was set off by a tremor measuring 2,7 on the Richter scale.

He said the tremor was "fairly substantial in mining terms", adding that it was unfortunate that such tremors were a factor of life in South African mines.

No other miners were injured. The bodies of the dead men have been brought to the surface, but their names will not be released until their next of kin have been advised, Brower said - Staff Reporter

# Many mine locomotives 'tampered with'

BD 9/10/96

(212)

Wyndham Hartley

CAPE TOWN — More than half the underground locomotives at Vaal Reefs mine had been lethally tampered with in the same fashion as the train that caused the accident which claimed 104 lives in May last year, a parliamentary committee heard yesterday

The mineral and energy affairs committee demanded to know how prevalent short circuiting of safety devices was in the industry, after hearing that an investigation had been conducted

Government mining inspector Derek Baker told the committee that after the accident, in which a locomotive plunged down a shaft onto a lift cage full of workers, an inspection of

similar machines had shown that 50% of them had been "short circuited"

He said an investigation had been conducted to determine how prevalent the practice was in the mining industry Baker did not have the details with him and the committee asked that the results of this investigation be made available for its consideration

The electrical bridging or short circuiting of the controller boxes on the locomotives was apparently done to keep them operational when they developed faults

Baker said Frank Phosa, the electrician who carried out the procedure on the locomotive involved in the accident, and who faces prosecution for culpable homicide, had told two inves-

tigations into the accident he had short-circuited the controller because there were no spares

Baker said Phosa had claimed that his training was hopelessly inadequate, but this had been rejected by the mine He said while the mine company had claimed inspectors had given the mine's locomotives a clean bill of health, "the fact is that we are hopelessly short of inspectors"

He told the committee that the recommendations of the inquest-inquiry into the accident — that Phosa, the mine manager at the time, and Vaal Reefs itself be prosecuted for culpable homicide — were still with the attorney-general He implied that a decision on the prosecutions was imminent

# New mine safety system

## to prevent runaway trains

By **PATRICK PHOSA**

An underground locomotive braking system intended to avert mine accidents similar to last year's Vaal Reefs disaster were among the innovative mine safety devices on display at the Electra Mining Africa '96 exhibition at Nasrec, south of Johannesburg.

The system was designed by the Deelkraal Gold Mine in Carletonville and has been operating without any hitches for a year.

The mine's electrical foreman Alwyn Schuch told The Star last week accidents could be averted if the system was operational in all mines.

A 12-ton locomotive ploughed through three safety devices at the Vaal Reefs Mine near Orkney last year before it plummeted down a 2 103m shaft, crushing 104 miners in a lift cage.

Schuch said the device was designed in such a way that it would check the speed of the locomotive, and that a stationary locomotive could not turn away even when it was

unattended.

The braking system consists of a foot brake, emergency stop button, alarm bleeper, valve block, hand pump, brake cylinder, pump motor, pressure switch and a reservoir tank.

Schuch said the bleeper alarm would ring to warn the driver when he was exceeding the speed limit.

"If he (the driver) does not react within five to eight seconds, the braking system will be automatically activated.

The locomotive will then come to a sudden halt," he said.

Schuch said the Deelkraal Gold Mine had had accidents with locomotives running away due to the failure of the old hand-braking system. He said the management had decided to innovate a safe system after many of their miners had sustained injuries through mine accidents.

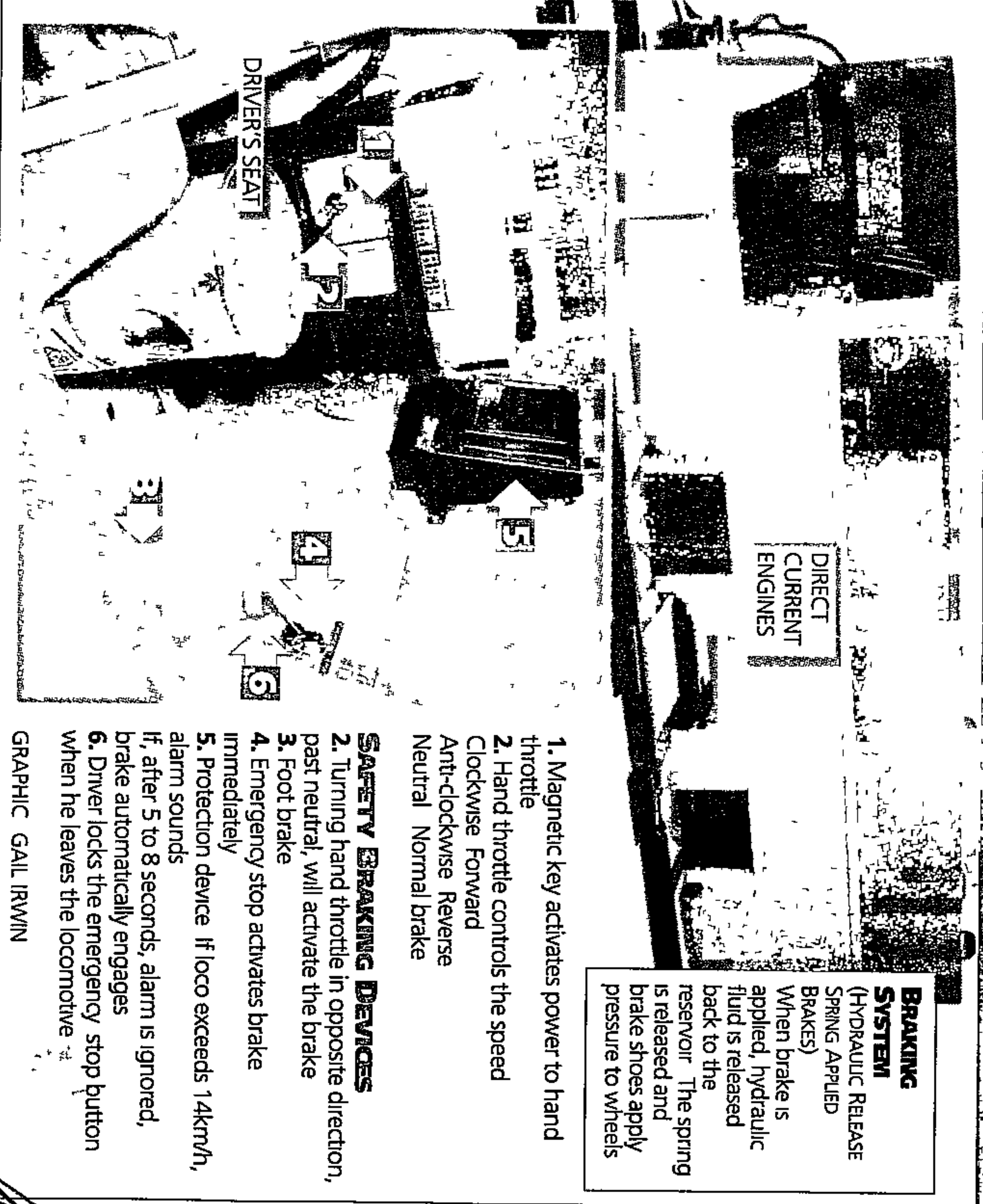
"If there is an accident in front of the locomotive, or a hanging rock, the driver can just press the emergency button which will activate the brake," he said.

### Device

### designed to check

### loco speed

### NEW FAIR-SAFE BRAKE LOCOMOTIVE AT DEELKRAAL



**BRAKING SYSTEM**  
(HYDRAULIC RELEASE SPRING APPLIED BRAKES)  
When brake is applied, hydraulic fluid is released back to the reservoir. The spring is released and brake shoes apply pressure to wheels.

1. Magnetic key activates power to hand throttle
2. Hand throttle controls the speed  
Clockwise Forward  
Anti-clockwise Reverse  
Neutral Normal brake

#### SAFETY BRAKING DEVICES

2. Turning hand throttle in opposite direction, past neutral, will activate the brake
3. Foot brake
4. Emergency stop activates brake immediately
5. Protection device If loco exceeds 14km/h, alarm sounds  
If, after 5 to 8 seconds, alarm is ignored, brake automatically engages
6. Driver locks the emergency stop button when he leaves the locomotive

GRAPHIC GAIL IRWIN



# Provinces must balance their books

(212) BD 16/10/96

**John Dlodlu**

NATIONAL government would no longer help the provinces finance their budget shortfalls, a move which would force the nine regions to practice stringent fiscal control, treasury sources said yesterday

Treasury officials said the proposal — to remove the option of provinces to fall back on the national fiscus in cases of overspending — was among several

items on the agenda of the newly established budget council, which brings together national and provincial government finance officials

In terms of the proposal, which is part of a package on the sharing of financial resources between national and provincial government, provinces would have to balance their books after annual allocations

Northern Cape treasury head Eugene Meyer said the new budget system, which replaced the infamous function committee system, was welcome in enforcing fiscal discipline. But Meyer said he was concerned at the prospect that provinces might have to fund shortfalls even on functions over which they had no control — such as welfare and health. The scale of obligatory payments, such as welfare grants, is determined at national level

KwaZulu-Natal treasury head Siphso Shabalala said "To me, it's a question of fiscal discipline. We have to learn that if you have R10, you have R10 and nothing more. As a treasury, we will have to send a clear message to the departments (about spending)"

Johann Stegmann, Western Cape finance department and corporate services head, hailed the new system as an improvement on the function committees which put provinces at a disadvantage, but was reluctant to pre-empt discussions on the sticking points at next week's meeting of the council

The new budget system, which included a revenue-sharing formula and proposals on a 7% tax room for provinces, had to be seen within the context of the need to foster co-operative governance. If the proposal on dealing with budget shortfalls was accepted, options for maintaining statutory payments would include using the next fiscal year's allocations or delaying expenditure on non-statutory votes

# Gengold outlines plans for better mine safety

8016/10/96 (212)

**Reinie Booysen**

GENGOLD was hoping to improve productivity and safety on its mines through its policy of promoting black workers to leadership positions, Gengold MD Tom Dale said yesterday.

The fatality rate in deep-level SA gold mines was unacceptable, Dale said

"Mining is a dangerous, arduous environment, and we have to address this by putting more skills at the face"

Gengold was transforming its labour force by educating black workers and helping them obtain blasting certificates, he said

"We are educating, training and qualifying hundreds of miners. We want to give them career opportunities based on merit, and to pay them on merit."

Apart from improved safety, productivity at the face would also be improved, as qualified blasters led smaller teams of miners motivated by incentive bonuses

At Gengold's Beatrix mine, where about one-third of the mine had been converted to the new structure, face advances of 20m to 25m a month were being achieved in some areas of the mine. This compared with an industry standard of about 8m a month

"We have established a foundation for sustainable, significant improvements in productivity over the next three to five years," Dale said

Instead of one white qualified supervisor being in charge of 70-100 men, covering about 100m of stope face, there would be qualified supervisors — a large proportion of them black — every 25m,

with smaller teams comprising 12 to 15 men

About 250 miners were being educated to standard 7 and blasting certificate level each year, although about 100 of these were leaving the mines annually. "We need about 800 to 1 000 in total," Dale said

The management hierarchies on Gengold mines — Beatrix, Kinross, Leslie, St Helena and Winkelhaak — was being reduced from eight to about five levels. The head office hierarchy had also been reduced from three levels to just one.

In his presentation of Gengold quarterlies this week, Dale told analysts the transformation of Gengold mines was a long-term process, and he asked the investment community to be patient about results

## Swaziland's Witnesses reap the seeds of discrimination

212

Star 30/10/96

Mbabane - The Human Rights Association of Swaziland has taken up the case of a group of Jehovah's Witnesses in the Lomahasha rural area in southern Swaziland. They have been forbidden to plough their fields by the area's chief because he is opposed to their religious beliefs.

The chief's action followed hard on the heels of a successful appeal in the Swaziland High Court by the Jehovah's Witnesses against their recent eviction from their homes in the chief's area.

The Human Rights Association executive, at the request of

the Jehovah's Witnesses, has met Justice Minister, Chief Maweni Simelane, but the result of the meeting is not yet known.

The case is the latest in a number here in which deeply traditional Swazi chiefs and rural school teachers have allegedly victimised Jehovah's Witnesses.

Freedom of religion is still entrenched in Swaziland's 1968 Independence Constitution.

But many traditionalists claim the Jehovah's Witnesses' beliefs are incompatible with Swazi law and customs. - Star Foreign Service



Mines: deaths/injuries **(212)**  
1089 Mr A H NEL asked the Minister of Mineral and Energy Affairs

in 1995 and (cc) during the period 1 January to 31 July 1996?  
N1993E

How many (a) and (b) injuries occurred in the (i) gold, (ii) platinum, (iii) coal, (iv) diamonds and (v) other mining sectors (aa) in 1994, (bb)

The MINISTER OF MINERAL AND ENERGY AFFAIRS  
(a) and (b)

(i) (aa), (bb) and (cc) (Gold Mines)

Year	Accidents	Fatalities	Injuries	Fatality Rate/1 000	Injury Rate/1 000
1994	6 941	371	6 888	1,08	20,00
1995	6 338	415	6 246	1,27	19,14
1996	3 520	191	3 446		

(ii) (aa), (bb) and (cc) (Platinum Mines)

Year	Accidents	Fatalities	Injuries	Fatality Rate/1 000	Injury Rate/1 000
1994	434	24	416	0,51	8,88
1995	858	45	832	0,58	10,71
1996	602	22	588		

(iii) (aa), (bb) and (cc) (Coal Mines)

Year	Accidents	Fatalities	Injuries	Fatality Rate/1 000	Injury Rate/1 000
1994	267	54	267	0,96	4,26
1995	255	31	237	0,53	4,03
1996	165	34	148		

(iv) (aa), (bb) and (cc) (Diamond Mines)

Year	Accidents	Fatalities	Injuries	Fatality Rate/1 000	Injury Rate/1 000
1994	117	17	119	1,10	7,69
1995	139	12	129	0,79	8,48
1996	57	9	50		

(v) (aa), (bb) and (cc) (Other Mines)

Year	Accidents	Fatalities	Injuries	Fatality Rate/1 000	Injury Rate/1 000
1994	277	16	271	0,38	6,47
1995	310	30	295	0,67	6,58
1996	145	17	133		

SABC staff members dismissed

1194 Mr J J DOWRY asked the Minister for Posts, Telecommunications and Broadcasting †

(1) Whether any staff members of the SABC were dismissed during the period 1 January 1996 up to the latest specified date for which information is available as a result of allegations, suspicion or proof of corruption, if so, how many,

(2) whether any investigations are currently being conducted against any SABC staff members in regard to allegations of corruption, if so, (a) how many and (b) which post levels are involved?  
N2183E

The MINISTER FOR POSTS, TELECOMMUNICATIONS AND BROADCASTING

The Chairperson of the SABC has informed me as follows

(1) Yes There have been twenty one (21) people dismissed from the South African Broadcasting Corporation (SABC) for dishonesty/fraud during the period 1 January 1996 to 30 October 1996

(2) (a) Currently as at 30 October 1996, nine (9) people are implicated in allegations of corruption  
(b) Their levels range from staff levels through to General Management

# Trapped mine workers rescued by colleagues

Reneé Grawitzky

BD 19/11/96

212

FIFTEEN mine workers who had been trapped for close to nine hours more than 3km underground in Western Deep Levels' East Mine — the deepest gold mine in the world — were rescued by 35 fellow mine workers during an emergency operation

The operation began at the Anglo American mine near Carletonville yesterday morning after seismic activity measuring 3.1 on the Richter scale trapped 15 and killed one mine worker 300m underground

Anglo spokesman James Duncan said that the early indications were that the 15 men who were brought to the surface were well

However, they were taken to the Western Deep Levels hospital for a thorough medical examination

The 15 trapped workers were rescued early last night

Duncan said that most of the people in the rescue teams were colleagues of the mine workers trapped underground

"What happens is once an accident is reported, people converge on the stope and begin emergency operations."

Three rescue teams — each team made up of eight people — were deployed to two different places trying to get close to the area where the workers were trapped

By late yesterday afternoon, Anglo was optimistic that the majority of the trapped mine workers were alive after one of the rescue teams heard voices coming from where they were trapped.

Duncan said besides hearing the voices, the company was optimistic because there was chilled water in the area so that mine workers could drink and avoid becoming dehydrated

There was also compressed air to breathe

Although seismic activity was endemic to deep-level mining, Anglo was of the view that it had all the right supports in the right places



# Toll in mud disaster may reach 22

## Heavy rains flood shaft and wash out rescue hopes

ARGUS CORRESPONDENT AND SAPA

The death toll in the Free State's Rovic Diamond Mine disaster is expected to reach 22 after the search for 18 miners still trapped underground was called off because of heavy rain

Continuous rain yesterday flooded the shaft, making rescues impossible

Four miners have already been confirmed dead

Meanwhile, in a separate incident yesterday three miners were killed when an earthquake measuring 3,3 on the Richter scale shook Buffelsfontein Gold Mine near Stilfontein in the North West Province

A spokesman for Randgold, owners of the mine, said the names of the miners were being withheld until their families had been notified

National Union of Mineworkers officials have accused the owners and management of Rovic of negligence

They said the disaster at the diamond mine could have been prevented if the new Mine Health and Safety Act had been implemented

"Every mine is required to undertake a continuous risk assessment and such process would have revealed the high risk of mud rushes," said NUM health and safety officer Fleur Plummer

"Mud rushes are common in diamond mines, therefore the mine management's claim that the accident was unforeseen does not hold water"

NUM spokesman Ben Molapo said the mine lacked emergency exits and did not have any rescue teams on hand

The nearest team had to be summoned



**Death underground:** miners and rescuers at the Rovic diamond mine, where 22 people are feared to have died from the St Helena Gold Mine, which is about 150 km away in Welkom

"Although 50 people were trapped underground, management could not determine how many workers had been on duty. The mine manager could also not

establish a roll call from the registered number of workers on a shift," he said

Mine manager Peter Smith said yesterday that all necessary safety precautions had been taken

"When the mud slide went down, it

swept people along to the lowest level of the mine, but we managed to rescue most of them"

Mr Molapo said the NUM estimated that at least 88 workers were on duty when the accident occurred

(212) ARG 28/11/96



# Hope fades for 15 trapped Rovic miners

28/11/96  
Sawerton

(212)

BY SHIRLEY WOODGATE  
AND SAPA

Hope is fading fast for about 15 miners trapped underground by a mudslide in which four are known to have died at the Rovic Diamond Mine near Boshof in the Free State

Rescue workers toiled through the night to locate the men trapped 500m to 700m underground and they will continue today, but chances of finding any more survivors are slim.

The rescue has been hampered by continuous rain which caused the mudslide

Thirty-four men were rescued after the disaster hit the mine to the west of Bloemfontein yesterday afternoon.

By this morning it was still unclear how many men were trapped underground, but mine manager Peter Smith said it was unlikely any of the missing men had survived

"Everybody who could have been saved, was," he said, adding "a number of miners" were believed to be trapped

Yesterday mine manager Francois Malherbe said 38 men were unaccounted for, while National Union of Mineworkers' regional chairman Chris Parks Modise said probably 80 workers were underground when the mudslide engulfed the shaft

A spokesman for Bloemfontein's rescue services confirmed early today that four slightly injured miners had been taken to the city's Universitas Hospital



announces investigation, union claims management negligent

By Lara Smith, Owm Correspondent and Sara

Minerals and Energy Affairs Minister Penny Maduna has announced that the Government Mining Engineer will investigate the Rovic diamond mine disaster at Dealesville in the western Free State in which 22 men are feared to have died in a mud slide.

He said other mines in the area had been alerted to take precautionary measures ahead of the investigation, which should determine the cause of the accident at the western Free State mine and make recommendations on how to prevent similar catastrophes.

Continuous rainfall yesterday flooded the shaft, making it impossible to carry out rescue operations for the remaining 18 miners trapped underground. Four miners have already been confirmed dead and the remaining 18 are presumed dead.

And in another mining accident, three miners were killed yesterday when an earthquake measuring 2.3 on the Richter scale shook Buffelsfontein gold mine near Sutherland in North West Province.

Province Randgold, owner of the mine, said the names of the miners were being withheld until their families had been notified.

The National Union of Mineworkers has accused the owners and management of Rovic of negligence, and said the disaster at the diamond mine could have been prevented if the new Mine Health and Safety Act had been implemented.

"In terms of the Act, every mine is required to undertake a continuous risk assessment and such a process would have revealed the high risk of mud rushes," said NUM health and safety officer Fleur Plimmer.

"Mud rushes are common in diamond mines. Therefore, the mine management's claim that the accident was unforeseen does not stand up," Plimmer said.

NUM spokesman Ben Molapo claimed the mine lacked emergency exits and did not have any rescue teams on hand. The nearest team had to be summoned from the St Helena gold mine, about 150km away in Welkom.

Mine manager Peter Smith said yesterday that all necessary safety precautions had been taken and that there had been "no signs which indicated that the mud might go down".

Molapo said the NUM estimated that at least 88 workers were on duty when the accident occurred, but according to the mineowner, only 56 miners were affected. Of these, 34 were rescued.

The union believes the number of casualties could be higher because management was unable to determine exactly how many workers were on the shift.

The last person to be rescued was carried out of the mine at about 4am yesterday with fractured arms and a broken leg.

Smith said the decision to halt the rescue activities had been made because the rising sea of mud over the preceding 24 hours had made it unsafe to go underground. Rescuers needed to know how much mud was "down there" and how to measure the quantity without getting "into more trouble".

Norman Graham, assistant manager of St Helena mine's rescue services, said the operations were halted after all efforts to try to recover the missing miners had been exhausted.

Our feeling was that there were no more survivors ...

"We managed to save more than 30 lives. Further operations were stopped because conditions were becoming far too dangerous. Our feeling was that there were no further survivors."

Northern Cape NUM regional organiser Willie Lancoe said yesterday that the union's health and safety committee would discuss the tragedy with Government

Mining Engineer Dick Barker at the Kimberley regional office.

Barker, who was at the scene yesterday, said the accident was "extremely regrettable because South Africa is on a par with other international mining countries when it came to safety."

Maduna has instructed Barker to report all preliminary findings on the disaster to him personally.

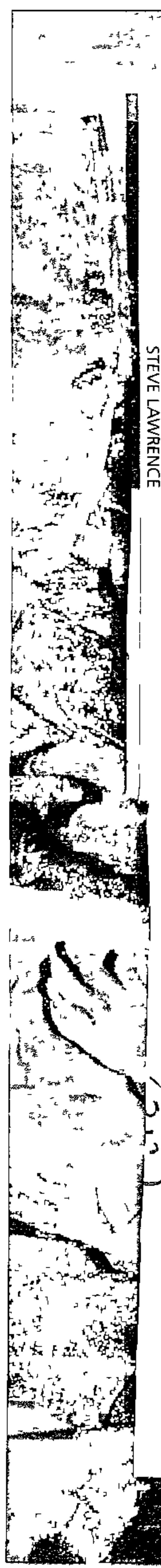
Rovic mud rush

Business Report

Rising tide of mud

halts rescue operation

STEVE LAWRENCE



Alive - rescued miners are met by army medics and civilian doctors and nurses on the surface at Rovic diamond mine at midnight on Wednesday. The men were stripped off and washed before being examined and treated for shock. Many were ferried immediately to hospital in Bloemfontein.

Survivors prayed to God for release as mud rose around them to chin level

Owm Correspondent AND SARA

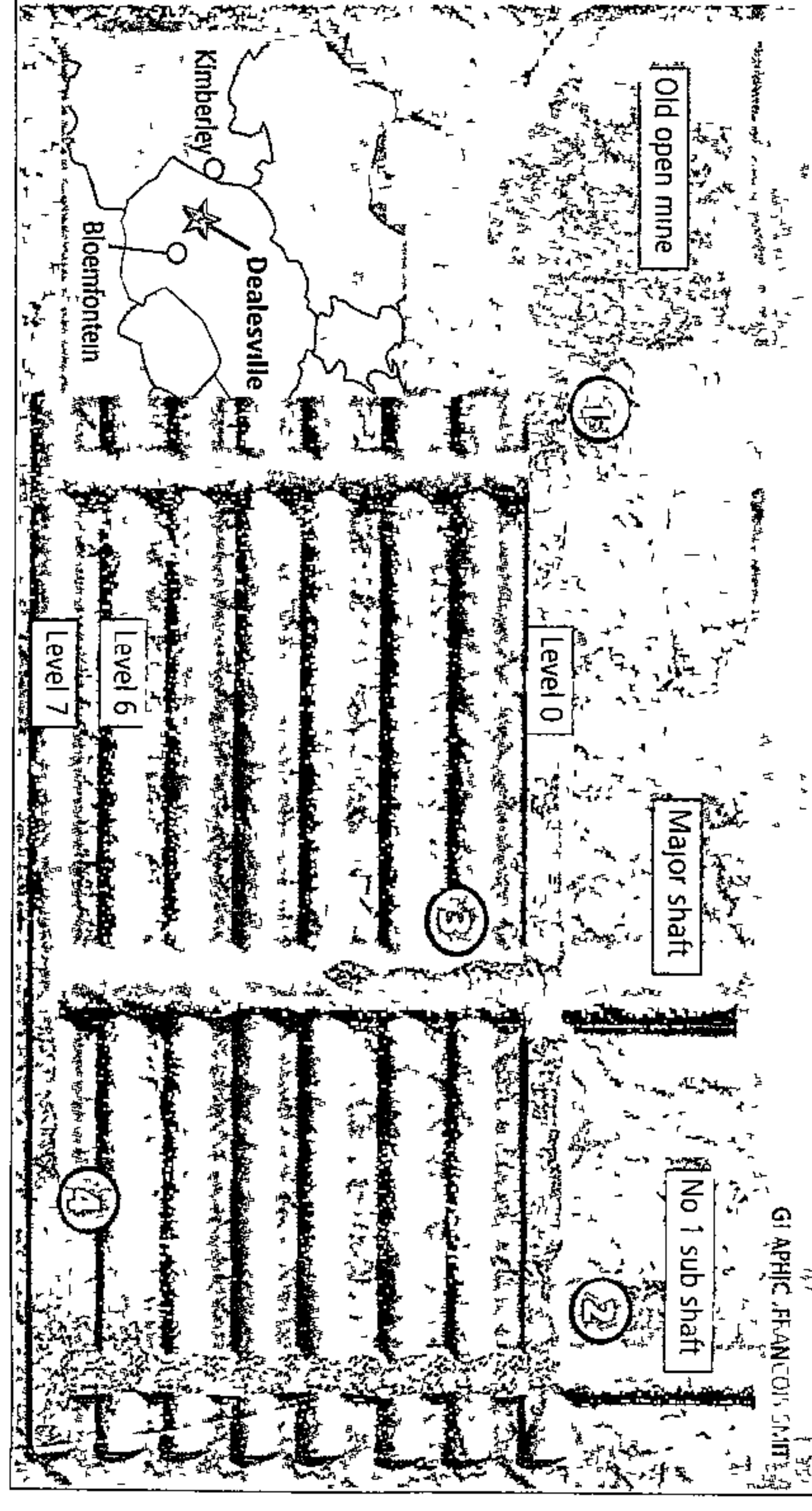
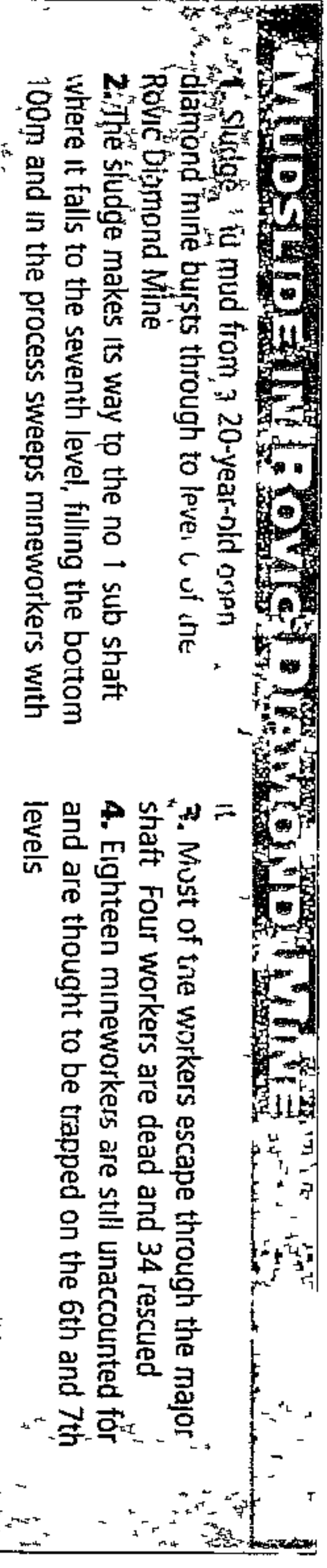
Bruised and weary survivors of the landslide tragedy at the Rovic diamond mine in the Free State have told of their desperation while trapped underground for 12 hours by icy mud and slime up to their necks.

One of the 16 rescued from the mine explained that they were at work on the lowest two number eight levels when they heard a noise which "sounded like a strong wind" and then saw mud pouring down the number one sub-shaft.

Ishmael Kgoboko said they "started praying to get out of the mine", while the mud rose around them until it reached their chests. They spent about two hours climbing up the major shaft to reach the level from which they were eventually rescued.

Their climb was made more difficult by mud pouring down this safer shaft on to their heads and they thought they were going to die. By the time they were rescued, they were cold, tired and scared, and had given up hope of getting out alive. Kgoboko said:

Rescue personnel who came from the Free State and the Northern Cape to assist in saving the



lives of trapped miners worked until the early hours of yesterday morning as the mud level continued to rise steadily underground. Rovic mine is about 70km from Kimberley and between the Free State towns of Dealesville and Boshof. It was struck by the mudslide from an adjoining slimes

dam just after lunch on Wednesday. Shocked miners, caked from head to toe in thick grey mud, were brought to the surface singly. A team of army medics met each survivor, stripping them of their clothes and washing the mud off, before the nurses and doctors took over, dishing out cups of tea and examining every one for internal injuries.

Rain fell throughout - a soft, soaking rain which soon turned the area outside the shaft-head into a sea of thick and clinging grey mud, hampering the doctors and nurses in an eerie imitation of the muddy horror 600m below.

Friends and workmates of the trapped miners gathered in a nearby hangar-like structure that had been turned into a field hospital, asking one another who had been rescued. They broke into spontaneous applause and cheering when they recognised a particular miner being led from the cage.

Rescued miners, their eyes red-rimmed and staring, showed no response and were immediately surrounded by rescue workers.

On the other side of the hangar lay seven stretchers with blood and mudstains mute testimony to the serious and fatal cases that had gone before.



MINE DISASTER NUM claims risk procedures were ignored

# Top brass to evaluate Rovic mud rush

(212) ET(BR) 29/11/96

GUY OLIVER

LABOUR EDITOR

Johannesburg — John Darch, the president of the Vancouver-listed Botswana Diamondfields, is expected to arrive in South Africa within days to assess the mine accident at Rovic diamond mine amid allegations from the National Union of Mineworkers (NUM) yesterday that risk assessment procedures at the mine were neglected and rescue operations delayed

Darch will be accompanied by Gerald Wright, another director, to join Peter Barnes, a third director, who was in South Africa at the time of the disaster

A mudslide on Wednesday at the mine, which is managed by Johannesburg company Metorex, has so far claimed the lives of four miners. Management feared another 18 miners were also dead. Late yesterday, 34 had been rescued by a rescue team from St Helena mine, about 150km from Rovic

Diamondfields acquired the mine on July 1 from the Lemkas Group. A capital injection of about \$1 million was required to complete the equipping of the

incline shaft and the provision of other surface facilities, the company said earlier this year. Simon Malone, the managing director of Metorex, would not comment on the accident

At the time of the acquisition, a Canadian mining analyst said it was acquired at "fire-sale prices brought about by political uncertainty"

Barnes said the price was "not particularly" low, and he did not believe it reflected political uncertainty, but rather the capital expenditure required for improvements to the mine. He said the government mine inspectors and independent reports had identified no problems with the mine at the time

The NUM has condemned the accident as preventable. Willie Lencoe, the union's regional co-ordinator, said, "the extent of the accident could have been put under control if the mine had a rescue team in place or an emergency exit"

Fleur Plummer, the union's health and safety officer, said "Mud rushes are common in diamond mines. The mine management's claim that the accident was unforeseen does not hold water"



**TIME OUT** An exhausted member of the Rovic diamond mine rescue team takes a break

PHOTO: JOHN WOODROOF



## 'No hope' left for miners trapped in Rovic mudslide

(212)  
MUD was still flowing into the Roberts Victor (Rovic) diamond mine 60km west of Bloemfontein yesterday, and mine manager Peter Smith said there was no hope of rescuing the 15 miners still missing as a result of Wednesday night's mudslide

"All people we could possibly rescue have been rescued. Nobody could live through those mud crushes," he said

Rescue teams temporarily abandoned their search for the 15 miners yesterday because conditions were too dangerous. Four bodies had been recovered earlier

All operations have stopped at the mine, which is owned by Vancouver-listed Botswana Diamond Fields

More than 30 miners were rescued and two were in a serious condition

Fleur Plimmer, health and safety officer of the National Union of Mineworkers, said yesterday that the disaster could have been prevented

"In terms of the (new Mine Health and Safety) Act, every mine is required to undertake a continuous risk assessment and such a process would have revealed the high risk of mud rushes, especially in mines that use particular mining methods. *BD 29/11/96*

"Mud rushes are common in diamond mines. Therefore, mine management's claim that the accident was unforeseen does not hold water."

The union said casualties might be higher than Rovic's estimate as "management could not determine how many workers were on this shift"

Mine overseer Kobus Olivier said the mudslide collapsed steelwork in the mine shaft and it took 10 hours to clear it before a cage could be sent down to fetch miners.

The mud poured into the top levels from an adjacent worked-out open pit operation, entering it in an area which had not been mined for 20 years, Olivier said. Most of the men who died were working on levels three and four of the approximately 230m deep mine, while most of those rescued had been working on the lower levels

Heavy earth moving equipment could not be used and rescuers had had to use spades. — Reuter, Sapa

# Slimy, agonising death for miners

(212) Sowetan 29/11/96  
Survivors prayed as mud poured into the shaft, reaching their necks

**A** MUDSLIDE at the Rovic diamond mine near Boshoff in the western Free State claimed the lives of 22 miners on Wednesday afternoon, but rescue workers managed to save 34 others.

Some of the rescued miners spent up to 14 hours underground up to their necks in mud.

Rescue operations were carried out throughout Wednesday night, but were called off yesterday morning when more mud started pouring into the mine and further mudslides were feared.

By that time four bodies had been recovered from the mine shaft, while 16 miners were still trapped underground. Mine management has given up all hope of finding any of them alive.

It could be days or even weeks before the mine is stable enough to resume the search, mine manager Pieter Smith said.

Some 22 injured miners were admitted to hospital in Bloemfontein, and 16 were discharged after receiving treatment for minor injuries.

The 16 were working in the lowest two levels of the eight-level mine when they heard a noise which "sounded like a strong wind", they told journalists.

Ishmael Kgoboko, speaking on behalf of the group, said they then saw mud pouring down the mine shaft.

## Up to their chins

The miners "started praying to get out of the mine" while the level of mud rose until it reached their chins.

They estimate they spent 12 hours up to their necks in icy mud before they were rescued.

Three other miners, Albert

Ramotsamayi, Tabane Lethallo and Mathews Maumau, who are still in hospital where they are being treated for minor injuries, said they climbed up the mine shaft for about two hours before reaching the point where they were eventually rescued.

## More difficult

Their climb was made even more difficult because mud was pouring down the shaft on top of them.

They said they thought they were going to die.

According to mine overseer Kobus Olivier, the mud collapsed the mine shaft and it took ten hours before it could be cleared and a conveyance could be sent down to fetch the miners.

- Sapa

# 22 may have died (212). ET 29/11/96 in mine mudrush

JOHANNESBURG: The owners of the Roberts Victor Diamond Mine near Boshof in the western Free State said yesterday they feared 22 miners had lost their lives in the mudrush on Wednesday.

In a statement the company said: "It is not clear at this stage exactly what occurred. In the incident, 56 employees of the mine were affected. Of those, 34 have been rescued and four deaths have been confirmed. A further 18 employees are presently unaccounted for and are presumed dead."

Rescue work had been suspended because of the risk to the rescue personnel.

The company said the names of the dead and missing persons would be released after the next of kin had been informed.

Production at the mine had been temporarily halted.

"The regional staff of the National Union of Mineworkers (NUM), who were present at the mine throughout the rescue opera-

tions, were kept fully apprised of the situation and concurred with all the decisions taken by management and the rescue brigade."

Mr Ben Molqapo, spokesman for the NUM at its headquarters in Johannesburg, said: "We are still assessing the accident and will be making a statement later."

Rescue teams from the Chamber of Mines in Welkom, the South African Medical Corps in Bloemfontein and the South African Police Service, as well as local doctors, paramedics and ambulance-men from Bloemfontein, Boshof, Dealesville and Kimberley worked feverishly until the early hours of yesterday morning to rescue miners still trapped between No 6 and No 7 levels of the mine as the level of mud rose steadily.

The mine is situated almost 70km from Kimberley between the Free State towns of Dealesville and Boshof.

Most of the mine's workers were underground when the accident occurred — Sapa



BUILDING (EX 14410)

# Rovic denies negligence allegations

Rovic diamond mine management yesterday vehemently denied that the disaster in which 22 people lost their lives in a flow of mud at a western Free State mine on Wednesday was the result of negligence.

Spokesman for the mine's owners, Jomo King, was responding to allegations by the National Union of Mineworkers that the mudflow could have been prevented.

King said management had been given no indication that a flow of mud from a disused open-cast pit about 250m from the active mine was imminent. He said the causes for the flow would be thoroughly investigated.

Earlier Fleur Plummer, health and safety officer of the NUM, said the disaster could have been prevented if the new Mine Health and Safety Act had been implemented.

"In terms of the act, every mine is required to undertake a continuous risk assessment and such a process would have revealed the high risk of mud pushes, especially in mines that use particular mining methods," King said, even if a risk assessment had been conducted, it was unlikely it would have predicted the sudden flow of mud from the disused pit.

Mine management now accepts that the 18 people missing underground are dead. This brings the total number of people killed to 22.

Geologist and director of the mine, Dr Norman Lock, said the flow of mud was not related to current mining operations and started 150m from where mining was being conducted. The inflow of mud was not preceded by the usual water seepage and was completely unexpected.

"The old open cast workings are underlain by hard impermeable rock and have been undermined without incident for some 76 years" - Sapa

AMW 30/11/96  
2129

By ELIAS MALULEKE

THE director of the Rovic Diamond Mine — where 22 miners drowned in a river of mud this week — has told of his helplessness while his men struggled for survival underground

Dr Norman Lock, a geologist who was visiting the mine near Dealesville, in the Free State, on Wednesday when the disaster happened, said it was the saddest moment of his life.

"I felt terrible, I was standing there, shuffling my feet and walking around with a sense of helplessness, while below people were desperately struggling for survival in deep mud," he said

Rovic's holding company, the Botswana Diamondfields Incorporated of Canada, bought the mine five months ago and ceded the management of the mine to a South African-based company, Metorex

"We could not foresee the

## A battle for life in river of icy mud

disaster because it was not related to mine operations," Lock said

Ninety miners were underground when the mud flooded out of a disused open-cast pit about 250m from the active mine, flowed into the upper tunnel and then down the main vertical shaft to the workers 600m below.

Lock said the force of the gushing mud crushed the floor of the lift in the main vertical shaft, trapping the miners and hampering rescue operations.

Lock said a fund had been

established for the families of victims, and the mine would carry funeral and medical expenses.

Mine manager Jomo King said the death toll could have been higher had it not been for the swift actions of rescue teams

On noticing the tide of mud, 35 of the miners made their escape through the main shaft and raised the alarm

"Operations were immediately stopped and rescue teams from the mine and brigadesmen from the Harmony and St Helena gold mines sprang into action"

King said the miners, some of whom had been trapped in the thick, cold mud for more than 12 hours, were hoisted to safety by the rescue teams

Some of the miners said they had given up any hope of getting out alive.

The Minister of Energy and Mineral Affairs, Penuell Maduna, has launched an investigation into the disaster

(212) ST 1/12/96

# Distant mining could have set off killer mud

(212)  
By BRONWEN JONES

EP 1/12/96

A MAN-MADE earthquake at a distant mine could have triggered the mud flow that invaded a Free State diamond mine this week

The grey sludge in which 22 men were suffocated or drowned, surged – unexpected and unstoppable – along the underground slopes and tunnels of Rovic, a small mine near the town of Dealesville

It came from an adjacent, worked-out, opencast pit that had first been mined 90 years ago. No one yet knows how it pushed through old workings into one of Rovic's escape routes, but a seismic tremor is one of the possibilities being considered

Dr Norman Lock, geologist for owners Botswana Diamondfields, agreed that mining could cause the earth shake but said Rovic was at that stage drilling rather than blasting. It was not impossible that a seismic event, either natural or due to other mining activity even 100 km away, could have set off movements in the earth at the diamond mine

While heavy rainfall followed the flow, both the Canadian-based owners and the South African management company, Metorex, insist that there was no abnormally high rainfall before the mud slide and that there was no obvious seepage into the mine before disaster struck

It was in 1976 that a similar flow of mud down a mine shaft at the Bafokeng mine claimed 12 lives. On that occasion the mud came from a burst slimes dam and flowed tens of kilometres

At Rovic the slimes dams, made of powder-fine mine waste, are intact. The material that flowed was believed to be the rock and soil that had collapsed into old excavations of a diamond pipe

There is no guarantee that the mud will not move again

When it burst into the mine this week, some mineworkers heard a distinctive rumble and a rushing

sound like wind. They knew they had to run for safety. Some ran the wrong way. And some men nowhere to run to. But of the 90 men underground when disaster struck, nearly 70 escaped without critical injury

This success in the face of doom, said Lock, "was due to the incredible endeavours of the rescue teams"

He was visiting the mine when the mud struck and worked through the night, sharing the tragedy with the largely Sotho workforce.

Continued rain delayed attempts to retrieve bodies that remain around level 7 of the mine, at the bottom of a 22-degree slope. Others, known to have been on level 3, are assumed to be entombed within tunnels that traced the mud slide's path

The mine had a total workforce of about 200 men

Lock told City Press "If our plans get back on track, we will replace the staff who've been lost and even increase staff to help us achieve a planned 50 percent improvement in production"

He said that the preferential employment of relatives of the deceased could be considered

Lock looked ashen faced as he spoke. A weary and careworn man, he said "All our efforts must go into recovering the bodies, and helping families arrange funerals for their loved ones"

■ Contrary to reports in other publications, the mine did have the two exits required by law. The owners are concentrating on securing the main shaft to prevent further damage in case there is another mud flow

Many of the underground pumps are not working following the accident, and have to be repaired or replaced so that the water level may be reduced to its normal level

■ Of the men who died, one was an outside diamond drilling contractor employed by Gel Mining, another was "monthly paid" (skilled), and 20 were "daily paid" (semi-skilled or low-skilled workers)



# State was inspecting Rovic mudslide site

GUY OLIVER (212)

LABOUR EDITOR

ET(BR) 3/12/96

Johannesburg — The government mining engineer had ordered surveillance of one of two old workings at Rovic diamond mine before a disaster at one of the mine's workings claimed the lives of 22 miners last week.

However, it was a second pit which broke away from old turn-of-the-century workings and poured about 50 000 tons of mud down the main shaft, Dick Bakker, the government mining engineer, said yesterday.

Bakker said monthly inspections had been ordered on one pit which was identified as presenting possible problems, but this pit was not responsible for the disaster. He said mudslides were expected at diamond mines because of the water absorption properties of kimberlite.

The mine, owned by the Vancouver-listed Botswana Diamondfields, was purchased from the Lemkas Group in May for a reported \$4.3 million and required about \$1 million of capital

expenditure. The mine is managed by the Johannesburg-based company Metorex. On Friday the Botswana Diamondfields Vancouver shares fell 50c to \$4.75c in reaction to the disaster.

Bakker has prohibited any further recovery operations and on Saturday ordered workers, who had attempted to start water pumps, to the surface until the ground had been stabilised. The government mining engineer was also awaiting mine plans from the mine managers.

Geotechnical engineers were expected at the mine today to shore up the ground, whereafter the recovery of the 18 remaining bodies would commence.

Bakker said the process of establishing a joint inquiry and inquest was already in motion. However, only after the bodies had been recovered could teams investigate the causes of the disaster.

Norman Lock, the managing director for Botswana Diamondfields' South African operations, said meetings had taken place with the National Union of Mineworkers.

# Slight drop in number of mine deaths, injuries

(212) Star 6/12/96

Gauteng had the highest number of accident victims during first 10 months of the year

By Goba Ndlovu

Fatalities and injuries on South African mines for the first 10 months of this year declined slightly compared to the same period for 1995, according to accident statistics released by the Department of Mineral and Energy Affairs

Between January and the end of October 1996, a total of 386 people died in mine accidents

During the same period, 6 329 miners were injured

Mineral and Energy Affairs Department figures show that at the end of October last year, 467 mine-workers had been killed and the number of injuries stood at 6 495

For the first 10 months of 1996, Gauteng showed the highest figures in both fatalities, at 156, and injuries, at 2 456, when compared with figures for the other eight provinces

Last year during the same 10 months, 130 mineworkers died in Gauteng and 2 396 were injured during the comparable period

The great concentration of gold mines in this region has been given as the reason for these high figures

The North West province came second in both fatalities and injuries after Gauteng

At the end of October 1996, 106 miners had died and 1 770 were injured in that region.

The Eastern Cape had recorded no deaths since the beginning of the year up to the end of October, with only three injuries for the same period

Last year, only five injuries occurred in this province, with no fatalities

Gold mines remained leaders

Coal mines were placed third with 40 deaths and 240 injured during the 1996 period

These figures also represented an increase when compared with the same period in 1995

Last year, 27 coal miners died and 193 had been injured by the end of October

Diamond mines registered the lowest death and injury figures: 12 were killed and 74 injured between January and the end of October 1996

In the same period during 1995, seven died and 119 were injured

South African Chamber of Mines spokesman Llewelyn Kriel, whose organisation recorded

330 fatalities and 4 899 injuries for the January to October period in 1996 on mines belonging to the chamber, said there had been an overall improvement with regard to deaths compared with last year

He pointed out, however, that injuries were slightly higher than last year

Kriel said the chamber's figures were understandably less than those from the Department of Mineral and Energy Affairs because some mines were not registered under his organisation.

He added "I would say we cover our mine accidents fairly well and are working hard at reducing fatalities and injuries"

## MINE DEATHS - LATEST STATISTICS

COMMODITY	OCT 1996	1995	1996	TOTAL 1996
Gold	35	38	274	274
Coal	1	38	40	40
Platinum	4	7	40	40
Diamonds	1	7	12	12
Other	2	26	20	20
Totals	33	467	386	386

Source: Dept of Mineral and Energy Affairs



in both fatalities and injuries

Between January and October this year, 274 miners had died and 5 013 were injured on gold mines countrywide

This figure was, however, an improvement on last year's figures

At the end of October 1995, 369 accidental deaths and 5 320 injuries had been recorded

After gold mines came platinum mines, with 40 deaths and 795 injuries between January and October this year

These figures were higher than those of 1995 during the same period

Last year, 38 platinum miners died and 624 were injured

# Bodies stay down till mine is safe

CP8/12/96  
FAMILIES waited miserably this week for Rovic mine management to bring to the surface the remaining 16 bodies of the men who were killed in a disastrous mud flow ten days ago.

The underground accident near Dealesville in the Free State was at first believed to have claimed 22 lives. Each man has his own numbered miner's lamp - so with 21 lamps missing and one extra man not answering the roll call in the hostel, the mine manager reasonably believed that 22 men were dead.

Later it was realised that one miner was off sick and his lamp had been lost. Another man is believed to have gone absent without leave.

The dead men were named as Hendrik Benson, Motseothata Gontirwang, Gaboitswe Kgatlhane, Frans Lefasa, Neo Mabeli, Thabang Makgetla, Gontsemang Mogashwa, Oupa Moriana, Tshepan Motjotji, Jonas Msiza, Zeleni Noroyida, Tshiu Ntobo, Shadrack Oliphant, Raphael Peter, Tello Sesehi, Vuyo Tyongwe and Lourens Venter.

The bodies still underground are thought to have been partly preserved by the mud

Three more men died but will not be named until their relatives in remote areas of Mozambique have been informed. Colleagues who have already been dispatched to tell their families the sad news will also try to find the miner who allegedly left the mine without permission.

Every day the diamond mine stands idle, places the jobs of the remaining 180-strong workforce at risk. But the Government Mining

(212)  
Engineer and the Regional Mining Engineer have a list of requirements to be met before bodies can be retrieved and mining can proceed.

These include employing independent geotechnical consultants Stefan Robertson and Kirsten (SRK) to help find ways in which to restore stability to the mine and enable the recovery of bodies still underground.

Wally Waldeck, head of SRK's mining section, has been involved with previous inquiries, having worked with SRK for eight years and before that as a mining engineer with Gold Fields.

SRK and mine owners Botswana Diamondfields have agreed in principle on the need to build a reinforced concrete bulkhead in the maze of tunnels, so that access through "cross cut 394" can be re-established without more mud rushing in.

The strong wall may need to be removed when the future of the mine has been reassessed in a couple of months' time. While Botswana Diamondfields raised some six million Canadian dollars through a private share placing to buy and upgrade the mine earlier this year, no one is yet prepared to hazard a guess at the cost of getting the mine working again after this accident - let alone how much money is being lost through no production.

The main shaft is already safe to use and the water level has been successfully lowered to its normal level during production but the approval of Thys Beukes, the regional mining engineer, is essential for further works to take place.



# Rovic releases names of miners killed in mudslide

CT 9/12/96

STAFF WRITER

Johannesburg — Rovic diamond mine released the names of 17 of the 20 miners killed in the November 27 mudslide

The mine, at Dealesville in the western Free State, is owned by the Vancouver-listed Botswana Diamondfields, was the Canadian company's first mining venture in South Africa

The names of the other three miners will be released only once their families, who live in rural Mozambique, have been notified

Mine officials have already been sent to the Mozambique to advise the families concerned

Four bodies had been recovered at the time of going to press. Of these, three were named as

(212)  
Goboitswe Piet Kgathane, from Dealesville, Tshepang Motjotji, from Sterkspruit, and Jonas Trojan Msiza, from Mozambique

Hendrik Petrus Benson, from Welkom, Motseothata Nicolas Goitirwang, of Dealesville, Frans Lefasa, of Lesotho, Neo Edwin Mabeli, of Dealesville, Thabang Johannes Makgetla, from Boschhoff, Gontsemang Rimount Mogashwa, Taung, Oupa Bernard Moriana, of Dealesville, Zeleni Noroyida from Sterkspruit, Tshiu Sebastian Ntobo, from Botshwelo, Shadrack Oliphant of Dealesville, Raphael Peter, from Mozambique, Tello David Seseli, of Dealesville, Vuyo Vincent Tyongwe, from Sterkspruit, and Lourens Lodewikus Venter of Dealesville.

# Mudslide mine may not reopen

(212)

GUY OLIVER

10/12/96

CT (PR) 10/12/96 AND JEFF FOR

Kimberley — Retrieval of the bodies of 16 miners entombed after a mudrush at the Rovic Diamond Mine could take up to five months, during which time production will be unable to continue, a spokesman for the company said yesterday

The Free State mine, managed by Johannesburg-based Metorex and owned by the Vancouver-listed Botswana Diamondfields, had been in operation for about five months since the Canadian company bought control of it earlier this year

The disaster on November 27 claimed the lives of 20 miners. Four bodies were recovered before the rescuers gave up hope for the missing men and the government's mine engineer ordered the operation to cease to prevent further deaths

Jomo King, Metorex's technical director, said it could take four to five months before they retrieved the last bodies

He said production would not resume until the bodies had been recovered, and a feasibility study would be conducted to decide if continuing operations was economically viable

# Making mining safer

(212) Sawetan 7/1/97

**A**T LEAST TWO WORKERS die in underground accidents on South African mines every working day, with gold mines accounting for 72,7 percent of the country's mine deaths

It is against the background of these shocking statistics, released by the Chief Directorate of Labour Market Policy last month, that the new Mine Health and Safety Act will be implemented later this month

This piece of legislation has been described by both government and the National Union of Mineworkers as the "constitution of the mining industry", and is set to change a century-long unjust mining practice

Proper safety measures were never implemented throughout the history of the mining industry, NUM charges.

Six fatal accidents occurred within a month at Ingwe Coal Corporation-owned mines alone last year. The latest was that of a casual worker, Simon Komane, who was crushed to death at Delmas Collieries

## Explaining accident

In explaining the accident, management said "for some reason (the worker) had put his head between the canopy pillar and the post"

NUM spokesman Ben Molapo says "Statements like these reflect mine bosses' tendency to blame the victims and not the inadequate safety provisions on the mines"

In 1986 NUM began its campaign for better safety measures on the mines when it realised that it was mostly its members, who were black, who were in danger since they worked underground

Ten years later, the Leon Commission into Safety on the Mines, commissioned by the Government after the Vaal Reefs Mine Disaster in May 1995, found that safety measures on local mines were not up to standard

NUM spokesman Joseph Nkosi argues that most accidents could be avoided if mining houses stopped using sub-contractors, who employed casual labour with little or no training regarding safety practices

## Easily replaceable

His assertion is echoed by Department of Labour director-general Siphon Pityana "In broad terms, the failure to take possible precautions to protect workers from injury and death appears to stem from the industry's reliance on what it regards as unskilled and easily replaceable temporary workers"

Pityana says mine management tends to regard the high rate of mine accidents as acts of God or attributes them to human error 'implying that individual workers are at fault, rather than blaming inadequate safety provisions'

Hundreds of workers die in South African mines every year because of human error and poor safety standards. The new Mine Health and Safety Act is set to make local mines safer. **Abdul Milazi** explains ...



**Flashback ... yet another victim of a mine accident in South Africa. The new Mine Health and Safety Act will ensure that proper safety measures are implemented.**

Mine bosses have also attributed the industry's poor record to physical and human factors beyond their control

However, Pityana argues that the claim of special difficulties which exist in some cases does not absolve the boards of companies from the responsibility of making an effort to address them

The Leon Commission recommended, among other things, the need for workers to participate in the formulation of safety policies and regulations in their workplace

In fact, the commission's report set the basis for the new Mine Health and Safety Act

Nkosi says transforming the workplace and work organisations will be an uphill battle, especially in an industry still characterised by unequal work relations

Molapo says "Black miners even under the present political dispensation, have remained *kaffirs* in the true sense of the word and whites arbitrarily their seniors"

Molapo says the attitude entrenched by this arrangement will be difficult to change "The

two groups still do not enter the industry at the same point. Most blacks fall under grades A and B, classified as unskilled and semi-skilled"

Molapo argues that it is this attitude of mine owners which leads to blacks not being involved in the planning of safety precautions

The new Mine Health and Safety Act sets a legal framework in which management, trade unions and Government will develop policies and create public awareness on health and safety

According to Pityana, the new legislation will ensure that international standards are adhered to and that the state implements and enforces regulations developed in the short term

Such enforcement will be undertaken by an independent inspectorate, properly trained and "well remunerated"

The legislation will also ensure in the short term that

health and safety committees are established at all levels to ensure all workers are included in discussions on safety

## Education and training

"In the long term, it will ensure there is an ongoing programme of education and training on health and safety

"Current HIV and Aids education programmes experience unevenness in competence and effectiveness," says Pityana

He says the planned tripartite committees will establish the education needs of workers as well as sex workers associated with the industry. These committees will determine the content of education programmes

The industry's health problems, according to Molapo, also stem from the migrant labour system and the way black mineworkers are housed

"The provision of housing should recognise and address the historical legacy of hostels and also that the housing needs of individual workers are diverse," says Molapo



# Delays end for mine health, safety act

Reneé Grawitzky

THE new Mine Health and Safety Act passed by Parliament in June last year will finally come into operation later this month, after months of delays

Mining industry sources said delays were caused by the need to draft outstanding regulations, the failure of the mineral and energy affairs department to do the necessary restructuring to ensure the act operated effectively, and extensive negotiations on the reversal of onus clause

Mineral and energy affairs chief inspector Dick Bakker said the act would come into effect soon after January 15, and would not be phased. The reversal of onus clause, which was at the centre of some controversy, was the only

(212) BA 7/11/97  
clause that would be temporarily suspended pending agreement on an administrative penalty system. The contentious reversal of onus clause provided that a manager or the owner of a mine "must be convicted of an offence" if a negligent act or omission occurred which endangered the health, safety or caused injury to a person.

An industry source said the industry had expressed concern about this clause from the outset. The industry managed to get the minister to agree to explore alternatives to this clause with the National Union of Mineworkers (NUM). The parties had agreed to the introduction of an administrative penalties system.

NUM health and safety co-ordinator Fleur Plummer said the union argued that penalties

should apply to the employer, while the industry argued that penalties should be levelled against the individual and the employer. The parties had agreed to refer this issue to a group of international experts.

Bakker said a number of structures had to be put into place before the act could come into effect, personnel had to be recruited and the new Mine Health and Safety Council's constitution drafted.

Mining industry sources said not all appointments had been approved yet, while insufficient restructuring had taken place on the occupational health and hygiene side. Bakker said in this regard, as an interim measure, the department would make use of structures already established within the health department.

# Agreement on fines for breaches in mine safety

By XOLISA VAPI

The South African mining industry, long plagued by debilitating accidents, reached yet another milestone yesterday when workers and mine bosses signed an agreement that would introduce fines for safety breaches

The National Union of Mineworkers (NUM) and the Chamber of Mines formally agreed to a proposed amendment to the Mine Health and Safety Act - due to become law on Wednesday - which would establish a system of fines for breaches of statutory health and safety standards

The parties expect that the amendment, which will cover SA's 500 000 mineworkers, will go a long way towards reducing the high rate of accidents caused by negligence on mines. It will be the first time in the history of SA mining that such penalties exist

The agreement stipulates that the primary responsibility for the maintenance of health and safety standards

and the implementation of safety management systems should be placed on the employer

The act would be amended to empower an inspector to recommend the imposition of a penalty in the event of an employer's failure to comply with the regulations

NUM president James Motlatsi said the agreement meant workers would have the right to refuse to work under adverse conditions

He said the agreement was a victory for workers because they "used to be part of the mining equipment". He added "Workers will now be part and parcel of the decision-making about their safety"

Chamber of Mines president Nick Segal said the agreement was an affirmation of both parties' commitment to creating a safer working environment for mining industry employees

"It demonstrates the willingness and capacity possessed by both the chamber and the NUM to find a com-

mon approach to complicated issues fundamental to the future of mining," Segal said

The signing of the agreement was the culmination of an arduous process that started in October 1991, when the NUM proposed that a mine health and safety commission be appointed, and complained about the ineffectiveness of the criminal prosecution system in dealing with negligent mine owners

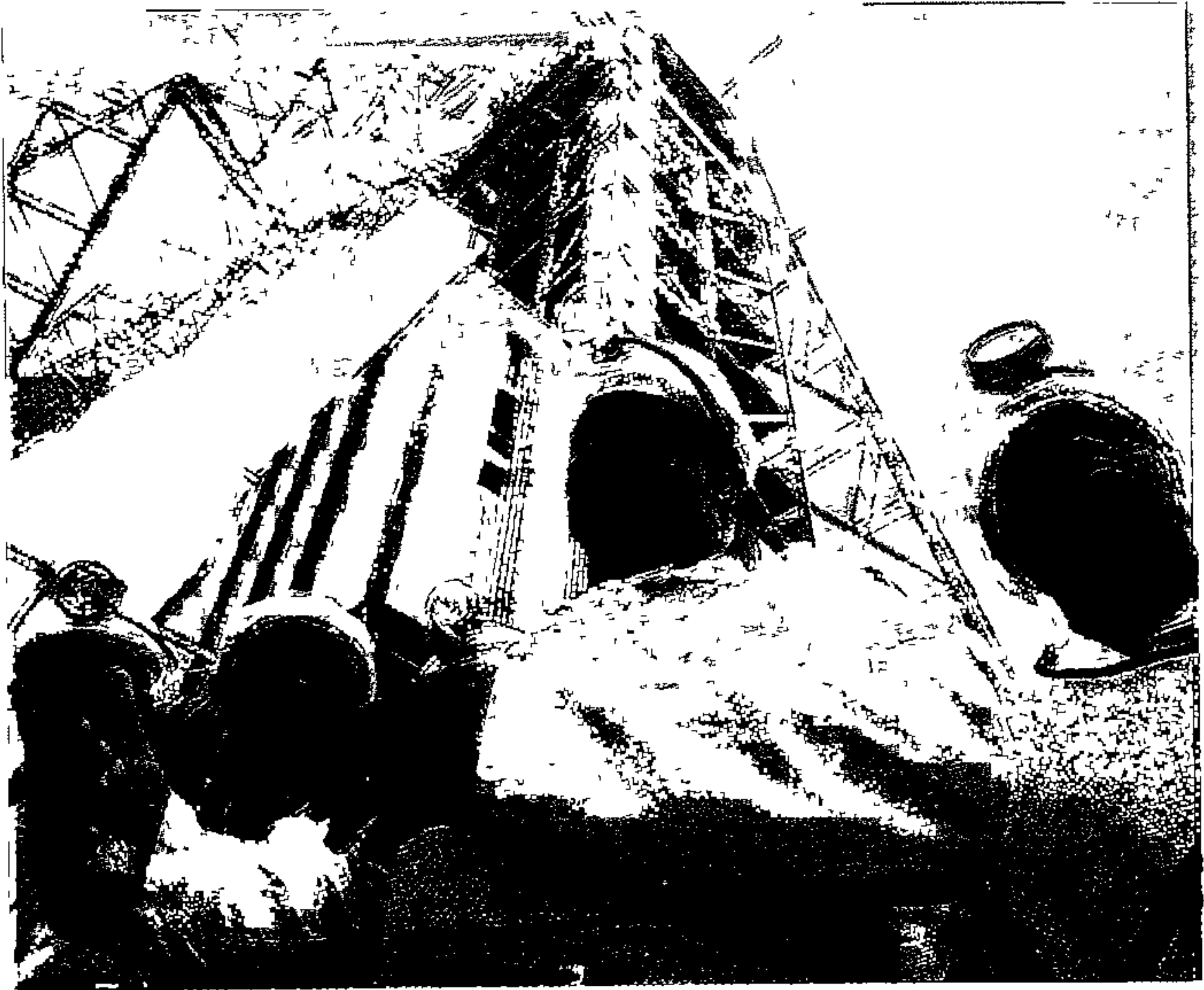
The two parties have not yet reached agreement on whether administrative penalties should be imposed only on mining companies or should also be extended to individual employees

Minister of Mineral and Energy Affairs Penuell Maduna will announce the coming into effect of the act at a ceremony to be held at the Doornkop shaft of Randfontein mine on Wednesday

The ministry said the new legislation would emphasise "the inherently dangerous conditions under which dedicated and courageous miners risk their lives and well-being"

Star 10/11/97

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**HIGH POINT** Pentell Mine has the new safety devices as a result of the new law. (AP/Wide World)

# Miners welcome new law

**JONATHAN ROSENTHAL**

**Changes tough** — The Mine Health and Safety Act, which tightens regulations governing underground mining, is a **content-prone** mine industry can improve its safety record. The act focuses on prevention of accidents by the presence of health and safety devices from the new law.

The act also requires that all new underground mines be built to the new standards. The act also requires that all new underground mines be built to the new standards. The act also requires that all new underground mines be built to the new standards.

Miners should expect the changes to be implemented by the end of the year. The act also requires that all new underground mines be built to the new standards.

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Business Watch Page B

(212) EJ (SR) 16/1/97





Representatives of the National Union of Mineworkers and the mining industry gathered underground at Randfontein Estates mine yesterday to witness the launch of the new Mine Health and Safety Act by Mineral and Energy Minister Penuell Maduna, right, and his deputy, Susan Shabangu. (212) Pictures ROBERT BOTHA

## Maduna launches Mine Health and Safety Act

Reneé Grawitzky

MINERAL and Energy Affairs Minister Penuell Maduna launched the new Mine Health and Safety Act yesterday.

The act aims to reduce mine accidents, which have claimed more than 70 000 lives since 1900.

At the launch at Randfontein Estates' Doornkop No 1 shaft, the drafters of the legislation and delegates from the National Union of

Mineworkers (NUM) and the mining industry expressed hope that the new act would become a reality for mine workers underground. NUM president James Motlatsi said the "act's home is here underground, it should not be in the offices of government, management or lawyers, it should be understood by all workers".

But there was confusion underground with a number of mine workers saying they were un-

aware of the new act. Others who had undergone training were aware of its existence.

The act emphasises worker participation in decision-making on health and safety issues. It places more obligation on employers to provide information on accidents, occupational health records, hazard identification records and risk assessments, and gives workers the right to leave a dangerous workplace.

# Mine Safety Act launched 687 metres underground

(212) Benetton 16/1/97

**By Abdul Milazi**  
Labour Reporter

MINISTER of Mineral and Energy Affairs Penuell Maduna yesterday launched the new Mine Health and Safety Act 687 metres down in the bowels of the earth at a simple ceremony at the Randfontein Mine's Doornkop Shaft.

The decision to hold the launching ceremony underground was a symbolic tribute to scores of workers who died on South African mines

Maduna said local mines were more dangerous than mines elsewhere and the new legislation was aimed at "making things better"

"This ceremony in this mine represents one of the most important legislative steps ever taken in South Africa, certainly since our first democratic Government took office in 1994," he said

He said the fact that local mines used rudimentary and labour intensive mining methods, due to the low gold content of the ore, did not justify the current high mortality rate

He said in 1995 alone, 533 mineworkers were killed, an average of 44 people per month, while 7 739 were injured out of a total workforce of 500 000

"Most countries with a strong mining industry have seen a sharp decline in mining

accidents. A decline in South Africa has not been marked," said Maduna

The National Union of Mineworkers (NUM) welcomed the new legislation, saying that it laid the foundation for participation in the decision-making process

NUM health and safety education coordinator Mr Sazi Jonas said the real challenge was the legislation's implementation

Top officials who attended the launch included NUM president and general secretary Mr James Motlatsi and Kgalema Motlanthe, Mineral and Energy Affairs deputy minister Ms Suzan Shabangu and the Ministry's international law adviser Raisaka Masebelanga



# Celebrations underground are tempered with caution

THIS week, in a West Rand gold mine, Minister and Energy Minister Pennell Maduna launched SA's new Mine Health and Safety Act.

The message from underground was one of celebration tempered with caution.

The assembled representatives of government, mine employers and trade unions were justifiably proud of producing, by negotiation, a state-of-the-art health and safety statute. At the same time they were aware that the moment marked the start of the real task translating world-class law into a mining industry with a world-class health and safety record.

Successfully regulating an issue such as occupational health and safety requires an appropriate balance of external and internal regulation. On the one hand, the state must set and enforce appropriate standards and impose sanctions on those who disregard or violate those standards. The sanctions must be administered swiftly and must be sufficiently severe to deter future noncompliance. On the other hand, it also requires the development of an ethos in which the majority of those under legal duties seek to achieve, or better, legal standards voluntarily. Neither element has been present in the mining industry in the past, producing the industry's deplorable record of death, disease and injury. Nor has this combination been achieved in this country in any other area of social regulation, ranging from traffic safety to protec-

The new mine health legislation which came into effect this week is an important landmark in the drive to improve the dismal safety record on SA's mines, writes Paul Benjamin

tion of the environment — with disastrous consequences.

How will the new law remedy these shortcomings in the mining industry? Certainly, the achievement, by almost full consensus, of a progressive foundation for regulating mine health and safety is indicative of a serious commitment by mine employers to improve their health and safety performance. The first indicator of the implementation of this new attitude will be the quality of the systems introduced to identify and manage risks and resources devoted to improved worker participation and training.

The act's approach to enforcement is less imaginative. Inspectors have the power to issue instructions and, in appropriate cases, suspend mining activities. The power to stop work is seldom used and inspectors rely upon the threat of legal proceedings to bolster their powers. The act, like its predecessors, will be enforced through the criminal courts. In SA the ineffectiveness of the criminal courts in mining cases is notorious and this has undermined the capacity of the inspectorate to enforce compliance. The National Union of Mineworkers still remembers with great bitterness that the gross negligence of mine management, which caused the death of 177 workers in

the Kurross mine disaster of September 1986, resulted in the conviction of a single mine employee, who was fined R50.

The shortcomings of the criminal law go beyond those created by the legacy of apartheid. Criminal law focuses on the action of individuals and the criminal courts have been unable to deal adequately with the complex problems raised by corporate misconduct. In SA this has accentuated the industry's tendency to blame accidents on individual workers rather than examining the underlying causes, and in particular the manner in which shortcomings in managerial systems may have contributed to accidents. This has hampered the industry's capacity to learn its lessons and avoid a repetition of accidents.

The Leon commission severely criticised the industry's "blame" culture. Mine management has the responsibility to engineer systems that minimise the opportunity for human error and train all members of the work force to act in accordance with the mine's procedures. This approach is reflected in the new act. The NUM therefore argues that the implementation of this new version of mine health and safety requires that the criminal law be supplemented by alternative techniques to achieve compli-

ance. An agreement concluded in December last year between the NUM and the Chamber of Mines represents the first step towards improving the act's enforcement mechanisms.

The origins of the agreement lie in the controversy over provisions in the act that require mine owners and managers to show, in certain prosecutions, the steps they took to provide a healthy and safety working environment. These provisions were designed to overcome some of the shortcomings of the criminal law and to enhance the effectiveness of criminal prosecutions against mine owners and managers. The parties sought to overcome their differences by exploring alternative, and more effective methods of enforcement.

The agreement records the support of the NUM and the chamber for the introduction of a system of administrative penalties to penalise employers who endanger the health or safety of their employees. It contemplates mine inspectors having the power to recommend the imposition of financial penalties on mine employers when inspectors detect dangerous conditions or breaches of standards. Their recommendations will be subject to review by the chief inspector and an appeal to the Labour

Court. The duties for which penalties can be imposed will be decriminalised, the negligent causing of injury or death will remain a criminal offence.

Internationally, systems of this type have been shown to be an effective method for promoting health and safety. They allow penalties to be imposed when dangerous conditions are observed, while criminal prosecutions tend to be brought only after accidents. It will be a defence for the employer to establish that it took all reasonable steps to prevent the danger. This inquiry will include the employer's implementation of its health and safety systems, including the training and supervision of employees. Many details of the scheme, including the scale of penalties, remain to be worked out. The NUM argues that the penalties must act as a real deterrent and must be of a scale that would prevent employers treating them as a cost of doing business. For this reason, it proposes that the fines should take account of the mine's payroll, a proposal the chamber opposes.

The most significant disagreement concerns the chamber's contention that the system of administrative penalties should apply also to employees. The NUM opposes this because it believes it will perpetuate

the culture of "blame" among managers and inspectors. The vast majority of accidents are due to factors over which only management has control, and health and safety responsibilities of employers and individual workers differ greatly. It is the responsibility of the employer to discipline workers who disregard standards. An employee (or other person) who endangers someone else's health and safety, or causes injury or death, will remain liable for prosecution.

The parties have agreed to obtain the assistance of an international panel of experts to resolve their differences. The agreement records their view that legislative amendments to give effect to these changes should be made this year. The mineral and energy affairs ministry and department have been kept abreast of developments and are supportive of this process. To assist continuing negotiations, the minister has agreed to suspend the operation of the controversial clauses in the act for one year.

The agreement represents an innovative attempt to ensure that legal promise leads to real improvements in the lives of SA's miners and their families. It will be the responsibility of government, labour and business to translate the agreement into a credible and effective enforcement system.

□ Benjamin represented the NUM in negotiations on the Mine Health and Safety Act and is a partner at the Cape Town branch of attorneys Cheadle Thompson & Hayson.

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**The Mine Health and Safety Act was launched in a West Rand mine this week. The message from underground was one of celebration tempered with caution.**

# Act makes mines safer

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**M**INERAL AND ENERGY AFFAIRS Minister Penuell Maduna could not have chosen a better place to launch the Mine Health and Safety Act last week than the bowels of a mine in Randfontein.

It is there that thousands of mineworkers have been killed, either in rock bursts or in other accidents over the years.

The launch of this historic legislation at the Randfontein Mine's Doornkop Shaft Level 1 marked a turning point for mineworkers and a victory for the National Union of Mineworkers.

It has untiringly fought for better health and safety conditions on the mines since its inception in 1982 but employers continued to ignore its pleas and proposals.

Scores of former mineworkers also still die from occupational diseases contracted during their years of employment, with little or no compensation paid to them.

The new law requires mine management to install detectors that will identify, assess, remove or control all health hazards. Management will now have to monitor health hazards and investigate accidents.

For the first time, the mining industry will have a health and safety inspectorate with specifically defined powers.

The Act also puts more emphasis on training as a means to improve health and safety, and grants extensive rights to health and safety representatives and committees.

It will not only ensure efficiency and the safety of workers, but also that mines are more in line with international standards.

By promoting and increasing worker participation, the legislation will improve communication and working relations between management and trade unions.

The Act requires mine management to create its own codes of practice, conforming to guidelines. Maduna says this provision should develop understanding and goodwill between management and unions.

Unions have always complained that mine bosses conceal certain facts during investigations into accidents. The new law aims to overcome this problem by empowering the chief inspector to call anyone associated with the accident to testify. Those testifying will be protected from prosecution based on their testimony.

Mines with more than 50 workers will also be required to distribute annual health and safety reports to its employees.

The Act stipulates that hazard identification and risk assessment by management is a requirement for all mines and gives employees the right to inspect these hazard identification and risk assessment records.

"The manager must, after consultation with the mine's health and safety committee or a rep-

The launch last week of the new Mine Health and Safety Act is seen as a well-deserved victory for the National Union of Mineworkers. Labour Reporter **Abdul Milazi** explains why...



**Mineral and Energy Affairs Minister Penuell Maduna at the launch of the Mine Health and Safety Act at Randfontein Mine last week.**

PIC LEN KUMALO

representative grouping of employees, implement all reasonably practicable measures to eliminate identified risks, control or minimise such risks," reads a section of the Act.

The Act explicitly delegates responsibilities to both management and workers. "The owner is the holder of the prospecting permit or mining authorisation. He is generally responsible for ensuring health and safety at the mine."

Among the owner's responsibilities are to

- Maintain a healthy and safe mining environment,
- Ensure that non-employees are protected and that there is adequate health and safety equipment,
- Draw up a health and safety policy, in consultation with the health and safety committee, as well as a code of good practice,
- Provide health and safety training to employees,
- Assess and respond to risks as well as investigate and report on every accident, serious illness and any occurrence threatening to the lives or health of workers,
- Conduct occupational hygiene measurements or put up a medical surveillance system,
- Keep records of hazardous work, conduct

medical surveillance and obtain an annual medical report, and

- Arrange for any dismissed worker to have a medical examination at the mine's expense.

Nevertheless, despite all these provisions in place, the Act expects workers to ensure that the information relating to his occupational hygiene is correctly recorded and also to refuse to do dangerous work.

"An employee is entitled to any information related to his occupational hygiene measurements and his medical surveillance. He may dispute any findings of his unfitness to perform work. He has a right to leave a dangerous work place," reads another section of the Act.

It goes further to say that a worker cannot be made to pay for any safety equipment which the manager is obliged to provide, and that the employee has an obligation to ensure his own health safety as well as those of his colleagues.

The manufacturer of safety equipment is not exonerated from responsibility either. The manufacturer and installer of any article for use at a mine should ensure that it is safe and does not create risks to health and safety.

Every mine with more than 19 workers is required to have a health and safety representative for each shift, and every mine with more than 100 workers should have one representative for every 100 employees.

The Act has facilitated the establishment of a Mine Health and Safety Council to advise the Minister. The standing committees of this council are the mining regulation advisory committee (to advise on legislation, codes of practice and standards), and the mining occupational health advisory committee (to advise on policy, regulations, research and data collection of occupational health).

Another standing committee is the mines research advisory committee, which will give advice on the funding, communication and publication of research programmes. A mining qualifications authority will advise on mining qualifications and standards.

Maduna said the greatest challenge was the implementation of the Act - which required the cooperation of both management and workers.

**IN BRIEF**

**Miner dies and two others injured in blasting accident**

TWO miners were killed in separate incidents on Wednesday. One miner was killed and two others injured in an underground blasting accident at Gencor's Winkelhaak mine on Wednesday, the company said yesterday.

"It was a blasting accident which happened in an old area of the mine but it will have no effect on production," Gencor company secretary Trevor Savage said. The two injured miners were in a satisfactory condition in hospital.

Another miner was crushed to death on Wednesday while drilling at the Northern Platinum Mines near Thabazimbi in KwaZulu-Natal. Postmortem results showed that the miner died of fatal head injuries when he was hit by a falling rock. The incident was reported yesterday.

BD 7/2/97 (212)



# Rovic 'may have known of cave-in risk'

**KROONSTAD** — Rovic diamond mine's management could have been aware that the danger of a cave-in existed, one of the survivors alleged yesterday, at the second round of hearings of a preliminary inquiry in Kroonstad into the accident.

The collapse caused a mud rush which sealed off all escape routes, trapping about 50 miners in freezing chest-high mud for 10 to 12 hours until they were rescued.

Twenty miners were killed when the mud burst through a vertical fissure and flooded the roughly 200m-deep mine near Boshoff, west of Bloem-

fontein, after heavy rains at the mine's formerly open pit mine.

A team leader, Molathlegi William Modise, alleged that in 1994 or 1995 blasting was done in the footwall of the open-cast pit south of where ground had subsided in November.

According to Modise's estimates the blasting, which he described as a bomb, was done near where the collapse occurred. He said blasting was stopped because the tunnel began to collapse.

Modise said his suspicions that mine management might have known of the danger were confirmed when he was told that mine overseer Jacobus

Olvier ran to the open pit right after hearing about the accident.

When Modise visited the blasting site in 1994 or 1995 he said he could see light from the surface through the small hole the blast created.

The Rovic mine had been acquired on July 1 last year by Botswana Diamondfields, and Metrorex managed it.

Earlier yesterday, horrific tales were told by another seven witnesses. Aloyis Ramotsamai, who worked as a lasher, said he managed to outrun the mud slide and found safety near a vertical shaft, where he held on.

As strong-flowing mud and water

tugged at him, he saw four miners' bodies floating on the mud's surface in a shaft below. The mud and water eventually washed him from his perch and he fell 30m-40m to the lowest level of the mine.

He shouted for help and another mine worker rescued him. His left arm had been broken and his hand injured, and he could not climb out of the access tunnel he had been taken to.

He was the last mine worker rescued by proto team members early on November 28. Rescue attempts had to be halted for fear of another subsidence. The hearing continues. — Sapa

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# Mineshaft closed after blast kills 4

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A shaft at the Oryx gold mine near Welkom in the Free State has been shut down pending investigations into an explosion which killed four workers on Saturday.

The miners were working nearly 2km below the surface in the mine's level 18 return airway

All four died instantly. No other workers were hurt.

Gencor spokesman Trevor Savage said a formal inquiry would start tomorrow, when mine management would consult the principal inspector of mines to determine the cause of the explosion.

The names of the deceased would be released once their families had been informed, he said. - Staff Reporter.

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# Mines safety act targets managers

Reneé Grawitzky

THE onerous obligations imposed on mine owners in terms of the new Mine Health and Safety Act could force them to appoint more than one mine manager a mine, labour lawyer Willem le Roux of Brink Cohen le Roux & Roodt said yesterday

Such an option would have to be considered as a mine manager could find himself caught up in lengthy legal proceedings, Le Roux said at the Butterworths mine health and safety seminar. The delays could prevent him from fulfilling other obligations and functions in terms of the act and to ensure the efficient operation of the mine

"In revisiting the organisational structure, people should have regard to the extensive obligations in terms of the act and should take into account possible exposure to both criminal and civil liability," he said

Training had to be focused to ensure people performed their jobs properly, as well as to be in a position to identify the hazards and risks associated with mine work and the appropriate steps necessary to elimi-

nate such hazards and risks

"Employees must not merely be taught how to achieve the end result, but the hazards which could result if he does not follow instructions properly in terms of health and safety," Le Roux said

Risk assessment, information sharing, and health and safety training should improve health and safety standards and aid the development of a culture of health and safety in the workplace

He said risk assessment was fundamental in to ensuring the prevention of accidents, as well as in the prevention of industrial diseases

Chief inspector and acting mineral and energy director-general Dick Bakker said the issue of salary increases for inspectors was unresolved. The issue had persisted since the Leon commission report in 1994. The commission recommended the inspectorate be resourced properly. As a result cabinet had approved the setting aside of R29m for increases for inspectors

Bakker said a memorandum had been sent to cabinet expressing the anger and

frustration of the tripartite mining regulations advisory committee at the lack of action in addressing increases for inspectors.

Bakker said the department was subject to the decisions of the Public Service Commission which determined salaries and had indicated the money set aside for increases for inspectors could not be used for the purpose as increases were negotiated within the public service bargaining chamber on an annual basis

A department source said inspectors continued to leave for jobs offering better service conditions while retired mine managers were being employed to replace the inspectors

This short-term solution did not address the underlying problems in the department or address future skills requirements

The cadet system, which was an attempt to ensure that the inspectorate was more representative and increase the number of inspectors, had been criticised. A source said this system's trainees were not receiving proper and lengthy practical experience required for the job

(212) 80 5/3/97

## Use of contractors 'disturbing' union

Reneé Grawitzky

(212)

(212)

THE National Union of Mineworkers has — in the wake of the death of four contract workers in an explosion at Gencor's Oryx gold mine at the weekend — again highlighted the use of contract workers in the mining industry.

Union health and safety co-ordinator Fleur Phimmer said yesterday it was disturbed by the rising trend in mine accidents involving contractors directly or indirectly.

The union urged all mining groups to revisit contracts between themselves and contractor companies and to evaluate the safety performance of all contractors before hiring them.

Gencor said yesterday the four contract workers died in an explosion on Saturday about 1 800m below the surface. The company said the union, mine management and the mine inspectorate had gone on an underground inspection yesterday. However, the official investigation would be held tomorrow.

A report from the mineral and energy affairs department indicated an instruction had been given to transport the explosives out of the haulage as the face of the development end had not been blasted that shift. It appeared that the accident occurred while the transporting of the explosives was in progress.

Chief inspector and mineral and energy affairs acting director-general Dick Bakker said in terms of the new Mines Health and Safety Act, which comes into effect on January 15, representatives of the health and safety committee and the health and safety representative would be involved in the inquiry.

He said in terms of the new act the parties would concentrate more on the causes of the accident in order to take preventative action.

# Lawsuit launched against asbestos companies

Jim Day

**T**HE London-based lawyers who recently won more than R9-million for workers poisoned by mercury contamination in Kwazulu-Natal have launched a suit against a British company that ran asbestos mines in South Africa.

Richard Meeran, a solicitor with Leigh, Day & Co, has filed proceedings against Cape plc of Middlesex, the parent of two South African subsidiaries: Egnep, which ran the Penge Mine near Burgersfort in the Northern Province until 1979, and Cape Blue, which ran asbestos operations in the north-west Cape Province until 1964.

No sum of damages has been specified. The attorneys represent seven claimants from the two operations who developed lung diseases related to asbestos exposure.

Asbestosis is an untreatable and potentially fatal lung disease which causes shortness of breath. Inhaling

asbestos fibres can lead to lung cancer and mesothelioma — a particularly dangerous lung cancer that can take 40 years to develop.

Asbestos was used widely in the past for insulation, cement, brake pads and thousands of other things.

Although the victims and the miners were all in South Africa, the claimants maintain that Cape plc developed the technology, was fully aware of the conditions at the mines and had the final say in the operations.

"The key decisions were made in Britain," Meeran told the *Mail & Guardian* from his London office. "They had the power to protect the victims."

Meeran last week won R9,4-million in damages and costs for 20 workers who said they were poisoned at the Cato Ridge plant of the UK-owned company, Thor Holdings. Their claim was lodged in 1992.

Lawyers for Cape plc were unavailable for comment this week. But they are expected to object to

Meeran's case on the grounds of jurisdiction: they will maintain that as the activities occurred in South Africa, it is inappropriate to hear the case in a British court.

This issue will come before court in the next few weeks. If the court agrees to hear the case, it will take two to three years to be decided, Meeran predicted.

The South African National Centre for Occupational Health and the National Union of Mineworkers have lent support to the claimants bringing the case.

**T**hat asbestos causes severe health problems was well-known even before Britain enacted regulations in 1931 to protect people against exposure to the fibres.

South Africa enacted asbestos regulations in 1954, but these were routinely flouted, and workers continued to be exposed to levels hundreds of times what was widely considered acceptable.

One study of black asbestos workers at the Penge Mine who died between 1959 and 1964 showed that 80% had asbestosis. Their average life expectancy was 43.

No one knows how many people suffer from asbestos-related diseases in the Northern Province mining area.

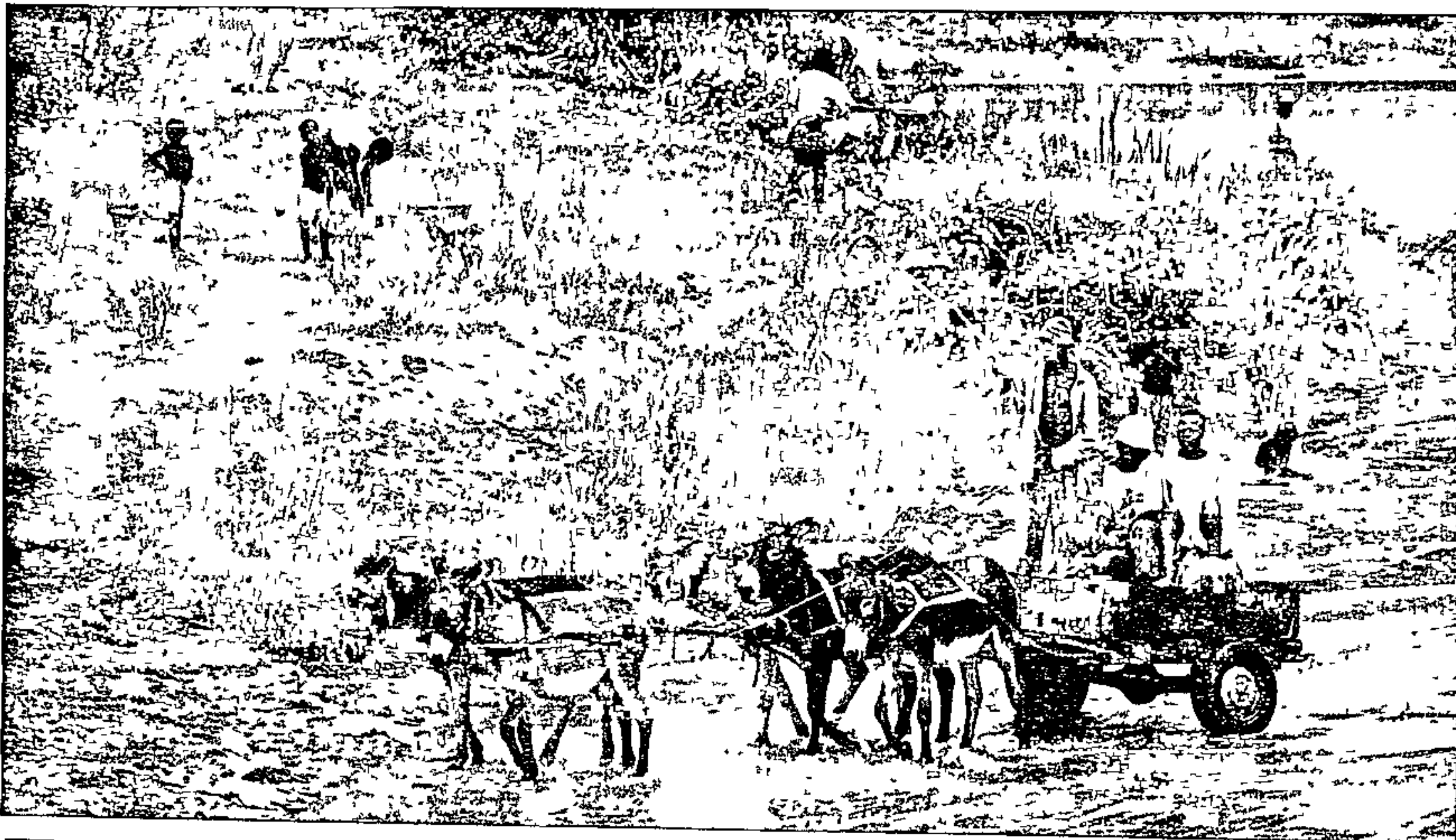
But Tony Davies, professor-emeritus of occupational health at the University of the Witwatersrand, who has studied lung diseases in the region for years, talks in terms of hundreds of thousands.

Many miners were migrants from Malawi, Zambia and Mozambique who spent years covered in asbestos dust in the mines, only to return home to wheeze their lives away.

Davies has heard of entire communities in Zambia today, where former asbestos miners who worked in South Africa are dying of lung diseases. But such communities seldom have the means to document such diseases.

(212) M+G 18-24/4/97





Ordinary people, extraordinary problems. Thousands of residents of Mafefe in the Northern Province suffer from lung disease because of asbestos mining in the area.

PHILIP HALL  
SIDDIQUE DAVIDS

# Feud costs sick miners their pittance

Poverty-stricken workers in the Northern Province are living in the shadow of defunct — but still deadly — asbestos mines **Jim Day reports**

**A** LONG-STANDING feud between a traditional leader and civic groups has halted aid for thousands of people suffering from lung diseases caused by asbestos exposure in the remote Northern Province community of Mafefe, 70km south-east of Pietersburg.

The region first leaped into prominence 13 years ago with a "dumps of death" expose in the *Rand Daily Mail*. The newspaper reported that British and American multi-national companies had literally abandoned dumps of lethal asbestos fibres that were killing local people.

Some limited remedial action has since been taken. But in January this year a local chief Godfrey Thobejane confiscated several bakkies and equipment used to test people for

lung diseases and to supply some of the region's 33 villages with uncontaminated water.

The equipment, as well as hundreds of kilos of milled meal, is locked up at the nearby Malipsdrift police station while locals and the donors who paid for it clamour for it to be released so they can get on with their work.

The dispute stems from conflict between two community factions — one aligned with tribal leaders and the other with activists who formed committees to deal with problems created by the asbestos mines that operated in the area from early this century until the late 1970s.

Without their bakkie members of the Mafefe Health Committee — founded by the activists in the late 1980s — cannot carry out their monthly shuttle of 10 former asbestos miners to the Groothoek hospital 80km away. There they undergo tests that show about half of them suffer from asbestosis and other untreatable lung diseases caused by exposure to asbestos fibres. Those with the disease are eligible for an average lump compensation of R10 000, the payment can go as high as R70 000 depending

on the extent of the disease.

"The fact that an ambulance can be held in a police station for four months is too much," said Zach Mabletja, a Mafefe community leader. "Effectively taking people for x-rays so they can be compensated for chest-related illnesses has stopped."

The four-month shutdown of the programme has so far cost residents of Mafefe an estimated R200 000 in lost compensation. This is in a community that one doctor who has worked in the area has described as one of "the poorest communities in the poorest province in South Africa." The annual per capita income in the province is about R700, but it is far lower in Mafefe.

The struggle between community groups and the tribal leaders has also prevented members of the Mafefe Water Committee from carrying out projects to provide clean water to surrounding villages. Without clean water sources, women and children continue to wash their clothes in streams contaminated by the asbestos mines

scarring the hillsides.

"If they brought [the equipment] today we would drop this work and begin on water projects," said William Rapulana, the deputy chair of the water committee, as he did some private contract work along a Mafefe road.

Neither Thobejane nor the local police would discuss why the equipment, as well as the Mafefe Community Centre, was under lock and key. But local politicians, civic leaders and mem-

**'The fact that an ambulance can be held in a police station for four months is too much'**

bers of donor organisations blamed the problem on a power battle between the royal kraal and local development committees formed in the late 1980s.

The chief's opponents say he sees the committees and their work as a threat to his influence. They say the conflict grew worse after some civic group leaders opposed Thobejane's succession to the chieftainship in 1991.

Asbestos and the lung diseases it causes are part of life in Mafefe and other former mining communities nestled in the Strydpoortberge between Pietersburg and Burgersfort. Blue-grey tailings from mines pockmark the lush

hillsides. When the sun dries clothing washed in the mountain streams you can see asbestos fibres from the polluted water clinging to the cloth.

Dust kicked up by passing donkey carts carries the particles. Homes are built of asbestos bricks, and if you look closely at the ground in front of the Mahlatjane Primary School, where 600 pupils study, you can see chunks of the fibres hidden in the sandy soil.

There has been some improvement since the media's 1984 expose of the health hazards. A programme directed by Potchefstroom University covered the most dangerous of the dumps with grass and bushes. Education through the civic groups has persuaded people not to build with asbestos bricks, and parents tell their children not to play around the mines or exposed dumps.

But the problem still exists. In areas where asbestos fibres are not visible to the eye, asbestos levels are twice as high as acceptable standards in the United States. In the many areas where you can see asbestos, it is 20 times higher. Studies have shown that children who play on the ground have the highest exposure of any age group.

Overall, a study in 1987 by Dr Marianne Felix of the National Centre for Occupational Health showed that 41% of Mafefe's 12 000 residents had signs of lung damage from asbestos. Older people had a higher incidence of disease, implying that the problem builds up with long-term exposure.

And in people over 60, almost no difference in disease rates were found among those who worked in the mines and those who did not, proving that the dangers of environmental exposure are real.

People who did not work for the mines are not eligible for compensation when they develop lung diseases. None of the former mines have ever offered to clean up or pay compensation. The government has no plans for further cleaning-up or greater compensation.

Sitting in the shade of a tree outside the locked community centre in Mafefe, health committee members say they are doing what they can to ease the pain of the mining past. But until they can resolve their political problems and get their bakkie back, they can't even shuttle a few sick old miners to the hospital to enable them to qualify to receive their pittance.

(212) MTC 18-24/4/97

# Two miners killed and two injured after rockburst on Rand

ARG 19/4/97

Johannesburg – Two miners were killed, two seriously injured and a fifth was missing after a seismic event of 2,8 magnitude at Western Deep Levels, near Carletonville, the Anglo American Corporation said here

The seismic event triggered a rockburst in a gully on level 106 East Longwall about 3 200m below the surface

The injured men had been admitted to the Western Deep Levels Hospital, a statement said.

Rescue teams were continuing the search for the missing man and further details would be released later

The names of the dead would be withheld until their families had been told, the statement added – Sapa



# Mine toll nine as last missing body found

ARGUS CORRESPONDENT

ARG 8/5/97 (212)

**Johannesburg - The body of the last miner missing after earth tremors at Deelkraal gold mine near Carletonville was found about 2,6km underground today, bringing the toll to nine.**

Gold Fields of SA spokesman Andrew Davidson confirmed that rescue workers had found the body of the last missing miner

A further 24 men were injured, two of them seriously, after two seismic shocks at the mine's No 1 sub-shaft

Rescue teams had been working round the clock since the accident at noon yesterday

They looked tired as they managed the operation from the surface today. Progress in the operation had been slow, as conditions were difficult, Mr Davidson said.

"Working almost 3km below the surface the rock has to be removed manually, as there is limited space in deep-level mines on the West Rand to bring in machinery

"Rescue workers are forced to use hand tools and even hands to remove the fallen rock," he said

There had been about 100 people in the work area at the time of the accident, said Deelkraal chief personnel officer Alwyn Grobler

About 4 000 men had been underground at the time, but the effect of the tremor had been confined to one area, he said

The mine management had already begun to contact families of the dead and injured, many of whom were migrants

The names of the dead miners will be released only after their next of kin have been located



cal Association recently, Joanne Entwistle set out the sartorial rules for professional women.

### Mine death toll rises to eight

The death toll from two earthquakes almost 2,6km underground at Deelkraal gold mine near Carletonville yesterday has risen to eight and two men are still unaccounted for.

Gold Fields spokesman Andrew Davidson said this morning 24 men were injured, two of them seriously, after two seismic events registering 2,2 and 3,3 on the Richter Scale at the mine's Number 1 sub-shaft.

Rescue teams, which had been working round the clock for 19 hours since the accident at noon yesterday, were continuing the search for the two missing men, but progress at that depth was slow as conditions were difficult, Davidson said "The rock has to be removed manually as there is limited space to bring in machinery" -

Staff Reporter

Star 8/5/97 (212)

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## INSIDE LABOUR

# Battleground of old and new South Africa is on the mines

CT (BR) 9/15/97 (212)

At least nine miners died underground near Carletonville on Wednesday.

Twenty-four more were injured, six of them critically, and one was still missing yesterday in the depths of the Deelkraal mine. They were the victims of rock-falls triggered by earth tremors, adding their numbers to the annual carnage, which accompanies one of the most dangerous jobs in the country.

The Deelkraal tragedy came only days after the close of the preliminary hearing in Kroonstad into the November Rovic diamond mine disaster. There, 16 miners were buried alive in a massive mud slide. Evidence was led that the mine owners had been warned of the danger posed by a buildup of water in an open cast pit.

"Each year between 500 and 600 miners are killed and 10 000 to 15 000 suffer 'reportable' or serious injuries," Fazio Jonas of the

National Union of Mineworkers' (NUM) health and safety department, said.

In earth tremor-prone regions and in slygian conditions up to 4km down in the bowels of the earth, risks to life and limb can be high.

But, often because of cost-cutting or a callous disregard for human life based on the racist mores of the apartheid era, the risks are unnecessarily high. "Out there, on the mines, is the last real battleground of the old and the new South Africa," George Molebatsi, NUM's spokesman said.

For the miners, the new South Africa is epitomised by the Mine Health and Safety Act, which came into force in January. The old South Africa is seen in the living legacy of personnel and practices steeped in the virtually feudal relations of the previous era.

The new act was hailed last week by the International Labour

Organisation (ILO). The act ousted the mining industry from its position as the dominant force in the economy.

TERRY BELL



having the legal framework and implementing it," Molebatsi said.

Though the leading mining houses maintain they are already applying the stringent safety standards, they too have to deal with the legacies of the past.

As a consequence, a substantial layer of supervisory staff on whom they have to rely remain people the miners refer to as amabhunu (Boers) or even as "AWBs." But of even more concern to the NUM is the fact that the new safety act came into being when the gold price was in

the doldrums, the rand was holding its own against the dollar and production costs were rising.

Pressure on the bottom line has a notorious habit of translating, especially with smaller operators, into reductions in safety standards. The straitened financial circumstances of the government also mean the requisite number of mine inspectors cannot and will not be appointed.

For all these reasons, the NUM plans to intensify its campaign to ensure that all the provisions of the new act are applied as speedily as possible.

"Part of this whole process is to try to build a culture of health and safety," Jonas said. "To do that means improving industrial relations, battling to remove the attitudes of the old South Africa."

The priority was health and safety education for union members. That was widespread, and Jonas predicted "many more in-

stances" over coming months of miners refusing to enter dangerous work situations. This would intensify as the union's education programme spread more widely.

The second thrust of the NUM campaign would be aimed at the government. "We probably need two to three times the number of inspectors we now have," Molebatsi said.

Employers would also face renewed pressure to provide more training and to accept "a much wider definition" of qualifications. Skills acquired and practised on the job, hardship and effort should all come into the evaluation of grading for previously disadvantaged miners.

"It is a very slow process, but this year we will be pushing hard to make things happen," Molebatsi said. "Mining is dangerous enough without cost-cutting or bad attitudes creating even more hazards."

# Probe into 9 mine deaths begins today

Star 9/5/97 (212)

Concern from minister, union

at high rate of fatalities from

'nature's way of fighting back'

**By Cecilia Russell and Stuart Kelly**

An investigation into the deaths of nine miners at Deelkraal gold mine near Carletonville on Wednesday will begin today, mine production manager Rodney Hart confirmed yesterday.

Nine miners were killed and 24 injured after two seismic events registering 2,2 and 3,3 rocked the mine's No 1 shaft on Wednesday.

The body of the last unaccounted for miner was brought to the surface by 10am yesterday, after a rescue operation lasting nearly 24 hours.

Minister of Mineral and Energy Affairs Penuell Maduna flew up from Cape Town yesterday to visit the mine and the injured miners in Leslie Williams Memorial Hospital at Carletonville. He was accompanied by a National Union of Mineworkers delegation.

"Mine management was grateful that the minister had taken the time to visit the mine to express condolences to the families of the dead and to comfort the injured workers," Hart said.

The minister expressed concern to Deelkraal's management about the

high rate of fatalities and injuries in the mining industry and said more money should be spent on research into the causes of rockbursts in mines.

Currently R26-million was being spent on research, in a combined government, union and mine-owner-funded research project, Hart confirmed.

Speaking on behalf of the minister last night, chief inspector of mines Dick Bakker said the minister was deeply concerned and was in the process of setting up an inquiry into the accident.

"About 100 deaths every year are recorded as a result of seismic activity - most of them in Carletonville," Bakker said.

NUM spokesman Ben Malapo said two miners died for every working day in the year, and 77,2% of fatalities followed accidents underground. "Although the statistics are horrifying, accidents are so common they don't even make the news."

Bakker said seismic activities were "nature's way of fighting back against intrusions into the rock-face".

"They are particularly prevalent in deep gold mines, especially in the Carletonville area, for all sorts of geological reasons," he said.



**Bonile Ngqiyaza**

DESPITE a dramatic improvement in safety at gold mines and the fact that the industry's safety performance was at its best, it was attracting the worst criticism, Wits University business economics and insurance professor Robert Vivian said yesterday

At the National Occupational Safety Association annual occupational health, safety and environment convention in Johannesburg yesterday, Vivian said fatality rates for gold mines had declined markedly since the early 1970s

This, he said, coincided with the introduction of mine safety management systems.

"The mining industry

## Mine safety 'at best, criticism at worst'

BD 15/5/97 (212)

has reached the lowest fatality and accident rates in its history," Vivian said

"When there are fewer persons being killed or injured in accidents, we now find that mine safety is criticised and courts trying to put employees in jail."

Referring to the 1986 Kinross disaster, which claimed 177 lives, and other disasters that followed it, he said that examinations of mine safety performance after almost every major disaster made it clear that a statutory safety

requirement had been contravened.

"It seems to me quite clear that the statutory requirements are generally not given sufficient attention in safety programmes, and that a need exists for a programme to remedy this defect"

A number of company audits he had conducted to test the degree to which statutory requirements were implemented, revealed that only about 15% of the requirements had been complied with.

Vivian said statutory

risk programmes needed to be integrated into the existing system control process and not seen as a new, separate type of programme.

He said a survey he had carried out on safety instructions in one organisation had found six sets of written safety instructions prepared by different bodies for a largely illiterate labour force

"The thrust of a statutory programme is to find a way to implement the statutory requirements and not create a further programme," Vivian told delegates at the workshop

He suggested the appointment of a compliance manager and statutory lists, among other measures



### Micor Industrial Corporation Limited

(Incorporated in the Republic of South Africa)  
(Registration number 87/01331/06)  
("Micind")

## Acquisition of Goscor (Proprietary) Limited ("Goscor") and its subsidiaries

### 1 Introduction

HSBC Simpson McKie (Pty) Limited is authorised to announce that Micind has entered into an agreement in terms of which Micind has acquired, subject to the fulfilment of the condition precedent, the entire shareholders' interests in Goscor and its subsidiaries ("the acquisition") with effect from 1 April 1997 from, collectively known as the vendors

- Parkmore Gardens CC;
- E A Faber (Proprietary) Limited;
- The Siddle Family Trust;
- Inmalkaar Trust; and
- Saracen Filter Company Inc.





In mourning .. wives of mineworkers grieve at a memorial service held at Deelkraal gold mine yesterday for the 10 miners who died in two accidents there last week.

## Call at memorial service for more money to detect seismic activity at mines

BY CECILIA RUSSELL

Not enough has been done to make conditions underground safer for miners, National Union of Mineworkers vice-president Senzeni Zokwana said yesterday.

He was speaking at a memorial service for 10 miners who died at Deelkraal gold mine near Carletonville last week. Thousands of miners and their families from Deelkraal

and other mines gathered at the mine's hostel for the service.

Ten miners died and 29 were injured in two accidents at the mine last Wednesday. One miner died in the first accident, which was caused by a "seismic event" registering 2,2 on the Richter scale. This was followed a few hours later by a second "seismic event" registering 3,3 on the Richter scale, which killed nine more miners.

"The Government has

pledged financial assistance for research, but the amount is not enough to deal with seismic detection," Zokwana said, adding that not enough had been done to minimise accidents.

Workers and management should ensure that the Chamber of Mines focused on accidents caused by seismic events.

Dick Bakker, acting director-general of mineral and energy affairs, paid tribute to those who risked their lives to rescue

the injured and bring the dead to the surface.

The new Mine Safety and Health Act empowered workers to combine resources with management to make mines safer and healthier place, he said.

Bakker later told The Star the Government had pledged R26-million for research into mine safety, of which about R10-million was being spent on research into seismic events

He said it was essential that the findings and the newly developed technologies be implemented to create safer environments for miners.

The names of the dead are Mishack Buthelezi (29), Anto Mlo Joao (42), Elphus Khwaza (39), Sinyeliso Mabhude (41), Mphithi Magagula (35), Raphael Mancu (27), Daniel Molaudi (48) Moshao Motsosani (26), Wiseman Stiya (38) and Lazarus Tsoeu

Star 15/6/97

(212)



# Mine worker deaths up to 110

BD 21/5/97 (212)

Reneé Grawitzky

TWENTY-one mine workers had died in accidents on gold mines over the past four weeks in the Carletonville region alone, the National Union of Mineworkers (NUM) said yesterday.

Statistics collated by the mineral and energy affairs department showed that during the first four months of the year, 94 mine workers had died on gold mines compared with 121 during the corresponding period last year. However, the recent spate of mine accidents on gold mines in the Carletonville region alone had increased the death toll to more than 110 for the year to date.

NUM media spokesman George Molebatsi said all the mine workers were killed by rock falls following seismic events between 2km and 3km underground.

He said it was acknowledged that deep-level mining was very dangerous, but alongside extraction processes more money had to be put into research to minimise such accidents.

Acting mineral and energy affairs director-general Dick Bakker said the link between seismic events and mining was difficult to prove.

However, the department would ensure that it had all the expertise available to assist in the inquiries into the recent accidents.

The NUM claimed the new Mine Health and Safety Act was not being implemented fast enough.

Bakker said all the tripartite structures in terms of the new act were in place and the parties were on the point of establishing the Mine Health and Safety Council, which would advise the minister on health and safety matters.



# 600 die in SA mining accidents each year

RESCUE workers toiled for over 24 hours in search of trapped mineworkers recently after two seismic events at Deelkraal goldmine, a goldmine owned by Gold Fields in Carletonville

The incident left 10 mineworkers dead and 24 injured

This was the second underground earth tremor to hit Deelkraal goldmine in less than two months

Two miners were killed in March by an earthquake at the same mine

Describing the ordeal, one survivor said he could not remember how he survived the accident

"We were trapped under a huge boulder, about three kilometres down in the bowels of the earth. I thought I was going to die," says Mr Petrus Mbatha who escaped with minor head and body injuries

He shudders as he recalls helplessly watching a colleague dying a slow and agonising death from injuries he sustained during the tremor

Although the mine management has named "mother nature" as the culprit, the accident highlights the lack of concern for mineworkers' health and safety

According to official statistics, mining accidents kill over 600 miners every year with disasters occurring every five years

A recent report by the Department

of Labour states that two miners die every working day in South African mines

"And despite this alarming statistic, mine managers tend to view the high accident rate as an unfortunate but inevitable consequence of South Africa's mineral mining industry," the report laments

Although the accident has been reported as a natural phenomenon, Dr Michael Barry, a medical officer with the National Union of Mineworkers says "We should not just believe the mine owners when they tell us that the cause of the accident is an earth tremor

"There are a number of incidents that can lead to this kind of accident, like rock falls and rock bursts"

## Just rock fodder

Barry says mineworkers are generally regarded as "just rock fodder" in the mining industry

"They are just an integral part of the process of extracting minerals from underground and nothing more"

According to the study conducted by the Epidemiology Research Unit of the Medical Bureau of Occupation Disease in Gauteng, an 18-year-old man starting a career as a miner has one in two chances of being permanently disabled as a result of an acci-

dents or disease during his career

While visiting the injured at the Leslie Williams Memorial Hospital Mineral and Energy Affairs Minister Mr Penuel Maduna expressed concern at the high rate of mine accidents

He said more money was needed to be spent on research into rock burst causes on the mines, adding that an inquiry into the Deelkraal disaster would soon be conducted

NUM president, Mr James Motlasi has accused the mines of having "inadequate and insufficient" safety measures in place

He says the process of mineral extraction should run parallel with research on health and safety of the workers and that money set aside for research by both Government and mine management was inadequate

Motlasi says while research cannot stop accidents totally, it can minimise the rate at which they occur

"It is a well known fact that the deeper you mine, the higher the chances of getting more earth tremors. So mine management do not have a proper safety strategy regarding deep mining. They only think about the mineral extraction," he says

Deelkraal Gold Mine is one of the deepest mines in South Africa - 2.7 to 3 kilometres deep - *Africa Information Afrique*

*Sowetan 22/5/97 (212)*

Widows of the Vaal Reefs mine locomotive accident are destitute despite compensation, reports **Ferial Hatfajee**

# NUM claims millions more from Anglo for disaster

M+C(BM) 6-12/6/97

(212)

**T**HE National Union of Mineworkers (NUM) is to claim additional compensation from Anglo American for the families of miners who died in the Vaal Reefs disaster.

If successful, the multi-million-rand claim must be paid out by Rand Mutual, the industry insurance house.

The union's decision follows last year's Leon Commission of Inquiry into the 1995 accident — one of the worst in South Africa's mining history, which left 104 miners dead and scores more injured.

Lawyers for the NUM submitted their claim to the compensation commissioner this month. "He will now decide how much extra to award," says the union's attorney Prince Matowane. The Leon commission stated that the company and several employees had been negligent — thus paving the way for the added compensation claim.

Late on the night of May 12 1995, a mine locomotive used to haul gold underground fell down a mine shaft, crushing a cage carrying the miners who were about to start the night shift. Workers stuck in the bottom of the double-decker cage were trapped and died there. Many were crushed beyond recognition. The horror of the accident, the helplessness of the men and the number of dependents left destitute saw collective grief grip the land. For once, a mining accident grabbed national headlines as all the media gathered to count every dead miner brought to the surface.

The glare of publicity galvanised the industry and government into action, a victims' trust was established with Walter Sisulu and Helen Suzman at its helm. Millions of rands were poured into the fund and compensation claims were quickly settled. The trust is now concentrating on education and skills training for the dependents.

Two years later the going is still tough for the widows and children of the miners killed at Vaal Reefs. On a visit to Mozambique to collect

information to bolster their claim for added compensation, the NUM found that many families are struggling.

Many spent the lump-sum payments, which averaged at about R62 000 a miner, on building a house. "Now many of them don't have any source of income," says NUM official Edward Ramalla, adding that the women should have been advised more wisely to make their money last longer.

Worse off were the contract workers who died in the accident. Because they were not employed by Anglo but by independent contractors, they were not eligible for compensation. Antonio Danzane, for example, had a wife and three children. Flora Dangane received a lump-sum payment of R2 170, while she is also entitled to a monthly pension of R1 085, but it arrives sporadically.

It is difficult in rural Mozambique to distinguish between general hardship in the world's poorest country and that occasioned by the deaths of those who kept the homesteads burning with the earnings from South Africa's mines.

"There's no infrastructure, no electricity, no water and no roads. There's not even postal delivery," says Ramalla. The widows visit the offices of the Employment Bureau of Africa (Tebe), which is responsible for paying out compensation cheques. It is an arduous undertaking.

"They get to Tebe by borrowing money from next door. The trip can take hours," says Ramalla.

To survive, many of the women travel to plots of land where they plant *nikotobola*, a sweet-potato-like plant and other vegetables. According to information collected by the NUM, many children do not attend school, those who do are behind for their age.

While compensation pay-outs remain very low, the plight of women in polygamous marriages has been exacerbated as they have had to share compensation payment among themselves.



Elisa Pacheco Money is running out fast

PHOTOGRAPHS OSCAR G

## The cost of living after death

**E**LISA PACHO has seven children, one of whom is adopted. Her husband David Pacheco was a crew leader at Vaal Reefs. According to the NUM records, his older wife Irene Pacheco has three children.

Elisa Pacheco lives in Maxiki, about three hours' drive north of Maputo. Not all the children attend school, a financial squeeze means she has had to decide who will go and who will not. The government is building a school near her home and she hopes all her children will be able to attend.

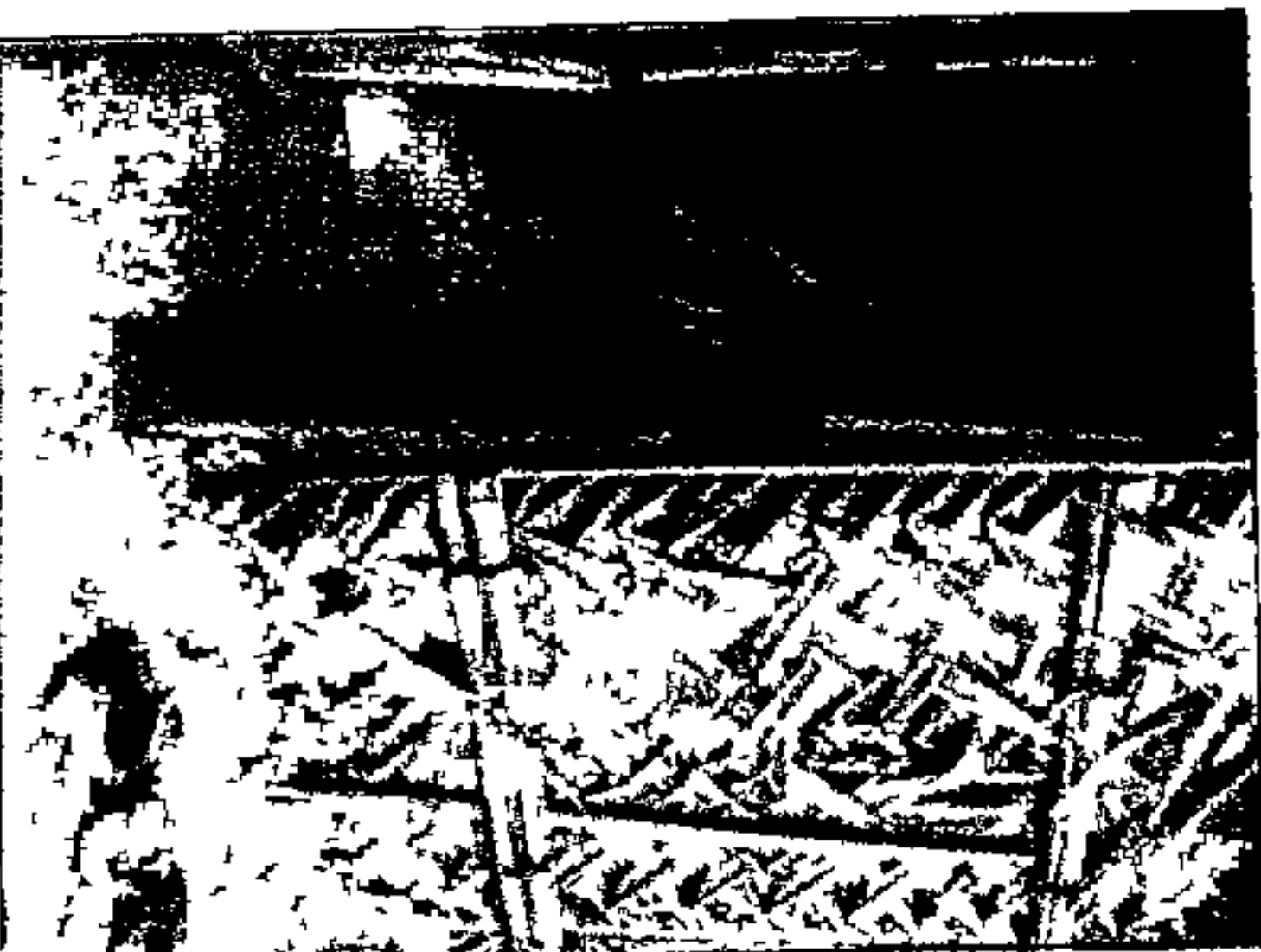
Pacheco chose not to build a house with the compensation money she received, but lives instead in two reed shacks. That money is being used to sustain the family, but it's running out fast. The family does not farm.

"I don't know how I'm going to manage to bring up the children," she told NUM officials. She may be helped by a skills training programme that will be started by the Vaal Reefs trust. Pacheco wants to learn to sew.

Another destitute Vaal Reefs widow is Hortencia Solomone. When mineworkers and the Employment Bureau of Africa officials visited the compound where she lives, they were told by her family that she would not live for much longer.

Solomone is suffering from tuberculosis. The 67-year-old woman lives alone in a shack made from coconut leaves. The shack is dark and dark, she lights it with candles and a paraffin lamp, but cannot do much else for herself.

Although Solomone can speak, nobody



Hortencia Solomone The coconut halves hold her traditional medicine

understands what she is trying to say and it has fallen to her late husband's two younger wives, Veronica and Constanca, to look after her. They leave her food outside the shack, fearing that they too will contract TB.



# Asbestos mining companies suppressed findings — claim

CAPE TOWN — Asbestos mining companies suppressed the findings of scientific research in the 1960s which documented the health risks of exposure to asbestos, the Truth and Reconciliation Commission was told in Cape Town yesterday

This claim was made in a submission by the health and human rights project, a joint initiative by the department of community health at the University of Cape Town and Cape Town's trauma centre for victims of violence and torture.

The project said the role of the private sector in health-related human rights abuses had not been properly probed.

"Two industries which stand out in terms of complicity with repression, either overtly or covertly, are the pharmaceutical industry and the mining industry," it said.

According to the submission, asbestos has been extensively mined in the Northern Cape, particularly near the towns of Prieska, Kuruman, Penge and Koegas.

From the 1960s the pneumoconiosis research unit of the

Council for Scientific and Industrial Research began investigating the relationship between asbestos and cancer.

The findings by Prof Ian Webster, published in a confidential report on April 30 1962, showed that the risk of contracting asbestosis in the asbestos mining areas was extremely high.

Webster said he had found "an alarmingly high" number of cases of mesothelioma of the pleura among people who lived or had lived in the northwestern Cape area. There was evidence, he said, that this condition was associated with exposure to asbestos dust.

Webster recommended that the industry, together with the mining department, immediately take steps to assess existing dust control measures and disposal methods.

According to the project, the mining companies refused to sanction the publication of Webster's finding unless the cancer hazard was "passed off" as tuberculosis.

"The report was therefore not published or made avail-

able outside the unit, except to the groups that had been directly involved in the survey."

This was not the first or last time that scientific findings unfavourable to asbestos companies were suppressed.

In the 1970s the national research institute for occupational diseases of the Medical Research Council of SA carried out research on the risks of asbestos-related diseases in workers in asbestos mines.

The findings showed that the risk of death through asbestosis or cancer of the lungs and stomach was increased in blue asbestos mining areas.

The findings were due to have been presented at a conference of the New York Academy of Sciences in June 1978.

However, the two researchers were instructed to withdraw their paper.

"There is evidence that this instruction was issued at the request of the asbestos mining companies in the Northern Cape who wanted to prevent evidence being disclosed."

The study was reworked and released in 1986 — Sapa

(252) (212) 00 18/6/97



# Disillusioned Swazi farmers want cotton laws unravelled

**BANELE GININDZA**

Mbabane — Despite Swaziland's first bumper cotton crop in seven years, cotton farmers are up in arms, claiming their cotton association is simply a front for government control.

Charging it is unfair they have only four representatives on the Swaziland Cotton Growers' Association board to the government's six representatives, farmers have called for the government to repeal the 1967 Cotton Act.

"It really vexes us that we have a minority vote and are overruled by the government representatives whenever there is a vote on any contentious issue," said Jonas Vilane, the farmers' spokesman.

The farmers have appointed a committee to review the Cotton Act and make recommendations to the government by August 15.

"We want it tabled in time for the required legislation to be effective before the 1997 cotton season ends," Vilane said.

The association's member farmers had also signed a petition calling for the repeal of the legislation, he said.

Swaziland cotton farmers produced 46 000 tons this year, their highest yield in seven years, but are piqued they have little say in fixing the cotton price.

They say they get less than they should from a price stabilisation fund set up from levies on cotton sales. The fund is intended to protect farmers in the event prices drop lower than the mar-

ket price, but farmers say the money is misused on unrelated projects.

"The board gives the money to the ginners who then loan it out to the farmers. This does not make sense. It is our money in the first place."

Vilane charged that a levy to subsidise farmers in case of drought was used by the board for other operations. He said farmers were supposed to receive support of R1 000 a hectare to help care for their crops between

ploughing and harvesting. The payment was recently reduced to R420 a hectare.

Vilane said the association represented the 16 000 farmers countrywide, though only about 4 000 were active.

"Farmers want the levy to go to the association to be used as security in sourcing loans from the banking sector," he said.

Tom Jele, the Swaziland Cotton Board executive director, said the intended move by the farmers did not represent the thinking of

all cotton growers in the country.

He dismissed the allegations as inaccurate, saying the board appointed the Yunusa Cotton Ginners to distribute the loans and assistance to farmers for ease of administration.

The board's cotton research and price stabilisation levies had specified functions, he said.

Jele said about 1 000 active farmers were registered. The 16 000 figure was a general one for cotton growers countrywide. — African Eye News Service

CT 683 18/6/97

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## Rockfall kills two goldminers

(212)  
JOHANNESBURG: Two  
mineworkers were killed in a rock-  
fall at the Vaal Reefs gold mine's  
Number Two shaft near Orkney on  
Wednesday night, Anglo American  
Corporation said yesterday

The rockfall, which occurred  
about 2km below the surface, fol-  
lowed an earth tremor measuring  
3,2 on the Richter scale.

ET 27/6/97

(212) *Sowetan 17/197*  
**NUM urges cooperation in safety field**

**By Abdul Milazi**

GOVERNMENT, mine management and trade unions should work together to improve health and safety and create "accident free" mines, National Union of Mineworkers (NUM) president James Motlatsi said yesterday.

Motlatsi was speaking at the launch of five mining committees by the Ministry of Mineral and

Energy Affairs to advise Minister Mr Penuell Maduna on the formulation of new health and safety and education and training standards for the mining industry.

"The period ahead is very challenging. We should ensure that there is never another Rovic or Vaal Reefs disaster again," said Motlatsi.

He said the two disasters, which claimed the lives of almost

200 mine workers in 1995 and the subsequent report by the Leon Commission into mine safety, "exposed the negligence of health and safety on the mines by employers and relevant state department officials".

Dr Nick Segal who represented the Chamber of Mines, said employers were committed to the implementation of the new Mine Health and Safety Act and have

already delegated 200 senior mining officials to serve on the committees which were launched yesterday.

"Solutions must be found at mine level, because it is there that major challenges will emerge," said Segal.

Maduna also launched the Mining Qualifications Authority which has been given the task of developing and implementing a framework of education



# Minister launches two bodies to look at mine health and safety

Star 1/7/97

(212)

By PATRICK PHOSA

Mine health and safety issues had tainted and dented the image of the mining industry, and the challenge was how to manage the crisis, Mineral and Energy Affairs Minister Penuell Maduna said yesterday.

He was speaking at the Mintek auditorium in Randburg during the historic launch of two advisory bodies to look at the restructuring of the health, safety, education and training strategies for the mining industry.

The launch of the bodies, made up of state departments, employer and labour organisations, is in line with provisions in the Mine Health and Safety Act.

The industry continues to be plagued by accidents. About 110

miners were killed in gold mines last year and more than 94 mineworkers have died on gold mines in the first four months of this year.

Ten miners died at Deelkraal gold mine near Carletonville in May. In November last year, 16 mineworkers were buried alive in a massive mudslide in Kroonstad's Rovic diamond mine. On May 10 1995, 104 mineworkers were killed at Vaal Reefs gold mine when a locomotive plunged down a shaft.

Maduna said the act provided for workers' participation in matters of health and safety through health and safety representatives and committees at mines. It also promoted co-operation and consultation on health and safety among state depart-

ments, employer and labour organisations.

He said the tripartite institutions, the Mine Health and Safety Council and the Mining Qualifications Authority would advise him on health, safety, education and training issues at the mines.

Maduna said the bodies should make the department's slogan, "minerals and energy for development and prosperity", a reality, by minimising human loss and suffering caused by occupational ill-health and accidents.

Labour representative and Nation Union of Mineworkers president James Motlatsi welcomed the launch of the institutions, saying the period ahead was challenging and all the stakeholders should make every effort to avoid another mine disaster.

# Mine disaster case begins with on-site inspection

BO 16/7/97 (212)

Bonile Ngqiyaza

THE case against Vaal Reefs and seven people implicated in the 1995 disaster at its mine began this week in the Klerksdorp Regional Court with an in loco inspection.

The inspection was carried out after defence lawyers had asked to visit the scene of the accident before cross-examining a state witness.

The case, which began on Monday with testimony from Alfonso Motemekoane — a state witness — is a sequel to the Vaal Reefs mine disaster in May 1995, in which 104 miners were killed when a locomotive crashed through a safety barrier and fell on a cage in which they were being carried.

Defence lawyers argued at the start of proceedings that it would be difficult to proceed with the cross-examination of Motemekoane on some parts of his testimony without them being acquainted with the geographical layout of the mine.

The presiding magistrate, Louis

Vertue, ruled in favour of the request and arrangements were made to visit the site yesterday.

Seven of the accused — Anglo American-owned Vaal Reefs Exploration and Mining Company, Frank Khoza, Victor Caku, Mindeli Quluba, Hendrik Jakobus Wood, Martinus Van Rensburg and Jack Mpota — have been charged with culpable homicide.

Some of them faced additional charges of contravening the Mines and Minerals Act, state prosecutor Hennie Geldenhuys said.

## Recommended

The eighth person accused, Louis le Roux, faced charges of contravening the Mines and Minerals Act and attempting to defeat the ends of justice, he said.

The court case has been set down for three weeks.

In April last year, a joint inquest-inquiry recommended that Vaal Reefs mine, owned by Anglo American, as well as five of the mine's employees should

be prosecuted following the death of the mine workers.

In their report, Judge Ramon Leon and two assessors, Arnold McKenzie and May Hermanus, urged the attorney-general to prosecute two contract workers from Concor, an underground electrician, the shaft mine overseer and the section engineer.

Mpota, the driver of the locomotive 54B which fell down the shaft smashing into a cage carrying 104 workers, was found negligent for contravening section 37 of the Act by endangering the safety of employees.

Charges of defeating the ends of justice against Le Roux relate to a finding in the report that he tampered with documents before giving evidence to the inquest-inquiry on the disaster.

The report found that certain employees had failed to disclose crucial information about the state of the locomotive to the police, mineral and energy affairs department officials and mine management, despite knowing about it before the accident.

## Court to stop closure

7/97

land affairs MEC Max Mamase and the Eastern Cape Agricultural Corporations' agency board.

The applicants seek an order restraining Stofile and Mamase from closing down the tea corporation; from terminating, altering or in any manner interfering with the salaries and benefits enjoyed by the applicants in terms of their conditions of service.

The application also seeks an order restraining Stofile and Mamase from evicting, hindering, harassing or in any manner interfering with the rights of the applicants to occupy residential premises allocated by the Magwa Tea Corporation.

Should the court uphold the Bisho decision to close down the operations of the tea corporation, the applicants seek an order directing Stofile, Mamase and the corporation itself to continue paying the remuneration and benefits of the applicants in accordance with their conditions of service.

Michael Hartnack

HARARE — The US Agency for International Development (USAid) plans to give a further R80m for a low-cost housing development in Harare, despite a scandal over leading figures raiding a fund to finance palatial homes.

Among those alleged by a high court judge to have jumped "onto the gravy train" without observing legal niceties was President Robert Mugabe's wife, Grace.

A USAid statement said sufficient funds for 5 000 units would be provided in the period July 1997-December 1988 — this in addition to \$50m already given.

US spokesmen said last month they hoped US assistance to Zimbabwe's national housing fund had been kept distinct from monies now under investigation in the "houses for politicians" scandal.

Judge George Smith said at the time there was evidence that Grace Mugabe had received a R700 000 concessional

## USAid undeterred by funding scandal

(362) BO 16/7/97

loan, among others in a list reading like a "who's who" in the ruling Zanu (PF) party.

Up to R60m had to be accounted for, the judge heard.

Anger at the invasion by prominent persons of funds intended for the needy boiled over at the Zanu (PF) headquarters on Monday when 100 destitute ex-guerrillas held ruling party chiefs Didymus Mutasa and Joseph Msika hostage in their offices for more than two hours.

Riot police eventually forced the protesters out of the building, where they had been seeking immediate resumption of payments from the war disabilities fund, intended to assist crippled ex-guerrillas.

Payments were suspended when it was revealed that many who had never fired a shot in the 1972-80 war to oust

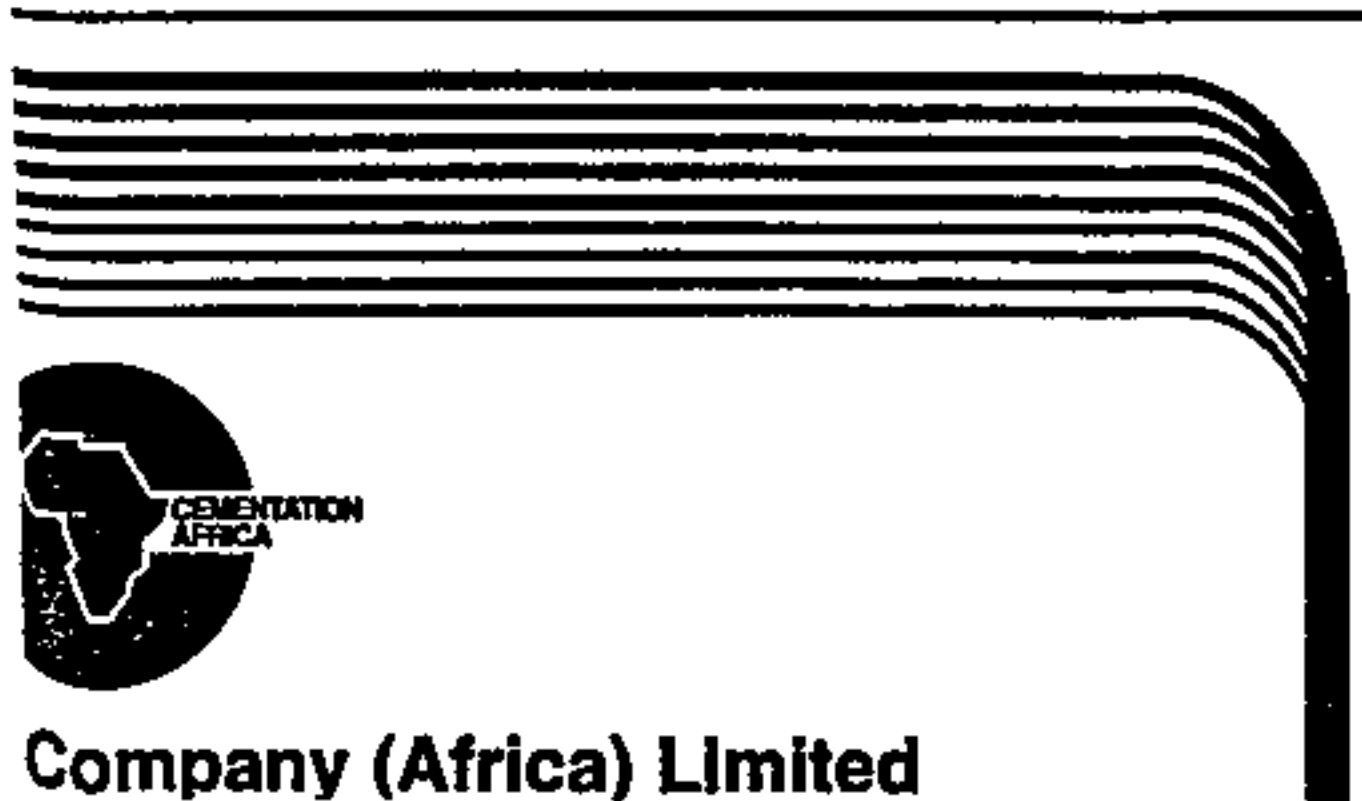
white rule had received up to R357 000 for "95% disabilities".

However, these disabilities apparently did not impede their careers.

Grace Mugabe's brother, Reward Marufu, and former opposition leader Edgar Tekere were among the beneficiaries. Other beneficiaries of these disability pensions were ministers, members of parliament, security force and Central Intelligence Organisation commanders.

Mugabe's politburo, some of whom have been named in the scandal, has prevaricated on appointing an inquiry into R180m missing "war disability" funds.

Women ex-guerrillas who received substantial payments on the grounds they were raped in training camps have threatened to name their abusers if told to repay their cash.



Cementation Africa Limited



# Rockburst kills 9 miners, traps 10

Star 22/7/97 (212)



Rescue operation Belarmino Massango, member of a proto rescue team, wants to descend to the accident level last night in search of survivors.

Proto teams search for men 2km underground; 30 more injured

BY SHURLEY WOODGATE,  
MATTHEW BURRIDGE AND SADA

**N**ine miners have died, 30 have been admitted to hospital and 10 are trapped 2km underground at the Hartbeesfontein gold mine after a rockburst caused by an earth tremor at 10.45am yesterday.

Rescue teams toiled throughout the night at the Avgold mine near Siffontein in North West province to reach those still trapped in the rockfall triggered by the tremor which measured 3.7 on the Richter scale, said mine spokesman Juban Gwillim.

A further 46 injured miners were brought to the surface yesterday and treated for injuries at the medical station at the shaft.

The bodies of four of the dead men are still trapped underground and five bodies have been brought to the surface.

The proto teams located some of the missing miners last night and Gwillim said rescue teams were talking to a small group of trapped miners found after a 12-hour search in choking dust through rock and collapsed mine excavations.

The rescue workers established voice contact with the trapped men through a rock face.

Gwillim said it would take hours to break through and bring them to the surface.

Two trapped miners with whom rescue teams estab-

lished contact late yesterday were brought out alive and two more bodies were found by proto-teams down the mine overnight, he said.

One of the injured men who was in the intensive care unit at the Duff Scott Memorial Hospital has been stabilised, while 30 of the injured were admitted to general wards at the hospital.

The tremor was felt in surrounding towns, including Klerksdorp. Minor tremors are common in the area.

In January two miners were killed in an underground locomotive accident at the mine and in April 258 miners had to be evacuated after a fire broke out 2 100m below the surface.

The mine which began shaft-sinking in 1953 is nearing the end of its life and chairman Basil Hersov said in his annual statement to shareholders in 1995 that it had an operating life of 10 years.

Mine production manager Ian Sinclair said many of the injured men had broken limbs, bruising and scratching.

Sixteen were taken to the hospital on stretchers, others were able to walk, with or without assistance.

The earth tremor, known as a "seismic event", caused two rockfalls at distances of 300m and 1 350m away from its epicentre.

Sinclair said 1 800 miners were working at 2 100m below the surface, when the earth tremor struck.



# Search on for miners

*Sowetan 22/7/97*  
RESCUE teams were last night probing through dust and rubble in search for 16 miners trapped 2km below the surface after a massive rockburst at Avgold's Hartebeesfontein Gold Mine

Three miners were killed and 46 were injured when an earth tremor precipitated the rockburst at the mine near Stilfontein in North West at 10.45am yesterday

One of the injured was in the intensive care unit at Duff Scott Hospital, while another 31 were being treated in a general ward

By 11pm last night rescue teams had located some of the missing miners Avgold

*(212)*  
spokesman Mr Julian Gwillim said the teams were talking to a small group of the missing miners found after a 12-hour search in choking dust through rock and collapsed mine excavations

The rescue workers established voice contact with the trapped miners through a rock face, Gwillim said. It would take hours to break through to the group and to bring them to the surface. It was not known how many of the missing miners had been found.

Gwillim said the rescue teams would not call off their search until every miner was found - Sapa

# Mine accident survivors tell of their ordeal

*Sowetan 23/7/97*

**By Morgan Naidu**

BRUISED and battered, fighting the excruciating pain of sore limbs and fractured bones, 32 of the miners who were miraculously rescued after an underground tremor killed 10 of their colleagues, spoke of their ordeal yesterday

The seismic event caused a huge rock formation to collapse at the Hartebeestfontein Gold Mine in Stultfontein during the mine's busiest time of operation on Monday morning

Last night rescue workers and mine employees were still working frantically to find eight missing miners amid fears that the death toll may rise

The force of the seismic shift affected work areas at the mine within a 5km radius. Employees said the tremors caused by the seismic shift was felt on mine networks as far afield as Carltonville, Welkom and Pretoria

Yesterday North West Premier Popo Molefe visited some of the injured miners who were admitted to the mine hospital

Molefe was accompanied by union officials and the top brass of the mine and its parent company, Avgold

"It all happened suddenly. There was this huge noise and it became very dark. I then lost consciousness," said Mr Samson Khoza, who was lucky to escape with lacerations and a bruised head

Underground team leader Mr Fastilo Jeko said he was now afraid to return to work in the mine. "One minute we were checking the site as usual and the next I was unconscious. I woke up in hospital and keep having dizzy spells," he said

## Powerful tremor

Hartebeestfontein training manager Mr Andy Beytell said the tremor was a powerful one, causing lights on the mining site's offices to go off and pieces of tiles to come loose

Mine manager Mr Ian Sinclair said the power and force of the tremor was significant given the size of the mining shaft in which the seismic event occurred

Some of the damaged work areas would "need some time before they can be operational again"

The victims' names have not yet been released as their next of kin have yet to be informed

(212)

Sowetan 23/7/97 (212)



Exhausted ... mineworkers involved in the rescue operations return to the surface after finishing an 8-hour shift



# Mine disaster's death toll is 15, three missing

(212) Star 23/7/97  
By SHIRLEY WOODGATE  
AND SAPA

The death toll in the Hartebeestfontein gold mine disaster has risen to 15, and there is little hope that the three miners still missing will be found alive after being trapped under rubble for almost 48 hours.

Two more bodies were recovered from the Avgold mine near Stilfontein in the North West last night, and proto teams were reasonably certain of the position of two others, a mine spokesman said today.

Two of the 46 injured miners were still in intensive care today, one in the nearby Duff Scott Memorial hospital, where 31 colleagues were being treated, and the other in the Rand Mutual hospital in Johannesburg.

Miners from all divisions of the North West mine rushed to assist with the rescue of colleagues after an earth tremor measuring 3,7 on the Richter scale triggered a rockburst in shaft four, killing some and trapping other miners more than 2km underground on Monday morning.

Of the 46 miners injured in the accident, 20 have been discharged from hospital.

Speaking from the control centre at the mine, manpower

manager Peet Nieman praised the co-operation between all parties, which he described as "absolutely an outstanding feature of this whole rescue".

"There was no need to ask for volunteers. The people from all the shafts offered their help

"Rescue workers are working long shifts of between six and eight hours underground under tremendously difficult circumstances."

Nieman added that there had been "tremendous support" from all the unions.

Deputy Minister of Energy and Mineral Affairs Susan Shabangu announced after visiting the mine with a top-level delegation yesterday that a government investigation, possibly headed by a judge, would be launched.

The department's acting director-general Dick Bakker said Hartebeestfontein gold mine, which had a top safety rating, complied with all the industry's safety requirements.

The National Union of Mineworkers' branch chairman Eric Mahlamvu said there was talk that the area was dangerous, but he said the official inquiry would determine the cause of the accident.

► Pictures



## Death toll at gold mine <sup>(212)</sup>

### rises to 15

ARG 23/7/97  
Johannesburg - Two more bodies were recovered at the Hartebeestfontein gold mine in the North-West in the course of last night, raising the number of miners confirmed as dead to 15, a mine spokesman said early today.

Three others are still missing, and hopes are fading that they will be found alive, he said.

With the rescue mission continuing, the spokesman said probe teams were reasonably certain of the position of two more bodies, but did not know the whereabouts of the remaining miner. Twenty-six injured miners were still in hospital early today. Forty-six miners were injured in the accident, 20 of whom have since been discharged from hospital. - Sapa



# Only one mine accident victim has not yet been located

By MATTHEW BURBIDGE

Rescue teams at the Hartebeestfontein mine say they have located two of the last three miners unaccounted for after Monday's rockburst, but do not expect them to be alive.

Vaughn Duke, the mine's technical services manager, said workers believed the third miner had been just behind the

other two when the seismic event, pegged at 3,7 on the Richter scale, triggered the fatal rockburst

Last night workers were trying to gain access to the trapped miners through an alternative gully.

Fifteen miners have been confirmed dead

Duke said mine management wanted to be absolutely

sure that workers were not at risk in the dangerous rescue operation, so hydraulic jacks were being used to shore up the hanging wall (the roof) and the foot wall (the floor) of the collapsed passage

"It's a big concern . if there's another seismic event, anyone in there is going to get caught, so we're not taking any unnecessary chances," he said

Two of the 46 injured miners were admitted to the intensive care units of Duff Scott hospital, Stilfontein, and Rand Mutual hospital in Johannesburg. They were said to be in a stable condition yesterday.

Some of the 31 miners being treated at the Duff Scott hospital may be released today

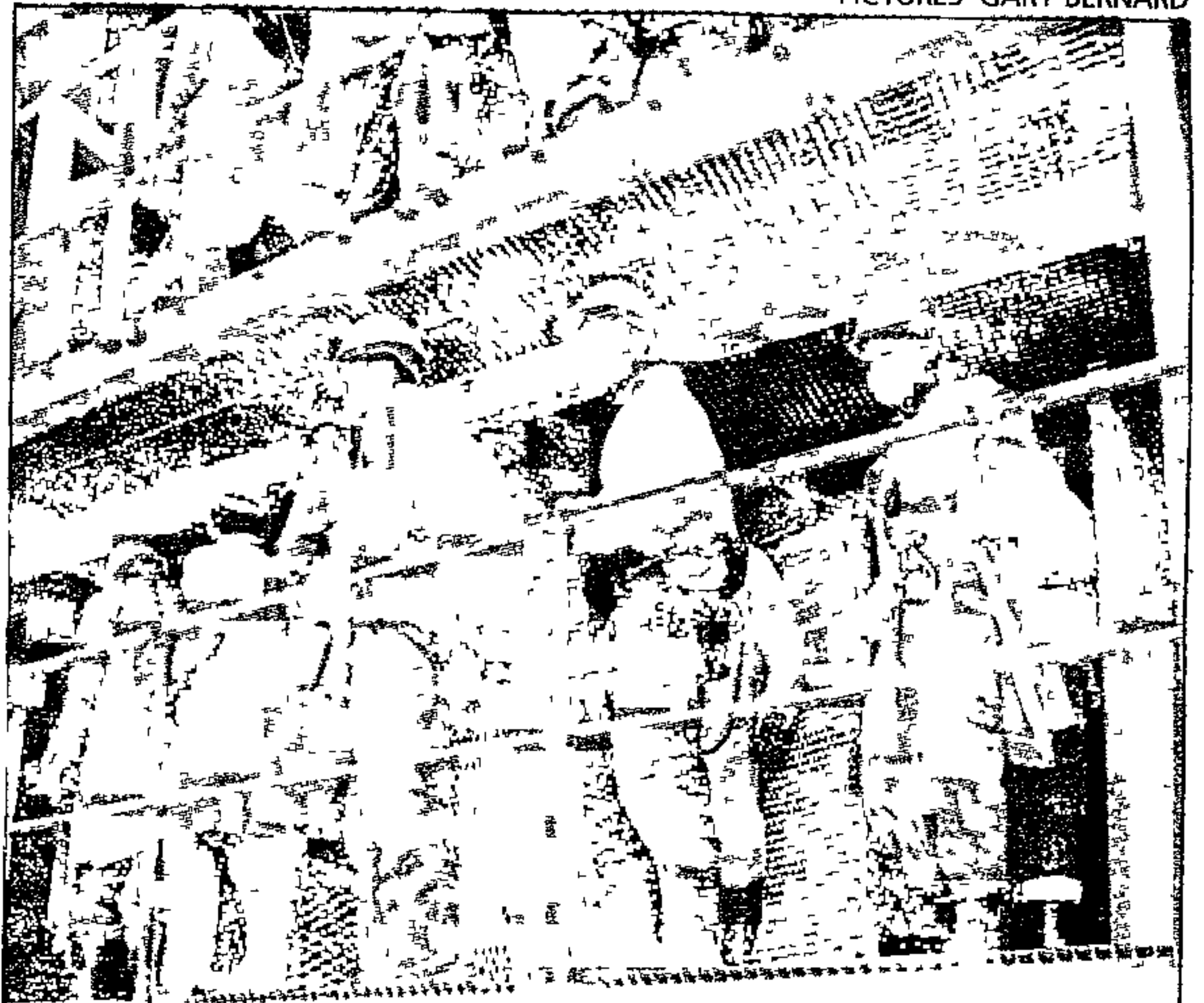
Production has resumed in other shafts at the mine

(212) SPAR 24/7/97

# Sombre scenes at gold mine

## History of disasters

- In the worst disaster in South African mining history, 177 miners lost their lives at the Kinross gold mine in the Eastern Transvaal after a fire ignited polyurethane foam on September 16 1986. A man was charged with negligence and fined R100.
- In 1994, 485 people died in mining accidents. Seventeen of them died when the Harmony Mine slimes dam burst and flooded Marnespruit in the Free State and 16 more died in an underground fire at Koorfontein coal mine, near Middelburg.
- In 1995, 533 people died in mines, including 104 miners who were crushed when an underground locomotive landed on top of a loaded lift. Mine officials were found to be culpable.
- In 1996, 110 miners died in accidents. Twenty-one of these fatalities occurred in mines in the Carletonville area. Ten men died at the Tshikondeni coal mine near Makuya in March, while attempting to rescue a trapped worker.
- In May this year, 10 died at the Deelkraal mine near Carletonville. The Congress of South African Trade Unions yesterday expressed shock and grief over the deaths of the miners at Avgold's Hartebeesfontein mine and denounced the "ongoing slaughter" of miners. — Staff Reporter



Mercy mission ... scores of people were involved in rescue operations at Hartebeesfontein gold mine after Monday's rockburst. Rescuers worked long shifts under grim conditions to bring injured and dead miners to the surface.

## Screams and blinding dust, 2km below the surface

BY CECILIA RUSSELL

All that trapped winch-driver, Daniel Mudai, could hear seconds after a massive rockburst hit the Hartebeesfontein gold mine on Monday was the dreadful sound of miners screaming.

The thick dust, which later hampered the rescue operation, meant Mudai could not see at all. He was pinned to the ground by rocks which had fallen during the rockburst, or seismic event in geological parlance, measuring 3,7 on the Richter scale.

But soon he heard the comforting voice of his team leader calling. "Daniel, are you there?"

The team leader pulled him from the rocks and the injured Mudai then had to wait for the mine's Proto teams to rescue him.

Mudai was one of 64 people, in two stope areas more than 2km below the surface, trapped by the rockburst. Thirty-two injured men, two of whom are in intensive care, were admitted to the Duff Scott hospital. Today the death toll was officially put at 15 with three miners still unaccounted for.

While rescue operations began within minutes of the rockburst, the thick dust and the narrowness of the stopes (in places less than 1m high)

meant that much of the operation had to be carried out very slowly. Rescue workers had to lie on their stomachs and form a human conveyor belt while slowly removing rubble to reach the dead or injured miners.

Yesterday, after two bodies had been brought to the surface in quick succession, the mood on the surface at Number Four shaft was sombre.

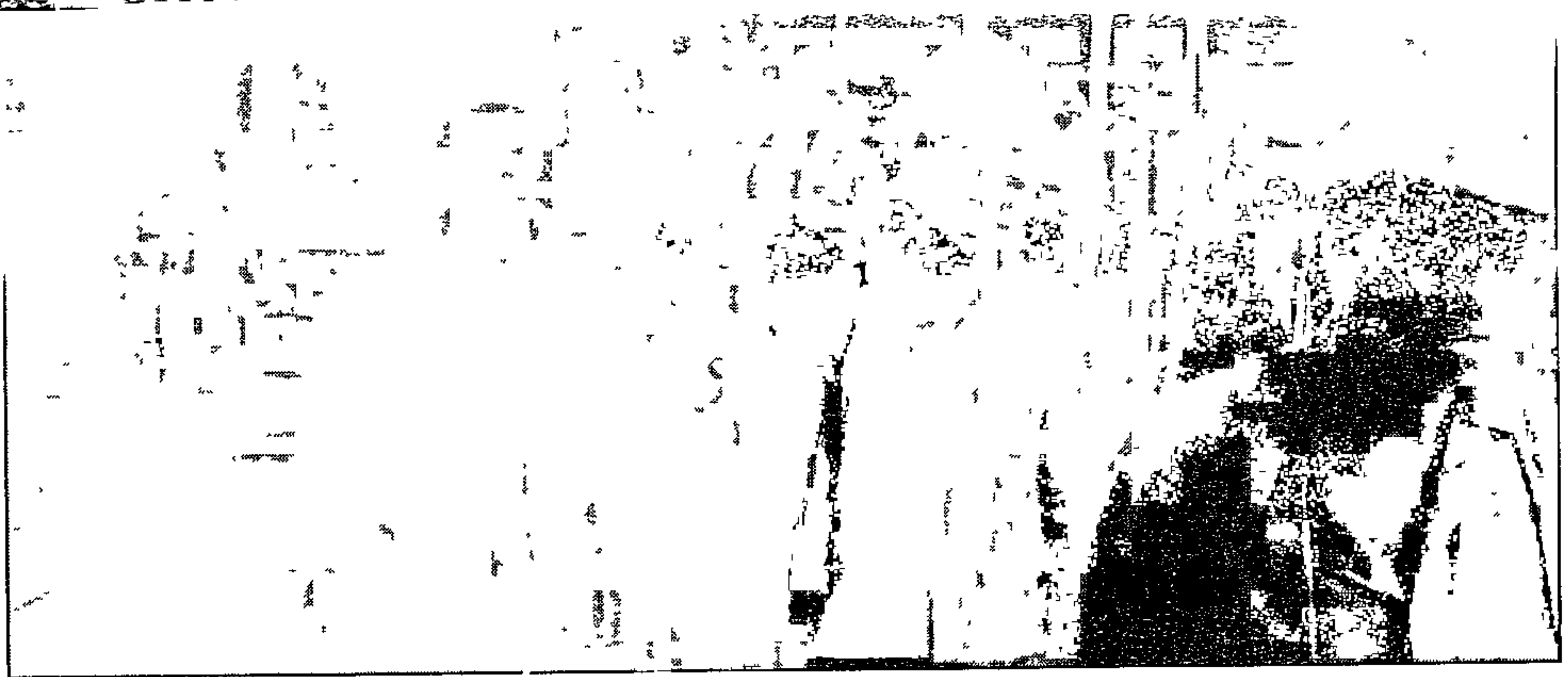
A moment of silence was observed during a visit from a delegation of people including the Premier of the North West, Popo Molefe, the Deputy Minister of Mineral and Energy Affairs, Susan Shabangu and the inspector of mines, Dick Bakker.

Bakker told the media afterwards that a commission of inquiry would investigate the disaster.

While he did not want to pre-empt the findings of the inquiry, he said superficial information gleaned during briefing had indicated that the mine had used optimal kinds of support for the stopes and that the mining methods were as safe as possible for deep-level mining. He said a R25-million research project was under way into seismic events.

Molefe said he was saddened about the events but there seemed to be no evidence to suggest that the accident could have been avoided.





It is the end of a traumatic shift for these miners at the Hartebeestfontein gold mine, Stilfontein, after they volunteered to help search for their colleagues trapped underground by a rockburst on Monday. The disaster claimed the lives of 15 miners.

PIC ANTONIO MUCHAVE

# Hopes fade for trapped miners

Nearly R4 million in production lost so far at Hartebeestfontein

By Morgan Naidu

**H**OPES of finding the three men still trapped after a rockfall at Hartebeestfontein gold mine at Stilfontein are fading. Nearly R4 million in production has been lost at the mine.

The seismic shift which led to the collapse of a huge rock formation killing 15 miners in the mine's No 4 shaft, measured 3,7 on the Richter scale and its aftershocks were felt as far afield as Carletonville, Welkom and Pretoria.

Yesterday Julian Gwillim, a spokesman for Hartebeestfontein parent company Avgold, said conditions underground were extremely difficult for the rescue workers and extra precautions were being taken.

"The conditions underground make it difficult for the rescue workers to actually advance and we are also ensuring that a lot of work is done to set up safe support structures for the rescue teams to continue."

He said that the two shafts affected

by Monday's seismic shift normally produced a total of 15kg of gold a day.

Production had come to a halt since Monday at the shafts, resulting in a loss of approximately R4 million for the week, Gwillim added. He said first priority was being given to the retrieval of the remaining miners underground.

Once this was accomplished attention would turn to repairing the damage caused to the shafts. The loss in production could therefore run into more millions by next week.

"This (disaster) is impacting overall on our production but we must complete the rescue operation before concerning ourselves with that aspect."

Gwillim said each shaft on the mine had a medical station with trained people to provide counselling to those miners traumatised by the death of their colleagues.

"But the general support of both the employees and the unions as well as provincial and national government has been phenomenal," Gwillim said - *Sowetan*

(212)

*Sowetan*  
25/7/97



# Mine disaster victims buried <sup>(212)</sup>

By Abdul Milazi

THE EIGHTEEN miners who were killed in a rockfall accident at Haartebeesfontein Gold Mine in North West a week ago were buried yesterday

Thousands of mineworkers and relatives attended the funeral service at the mine's sports stadium, where speakers urged for the need for better safety standards on the mines

Later the dead miners' coffins were taken to the local cemetery for burial

A final and moving ceremony was held at the graveside

The National Union of Mineworkers general secretary Mr Gwede Mantashe told mourners that working underground was dangerous and workers had the responsibility of learning about health and safety to avoid accidents

"If the Government does not spend enough money on research, we will lose a lot of money through accidents," he said. The Government should finance research on mine accidents

because employers could not afford to spend large sums on it

"The deeper we mine the more important it becomes for us to know how the rock behaves," Mantashe said

Anglo-Gold deputy chairman. Mr Reg Menell, also conveyed his condolences to the bereaved

More than 500 000 miners have lost their lives on South African mines since the turn of the century

Over the same period two-million miners have been injured in mine accidents

*Sowetan*

*1/8/97*

## Joint inquiry to look into mine deaths

Reneé Grawitzky

(212)  
THOUSANDS of mine-workers gathered at Anglovaal's Hartebeesfontein gold mine near Klerksdorp yesterday to commemorate the death of 18 mineworkers who died last week following a seismic event.

The minerals and energy department indicated yesterday it had requested the justice department to establish a joint inquiry into the accident.

A similar approach was adopted with the accident at Gold Field's Deelkraal gold mine, when 10 people were killed in a rockburst in May.

The minerals and energy department's North West principle inspector, Lionel Naudé, said there was no prior warning of the seismic event at Hartebeesfontein.

He said over the past 10 years the industry had been conducting research into predicting seismic activity.

As part of continuing research, the Klerksdorp region had put in place geophones linked to a computer network to monitor underground activity and movements.

The usefulness of information gathered depended on interpretation, but that in turn was difficult because there were so many variables involved, he said. Hartebeesfontein's 4A shaft has remained closed since the accident last week because of damage to the area.

Naudé said because of the excessive damage, exacerbated by further seismic activity during the rescue operation, it was unclear whether the area could be reopened.

When 4A shaft was operational it produced 15kg of gold a day.

1 50118197

# Row over mine health claims

(212)

Renee Grawitzky

THE mining industry has welcomed an additional \$100 million a year to workers in compensation for minor hearing loss.

The results of a consultation issued by the department's compensation commissioner back to the three-fold hearing level and more extensive that a larger proportion of other could be compensated.

How the industry will be the centre of a three-fold Court with but one chamber of mine and it is heard department in north.

The chamber has approved the internal move to be a case of mine and it is that neither employer nor other of mine and it is heard department in north about the move.

The industry has effectively changes the framework of the hearing level and it is not only apply to the mining industry but to all in the industry of miners and it is heard department in north.

The mining industry argued that the previous threshold level was consistent with the format applied in western countries.

The department argued that the three-fold level could be dropped to a lower level and it is heard department in north.

BD 4/8/97



## Two mineworkers killed in ground fall

Two mineworkers were killed and four injured in a ground fall at Western Areas gold mine near Carletonville yesterday, Johannesburg Consolidated Investment announced

JCI said two of the injured were out of danger and the other two were treated and discharged from hospital

The fall of ground occurred as workers were drilling 2 000m

underground. One worker was killed instantly and another died shortly after being rescued, JCI said. Rescue teams brought the other four members of the team to the surface.

An investigation, which would include Department of Mineral Affairs personnel and union and employee safety representatives, had been initiated. - Sapa

Star 13/8/97

(212)

## Four miners killed in blast

BY SHIRLEY WOODGATE

(212)  
STW 23/8/97

Four miners were killed and one injured "very critically" in an explosion at the Oryx gold mine near Welkom in the Free State at about 3pm yesterday.

The injured miner was admitted to the St Helena Hospital.

The cause of the explosion 1 800m below the surface is not yet known. It is believed no miners were trapped underground on the 21st level, Gengold spokesman Trevor Savage said today.

Representatives of mineworkers' unions and authorities were on the scene and have started their investigations into the accident.

The names of those killed will be released once their families have been contacted.

Haward

The MINISTER OF ENVIRONMENTAL AFFAIRS AND TOURISM Madam Speaker, that is a hard act for me to follow. I think it is proper to say also that with respect to the hon member's remarks about the problems arising from mining, I can say from this House that through co-operation between my Ministry and those of Minerals and Energy and Water Affairs and Forestry, we hope to produce far better results in the future and to avoid the sorts of hazards that mining has produced in the past, especially for disadvantaged communities. I think we have been fortunate in winning the co-operation of fellow Ministers and other departments in the pursuance of our waste management policy. At the end of the day we have to insist that our local governments, our provincial governments and, of course, our ordinary citizens also take a much firmer hand with respect to waste management.

One of the things that alarmed and shocked me when we began to look at waste management was the discovery that the chief items of litter in South Africa are, among other things, smokers' dead matches and cigarette stubs. I think the Minister of Health will agree with us that this is another hazard that smoking presents to our country.

Debate concluded

**Care for injured/maimed/aged ex-miners provided**

3 Dr K RAJOO asked the Minister of Minerals and Energy (212) ~~HS~~ Whether his Department intends setting up a fund with contributions from the mining houses to provide adequate care for injured, maimed and aged ex-miners, if not, why not, if so, what are the relevant details?

N2250E INT  
The DEPUTY MINISTER OF MINERALS AND ENERGY Madam Speaker, the reply to the question is that the Department of Minerals and Energy is not considering setting up any fund to care for the injured, maimed and aged ex-miners. The Occupational Diseases in Mines and Works Act of 1973 provides compensation for these ex-miners and the Compensation for Occupational Injuries and Diseases Act of 1993 already caters for contributions from mining houses and compensation Pensions or provident funds are

also normally negotiated between employees and mining houses as a condition of service.

Dr K RAJOO Madam Speaker, I am very disappointed with the answer with which the Deputy Minister has furnished this House. We have specifically asked whether the department is prepared to set up a fund with contributions from the mining houses considering the fact that hardly anything is being done for ex-miners in this country.

If one looks at the history of miners in this country, a meagre R2 000 is given to an ex-miner who goes on to live in abject poverty and perhaps to become a beggar in the land of his birth, this after working in and contributing to the most prosperous of industries in this land.

I am surprised that the Deputy Minister could say that her Ministry is not prepared to do anything, considering the fact that all the mines and the minerals in this country are owned by large mining corporations which are basically white and that the tremendous number of people who work in the mines are basically black. The number of people who die in the mines are therefore black. The people who are injured are black and those who go back to the homelands to die in abject poverty are black. Yet this new democratic Government is telling me that they are not prepared to do anything, because the mining houses are not doing anything.

We would like to ask the following: The Mine Health and Safety Act, 1996, which came into effect on 15 June 1997, brought about a revolution, he says, in methods of achieving health and safety conditions in the mining industry, which I presume will also include those miners who have served the needs of the nation.

Yet the Minister tells me that he is prepared to do nothing and that he is satisfied with what has been done. I am astounded, considering that the Minister has articulated vociferously that he is not prepared to accept what the mining houses have been doing or the way the Mines and Minerals Act has been interpreted and implemented in this country. I would like to ask whether the Minister has a policy or plan to measure radioactive factors in respect of miners in this country.

The Nuclear Energy Act has just become applicable. The survey by the Atomic Energy

Corporation has just become applicable. Has the Ministry done a survey of what has happened over the last three years, since this Government came into power? Does the Minister care about the miners? Does he care about the masses of the people, blacks, who suffer in the mines and who do not get adequate compensation? Yet he comes to me with an answer which is half-baked and does not satisfy me, this House, this nation or the thousands of blacks who are working with their hands. This is the issue that I would like him to address [Interjections] [Time expired]

Mnuz S B MFAYELA Somlomo namalunga ahlonphekile, ngumuntu nge onomona kuphela ongeke abone ukuthi eManyangweni lo wezoku-Mbiwa phansi nezinkamandla kuyasetshenzwa Umuntu makagale ngokukubonga lokho

Mhlawumbé esikhala ngakho njengoba kukhulumeka kanje, akukhona ukuthi umsebenzi awubonakali, kodwa kukhalwa ngoba kukhona lapho kungafikekanga khona, ngoba kunezinye izikhala esizibonayo. Njengoba sishilo lapha, imali abantu abagcina beye nayo emakhaya imane. Lokho okuhluzekwa ngakho abantu akufiki lapho kufanele abantu bakwazi khona ukuziphilisa bona kanye nemindeni yabo. Manje lokhu kuyisikhalo sokuthi uHulumeni abheke ukuthi kungabanyiswa kanjani ukuzi kubonakale ukuthi lokhu abantu abakutholayo, akufiki lapho kufanele kufike khona (*Translation of Zulu speech follows*)

[Mr S B MFAYELA Madam Speaker and hon members, it is only the jealous who do not realise that the Department of Minerals and Energy is really working. I think the first step is to express appreciation for this.

Perhaps the minor complaints that arise from our side are not due to the fact that the work being done is not visible, but due to the fact that there are desired targets which could not be met and therefore there are gaps which we have identified. As we have mentioned, people take home too little money. What is provided for people is not enough to maintain them and their families. The complaint here is that the Government should look at how the problem of meagre payments can be solved co-operatively.]

The DEPUTY MINISTER OF MINERALS AND ENERGY Madam Speaker, I want to point out to

Dr Rajoo that no organisation has managed to articulate the plight and social state of our people in this country as effectively as the ANC. I think Dr Rajoo knows that this is a fact. He was part of the government in the past. We are the first government to be able to address the problems in the mining industry. We are the first government to make sure that we come up with proper regulations in this particular area of health and safety.

I want to point out to Dr Rajoo that there is no way this department is going to introduce a further levy for the business sector and therefore increase the burden in the form of levies we have currently. I also want to say that I do not know whether Dr Rajoo has his facts straight, because employers and employees are involved in the whole issue of workers who have been injured in the mining sector, to see how they can improve the quality of life of people who have been injured at their workplace.

Not only that, the hon member is quite aware that through the Mine Health and Safety Act we have introduced tripartite structures to look at the industry as a whole and to address its problems. Therefore the issue of upgrading the social standards of workers who have been injured in the mining industry has been addressed. For instance, they have co-operatives in the rural communities and areas where they come from. These are issues which are addressing the problem.

The Act itself also ensures that the kind of compensation which people are being paid is sufficient to meet their needs in their different areas.

Dr K RAJOO Madam Speaker and Deputy Minister, please be aware that I am well informed [Interjections] Please be aware that I have done research on the matter that I am ignorant about. Let no one take for granted that I am ignorant about the issues because I have worked hard on them and therefore I know what I am talking about [Interjections]

Members should not question me as if I do not know anything [Interjections] I want to tell the Deputy Minister that on 14 May 1997, 10 miners died and 24 were injured six of them critically at Deelkraal gold mine in Carletonville. The Minister flew down there from Cape Town. We appreciate that, because he showed compassion. We are not



saying that the ANC is not doing the best it can for the people of this country [Interjections]

What we are asking for is that the Ministry set up a fund that will care for those ex-miners who are not being catered for [Interjections] The co-operatives that the Deputy Minister is talking about are for workers who can work, and therefore have the money to buy things We want to know what will happen to those workers who have given of their prime, but who cannot work any more and are being sent back to their homes to sit and do nothing That is what I would like to know

The Deputy Minister's defence of the mining industry is very laudable But what about the defence of the poor miners who have worked so hard in this country? [Interjections] That is what I would like to know What about the families of those people who are disabled? [Interjections] What about the families of those people who were injured after having worked so hard all this time and who do not get any pension? The Deputy Minister says that they get a pension, but they do not

Let us give them R2 000 to take home [Interjections] Are they getting a payout? Do their families receive therapy? Do their children receive therapy when their loved ones die? That is what I would like to know [Interjections]

The total earnings for the mining industry in 1996 in South Africa was more than R66 billion Of that R66 billion, how much through the Chamber of Mines, is the Ministry prepared to accept so as to set up this fund? That is what we want to know We are asking the Ministry to take care of the people of this land who have worked in the most prosperous industry That is what we want

Mr Z INCLINANE Where were you?

Dr K RAJOO I want to tell the Deputy Minister

The DEPUTY SPEAKER Order!

Dr K RAJOO I want to tell the Deputy Minister that in 1996 7 426 people were injured in the mines In 1997 this year to date 8 591 people have been injured [Interjections] What will happen to these people? [Interjections] [Time expired]

The DEPUTY MINISTER OF MINERALS AND ENERGY Madam Speaker, I want to point

out to Dr Rajoo that as a department we do not intend setting up any extra fund which is going to take care of that particular issue I have pointed out to Dr Rajoo that the Occupational Diseases in Mines and Works Amendment Act of 1993 takes care of all those kinds of issues Therefore, as a Ministry, we recognise the plight of the workers who have been injured at work

We believe that through the existing structures and the Act which have been formulated to take care of such issues, and to try to improve the lives of those people, we are addressing that problem We do not see any need to set up or administer an extra fund, or create an extra structure to which employers are going to contribute in order to pay such miners

We believe that the current structures and Acts are sufficient to take care of the current situation Through the Occupational Health and Safety Act and the engagement of the tripartite structures we will be able to address this issue

I also want to point out that the pension funds and provident funds which employers and employees are currently negotiating do take cognisance of such issues so as to make sure that workers who are injured are taken care of in terms of the benefits provided for in those particular funds

Debate concluded

#### Legislation on basic conditions of employment

4 Mr P J GROENEWALD asked the Minister of Labour \*

- (1) Whether he intends introducing legislation on basic conditions of employment, if not, why not, if so, when
- (2) whether he will make a statement on the matter? N2251E INT

The MINISTER OF LABOUR Madam Speaker, the answer to the question is yes, I do intend introducing legislation on basic conditions of employment to Parliament before the end of this year

Secondly, yes, I made a statement regarding the matter on 14 September 1997, and I have nothing further to add

\*Mr P J GROENEWALD Madam Speaker, the hon the Minister now finds himself in the

proverbial position where it does not matter what he does, it will be the wrong thing Why am I saying this? I am saying this because the hon the Minister has painted himself into a corner When he realised that he was painted into a corner, he became the proverbial cat on a hot tin roof

The hon the Minister is pointing out to me that his interpreting device is not functioning properly He will have to read the Hansard, because my time is running out, unless the Speaker gives me extra time

The hon the Minister replied clearly to the question that was put to him by saying that he was in fact going to introduce legislation, the Basic Conditions of Employment Bill, and that he was going to do so before the end of this year The other question, however, is whether the hon the Minister is going to introduce this legislation with or without consensus being reached at Nedlac

Ms C E GILLWALD Madam Speaker, on a point of order The Minister has indicated that his interpreting device is not working, and has asked the speaker to stop until it is working He is ignoring his request

An HON MEMBER Nothing is working!

The DEPUTY SPEAKER Order! I believe it is now working Please continue, hon member

\*Mr P J GROENEWALD Madam Speaker, I want to tell that hon member that it is not for me to make the rulings in this House If the hon the Minister has a request, he should direct it to the Chair and the Chair should make a ruling, unless the hon member wishes to raise my status and allow me to make the rulings in the House The hon member should at least acquaint herself with what is going on [Interjections] May I ask the hon the Minister whether he is ready? Can he hear what I am saying now? Is the interpreting device working?

Is the hon the Minister's interpreting device working now? [Interjections]

\*The hon the Minister says that it is working

I come back to my previous point The question is whether the hon the Minister is going to introduce this legislation with or without consensus being

reached at Nedlac, because that is where the problem with this Basic Conditions of Employment Bill is

The hon the Minister said at one stage that consensus should first be reached at Nedlac The question is whether consensus was reached or not When one looks at the reports in the press, one sees one day that consensus was reached at Nedlac The very next day one reads that consensus was not reached I do not just want to say to the Minister that his information is incorrect and that he does not always know whether consensus has been reached or not I understand Owing to the role-players in Nedlac who represent the Government and others who represent the trade unions and business, it is not always easy to reach consensus

The other reality is that if the hon the Minister has in fact reached consensus at Nedlac and he brings the legislation to Parliament, Parliament follows a certain procedure [Time expired]

Mr A J LEON Madam Speaker, there seems to be a problem also with the plan ordinary English of the hon the Minister's words He announced to the whole world in yesterday's press that sufficient consensus had been reached between labour and business on the Basic Conditions of Employment Bill

This morning the following appeared in the media, per word of Mr John Gomo, the president of Cosatu He says

I do not know who informs the President of South Africa It certainly was not us There is no consensus

Business advises that at least on five major issues, separate from the issues on which Cosatu does not agree, there is no consensus

The Minister announces - it was reported yesterday - that sufficient consensus has been reached between labour, Government and business on the content of this Bill Could the hon the Minister please tell us which statement on whether or not sufficient consensus exists is correct The statement of business, the statement of Cosatu or his own statement to the media? That is point number one



# Cosatu lashes out at Govt rethink of Nedlac

Reneé Grawitzky

IN ITS secretariat report for the triennial congress, the Congress of SA Trade Unions (Cosatu) lashed out at government supporters of the move to reduce the powers of the National Economic, Development and Labour Council (Nedlac).

The report released yesterday ahead of the congress, to be held from September 16 to 19, said "a lobby in government has been pushing for Nedlac's powers to be reduced, on the basis that it undermines the sovereignty of Parliament". This lobby was backed by "those who undermine the role of the alliance (between the African National Congress, the SA Communist Party and Cosatu) in policy formulation".

Meanwhile, the SA Institute for Race Relations called on government to scrap Nedlac entirely as it and social partnership were undemocratic. This call came after comments by labour department director-general Siphiso Pitso that Nedlac's role should be reviewed.

The Cosatu report said employers had adopted an expedient and unprincipled approach to Nedlac.

They participated because they were afraid of the alliance's potential to push transformation through parliament. "Where the government adopts policies which they approve of, they are happy for Nedlac to be sidelined. Where the government introduces transformation or policy, they want to use Nedlac to block progress," the report said.

Cosatu said Nedlac should be seen in the context of the need to deepen democracy. However, "we must not lock ourselves into Nedlac, but adopt flexible strategies depending on the issue".

Cosatu said the alliance had to agree on an approach to Nedlac as inconsistency would put Nedlac and the alliance under increasing strain.

Cosatu acknowledged that Parliament was sovereign and retained its right to amend or reject any proposal put before it and said there was a need for a

more dynamic and interactive relationship between Nedlac and parliamentary committees.

The SA Institute for Race Relations' communication director Colin Douglas said his organisation had been critical of Nedlac and social partnership from the outset. Social partnership, he said, was by its nature undemocratic.

Douglas welcomed Pitso's comments and said government should go further than scaling down Nedlac and scrap it entirely. This would then allow government to amend legislation to allow for more flexible labour markets and a lower regulatory burden on small business, "without being obliged to seek the support of Cosatu and established business".

"The current requirement that economic and labour legislation be referred to Nedlac prior to its tabling in Parliament is undemocratic. Lawmaking is the province of the people's elected representatives in Parliament," Douglas said.

See Page 12

## Date set for mine deaths inquest

(212)  
Fayn Lampert  
BD 4/9/97

AN INQUEST into the deaths of 10 people killed during a rockfall at the Deelkraal Gold Mine in Carletonville in May this year will start on September 30.

The proceedings will be heard by Judge Ramon Leon and two assessors, Prof MU Ozbay and GF du Toit.

The National Union of Mineworkers (NUM) will provide legal counsel for the families of seven of the men, while the remaining three families will arrange their own counsel.

Deelkraal management and the minerals and energy department will be represented.

At a preliminary meeting held in Braamfontein yesterday, Leon asked all the parties to provide each other with the necessary documentation by September 12. He said the inquest would be an evidence-gathering exercise and "not a game", so there would be a free exchange of documents.

The documentation would include witness reports, affidavits from management and technical evidence by experts.

The mine workers died after seismic activity 2 666m underground at the Deelkraal Number 1 shaft which measured 3,6 on the Richter scale

*Bureaucrats blamed for inspector crisis*

# Appeal to Cabinet over mine safety

ET(BR)4/9/97(212)

**LYNDA LOXTON**

PARLIAMENTARY CORRESPONDENT

Cape Town — The minerals and energy department had been forced to seek approval from the cabinet for higher pay scales to counter the shortage of mine health and safety inspectors, Jan Bredell, the deputy director-general of mineral development, told the parliamentary minerals and energy committee yesterday.

The move follows attempts to get approval from the public service, which were defeated by bureaucracy. The shortage of inspectors was delaying the implementation of the Mine Health and Safety Act passed earlier this year, he said.

The act, one of the recommendations of the Leon commission, is supposed to ensure that health and safety matters are given more priority on mines in the face of the country's high mine accident rate.

Bredell said there was a shortage of skilled inspectors in the country. As a result the department had launched its own training programme. But salary levels also played an important role.

"The fact that we are part of the public service makes it extremely difficult to single out this particular occupational task and to lift them (inspectors) above the rest because they are competing with other similar occupational groups such as engineers, scientists and technicians," Bredell said.

Numerous requests had been made to the public service and administration department on the issue, but had been turned down on the grounds that the matter would have to be negotiated and bargained for in the central bargaining council of the public service.

The department's argument was that this was not a union matter but was one of the recommendations of the Leon commission, and should be implemented. "We are taking the matter now to cabinet," he said.

The department had 63 vacancies in its total complement of 220 technical staff, of which 48 were for inspectors. There were 44 administrative posts with 12 vacancies.

Bredell said any future legislation for the mining industry would depend on the content of the minerals and mining policy white paper now being finalised.

He said this focused on mineral rights, small-scale mining and the environmental effects of mining and would possibly be released early next year.

This meant that any relevant legislation would only be drafted by the end of next year. One of the most contentious aspects of the white paper is likely to be mineral rights, which Penuell Maduna, the minerals and energy minister, told parliament earlier this year should revert to the state rather than being mostly held in private hands.



# Tremor which shook Gauteng mine to be

Pearl Sebolao

A FULL investigation would be held into the effects of the earth tremor which shook the East Driefontein gold mine near Carletonville early yesterday morning, mine management spokesman Andrew Davidson said yesterday.

Davidson said that damage had been caused to the No 4 sub-vertical shaft and underground installations, but that damage and loss of production could not yet be quantified.

The mine was working at full capacity and the shaft could still be used. Three miners working 2 300m below the surface were injured when the tremor, measuring 4.2 on the Richter scale with the epicentre at great depth, shook the mine at about 2am, Davidson said.

The effect of the tremor, which rattled or broke windows, shook items from shelves and dislodged pictures from walls in Gauteng

yet be quantified. The mine was working at full capacity and the shaft could still be used. Three miners working 2 300m below the surface were injured when the tremor, measuring 4.2 on the Richter scale with the epicentre at great depth, shook the mine at about 2am, Davidson said.

(212) BD 26/9/97

benes, could be felt more than 50km away. Davidson said the injured workers were in a stable condition at the Leshe Williams mine hospital where they were being treated for head, leg and back injuries. He said only one of the workers was seriously injured and another had been reported dead.

There were no reported deaths. Meanwhile, Reuter reports that Chamber of Mines' mining consultant John Stewart contra-

dicted the assertion by East Driefontein mine management that it was a natural event. "Tremors such as these are associated with deep-level mining operations and result from the creation of a stressfield in the rock caused by the mining excavations," he said.

Investigated

crust which was not localised.

Only large explosives or an atomic bomb could generate energy registering 4.2 on the Richter scale in a single incident, he said. "The mine did not induce the earthquake this morning, but it acted as a trigger over a period of time on a fault that has existed for hundreds of thousands of years." The tremor was nonetheless small compared to the Los Angeles quake which measured 6.2 on the Richter scale.

# Inquest into Deelkraal mine rockburst begins

(212) BD 1/10/97

Pule Molebeledi



THE inquest into the rockburst which killed 10 workers in May this year at the Deelkraal gold mine started yesterday with a solitary witness explaining the industry's jargon at the Arbitration Foundation of SA in Sandton.

Jacques Erasmus, senior mine inspector in the mineral and energy department, testified at a packed hearing chaired by Judge Ramon Leon and two assessors.

The general secretary of the National Union Mineworkers, Kgalema Motlanthe, other union officials and relatives of the victims were also present.

Ten people died and 23 were injured at the Deelkraal mine, in the Carletonville area, in a rockburst at a depth of 2 666m.

Two Deelkraal mine managers, CA Strydom and SH Westcott, are expected to testify today to explain the layout of the mine and provide details of its management and organisational structure.

The testimony of Fungile Kwaza and Sam Mabunda, two witnesses to the accident, who were scheduled to appear at the inquest on Thursday has been moved to next Tuesday.

Another 20 witnesses are expected to appear before the inquest into the rockburst, including colleagues of the victims, workers who were injured and mine supervisors.

Ten management representatives are also expected to testify.

girl trio  
SAMSON

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# 'Mine safety will always lose out to profit motive'

*Sowetan* 9/10/97  
By Isaac Moledi

THE capitalist nature of the South African mining industry will always make it difficult for mining bosses to curb the risks in this sector, president of National Union of Mineworkers (NUM) James Motlatsi said yesterday

Addressing an exhibition on safety, health and environment at Gallagher Estate in Midrand, Motlatsi said in a speech read on his behalf that because of an urge for more profits by the mining bosses, safety in the South African mines remained a pipe dream

Motlatsi said he did not believe that South African mines were any safer in 1997 than they were in 1987

He argued that because of the mining bosses' interest - making more profits - there was no progress in making this sector safer

Various schemes introduced to curb mine accidents failed to materialise because of the character of the mining industry

"My belief is that because of the capitalist character of the mining industry there is no possibility of taking the risks out of mining

"All we can hope for is to contain them, lessen their impact on mineworkers and, perhaps, alter their character so that they are not so fearsome," he said

Motlatsi said he believed that the solution could be a strictly enforced safety regime or a culture where safety was paramount over all other issues

## Terrain of struggle

"Safety remains a terrain of struggle. The NUM will continue to press for priority to be given to safety although we are acting under constraints"

He said mine safety could only be achieved by a commitment to it by everyone working underground

The Mine Health and Safety Act, which was passed last year, could not guarantee the safety of miners, he concluded

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# Desperate search for missing miners

STAFF REPORTERS

Rescue work continued in difficult conditions today to find the three missing miners after a rockburst caused the collapse of a shaft at Avgold's Hartbeestfontein gold mine in Stilfontein in the North West Province late on Saturday.

Three miners were killed in the tremor, which measured 3,3 on the Richter scale, at the mine's number two shaft

This is the second accident at the mine this year

In July, 13 miners were killed and 46 were injured after a rockburst at the mine's number four shaft

The epicentre of the tremor was only about 150m from the area in which the miners were working 1 800m below the ground, Avgold manpower

Star 13/10/97  
manager Peet Nieman said this morning

"The rescue work is continuing in very difficult conditions, with rescue workers having to dig out the fallen rock to reach the place where the missing miners are situated," Nieman said

## Two mine accidents this year not related

A total of 41 miners were admitted to the Duff Scott Hospital in Stilfontein and a further 50 were treated at the mine's medical station. Most of the miners had been evacuated by late yesterday.

(212) 22  
"We will continue with the rescue work until the miners are found," Nieman said

Chief inspector of mines Dick Bakker said rockbursts were, in many instances, unpredictable and were a result of mining in rock which for several reasons was unstable or under extreme stress

"Most of the time we can figure out these fault lines and prevent many such incidents. Sometimes, however, mining at deep level interferes with these areas of instability. Rockbursts, philosophically speaking, are nature's way of fighting back," Bakker said.

Nieman said the two mine accidents were not related.

"It has been unfortunate that we have had two incidents of this magnitude this year," he said

# NEWS

## NUM demands action on mine safety

FRANK NXUMALO

LABOUR CORRESPONDENT

Johannesburg — Not enough resources were being invested in mine safety to minimise the loss of life and serious injury caused by the seismic tremors that had hit the Reef in recent months, the National Union of Mineworkers (NUM) said yesterday

Last Saturday night a tremor measuring 3,8 on the Richter scale hit Hartbeesfontein gold mine near Klerksdorp, killing six mine workers and seriously injuring 41 others. In a similar

(212) incident in July at the same mine, 18 miners were killed and scores of others injured

George Molebatsi, the NUM's national spokesman, said the risk of seismic activity increased with deep-level mining, and mining houses were not keen on implementing genuine safety measures as this cost money and production time

He slammed mining houses for not doing enough to educate workers on their rights, such as refusing to work in dangerous places, as is required by the Mines Health and Safety Act

ET(BR)14/10/97  
"While the mine management strenuously argues that seismicity can neither be predicted nor prevented, it is the feeling of the NUM that not enough is being done for the safety of workers," Molebatsi said

He said the R26 million pledged by the government towards mine safety in July had not yet materialised

While acknowledging that genuine safety cost money, NUM's president James Motlatsi said last week that black miners would not continue subsidising the mining industry with their lives.

Instant office  
fast moving  
nesses

## Erwin in plea to Japan's bankers

PETER KENNY

an impact on communication dealing with the competition



Lucky to survive .. Thembinkosi Ndlazi (25) recovers at Duff Scott Memorial Hospital after being injured in a rockfall at Hartebeestfontein gold mine. The accident occurred after a tremor which measured 3,3 on the Richter scale.

## Union dissatisfied with industry over 'avoidable' deaths of miners

By GASANT ABARDER

The National Union of Mineworkers believes that accidents, like the one which killed three mineworkers and left another three missing in the debris at the weekend, could be prevented, given the expertise in the industry

The accident happened at 10pm on Saturday in the North West Province on Avgold's Hartebeestfontein gold mine when a tremor measuring 3,3 on the Richter scale shook shaft two of the Stilfontein mine, causing rocks to fall on to workers

Forty-one workers were admitted to Duff Scott Memorial Hospital, where they are suffering from fractures, lacerations,

**The NUM believes more research and money could stop accidents**

tions, abrasions and contusions

Rescue operations started that night and rescue workers

were still trying to retrieve the three missing workers yesterday Mining activity had ceased, in order to put into place structures to support the collapsed shaft

Spokesman George Molebatsi said the NUM believed the three missing men were dead

He added that this was the second accident of this kind this year to be caused by a phenomenon called seismicity

Seismicity is the potential energy within rocks and may react to interference once a rock is opened, said NUM health and safety co-ordinator Welcome Mboniso

"We are unhappy Eighteen people have died this year Now another three are missing and three dead We feel that,

**Second time this year that energy inside rockface led to fatalities**

given the expertise in the industry, accidents like this can be prevented, Mboniso said

(212)  
"More research needs to be done in seismicity, and money should be invested in the Safety in Mines Research Advisory Committee

"The accidents should send a message to Government and the industry to prioritise safety in mines "

Mboniso said the union had not yet been informed about the inquest of the first accident on July 21, when 18 workers were killed

"The Government is holding out on us We usually participate in these inquiries

"A commission of inquiry should be initiated," he added

Star 14/10/97



# Search continues for three miners after earth tremor

BD 14 110/197

date  
"REV"  
"VAD"  
"RIG"  
"SID"

## Thesy Reuttner

THE search for the three missing miners believed to be trapped underground after Saturday's disaster at Hartebeesfontein gold mine in Klerksdorp continued yesterday.

A tremor measuring 3.8 on the Richter scale caused a rockfall near the mine's No. 2 shaft in which three men were killed and 41 were seriously injured, two of whom are still in critical condition.

Rescue teams have worked 24 hours a day searching for the missing men. Hopes of finding them alive are fading.

The mine's human resources manager Jo-

hann Engels said that contrary to the reports made at the weekend, the tremor had not caused the collapse of the No. 2 shaft, but that of workings near the shaft area.

National Union of Mineworkers (NUM) spokesman George Molebatsi said the accident was similar to one in the same mine in July in which 18 workers were killed and at least 36 were injured.

The mine has a five-star safety rating.

Although mine management insisted that nothing could be done to predict or prevent these kind of accidents, the NUM disagreed.

"Not enough is being invested by the mining houses in the safety and health measures

to at least minimise these accidents," Molebatsi said.

NUM president James Motlatsi criticised mining companies, saying "mine safety will always lose out to profit motive".

Sapa reports Hartebeesfontein manpower manager Peet Nieman said late yesterday afternoon two rescue teams and about 70 workers were securing the area.

Nieman said the three missing men, two of them trapped in a stope and the third in a haulage, were within 150m of the tremor's epicentre.

Yesterday teams secured the area and pumped dust out of the shafts

Hoisting operations were restricted in the No. 2 shaft.

Mineral and energy department mine safety director Harold Motaung said inquiries into both the disasters at the mine would be held.

Regarding July's disaster, Motaung said the department wrote a letter to Transvaal attorney-general Jan D'Oliviera to request that a joint inquiry be held.

He said the department was now awaiting D'Oliviera's reply.

Motaung said he would meet the Council for Scientific and Industrial Research's Minetek team, appointed to probe the July accident, today for an update.

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# Last miner's body found after rockfall at North West mine

Star 16/10/97

(212)

The body of the last miner, trapped after a rockfall on Saturday at the Hartebeestfontein gold mine near Stilfontein in North West Province, was found yesterday afternoon

Six people died and at least 41 were injured when a tremor, measuring 3,3 on the Richter

scale, rocked shaft 2 shortly after 10pm

Twenty-three miners were still being treated at the nearby Duff Scott Memorial Hospital yesterday.

The mine's manpower manager Peet Nieman said workers were struggling to free the body,

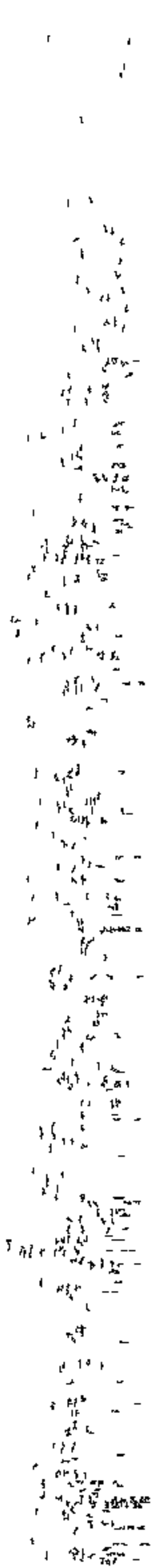
which was still trapped almost 2km underground and was discovered in a haulage area about 100m from the main shaft

"It's still extremely dangerous down there. At the moment, no production is taking place at the shaft. Our priority is to get

the body out," Nieman said

He said the retrieval was expected to take up to 10 hours

Earlier in the day, mine spokesman Julian Gwillim said the names of the dead miners would be released as soon as their families were informed - Sapa



# Trapped miners survive rockfall with no serious injuries

By GILL GIFFORD

None of the seven miners who spent a frightening night trapped underground in a shaft after a rockfall were seriously injured. They were found and rescued yesterday.

The men were working in a stope (a step-like excavation made in a mine to extract ore) in shaft seven of Freegold's President Steyn mine at Welkom when the rockfall blocked their exit at 2pm on Wednesday.

Anglogold spokesman James Duncan said all seven were admitted to hospital for observation yesterday.

The rockfall affected only the seven men who were on level 48 of the shaft, 1 400m below surface.

Anglogold's Gerda Kruger said rescue operations started immediately and continued through Wednesday night.

More than 30 rescue workers and two specialist teams from other mines managed to create an access passage

through the fallen rock, and the trapped men were pulled to safety about 21 hours after the accident.

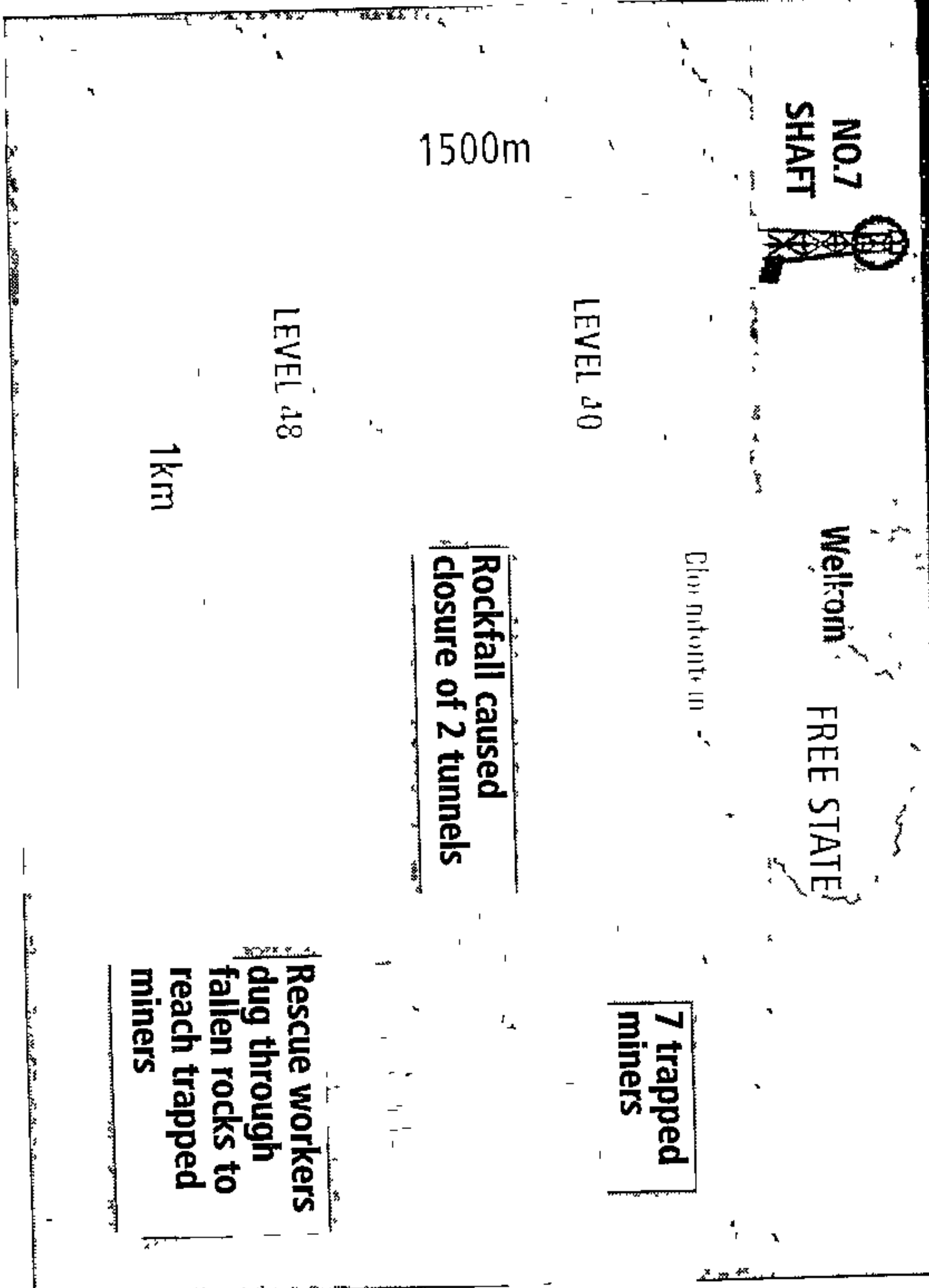
"We were hopeful when rescue operators reported hearing a fan in the blocked-off area. Then we knew there was air. But at about 10am things started looking grim because the rescue passage kept collapsing. Then at 11am we suddenly heard that they had broken through and reached the seven men," Duncan said.

"Medical teams were immediately sent underground to attend to the men," Kruger said. The rockfall blocked only one stope, and production was not severely affected.

Shaft seven is comparatively small, recording an average of 260kg of gold production a month - a small part of Freegold's monthly output. Freegold is the largest gold-producing mine in the world.

According to Kruger, the shaft has recorded one of the lowest fatality rates in the South African mining industry

## PRESIDENT STEYN MINE DRAMA



Star 17/10/97

GRAPHIC SIGNASA DIAR

(212)



# Mining sector agrees on fines

Linda Ensor

BD 20/10/97 (212)

CAPE TOWN — Employers and labour in the mining industry have concluded an agreement to replace a contentious clause of the Mine Health and Safety Act as introduced last year, with a system of administrative fines

In terms of the Mine Health and Safety Amendment Bill introduced in Parliament last week, people who negligently caused serious injury or serious illness to a person at a mine would be guilty of an offence

This clause would replace the section 86 (2) of the original act which the memorandum to the bill said had "caused great concern and unhappiness amongst the mining fraternity and seriously threatened the co-operation to promote health and safety between the employer and employees in the mining industry"

In terms of the original clause an owner or manager could be convicted of an offence if the state proved the

health or safety of a person at the mine was endangered or that danger and injury was caused by the working environment at the mine

The amendment bill also proposed the deletion of subsection (3) of the act which referred to the situation where a manager or owner could not be convicted if it was proved that he did what was "reasonably practicable" to provide and maintain a safe working environment at the mine

Because of the widespread unhappiness, implementation of section 86 (2) and (3) was postponed for a period of 12 months so that employers and employees could negotiate an agreement

The memorandum noted that the proposed system of administrative fines was similar to that in operation in British Columbia and the US and was aimed at the promotion and protection of the health and safety of all employees. The memorandum said if this system was implemented section 86 (2) and (3) would be made redundant



Health hazard ... Dikeledi Mahlo, principal of Moroere Primary School in Meadowlands, Soweto, says the school is forced to close for days on end because of the heavy and noxious dust clouds from the nearby mine dumps.

## Department poised to act against mine over dust clouds

By MELANIE-ANN FERIS  
Environment Reporter

Schools are being forced to close and thousands of residents from Meadowlands in Soweto are suffering from respiratory and eye ailments because of thick dust clouds produced by the Durban Roodpoort Deep Mine dumps.

The Department of Mineral and Energy Affairs has now taken a hardline stance to force the mine to do something and

has scheduled a meeting with the mine for tomorrow.

"Prosecuting them is a last resort. We don't see why we should enter into such a long process, which could take up to two years, when they can do something now," a department spokesman said yesterday.

Dust clouds over Meadowlands are sometimes so severe that schools at the foot of the dumps are forced to close for up to a week. Residents in close proximity to the dumps are also

prone to upper respiratory illnesses and eye ailments.

Anne Erdmann from the Group for Environmental Monitoring is worried that apart from the dust, there are other hazards including acidic water running off the dumps that dissolves clothes and causes severe skin irritation.

"We are concerned with radioactivity from the dumps. This is a hazard which affects people only after a few years.

"Another problem is the sta-

bility of the dumps. Although there have been no incidents, we need to make sure that there is no possibility of this happening in the future," she said.

Environmental groups said the mining company had been consulted, but had done nothing despite several solutions being suggested, including spraying the dumps with chemicals, ridge ploughing and the erection of dust barriers.

There was no comment from the mine yesterday

Star 21/10/97

(212) (888)



# Mine's runoff control 'totally inadequate'

Josey Ballenger

DURBAN Roodepoort Deep's surface water management in Meadowlands, Soweto, was "totally inadequate" and the nearby Klip River tributaries were being polluted, the water affairs department said yesterday.

A department water quality spokesman said the mine's slimes dam management was "unacceptable." She said: "There is uncontrolled seepage into surface water and possibly groundwater, and this may negatively affect downstream users."

The spokesman said Durban Roodepoort Deep should not be singled out as the sole environmental offender, as such problems were "happening all over the mining areas".

In this mine's case, the problem was caused by damaged paddocks at the bottom of the slimes dam which were unable to hold in the water, which was flowing into a pollution control dam. This dam was over capacity, and water was seeping through its walls into Klip River tributaries about 200m away.

She said the department would start monitoring the area's waterways, and that it had written to mine management last month asking that the paddocks be repaired.

The Johannesburg-based Group for Environmental Monitoring (GEM) reported last month that SGS Laboratories had found metals, cyanide and pH levels in water draining from the slimes dam were at "unsuitable" levels for drinking, and in some cases were toxic.

BP 6/11/97

However, the water affairs department said testing should be done from the Klip River tributaries, as the water would be significantly diluted where it could have an effect on the community.

The National Association for Clean Air's Soweto branch chairman, Jabu Sithole, said yesterday children were known to swim in "polluted streams connected to the dam". Babies were also baptised there, he said.

In addition, Sithole said the community occasionally drank the contaminated dam water "to induce vomiting" as part of a religious cleansing ritual called "iswafho".

In a separate development, the minerals and energy department said it was reviewing Durban Roodepoort Deep's recently submitted environmental management programme report, and that the mine had hired EnviroGreen to "grass" the dump in order to prevent dust blowing.

Gauteng minerals development director Neels Hoek said the mine had also agreed to spray a "bonding" chemical substance over the dust in the meantime.

The dust has sparked many complaints from the nearby community of coughing, hoarseness, chest problems, poor vision and difficulty in breathing.

Durban Roodepoort Deep GM Anton Lubbe could not be contacted yesterday, but had said previously the mine was spending R100 000 a month on environmental management of the entire Meadowlands site.



## 456 killed in SA mines

(212)  
ARGUS CORRESPONDENT

ARG 11/11/97  
Johannesburg - A total of 456 miners were killed while on duty between October 1 last year and September 30 this year, Minerals and Energy Affairs Minister Penuell Maduna said.

In a written reply yesterday to questions from Freedom Front MP Willem Botha, Mr Maduna also said a further 7 451 miners were injured

Mr Maduna said he could not say how many of the deaths could be attributed to ethnic violence because his department did not keep those statistics

Gwede Mantashe, assistant secretary-general of the National Union of Mineworkers, said although 456 deaths was still a high figure, he was confident that the union could win the battle against fatalities in the mines

"If you look just five years ago, the annual death toll would have been something like 700," he said.

Mr Mantashe added that workers were recognising their right not to undertake dangerous work, and their right to receive training and have access to information.

# 456 miners die in SA in a year

By Rafiq Rohan  
Political Correspondent

(212)

THE Ministry of Minerals and Energy Affairs has revealed that hundreds of mineworkers have lost their lives on duty over the last year

Minister Penuell Maduna announced in Parliament yesterday that 456 miners perished while on duty between October 1996 and the end of September

Statistics for injuries on duty are equally shocking. The Minister said that 7 451 miners were injured while on duty over the same period

## Asked about clashes

Asked by Mr Willem Botha of the Freedom Front whether tribal clashes resulted in any casualties at the mines, Maduna replied "The Department of Minerals and Energy does not keep records of injuries and fatalities resulting from ethnic violence." The information was obtainable from the SA Police Service

*Sewetan 11/11/97*



# SA towns' silent death sentence

(212)

CT 12/11/97



**SOUTH AFRICA** and its people are paying for the mining of asbestos — thousands are dead and the epidemic has not yet peaked. In a special report, Staff Writer **LISA TEMPLETON** and Photographer **GARTH STEAD** uncover SA's asbestos scandal.



**T**HEY died for as little as R4 50 a month in South Africa's mines of shame. No ordinary deaths these: asbestosis, mesothelioma and lung cancer.

Slowly suffocating as needle-like asbestos fibres scarred their lungs, they died in the shacks and backrooms of Prieska, Kuruman, Griquatown and Mafefe.

They were workers employed in the asbestos mines, mills and factories of the Northern Cape and the former Lebowa, lured by the promise of "good money."

But it was not only the miners who were infected. Their children played in asbestos dust and their wives breathed in the deadly fibres as they washed fibre-riddled clothes or scrounged a living on the mine dumps. Estimates are that thousands died — and thousands more could be infected.

The mines were run by powerful multi-national companies employing a 90% black workforce. A force that paid for an export profit of R107 million for 1978 alone.

The Cape Times went into the towns of Lebowa and the Northern Cape. Everyone we met had been touched by an asbestos-related death, and many were unsure if they, too, were infected.

But there was no sense of despair, rather, a stoical acceptance of the inevitable.

"When we talk about an epidemic it is not alarmist," said Dr Sophia Kisting of UCT's Industrial Health Research Group. She is one of the doctors working with asbestos-related disease (ARD) in this country.

It is estimated that ARD has claimed the lives of 30 to 40% of the miners, who toiled in asbestos

mines for more than 20 years.

And, according to Dr Dave Rees of the National Centre for Occupational Health, the epidemic has not reached its peak.

Rees also estimates that 5 000 people nationwide have died of mesothelioma as a result of environmental exposure alone. These were not the miners or workers but other victims infected by asbestos in the environment.

ceding years

In addition, the true extent of the problem has been masked by the latency period of the disease, the migrant labour system, poor homeland health services, the prevalence of tuberculosis — to which many chest ailments were attributed, the widespread medical ignorance about ARD and the suppression of research into the disease.

But preliminary findings are a cause for alarm.

● A study of the 12 000-strong population in Mafefe in Northern Province showed that half the adult population had ARD. Of the sample only 36% had worked in asbestos mines or mills. The rest were infected by asbestos pollution.

Doctors say that while it is impossible to assess how many in the village have already died from ARD, 39 died in the past six months.

**Living side by side with death**  
— Page 11

● A Northern Cape doctor estimated that 3 000 people died of ARD in the small town of Prieska over the past 50 years. Studies have shown that 11 out of 1 000 people there died of mesothelioma — a figure 1 000 times higher than the cumulative rate for the country.

● Initial studies have shown that thousands have died as a result of environmental asbestos pollution — not miners nor workers in mills and factories.

The country's hardest-hit areas are the Northern Cape, where crocidolite, or blue asbestos, was mined since the beginning of the century. The mining area was a 400km strip, about 50km wide, from Prieska

Statistics from 1972 show there were 43 SA mines in operation employing 21 324 miners. But there are few details for pre-



**SHADOW OF DEATH:** Asbestos pollution has claimed the lives of thousands of South Africans. Today, in Kimberley Hospital, Elsie Kock, 76, is facing death. There is no cure for her cancer-ravaged lungs, a price she is paying for working at the Northern Cape asbestos mines. **PICTURE: GARTH STEAD**

through Koegas, Postmasburg, Danielskuil to Kuruman and up to the Botswana border at Pommfret.

And a 45km strip was mined for amosite, or brown asbestos, and crocidolite between Bewaarskloof, Mafefe and Penge in Northern Province, formerly Lebowa.

In both of these areas, asbestos mills were located in towns. They spewed asbestos fibres over hundreds of kilometres and dumps of fibre waste were left exposed. People used the waste to line roads, playgrounds and golf courses and to build houses and schools.

In this way men, women and children of all creeds breathed in the microscopic fibres, 1 200 times thinner than human hair. The fibres needle into the soft membranes of lungs, taking 20 to 40 years to manifest as a disease.

Full-blown asbestosis brings a painful death. When the needles penetrate the lung, scar tissue

grows, stiffening the organs. Victims find it increasingly difficult to breathe, slowly suffocating until they eventually suffer heart failure.

For nearly a century, powerful multi-national companies, notably General Mining and Finance Corporation Ltd, the British-owned Cape Industries, the large, international Swiss-Belgian Fiertit Group and, to a lesser extent, Britain's Lonrho, mined asbestos largely for

export to Western Europe, America and the United Kingdom.

Gefco, once a subsidiary of General, is listed on the stock exchange. Its subsidiary, Msauli, is mining white asbestos, arguably less hazardous than brown or blue asbestos, near Barberton in Mpumalanga.

In financial terms, asbestos was South Africa's second most important, non-metallic mineral after coal, and the fifth most important mineral, including metals.

## Asbestos check list

● Asbestos pollution is one of the biggest environmental health problems in the world and South Africa is the global epicentre of asbestos-related disease, in particular mesothelioma — a cancer specifically related to asbestos exposure.

● It is estimated that 30 to 40% of people who worked in SA's asbestos mines for more than 20 years developed asbestos-related diseases. A study at Mafefe (population 1 200), in Northern Province showed half the adult population had an asbestos-related disease.

● An estimated 5 500 South Africans have died of mesothelioma as a result of environmental exposure alone.

● Many asbestos waste dumps in the country are still exposed.

● While the usage of asbestos was strictly controlled internationally from the early 1970s, SA mines continued to produce asbestos until the early 80s.

● The mines were closed only when the international market refused to import asbestos.

It was only in the late 1970s and 1980s, as the world came to realise the hazards of asbestos, that the market dried up and South Africa ceased to mine asbestos.

**Tomorrow we continue our series**  
**When we visit a village of widows.**



# Death still stalks former asbestos-mining town

Star (212) 12/11/97

39 residents of the Northern Province town of Mafefe have succumbed to debilitating disease in six months

TOWN

## OWN CORRESPONDENT

Mafefe, Northern Province

**Y**ou walk quietly in the village of Mafefe because there are graves on every corner of this town. These are the words of William Makaphala (51), an asbestosis sufferer.

His father died of the disease, he buried his cousin last month, and the rasping breath of his elderly mother carries through their home as she struggles to breathe through her fibre-stuffed lungs. Makaphala, who was born and bred in Mafefe, also does not have long to go.

In this town of 12 000, half the adult population is affected with asbestos-related disease. Nine asbestos mills operated in the district, spewing fibres into the air and building up large dumps of asbestos waste which were left open to the elements when the mines closed. A third of the homes here are made of

## Doctor says health authorities ignored his warnings many years ago

### OWN CORRESPONDENT

Cape Town - In 1941 Dr Andre Pickard diagnosed two cases of asbestosis while working in a hospital near Prieska, in the heart of the former Northern Cape asbestos mining belt.

His first instinct was to warn the mining industry of the lethal disease's link to asbestos exposure and the dangers posed to miners and people living in the area. In response, mine management of the British-owned Cape

Asbestos threatened him with imprisonment if he spoke out.

When he turned to the Department of Health to warn it of the hazard, he was told to wait until World War 2 was over. Some years later, a woman, aged 27, died of abdominal mesothelioma, an extremely painful cancer directly linked to asbestos exposure.

Again he tried to report the hazard to the health authorities and this time they wrote it off as tuberculosis, which was a typical misdiagnosis of asbestosis

Today Pickard is 83 years old, and after 50 years of living and practising medicine in the Prieska region, he estimates that 3 000 people have died as a result of asbestos exposure in the area over the years. His son, a medical specialist in microsurgery and father of five, died aged 53 of mesothelioma.

"I know of whole families who have died here - the man who managed Cape Blue Mines died and so did his wife and four children," Pickard's wife Henrietta said.

Beginning in 1898, when a mine was established just north of Prieska, mill operations escalated for the next 59 years, creating a constant plume of fibre which collected on floors, windowsills and roofs of the town.

The problem has been lessened by 60 to 70% after rehabilitation of some of the dumps and by tarring over a road constructed from fire-resistant asbestos. Pickard said there are still 16 open dumps in Koegas, on the Orange River some 80km north of Prieska

asbestos tailings

Between January and June this year asbestosis claimed 39 lives in this tiny area. Makaphala says he was 17 and "built like a bull" when he started working on the mines, first as a donkey tender earning R3,50 a month and later in the mills that ground the as-

bestos fibres to dust.

Today he is wasted, slightly stooped, and moves slowly about his mud-lined yard, which is neat as a pin. "My lungs are finished. When I see my x-ray film I can cry."

Mafefe lies at the heart of a belt of mountains rich in seams of asbestos, which from

the turn of the century to the late 1970s was intensively mined for the profitable fibres.

Asbestos is woven throughout the town: the porous fibres were used to line roads and playing fields, and roofs and walls were made of it. People met, married and brought up their children on the mines.

Mines that filled the air and river with fibres were rehabilitated this year. Only in the 1980s did people realise that the air they breathed was loaded with microscopic asbestos fibres.

Everyone in Mafefe has lost someone to asbestosis, and because it takes 20 to 40 years to

develop, not even the healthy can assume they are free of it.

"I think it is important to clean out this place, otherwise everyone will be affected, including the new generation," Makaphala said.

"If this place is cleaned up, no one can cry again." He was paid R16 000 as compensation

but believes the money would be better spent cleaning up the town. "I get this money today, and tomorrow I die, it would be better to clean up the town for the living."

Zacharia Mabileta, who grew up in Mafefe and fears he also carries fibres in his lungs, has campaigned to get the town cleared of asbestos pollution, without much success.

"The people here know they are sick because of someone's recklessness," he said.

He would like the roads to be tarred to seal in the fibres and for the buildings to be sealed with a protective coat, but the community does not have the money to do this alone.

The University of Potchefstroom is busy with a project to rehabilitate the mine dumps but "it is useless to spend millions in the mountains when every time a car passes, you breathe in asbestos fibres," Mabileta said.



# Wines of shame wiped out thousands as SA turns a blind eye

Star 12/11/97 (212)

Lured by the promise of 'good money', the victims slowly suffocated in the shacks and back rooms of towns in the Northern Cape and Northern Province

By Lisa Templeton  
Cape Town

**T**hey died for as little as R4,50 a month in South Africa's mines of shame. No ordinary death this. Asbestosis, mesothelioma and lung cancer slowly suffocating as needle-like asbestos fibres scattered their lungs, they died in the shacks and back rooms of Prieska, Kuruman, Griquatown and Matefe.

They were workers who had been employed in the asbestos mines, mills and factories in the Northern Cape and the former Lebowa, lured by the promise of "good money".

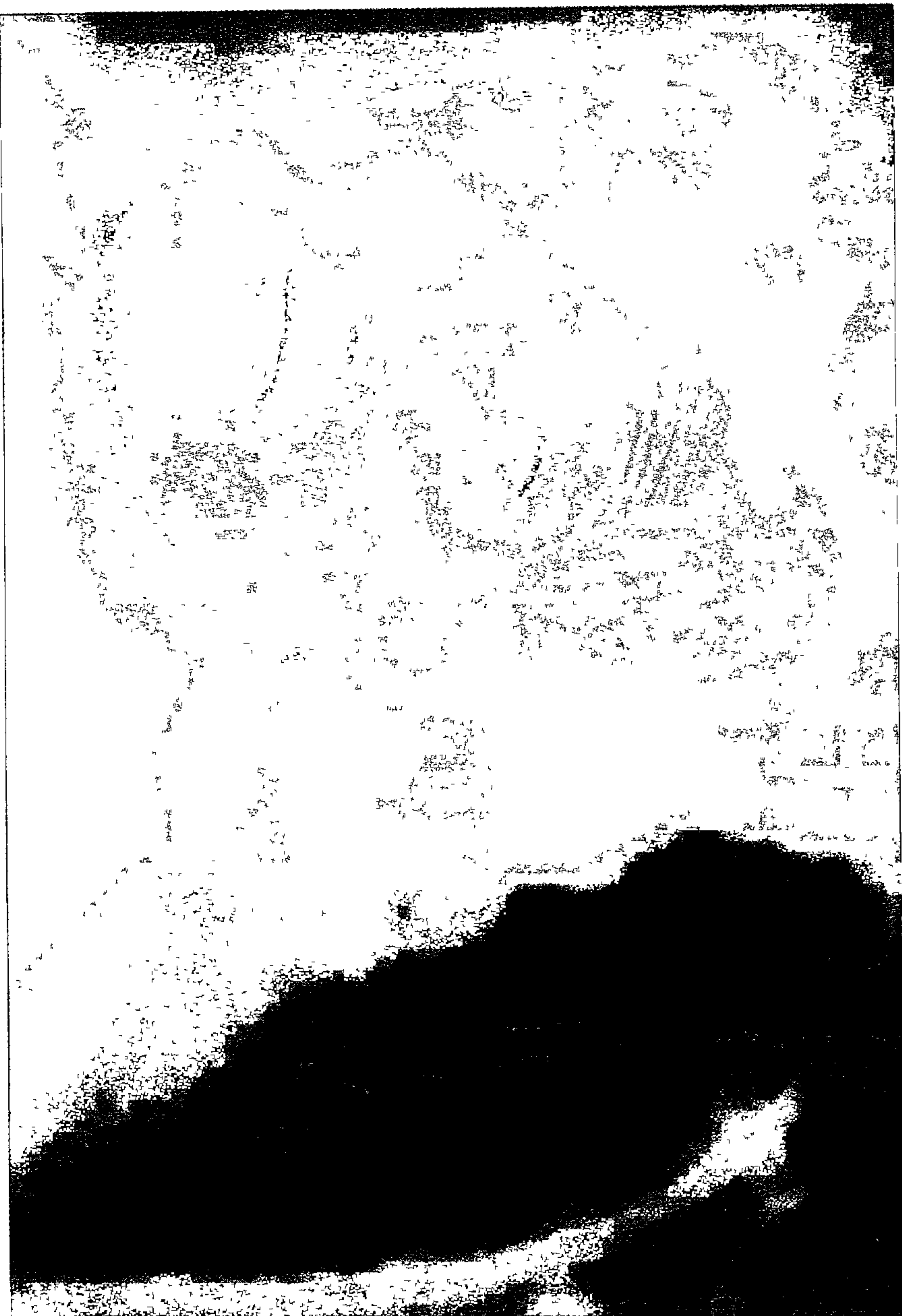
But not only the miners were infected. Their children played in asbestos dust, and their wives breathed in the deadly fibres as they blew off uncovered dumps. Estimates are that thousands died - and thousands more could be infected.

The mines were run by multinationals, and over 90% of the workers were black - expendable labour in the face of an export profit of R107-million (in 1978 alone). "When we talk about an epidemic, it is not alarmist," said Dr Sophia Kisting of University of Cape Town's Industrial Health Research Group. She is one of the doctors researching asbestos-related disease (ARD) in SA, and preliminary findings point to an epidemic.

It is estimated that ARD has claimed the lives of 30 to 40% of SA miners who toiled in asbestos mines for more than 20 years.

And according to Dr Dave Rees of the National Centre for Occupational Health, the epidemic has not reached its peak. He estimates that 5 500 people have died of mesothelioma as a result of environmental exposure alone. These are not the miners or workers, but those infected by asbestos in the environment.

Overseas studies have shown that 20 to 25% of people



GARTH STEAD / CAPE TIMES

**Haunted by disease** Elsie Cock (76), who suffers from an asbestos-related cancer, is a patient at Kimberley Hospital. She worked and lived in the Northern Cape town of Kuruman as a young woman and is one of the many thousands who has fallen victim to disease from asbestos dust caused by mining of the mineral.

heavily exposed to asbestos die of lung cancer; 7 to 10% die of mesothelioma and 8 to 10% die of cancer of the gastrointestinal tract. SA was the third biggest producer of asbestos worldwide, with high levels of production throughout the 1940s and well into the 1970s when the dangers of the substance became known internationally. SA was the only major producer of blue asbestos in the world, one of the most dangerous substances known to man. According to researchers Janine Aron and Jonny Myers, "The problem with asbestos is that it is even worse than radiation hazard - firstly because it is indestructible, and secondly there is no control over who becomes exposed as a consequence of primary, secondary and tertiary asbestos products and the creation of waste materials." An indication of how many workers were on the mines is that in 1972 there were 43 mines in operation, employing 21 324 miners. The true extent of the problem in SA has been masked by the latency period (the disease develops only once people leave work), the migrant-labour system, poor homeland health services, the high prevalence of tuberculosis, to which any chest ailment of blacks was often attributed, the widespread medical ignorance about ARD, and the suppression of research into ARD. But preliminary findings are a cause for alarm. ■ A study of the 12 000-strong population in Matefe in Northern Province showed that half

## Epicentre of disease

Asbestos pollution is one of the biggest environmental health problems in the world, and South Africa is the global epicentre of asbestos-related disease (ARD), in particular mesothelioma, which is a cancer related specifically to asbestos exposure. ■ It was estimated that 30 to 40% of people who worked in SA's asbestos mines for more than 20 years developed ARD. A study of the town of Matefe in Northern Province revealed that half the adult population of 12 000 had ARD.

the adult population had ARD. Of the sample, only 36% had worked in the asbestos mines or mills. The rest were infected by environmental asbestos pollution. ■ A Northern Cape doctor estimated that 3 000 people had died in the town of Prieska of ARD over the past 50 years. Studies have shown that 11 out of 1 000 people have died in the town of mesothelioma - a figure that is 1 000 times higher than the cumulative rate for the country. ■ An initial study has shown that thousands have died from environmental pollution from asbestos.

The country's hardest-hit areas are the Northern Cape, where crocidolite (blue asbestos) has been mined since the beginning of the century in a 400km strip from Prieska to the Botswana border at Ponnirel. A 45km strip was mined for amosite, brown asbestos, and crocidolite between Be-waarskloof, Matefe and Penge in Northern Province. In both areas, asbestos mills were placed in towns and spread asbestos fibres over hundreds of kilometres; dumps of fibre waste were left open to the elements, and people used the asbestos-waste to line roads, playgrounds and golf courses

and to build houses. Communities in these areas breathed in the microscopic fibres - 1 200 times thinner than human hair - into the soft membranes of their lungs, taking 20 to 40 years to manifest as a disease. Full blown, asbestosis (one of the three diseases caused by asbestos exposure) causes a painful death. When the needles penetrate the lung, scar tissue grows over stiffening the lungs, causing victims to find it increasingly difficult to breathe, and they slowly suffocate.

For nearly a century, powerful multinationals such as General Mining and Finance Corporation, the British-owned Cape Industries, the large international Swiss-Belgian Eternit Group and the British company Lonrho mined asbestos in SA, largely for export to western Europe, the US and the UK. In financial terms, asbestos was the second most important non-metallic mineral mined after coal. It was only in the late 1970s and early 1980s, as the world grew wary of the hazards of asbestos, that the market dried up and SA ceased to mine the mineral.

**More reports**  
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1,000 6

## 456 miners died in year

(212) Star 11/11/97

A total of 456 miners were killed while on duty between October 1 last year and September 30 this year, Mineral and Energy Affairs Minister Penuell Maduna said yesterday.

In a written reply to questions from Freedom Front MP Willem Botha, he also said another 7 451 miners were injured

Gwede Mantashe, assistant general-secretary of the National Union of Mineworkers, said although 456 deaths was a high figure, he was confident the union could win the battle against fatalities on the mines

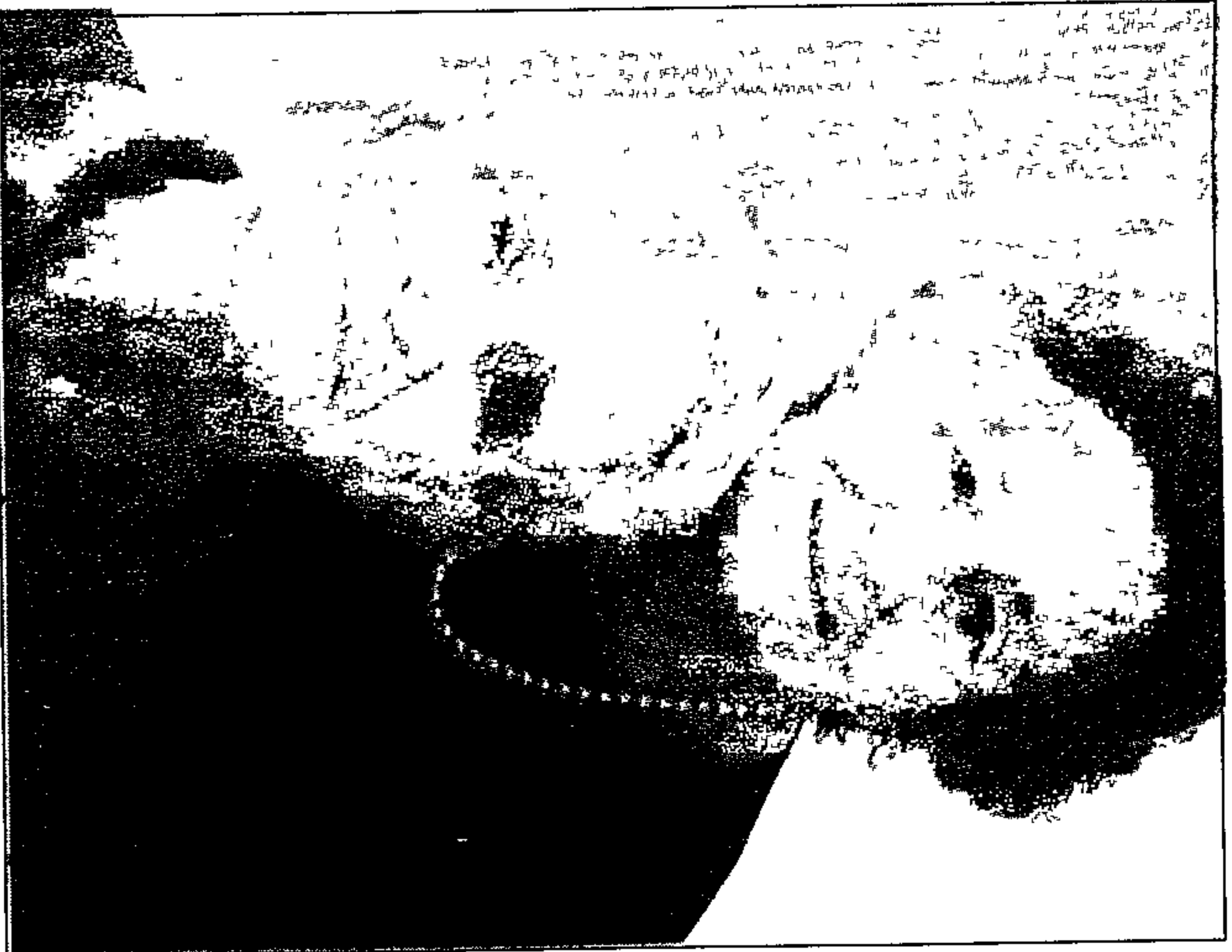
He said: "If you look just five years ago, the annual death

toll would have been something like 700" Workers were recognising their right not to undertake dangerous work, and to receive training and have access to information. Mantashe said he had no records of fatalities caused by ethnic violence during the past year

Dick Bakker, acting director-general of the Department of Mineral and Energy Affairs, told the parliamentary mineral and energy committee last week that transport-related accidents had accounted for about 49% of the 1 484 deaths in the mining industry between 1994 and 1996. - Staff Reporter

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**SORROW:** Dr Andre Pickard, who diagnosed two cases of asbestosis in 1941, and his wife Henrietta lost their son to asbestos-related cancer

# Prieska — the forgotten town where 'those blue needles' rule

(212)

CT 12/11/97

their waste and grit to blow over the town," Mrs Pickard said

Since then the dump has been transferred to the outskirts of the town and the University of Potchefstroom has rehabilitated it

A road that was constructed from asbestos has been tarred over

"But asbestos will always be a health hazard. The problem has been lessened by 60 to 70% but those fibres are still there, underneath the surface and someone needs to be maintaining them to ensure that the fibre is not exposed again. We have simply never had an ear for our problems."

Pickard said there were still 16 large open dumps in Kogas, some 80km north of Prieska, on the banks of the Orange River

The dumps are open and exposed, and the fibres can be scattered by the wind "When we drive past (the dumps) we roll up our windows. Those blue needles can still pin you down anytime," she said

His son, a specialist in micro-surgery and father of five, died aged 53 of mesothelioma, an extremely painful cancer directly linked to exposure to asbestos

"I know of whole families who have died here the man who managed Cape Blue Mines died and so did his wife and four children," Pickard's wife Henrietta said, a fiery 75-year-old who is proud to say she is still a registered nurse

Asbestos mining started in 1893 when Cape Asbestos established a mine just north of Prieska.

For 59 years a mill operated every day on the west side of the town, constantly releasing long fibres which collected on floors, windowsills and roofs of the town

"Prieska was too convenient the mines put a mill here because there was a railway line, electricity and water which brought down their costs, and so those long fibres used to blow down the street

"Those miners came here, made their money, spent not a sixpence towards the development of this town, and left, leaving

IN 1941 Dr Andre Pickard diagnosed two cases of asbestosis while working in a hospital near Prieska, in the heart of the Northern Cape asbestos mining belt

His first instinct was to warn the mining industry of the dangers that exposure to asbestos posed to miners and people living in the area

Managers of British-owned Cape Asbestos threatened to send him to a concentration camp if he spoke out

When he turned to the Health Department he was told to wait until the war was over — the world was too hungry for the fire-resistant fibre

Some years later, after a 27-year-old woman died of abdominal mesothelioma, he again tried to report the hazard to the health authorities. This time they wrote it off as tuberculosis, a typical misdiagnosis of asbestos-related disease

Today Pickard is 83 years old and after 50-odd years of living and practising medicine in the Prieska area, he estimates that about 3 000 people have died as a result of asbestos exposure in the area in the past 50 years

*'The problem has been lessened but those fibres are still there, underneath the surface.'*



ASBESTOSIS CLAIMS 39 IN SIX MONTHS

# Mafefe residents live side by side with death

CT 12/11/97

**ASBESTOS-RELATED** disease is slowly decimating the population of a Northern Province town of 12 000 people. **LISA TEMPLETON** reports.



**"YOU** walk quietly in the village of Mafefe because there are graves on every corner of this town"

These are the words of Mr William Makaphala, a 51-year-old asbestosis sufferer. His father died of the disease, he buried his cousin last month and the rasping breath of his elderly mother carries through their home as she struggles to breath through her fibre-stiffened lungs

Makaphala was born and bred in Mafefe and has himself not long to go

In this Northern Province town of 12 000, 50% of the adult population is affected with asbestosis-related disease (ARD) Nine asbestos mills operated in the Mafefe district, spewing fibres into the air and building up large dumps of asbestos waste which were left open to the elements when the mines closed A third of the homes here are made of asbestos tailings

Between January and June this year asbestosis claimed 39 lives in

this tiny area

Makaphala says he was 17 and "built like a bull" when he started working on the mines, first as a donkey tender earning R3,50 a month and later in the mills which ground the asbestosis fibres to dust

Today he is wasted, slightly stooped and moves slowly about his mud-lined yard, which is neat as a pin

"My lungs are finished When I see my x-ray film, I can cry"

Mafefe is at the heart of a belt of mountains rich in seams of asbestos, which from the turn of the century to the late 1970s was intensively mined for the profitable fibres

Asbestos is woven through all their lives: the porous fibres were used to line roads and playing fields, roofs and walls are made of it

People met, married and brought up their children on the mines There is a mine dump on the edge of the town, which was

fueling the air and river with fibres until its rehabilitation this year

Only in the 1980s did people start to realise that the air they breathed was loaded with the microscopic asbestos fibres

Everyone we met in Mafefe had lost someone to this disease, and because it takes 20 to 40 years for the disease to develop, not even the healthy can assume they are free of it

"I think it is important to clean out this place, otherwise everyone will be affected, including the new generation," Makaphala said "If this place is cleaned up, no one can cry again"

Makaphala was compensated with R16 000, but believes that the money would be better spent cleaning up the town

"I get this money today and tomorrow I die, it would be better to clean up the town for the living"

Mr Zacharia Mabilela, who grew up here and fears that he also carries fibres in his lungs, has campaigned to get the town cleared of asbestos pollution, but he says that no one has listened or helped

"When you talk about Aids or Ebola, people listen On this, they are silent The people know they

## CAPE TIMES SPECIAL INVESTIGATION



**WASTED:** William Makaphala, 51, was once built like a bull, but today he faces a suffocating death because his lungs have been scarred and stiffened by exposure to asbestos. "My lungs are finished When I see my X-ray film, I can cry," he said

are sick because of someone's recklessness

"You get angry if there is an option of fighting back If there is

no hope in challenging, you can only lament"

He would like the roads to be tarred and maintained to seal the

fibres and for the buildings to be sealed with a protective coat, but the community does not have the money to do this alone

"It is useless to spend millions in the mountains when the asbestos is here in the roads Every time a car passes, you breath in the

fibres," he said (The University of Potchefstroom is involved in a project to rehabilitate the mine dumps)

PICTURES GARTH STEAD



# Phelindaba, a village of widows, orphans

STAFF WRITER

IN a dusty street of the village of Phelindaba, a wizened, elderly man banged on a piece of metal hanging from a tree to summon the villagers to speak to us.

Dressed in rags, they slowly emerged from their red mud huts and sank, painfully, into a circle to face us, and tell us their story.

That's when I noticed nearly everyone in Phelindaba is female. It is a village of widows.

It is also a sanctuary of the old and sick, foreign workers who came here from Zaïre, Zimbabwe, Malawi and Zambia when the asbestos mines were booming.

When the mines closed in this part of the former Lebowa, now the

Northern Province, the people were trucked to Messina where they were off-loaded to make their way home. Those who were still healthy probably made it, but the elderly and the sick chose to melt into the mountains of Lebowa.

Here, the people say, they were constantly hounded by police and survived by eating plants.

"The men used to blast the rock and we crushed the stones and put them in bags," said Mrs Maria Thobepane, one of the many widows who were young when they met their husbands on the mines.

As the men — somewhat older than the women — died of asbestosis, the women were left to fend for themselves. Many of them are also infected, Thobepane herself strug-

gles to breathe with the disease.

The village is also home to orphans. Some of the old women had lost their children to asbestosis.

"There was always so much (asbestos) dust in our face, it got in our ears, our noses and our eyes — when we spat it was always black.

"We didn't know the asbestos was poisonous. All we knew is we were getting a lot of money. But now we know it cost us our husbands," Thobepane said, sitting in a skirt made from an old towel, her dusty toes peeking from her torn takkies.

"We see children the same age as our dead children would be and think how productive they would be now. But there is nothing we

can do," she sighed. "Nobody helps us, we struggle on our own."

Many of the people of Phelindaba have not received compensation for their illness and today they get work harvesting mealie fields for R10 a day. When the harvest is over they pick marogo, a wild spinach, which they exchange with richer people for a meal.

But perhaps the sadness of Phelindaba is best explained by the story of Betty, who was a tall, strapping Botswanan woman of bright complexion who loved to sing the songs of her home-land and joke as she toiled in the heat.

Her tale is told by nursing Sister Agnes Qwabe, who is also a widow. She works in the local clinic.

"Betty's story is a pathetic one,"

she says. Betty was one of the hundreds of people who were lured to the mines.

She joined the ranks of teenage girls who worked at the mouth of the mines for about R4 a month chipping the rock off seams of asbestos (cobbing) — not knowing that the dust which filled the clammy air and blocked her eyes, nose and ears would slowly kill her.

In 1993 she died at the age of 50 of asbestosis, after suffering "terrible pain and wasting away." A year later her daughter, who was in her early 30s, died. Today her granddaughter is struggling to breathe.

Betty was buried in an old blanket by a community that had cared for her and could afford nothing more.



# Vantech accused of health threats

Josey Ballenger

THE National Union of Mineworkers (NUM) and Environmental Justice Networking Forum said yesterday they would approach Vanadium Technology (Vantech) management about what they considered to be health threats and "environmental injustices" to mine workers and communities in the area.

The Mpumalanga branch of the forum said "environmental injustices" resulting from the Steelpoort mine included damage to buildings from blasting, and air and water pollution from dust blowing off the mine's dump.

However, no formal studies have been done to quantify the allegations

NUM officials said they, with the forum's backing, would seek a meeting with management on health issues.

NUM shop steward Julia Makofane said eight workers were either dismissed or had voluntarily left Vantech recently due to bronchitis and asthma caused by inhaling chemicals. Respirators provided by the mine did not keep out the noxious fumes, she said.

Vantech GM Marteens van der Merwe denied the allegations, saying the company had undertaken a R3m risk management programme. He said workers did not wear the respirators. The eight employees had an "allergy" to a substance involved in producing vanadium, were given medical remuneration and would recover in months.

(55) (212) 3D 13/11/97



# Hazard covered up to bolster profits

CF 13711197



STAFF WRITER LISA TEMPLETON and Photographer GARTH STEAD look into the routine suppression of research into the hazards caused by asbestos.



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FOR over two decades medical authorities, with the mining industry and possible collusion of the government, suppressed several research papers which linked asbestos exposure to alarmingly high cancer figures.

In June this year a submission was made before the Truth and Reconciliation Commission by the Health and Human Rights Project, which cited two examples of asbestos mining companies suppressing the findings of research clearly documenting the health risks of exposure to asbestos.

A Cape Times probe has found more examples where doctors' findings were quashed.

● In 1962 Professor Ian Webster, working for the Pneumococcosis Research Unit of the government-sponsored Council for Scientific and Industrial Research (CSIR), wrote in a confidential report dated April 30, 1962, "People who live or have lived in Prieska, Kooegas, Kuruman and Panga are in danger of contracting asbestosis, even though they have no industrial exposure", and that he had discovered "an alarmingly high number of cases with mesothelioma (an asbestos-related cancer)".

He linked the cancer to blue asbestos dust.

The report recorded "the unfortunate publicity" given to the survey in its early days had resulted in

certain mining groups feeling that the link to cancer could "adversely affect not only the further recruitment of personnel for their mines, but even the economy of the industry as a whole".

The Medical Research Council (MRC) refused to sanction the publication of the article unless the cancer hazard was passed off as tuberculosis. The report was never published.

Webster was also denied funds for further research.

● In June 1978 Dr Leslie Irwig planned to present a paper before the New York Academy of Sciences based on a study in the asbestos areas of the Northern Cape, which had found a high incidence of cancer among people who lived — not necessarily worked — in these areas.

His paper was a hot potato as it linked blue asbestos and cancer, something the South African asbestos companies had denied.

Shortly before he was to present the paper Irwig, who worked under the National Research Institute for Occupational Diseases of the Medical Research Council (MRC), was instructed to withdraw the paper.

For nearly a century powerful transnational companies, notably General Mining and Finance Corporation Ltd, the British-owned

Cape Industries and the large international Swiss-Belgian Eternit Group mined asbestos almost exclusively for profitable markets in Western Europe, America and the United Kingdom.

As the asbestos market escalated, research into the hazards of the fibre were suppressed.

"I was in New York when my co-author, Dr Hannes Botha, arrived with the instruction that we were not to present our paper on the grounds that the MRC was questioning our scientific accuracy," Irwig

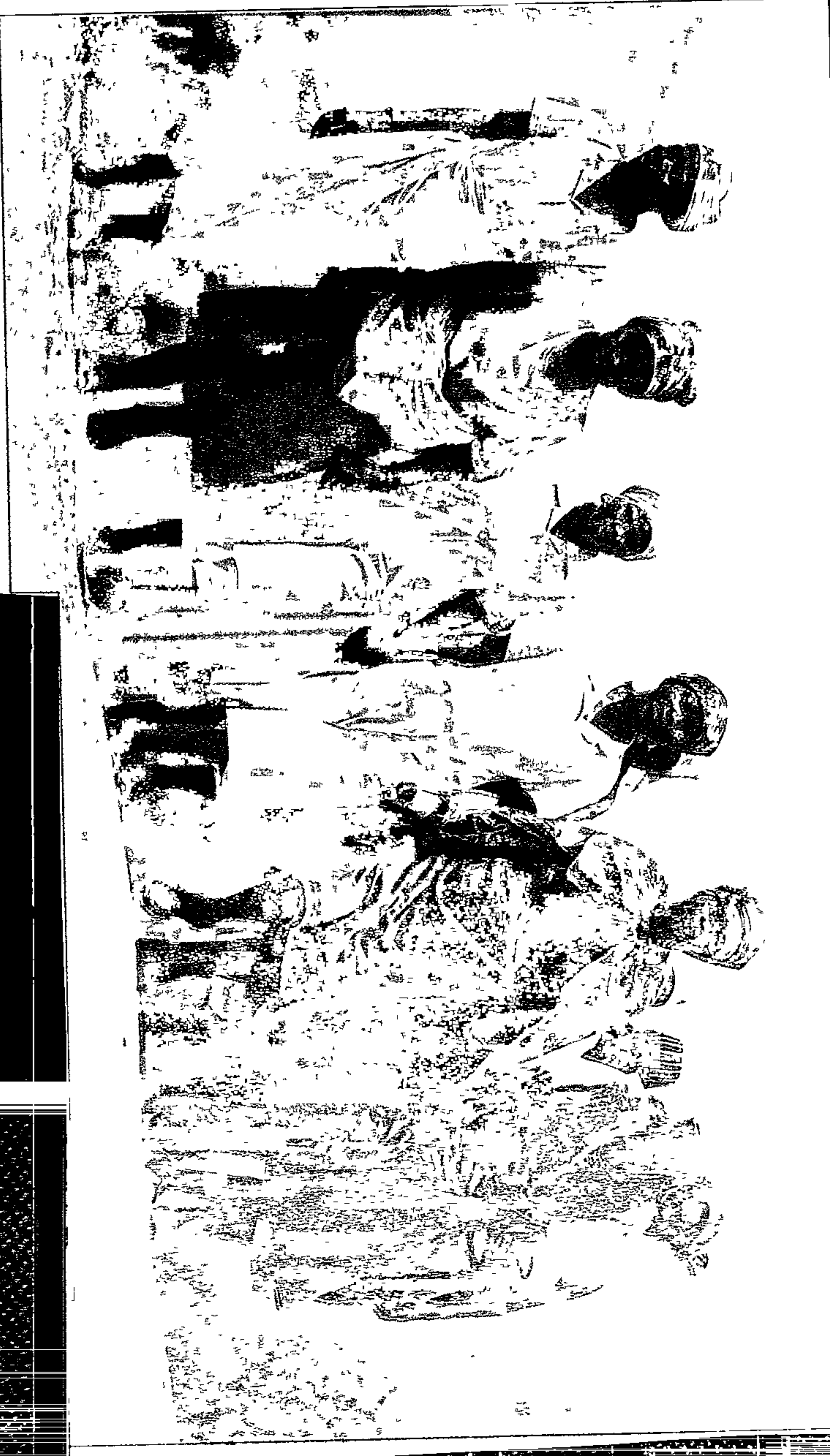
## CAPE TIMES SPECIAL INVESTIGATION

said from his home in Australia.

It transpired the industry had contracted a firm of actuaries to find statistical fault with the paper.

"The basic issue was that the National Research Institute for Occupational Diseases had industrialists on their review board, so any research was subjected not only to scientific scrutiny, but also to that of the industry which had other agendas."

By donating money towards research, the SA asbestos manufacturers had earned themselves seats on the advisory panel of the Asbestos Research Project and were able to vet all papers from the National Centre for Occupational Health before publication.



**WIDOWS:** Deep in the mountains of Northern Province is a village occupied almost entirely by widows — women who met and married their husbands on the asbestos mines and now have lost them to asbestos-related disease

How did Irwig feel at the time? "I was very angry, as you can imagine — it was clear interference by industry into scientific research."

"It was part of a broader issue Reasonable occupational health standards were not being adhered to," he said.

It was more than three years before the article appeared in the American Journal of Epidemiology.

● In 1981/82 Dr Derek Yach, working at 2 Military Hospital, conducted a study to assess the asbestos exposure among boiler makers and painters in the naval

dockyards. After screening 250 workers he found several cases of lung cancer and asbestosis.

"I gave the preliminary results to the head of the hospital. Result 1 was told to stop the study and was restricted to the hospital grounds."

● In 1941 Dr Andre Prickard diagnosed two asbestosis patients in Prieska. When he told the mines of the link to asbestos exposure, he was threatened with imprisonment in a concentration camp. He turned to the Health Department and was told to wait until the war was over.



C.T 13/11/97

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**IN LOVING MEMORY:** Melida Sithole, one of the widows of Phelindaba, at her husband's grave set in a cluster of other graves at the back of the cemetery of Mathabatha. Behind stretch the shark-fin like mountains of Lebowa — the asbestos mountains

**Melida  
Sithole's  
song:**

*"I'm sitting  
on your grave,  
I am coming  
to you, my  
husband,  
The children  
have no food,  
We are all  
suffering.  
Maybe they  
can help,  
Maybe they  
can help us,  
my husband.  
Do not be  
angry with  
me for com-  
ing to your  
grave.  
Do not wake  
up tonight  
and come to  
be angry with  
me.  
Please do not  
wake up,  
maybe they  
can help us."*



# Rockbursts raise mines' death toll

Reneé Grawitzky

SB 17/11/97  
MINE deaths due to rockbursts this year were likely to exceed total fatalities recorded last year as a result of three disasters, one at Deelkraal and two at Hartebeesfontein, mineral and energy affairs acting director-general Dick Bakker said at the weekend

He also told delegates at a National Union of Mineworkers health and safety conference in Pretoria that the introduction of full calendar operations in the coal mining industry could increase miners' exposure to dust.

The dust-protective machinery could not cope with the high levels of dust generated by continuous blasting.

Bakker said the latest statistics on

mine accidents showed that half the fatalities were due to rockbursts. During 1996, 52 miners died in rockbursts while 54 miners have died during the first eight months of this year.

The rockbursts at Hartebeesfontein and Deelkraal had resulted in 34 deaths and 97 injuries. The accident at Deelkraal is currently the subject of a commission of inquiry being chaired by Judge Ramon Leon.

Bakker said older mines that were mining remnant areas became stressed, increasing the risk of rockbursts. In the wake of the Hartebeesfontein accidents, a three-party group of experts was established to determine whether the mine could work in certain areas at an acceptable risk.

# Death mines shut, but toll still rising

CT 7/11/97  
(212)

LISA TEMPLETON

"WE cannot cure you, you can go home to die, or you can stay here and die."

So a patient with advanced mesothelioma was told.

He did not see his home again. He died in Kimberley Hospital's cancer unit the night before the Cape Times visited the unit.

His suffocating death was the price he paid for his years of working and living in the asbestos mining towns of the Northern Cape.

Dr Elize Fourie, of the oncology unit, has not cured anyone in the 14 years she has worked in the unit.

When she joined it, she saw up to 20 cases of mesothelioma a week, most of them from the asbestos mining towns of Kuruman, Prieska, Koegas and Whitebank. The mines have long since closed, but the exposed dumps of asbestos waste remain.

She is still seeing new patients with mesothelioma and thinks there are many more in the Northern Cape who do not reach the unit because they cannot afford the trip to Kimberley. An ambulance trip from Kuruman costs the patient R48.

Fourie estimates that 60% of her patients have not been miners but have been exposed to asbestos fibre as they live and work in areas where there is asbestos pollution.

"I have had patients who simply went into the mining towns to play tennis," she said.

Mesothelioma is a cancer directly linked to asbestos exposure and takes 20 to 40 years to develop. Fibres needle their way into the soft lining of the lung, where they become irritants, causing a fluid reaction and a tumour to develop.

Ultimately the tumour can grow into the ribs, heart and abdomen or bulge painfully from a patient's side.

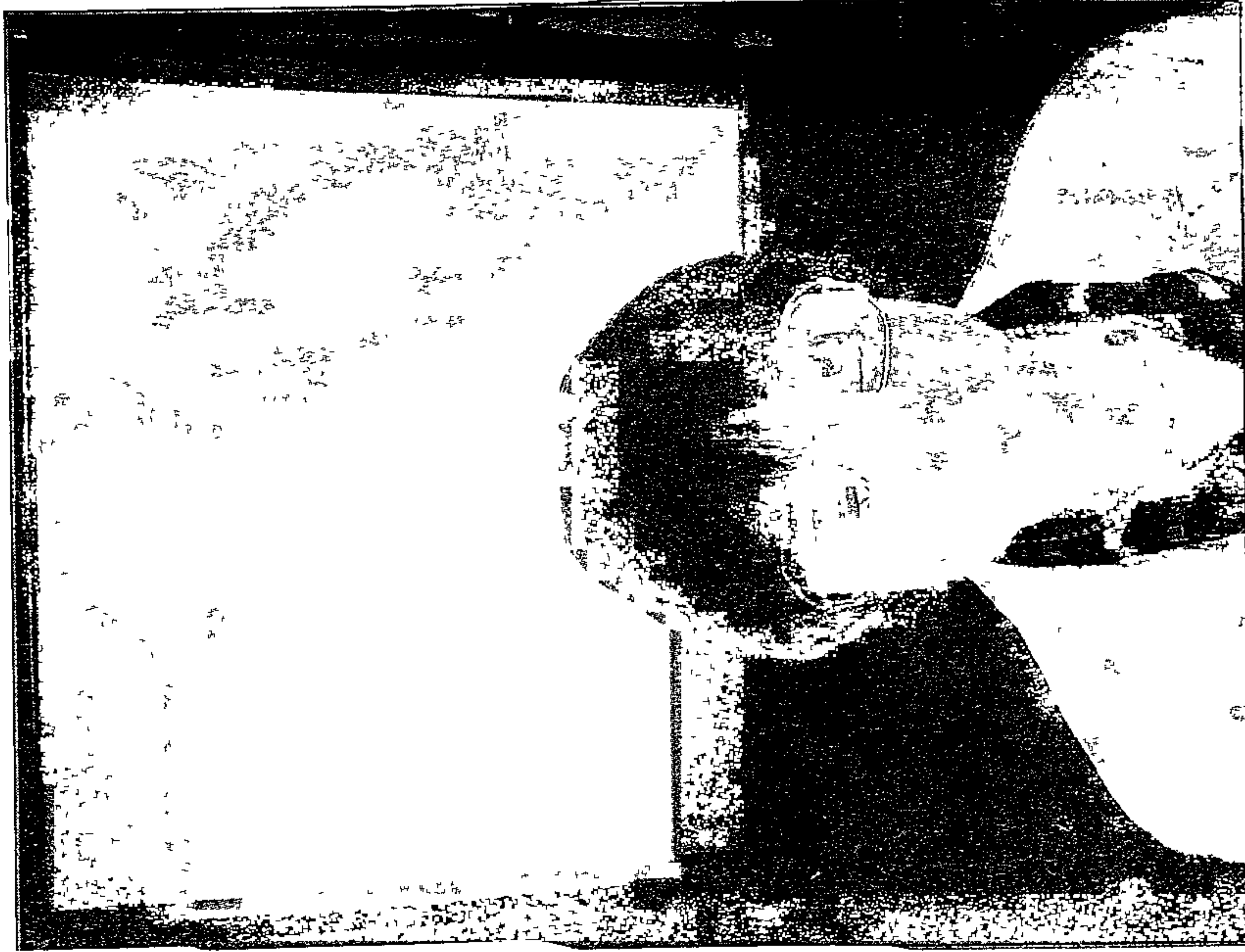
A nursing sister at the hospital, who had watched a post mortem on a mesothelioma patient, said "The lung was hard as rock, white like cement and had solidified on to the ribs."

Fourie said some patients she had seen were in such pain they were unable to speak.

"If you catch the cancer early you can treat it by removing the tumour and treating the patient with chemotherapy, but it keeps growing," Fourie said.

Patients are treated for pain and sedated where necessary, but Fourie is not happy with the way patients are nursed at the hospital.

"These patients need special care and they don't get it here — they are neglected and their comfort is not seen to. Sometimes it is better for them to return to their home town, where they can be cared for by hospitals there or their families."



**AGONY OF ASBESTOS:** Dr Elize Fourie of Kimberley Hospital's cancer unit explains how the x-ray of a mesothelioma patient shows the effect of asbestos fibres. The tumour is visible in the lung on the left, as is the thickening of the membrane. **PICTURE GARTH STEAD**



# Cleaning up the dumps of death

ET 17/11/97 (212)

**ON THE** facing page we conclude our special investigation into the scourge of asbestos pollution and related disease in South Africa. **LISA TEMPLETON** reports on what is being done to sort out a continuing problem.

**WHEN** South Africa's powerful asbestos mining companies shut down, most of them left open waste dumps of the deadly fibre to be spread by wind and water.

Now, some two decades later, the University of Potchefstroom's Research Institute of Reclamation Ecology (Rire) is charged with rehabilitating many of the dumps to stop the asbestos pollution.

To date, Rire has tackled 16 dump sites in Mpumalanga, 92 in the Northern Province and And there are still many more open to the winds, rains and rivers.

We visited some of the dumps they were rehabilitating in the Northern Province where the asbestos fibre was so deep our boots sank into it and the dumps were the size of sports fields. These fibre dumps are open to the wind. Research done by Rire based on the average prevailing wind speeds

has shown that people in the north western Cape can be exposed to unsafe levels of airborne asbestos particles 106 km downwind of the dumps.

And, in the Northern Province, strong winds could carry fibre particles to towns as far as 396 km from the dump.

Rivers also spread fibres.

"I can't think of any dump that is not in the lowest portion of a water course," said Professor Johann Booyens, director of Rire. "The miners did not want this waste and they knew that this way it would wash away."

"In the Northern Province, when it rains, a lot of asbestos is washed into the rivers which are used for washing and cooking. Also, the asbestos particles can become airborne and pose an additional health risk."

Once a dump is rehabilitated, Rire estimates that the asbestos pollution to towns downwind and downstream is reduced by 90%.

Faced with an overwhelming number of open asbestos dumps, Rire established a system to prioritise dumps based on the percentage of loose or potentially loose asbestos fibre (a mere 2, 1% is enough to justify rehabilitation), the history

of the mine, the effect the climate has on spreading the fibre and human habitation affected by the dump

To rehabilitate a dump, its slope is graded to less than 18 degrees to counteract erosion and any asbestos in the path of a river is removed. Then a 30cm layer of top soil is added and indigenous vegetation is planted.

In the Northern Province, euphorbia is the wonder plant — a hardy plant that can survive for six months before the first rain fall, it is also repellent to grazing cattle which would otherwise plough up the top soil with their hooves and expose the asbestos fibres below.

And how much does this cost?

In March, the Department of Mineral and Energy Affairs awarded Rire R4,6-million to continue its work and the Department of Environmental Affairs and Tourism contributed R380 000. A large dump costs about R1-million to rehabilitate.

But extensive dumps such as those in Koeberg, in the Northern Cape, which are made up of 16 large dumps, three of them within three metres of the Orange River, will cost an estimated R6,2-million to rehabilitate in full.

Who foots these bills?

Because the majority of mines were owned by transnational corporations such as the British-owned Cape Industries, the Swiss-Belgian Eternit group and Gencor who sold out in the early 1980s when their market dried up, the government foots the entire bill in their absence.

If the dump is now owned by a deed holder, who never mined the dump, then the deed holder pays 5% of the costs and the government picks up 95%.

Thomas Baloyi works for Rire as a terrain manager. His career in mining started in 1949 when he went to work as a driver on



**CLEANING UP:** A worker wears a protective mask while a bulldozer softens the gradient of an asbestos waste dump as part of the procedure for containing the pollution.

Bewaarskloof Mine in the Northern Province, then Lebowa.

He jokes that he started work in the heyday of the mines and today he is shutting them down. It is a fitting task as Baloyi paid a high price for his labour. Today, he suffers from asbestosis, a disease of the lungs caused by inhaling asbestos particles and which ultimately leads to a suffocating death.

He remembers when Bewaarskloof was home to thousands of miners and the mountains rang with their noise. As we bounced through the bush in his bakkie he pointed out where the homes of the miners once

stood and where shops did a roaring trade. "We did not know then that the asbestos was poisonous, it was only in the 1970s that the whites started wearing masks and saying we must be careful. A lot of people are dead here, hundreds and hundreds."

And why did the mines finally close?

"The whites told us they could no longer sell the asbestos," he says. "They could not get the money per tonnage to pay the people or run the compressors."

□ Lisa Templeton is a freelance writer who did the asbestos investigation for the Cape Times



# Death rate down in mines

*Sowetan* 19/11/99 (212)  
**By Abdul Milazi**

THE Mine Health and Safety Act, passed in January this year, has seen a dramatic drop in deaths and injuries in local mines

This was revealed by the South African Chamber of Mines, which said the current structures put in place by the new legislation had improved communication channels between management, workers and worker participation in decision-making

Chamber spokesman Mr Llewelyn Kriel said work-related deaths on the

mines had dropped from 665 people in 1987 to 314 this year, while injuries decreased from more than 10 000 to 6 101 in the same period

Kriel said workers were also now entitled to refuse to do dangerous work which gives them more control of their safety, while the mines also run continuous safety education programmes in all official languages

"We must be doing something right, the statistics alone speak volumes. We hope the trend will not only continue but that it will accelerate," said Kriel.

# New forum to tackle mine dump pollution

Josey Ballenger

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THE Gauteng environment department would set up a provincial forum to resolve pollution problems originating from mine dumps following several complaints from communities, Gauteng environment MEC Nomvula Mokonyane said yesterday.

"People in areas like Kagiso, near Krugersdorp, are living under the scourge of horrible dusty conditions caused by the mine dumps, and, as government, we promised our people a better life where they stay," Mokonyane said.

"Our view is that the polluters must take the financial responsibility for their waste, and the min-

ing houses must act responsibly and take concrete steps towards resolving problems caused by their mine dumps," she said.

Mokonyane said the forum would consist of representatives of the department, the affected communities, the Chamber of Mines, the mineral and energy department and other interested organisations.

The announcement came after recent reports of air and water pollution emanating from the Durban Roodepoort Deep dump in Meadowlands, Soweto.

Durban Deep partially resolved the matter by agreeing recently to spend R115 000 to vegetate the mine dump's top surface, cutting dust levels by 80%.

The dust has triggered complaints of impaired vision, coughing, hoarseness, chest problems and difficulty in breathing in the Meadowland community.

Meadowlands' Environmental Group spokesman Mokomane Mekgoe said the organisation supported the mine's reduction of dust levels, but pointed out that the slopes would continue to generate the dust.

"He also said the mine needed to address the water seepage from the dump into Klip River tributaries, which the water affairs department described earlier this month as "unacceptable".

BD 20/11/97

# MINING - ACCIDENTS

1998



# Mine deaths probe resumes

*Sowetan 6/2/98 (212)*

By Abdul Milazi

THE inquest into the May 7 1997 Deelkraal Gold Mine accident in Potchefstroom in which 10 people died and 23 were injured resumes on Tuesday, the Mineral and Energy Ministry said yesterday

The accident was attributed to a rock burst which caused severe damage, affecting seven panels 2 666m underground About 33 people were buried alive and 23 were rescued

This was the second underground earth tremor to hit Deelkraal in as many months Two workers were killed last March in a similar accident

According to statistics, over 600 miners die in mine accidents every year with major disasters occurring every five years

A recent report by the Ministry of Labour reveals that an average of two workers die every day in South African mines and only major disasters are

reported by the media

The National Union of Mineworkers (NUM) blames mine management for ignoring warnings by workers of possible accidents

NUM spokesman Ben Molapo said "Workers know the underground conditions better than management and they can see signs of pending disasters

"When they tell management, they are often accused of trying to make excuses not to work"

However, the passing of the Mine Health and Safety Act last year saw a dramatic decline in mine accidents

According to statistics from the Chamber of Mines, deaths dropped from 665 people in 1987 to 314 in 1997 while injuries fell from over 10 000 a year to 6 101 a year

This is attributed to better communication channels between workers and management due to structures set up under the Act Workers can now refuse to do dangerous work

The Act was passed as a result of the finding of the Leon Commission set up in 1995 to investigate safety on the mines

While South Africa does not hold the highest death toll record it overshadows other mining countries in the number of major underground disasters

China holds the record for the highest death toll with 1 549 workers killed in one accident in 1942, but South Africa has experienced more than 13 major disasters since 1909

The highest number of casualties was recorded in 1960 at the Coalbrook Mine, south of Johannesburg, when 435 workers were killed in one accident

The Kinross Gold Mine accident in 1986 claimed 177 lives

The recent highest death toll was at Western Deep Level Gold mine in 1991 and at Vaal Reefs Gold Mine in May, 1995 in which 109 and 104 workers were killed, respectively

## Probe into mine accident hears technical evidence

By SHIRLEY WOODGATE

The investigation into the rockburst which killed 10 workers at the Deelkraal gold mine near Carletonville last May resumed this week.

The panel has convened at the Arbitration Foundation of SA in Sandton under the chairmanship of Judge Ramon Leon, assisted by two assessors

Launched in October, the hearing followed the death of 10 men and injuries to 23 others after the No 1 shaft 2 666m below the surface was rocked by two tremors registering 2,2 and 2,3 on the Richter scale.

Yesterday lawyer Willem le Roux, representing among others the mine and mine manager and top officials at

the time of the accident, cross-examined rock engineer Awie Swart on technical aspects of a "numerical model" designed to throw light on the effect of the seismic events

The National Union of Mineworkers has claimed the accident resulted from the faulty design of the mine.

Prosecutor Sas Erasmus said the present session was likely to continue for at least three weeks until all evidence had been heard.

More than 30 witnesses are expected to testify, including colleagues of the victims, injured workers, mine supervisors and about 10 management representatives

Judge Ramon's judgment is expected in August.

SWM 11/2/98

# Mine told to study people's dust problems

Josey Ballenger

MD 22/7/98 (212) (EB)

COUNCILLORS and community members called on the Durban Roodepoort Deep mining company last week to assess the health problems created by mine dump dust in areas around Soweto

Councillor Norman Barlow of the Greater Johannesburg western substructure, which covers large parts of Soweto and the coloured township Fleurhof, said the company should at least pay for a health study of children attending nearby schools

School principals in the area said children suffered from chest and eye problems, asthma, itchy skin and other ailments which made "work difficult for adults and created a concentration problem for kids"

However, Moroeroe Primary School principal Dikeledi Mahlo, situated on the Meadowlands dump's edge, said the dust problem had improved since the company entered into a two-year R114 000 contract with EnviroGreen late last year to "grass" the top surface of the dump to reduce dust levels by at least 80%.

The comments were made at a meeting on Thursday intended to brief members of the parliamentary minerals and energy portfolio committee. The committee was on a "fact-finding mission" in Gauteng and the Northern Province

The failure of Durban Roodepoort Deep to send officials to the mission drew criticism from the councillors, community and environmental representatives present, but the company's management and the Gauteng environmental affairs department said the company had been formally invited at "short notice" the previous day

The community also called for the dump's slopes to be grassed, which company MD Mike Prinsloo said would be considered at a later date "We will do what we can do in a reasonable timeframe," Prinsloo said yesterday.

"We would need to (chemically) treat the slopes first, and there is a huge cost involved. The problem lies on the top surface, little dust comes off the slopes. So we are treating that first, and then we will evaluate" the programme

Prinsloo said the company had allocated R385 000 to the Meadowlands environmental programme

Several community members complained at the meeting that they had not seen the company's draft environmental management programme report. The report was distributed to interested and affected parties by the minerals and energy affairs department

The report was open to public comment until last Monday, but the meeting was told the department might grant an extension

Prinsloo said all comments would be carefully considered. Some critical comments reported last week expressed concerns already being addressed by mine management. He encouraged the councillors and community members to submit their suggestions regarding the health survey to the department

Duma Nkosi, chairman of the parliamentary committee, said the committee had an "open, flexible mind", but that mines in general were "not involved enough in dealing with environmental problems". The committee did not meet company management.

Following its visits to Durban Roodepoort Deep and Grootvlei, the committee would visit gold mines in the Western Cape. It expected to report its findings from the visits this week.



# Future safe for Vaal Reef's widows

(212) 229/2/98

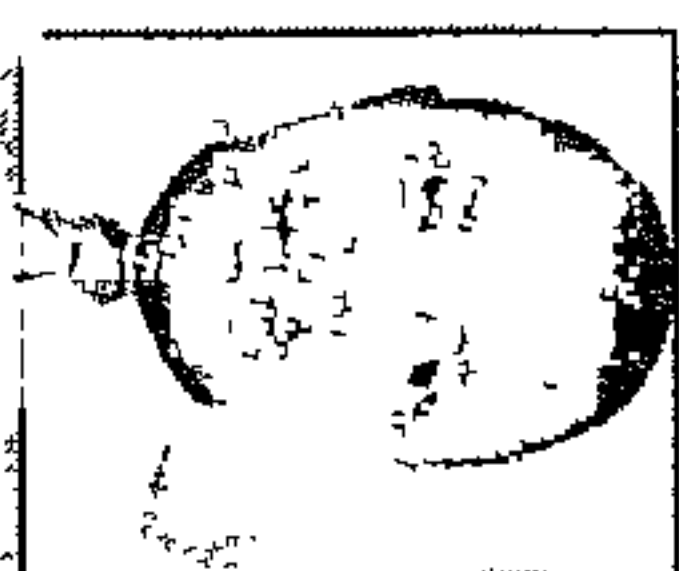
## Disaster fund will cover children's education and work training for women

The Vaal Reef's Disaster Fund is well positioned financially to continue its work of educating the children of victims of the disaster and helping the widows to improve the quality of their lives.

These were the words of Helen Suzman, chairperson of the trust, at the release of the fund's first report in Johannesburg this week. The fund was founded jointly by Anglo American Corporation, Vaal Reef's and the National Union of Mineworkers following the Vaal Reef's disaster on March 10, 1995, when 104 men lost their lives - and 104 wives and 308 children lost their loved ones and sole providers.

The report provides an overview of the first 31 months of the Trust Fund's operations and a financial report for the past 21 months.

The trustees, who include Bobby Godsell, Clem Sunter, James Motlatsi, Steve Lefhahlan, Welcome Mboniso, and Ina Perlman, felt that



with  
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their first obligation was to visit the families of the men who died to better assess their individual circumstances and needs.

- From these visits, which took place in August 1995, three areas of need emerged.
- Education assistance fees, books and uniforms to tertiary level for the children.
- Further education and vocational training for the widows, and assistance in acquiring income-generating

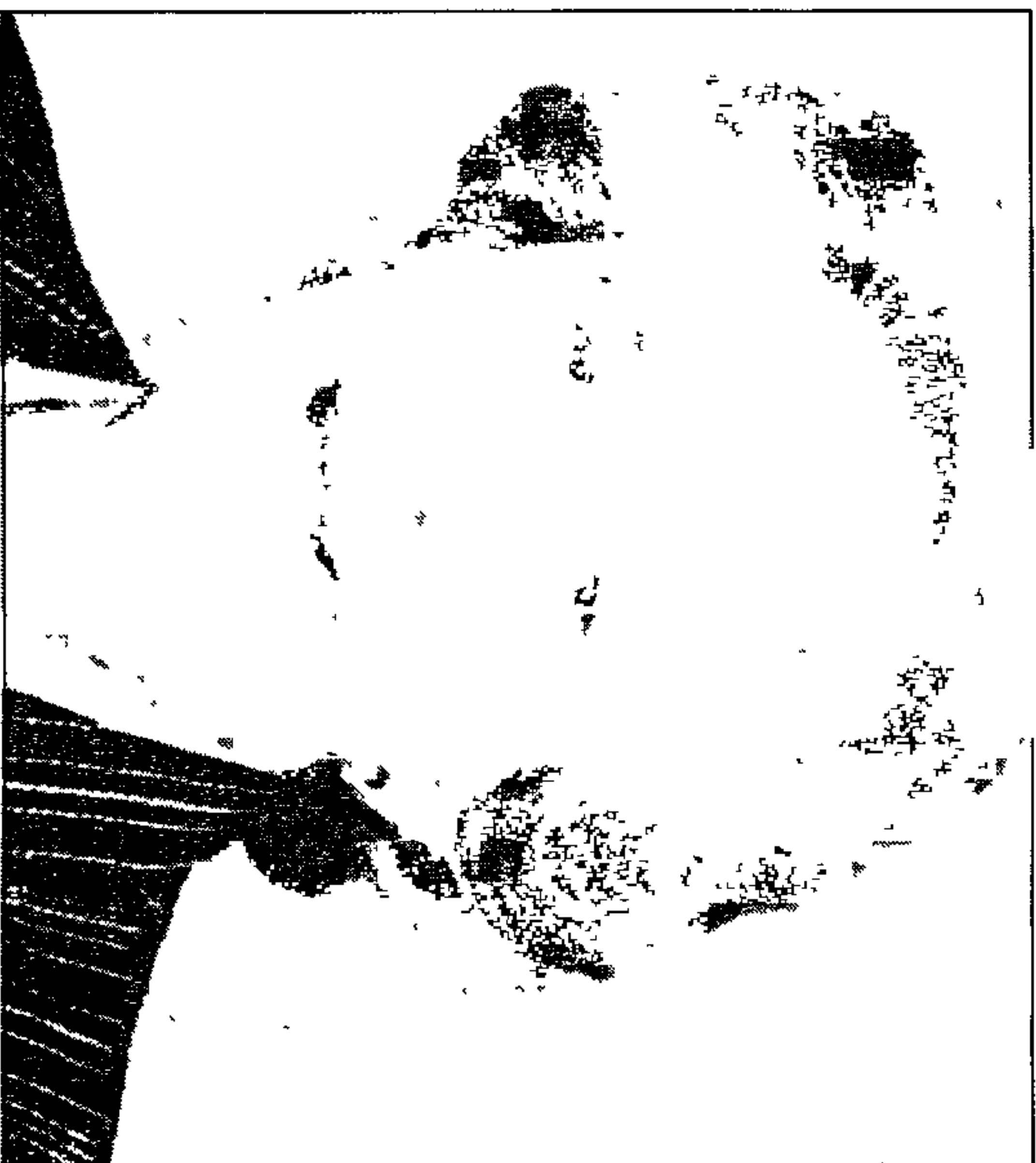
equipment, such as sewing machines, and

- The infrastructural development of the communities through small projects such as boreholes.

While conscious that the fund had considerable initial capital of R12.6 million and that the annual interest accumulation of such a sum would be significant, the trustees were equally conscious of the dangers of inflation.

A cautious approach has been adopted. In the nine months after the accident, assistance of R170 370 was given to the beneficiaries. This included more than R48 000 for school uniforms, R102 000 for school fees and R14 000 for widows' training.

Fund co-ordinator Collen Manzan said "The joint management of the trust brought Anglo and the National Union of Mineworkers closer together. "Together we are an example to others of what can be done."



**GOOD NEWS** . . . Helen Suzman, the chairperson of the Vaal Reef's Disaster Fund, which this week released its first financial report



# Government can learn from lessons of mine safety act

THIS year has seen the culmination of the lengthy process of restructuring laws that regulate mine health and safety.

On January 15, amendments to the Mine Health and Safety Act came into effect increasing the state's capacity to enforce health and safety standards and penalise mining employers who expose workers or the public to danger.

These developments are of significance beyond the mining industry. Employers, trade unions and government have developed by consensus an innovative regulatory system. This is a rare achievement. The system could be applied to other social and environmental regulations where the state's capacity to obtain compliance is extremely limited.

The adoption of the new system is an example of the ability of tripartite debate to produce constructive solutions to what ap-

New health and safety legislation will plug holes left by an ineffective justice system, writes Paul Benjamin

(2/12) BD 31/3/98

peared to be intractable problems. The National Union of Mineworkers (NUM) and the Chamber of Mines had entered the Leon Commission hearings in 1994 with diametrically opposed positions.

The commission's rejection of the chamber's version of self-regulation forced the chamber to engage with NUM's position. Negotiations were transformed from the all too familiar and acrimonious statement and restatement of positions for and against regulation into a constructive debate on the development of an effective regulatory system.

The new system reflects the commitment of all parties in the industry to a proactive and systematic approach to health and safety. It is constructed on the twin pillars of the employer's re-

sponsibility to establish effective management systems to identify and control hazards and extensive worker and trade-union rights to participate in health and safety.

The role of the state combines the promotion of a culture of health and safety in the industry with the capacity to impose effective sanctions on those who do disregard standards.

Mine inspectors who observe violations of statutory health and safety standards are empowered to recommend that mine owners be fined. The decision whether or not to impose a fine rests with the principal inspector who must consider representations from the mine. The decision can be appealed to the chief inspector of mines and the Labour Court. This ensures a full hearing on the issue

before a penalty is finalised.

A maximum fine of R200 000 can be imposed. The severity of the number of employees exposed to a risk will influence the size of the penalty.

The effective implementation of the new system will require the inspectorate to adopt an enforcement policy that is firm but not rigid. Inspectors should not recommend penalties for every violation, no matter how trivial. Employers should not be able to adopt the view that they will not be fined unless they have previously been instructed to comply with a standard.

The system is a response to the inability of criminal law to control many forms of corporate conduct. In SA, this inability is exacerbated by the crisis in the justice system.

Prosecutions are generally only instituted once there has been an accident. The new system is consistent with a proactive approach to health and safety in the workplace. Fines can be imposed if a dangerous condition is observed.

The inspectorate retains the right to recommend prosecutions but its policy will be to limit this to accidents involving serious injury or death.

The system has significant lessons for the development of governance in SA. The government is at present endeavouring to simultaneously modernise and down scale the public service it inherited from the apartheid era. The numerous agencies at all levels of government that must ensure the constitutional right to a healthy environment are disem-

powered by lack of enforcement power. Calculating employers are able to laugh off the threat of prosecution and continue polluting. In the rare case that does lead to a conviction, the norm is for small fines to be imposed many years after the event for even the most egregious damage or pollution.

While some of these agencies have the power to shut down operations, these powers are seldom used, primarily because of the employment consequences.

Systems of administrative enforcement offer considerable potential to rectify this imbalance and allow the state to promote the protection of the environment

□ Benjamin is a partner with Cheadle Thompson and Haysom and represented the National Union of Mineworkers in negotiations on the Mine Health and Safety Act.

## Two mine technicians killed in explosion

BD 15/4/98 (212)  
HENDRINA — Police are investigating an explosion at Optimum Colliery near Hendrina in Mpumalanga in which two mine technicians were killed on Good Friday.

Jimmy Mthombothi and Peter Senyane died instantly when the load of industrial dynamite they were transporting exploded on their 4X4 bakkie.

The explosion ripped apart their vehicle, blasted a 3m-deep crater in the road and seriously damaged nearby mine buildings. Police spokesman

Senior Supt Theo du Bruyn confirmed the investigation

“Our investigating officers seem to be having difficulty making regular telephonic contact with the mine, but we can confirm that the explosion occurred at 4.10pm on Friday. Both occupants of the vehicle were killed instantly,” Du Bruyn said.

Unconfirmed reports indicated the explosion occurred while the two were transporting the dynamite from a blast site to a storeroom — Sapa.



## Dependants to receive an extra R2,5m

Reneé Grawitzky (212)

THE dependants of 94 of the 104 mineworkers who died during the Vaal Reefs mine disaster in May 1995 are to receive additional compensation amounting to R2,5m, but future payments by Rand Mutual could be in the region of R15m.

A deal struck yesterday between the National Union of Mineworkers (NUM), AngloGold and Rand Mutual Assurance will ensure that the pensions paid by Rand Mutual Assurance to the dependants are increased 12,5% **B08/5/98**

Where there are a number of widows in respect of the same deceased, each widow will receive a full pension as opposed to the earlier arrangement whereby the pension was split between widows.

The union claimed that total compensation — both paid and still to be paid to the dependants — could amount to R150m, subject to the life expectancy of the dependants.

The Vaal Reefs inquest headed by Judge Ramon Leon found that the mine should be prosecuted for culpable homicide. As a result the majority of dependants, based on the alleged negligence of the mine, submitted claims for additional compensation.

The Compensation for Occupational Injuries and Diseases Act provides for additional compensation claims in the event that the company is found to be negligent. It is understood that negotiations are still under way relating to compensation for the 10 contractors who also died in the accident.

# Extra payout for Vaal Reefs victims

(BR)CT (8/5/98) (212)

**FRANK NXUMALO**

LABOUR EDITOR

Johannesburg — The National Union of Mineworkers (NUM) and Rand Mutual yesterday agreed on a sum of between R15 million and R22 million as an out-of-court settlement for the families of the victims of the 1995 Vaal Reefs mine accident

On May 10 1995 a locomotive plunged down shaft No 2 at Vaal Reefs. The accident claimed the lives of 104 miners.

The compensation will be backdated to the time of the accident. George Molebatsi, an NUM spokesman, said the new compensation allowed for the payment of more than one widow.

"Where there is more than one widow in a family, each

widow will be paid a pension. Currently only one widow is recognised for compensation purposes.

"Where there are more than three children in a family, each child will be paid a pension. Currently only three children are recognised per family for compensation purposes," said Molebatsi.

Compensation pensions payable to dependents will increase by 12,5 percent of the deceased workers' remuneration at the time of the accident.

The increase will be backdated to the date of the accident and will be subject to periodic reviews. Molebatsi said the pensions would be payable to widows for the rest of their lives and to their children until the age of 18.

"From the accident to date, approximately R16 million has been paid to dependents by Rand Mutual in lump sum and pension form. The terms of this agreement will result in an initial additional payment to dependents by Rand Mutual of approximately R2,5 million.

"It will further result in future additional payments to dependents by Rand Mutual conservatively estimated between R15 million and R30 million," he said.

Molebatsi said the actual amount paid would be affected by a number of variables, including the rate of inflation and consequent increases determined by the labour department, Rand Mutual and the life expectancy of the widows.





ANDREAS VLACHAKIS

Brighter future  
— Matebelo  
Sechle holding  
Madiso (5)  
and with  
Thabiso (8)  
The trust fund  
ensures that  
Madiso and  
Thabiso will be  
able to go to  
university if  
they choose to.

# Watershed trust for miners' families

The millions set aside are primarily to pay for educating children of men killed at Vaal Reefs

Star 11/5/98

(212)

because they need to make a living. There is no work here, they have no choice. But it doesn't mean they always like working in the mines," she said.

Phako was also completing a dressmaking course with the help of the trust fund and was planning to open her own business.

"I need to use my money wisely so my daughter can become an accountant."

All these women have a deep and painful past. They have had to fend for themselves and their children. Some do better than others. They have many questions and point out that they know the widows of other mining accidents do not all benefit like the Vaal Reefs widows.

from the ranks of NUM, Anglo and Vaal Reefs, taking responsibility for the fund's expenditure and investments.

Colleen Manzana was employed last year as trust co-ordinator to deal with the heavy administrative work involved, as well as the day-to-day affairs of the trust.

"I was NUM's regional health and safety secretary on the mine when the disaster happened," said Manzana, who was also nursing at the Vaal Reefs hospital at the time.

Manzana was involved in the grisly task of identifying bodies and inspecting the accident site.

"Since then these women and children have become a part of my family. When something is wrong with them I become worried," said

It's three years since 104 miners fell to their deaths at Vaal Reefs mine in Orkney. The disaster left more than 100 families across southern Africa without husbands, fathers, and breadwinners. Most of these families were in Lesotho. Reporter ANSO THOM and photographer ANDREAS VLACHAKIS went to the mountain kingdom and found hope amid the mourning.

When 104 miners stepped into the fateful cage at shaft 2 on the Vaal Reefs mine on May 10 1995 their families lives changed forever. One hundred and four wives had to deal with their husbands' tra-

clous house which is being built near Maseru. She has used her death and pension benefits to achieve this.

She has also completed her matric since the death of her husband and is planning to send her children to private schools.

"I was pregnant with Paanya when Rapanya died. It was very difficult to cope, but I have managed with prayer. I had to take a brave decision and go back to work after his death, because my in-laws demanded that I mourn for a year. I would have lost my job if I had agreed," she said.

Another widow, Matebelo Mosia (35), has become a respected figure in Hlatse, an outlying village near Leribe. Mosia has built a spaza shop and m...



ANDREAS VLACHAKIS





# Watershed trust for miners' families

The millions set aside are primarily to pay for educating children of men killed at Vaal Reefs

After 11/5/198

(212)

It's three years since 104 miners fell to their deaths at Vaal Reefs mine in Orkney. The disaster left more than 100 families across southern Africa without husbands, fathers, and breadwinners. Most of these families were in Lesotho. Reporter ANSDREAS VLACHAKIS went to the mountain kingdom and found hope amid the mourning.

**W**hen 104 miners stepped into the fateful cage at shaft 2 on the Vaal Reefs mine on May 10 1985, their families' lives changed forever. One hundred and four wives had to deal with their husbands' traumatic deaths which also left 308 children without fathers.

The national disaster led to donations from the public. President Nelson Mandela, government, Anglo American Corporation, the National Union of Mineworkers (NUM), Larry Oppenheimer and many more.

The Vaal Reefs Disaster Trust fund was soon set up. It was designed so that each of the surviving children had the certainty of knowing that his or her educational needs would be catered for to tertiary level.

The fund focuses primarily on the children's needs, but also assists widows in educating themselves in any endeavours that would help them become self sufficient. Projects undertaken by the widows must benefit the family and the community in which they live.

The dependants are scattered across South Africa and neighbouring countries. The majority of the widows and children live in Lesotho (118), followed by South Africa (36), Mozambique (55), Botswana (31) and Swaziland (13).

Within weeks of the disaster, the trust fund had accumulated more than R10-million. A group of trustees were nominated jointly

from the ranks of NUM, Anglo and Vaal Reefs, taking responsibility for the fund's expenditure and investments.

Colleen Manzana was employed last year as trust co-ordinator to deal with the heavy administrative work involved, as well as the day-to-day affairs of the trust.

"I was NUM's regional health and safety secretary on the mine when the disaster happened," said Manzana, who was also nursing at the Vaal Reefs hospital at the time. Manzana was involved in the grisly task of identifying bodies and inspecting the accident site.

"Since then these women and children have become a part of my family. When something is wrong with them, I become worried," said Manzana, who believed the fund had managed to help build a relationship between NUM and Anglo.

"Anglo has set the pace for the other mining companies with this trust fund. I just hope that this fund can become the blueprint for a trust fund which could look after the family of each and every miner killed because of an accident," Manzana said.

She pointed out that the main purpose of the trust fund was to educate the children. "We have to help the widows, but the main focus is the children."

"These children might one day return to the mining industry, but they won't return as miners, rather as surveyors or engineers," she said. Manzana accompanied The Star to several Lesotho widows who were benefiting from the trust fund.

Room 27F is stuck away in the corner of the Morija hospital near Maseru. Nurse Manganya Motalane (26) lives in the cramped room with her two children Masebina (4) and Paanya (2). They used to have to share the small room with her husband Rapanya (27) when he came home on leave from the mine.

Motalane can't wait for the day they can finally turn their backs on this room and move into the spa-

rious house which is being built near Maseru. She has used her death and pension benefits to achieve this. She has also completed her matric since the death of her husband and is planning to send her children to private schools.

"I was pregnant with Paanya when Rapanya died. It was very difficult to cope, but I have managed with prayer. I had to take a brave decision and go back to work after his death," she said. "I would have lost my job if I had agreed," she said.

Another widow, Mabello Mosia (35), has become a respected figure in Hlase, an outlying village near Leribe. Mosia has built a spaza shop and many a weary traveller has stopped in the shade of her tree to drink a cold beer. Her husband, Thabang, had been a miner for 17 years when he was killed, leaving her to look after their three children Ke-fuoe (12), Tebello (10) and Malesha (5).

The shop's shelves groan under the weight of household necessities such as Lucky Star pilschards, mealie meal, Castle Lager, Silky Silky parathoses, Batana Batana key rings, Boxer tobacco and Mmora blades.

"Knowing that the trust fund caters for my children's educational needs, I can use my pension and benefits for my own business," Mosia commented.

Matsnu Pheko does not mince words when she talks about the mines. "I hate the mines," she said. Pheko's husband Tsohilelo, was killed after serving the mining industry for 19 years.

Pheko received a R60 000 death benefit when he died and has invested it. She is busy building a house for herself and her daughter Ralebohile near Maseru. "I wouldn't like my child to become a miner, but when my husband died I nominated his younger brother to replace him. "He wanted to go. Just like the rest, Lesotho people go to the mines

because they need to make a living. There is no work here, they have no choice. But it doesn't mean they always like working in the mines," she said.

Pheko was also completing a dressmaking course with the help of the trust fund and was planning to open her own business.

"I need to use my money wisely so my daughter can become an accountant."

All these women have a deep and painful past. They have had to fend for themselves and their children. Some do better than others. They have many questions and point out that they know the widows of other mining accidents do not all benefit like the Vaal Reefs widows.

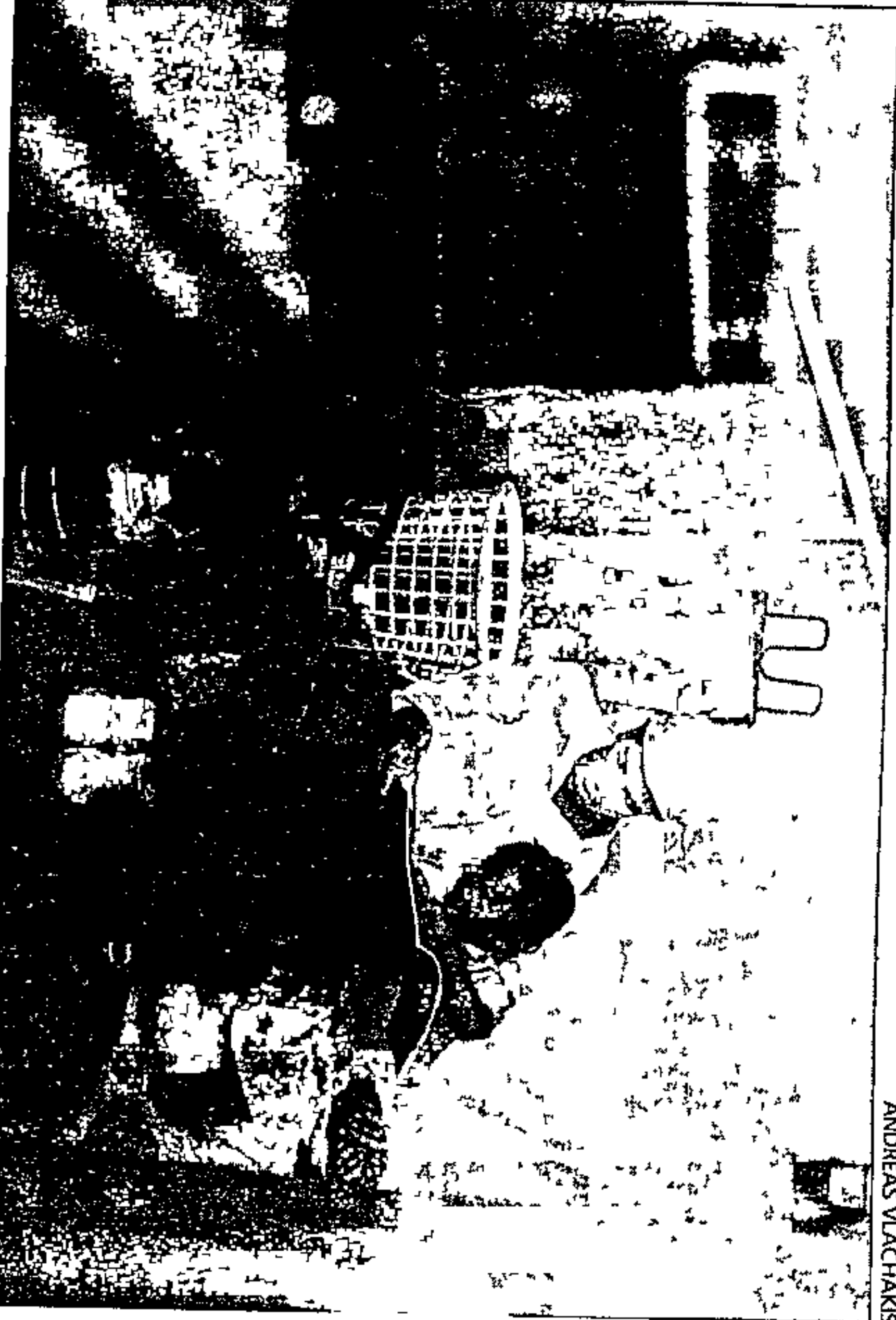
"When is enough enough? I don't know. Money can not bring back a life," said Pheko. "But I can't deny the hope the trust fund has brought my family. It has brought the knowledge that my child can go to university. A knowledge few other widows have."

In another development, NUM last week signed an agreement with AngloGold granting between R15-million and R22-million to the families of the victims.

The out-of-court settlement allows for the payment of full compensation pensions to all widows, even in cases where a deceased miner had more than one wife. The pensions will be payable to the widows for the rest of their lives. Bar-her compensation policy only recognised one widow.

The agreement also undertakes to pay pensions to all children of the deceased to the age of 18. Only three children per family were previously recognised for compensation.

The figure of between R15-million and R22-million includes money already paid out and money which is to be paid out in the future. An agreement benefiting the dependants of the 10 contract workers killed in the accident is near finalisation.



Newfound hope... Masebina Motalane (4) with her grandmother

## Grateful widow makes a little go a long way

By Anso Thom

It's not easy to find Mareleng Sechele's home. There is no distinctive road which shows the way to her kraal perched on top of a mountain, several kilometres from Mochaleshoek in Lesotho.

The 30-year-old widow and mother of Thabiso (8) and Madihebo (6), will tell you that three years ago you would have found her working in the meale fields.

Now she proudly shows you the room she has built in which she will be holding sewing classes for women from the surrounding villages.

"The trust fund and Colleen have done a great thing. She took us from the meale fields," said Sechele, referring to Colleen Manzana of Vaal Reefs'

Trust Fund. "When my husband Johannes was alive, I was interested in sewing, but I didn't have money to go for training."

"The money will never take away the sore (pain) left by Johannes' death. I can't forget, but we are not suffering financially," said Sechele.

Johannes Sechele left his village several years ago heading for the city of Gold where he found work as a miner at a contracting company. Sechele was soon sent to work underground at Vaal Reefs mine in Orkney. On May 10 he stepped into the doomed cage which fell more than 400m, leaving 104 miners dead.

Because Sechele was one of 10 contract workers who died that day, his family did not receive a lump sum (death benefit), as in the case of

the Vaal Reefs employees, but a funeral benefit (R650) and monthly pension (R650).

However, the trust fund pays for the children's school uniforms, books and fees. Sechele's sewing training was also paid by the fund.

"The qualification has bought a better life for me and my children. We have used the monthly pension to improve our lives," she said. "I feel better about myself."

"I must buy another four sewing machines before August when my school opens. I know I will be making a contribution to the community and I think that is important."

Said Manzana: "Mareleng is a shining example to the other widows. She never complains. She is grateful for every little bit that comes her way and has shown that with a little...

## Five miners die at colliery

Rescue workers late yesterday afternoon found the bodies of five miners who died when the roof of a work area apparently collapsed at Goedehoop colliery in Witbank earlier in the day. (212)

Anglo American Coal Corporation spokeswoman Wanda Olivier said the bodies of the miners were being brought to the surface at 6.30pm.

They were found 55m underground, about 1.5km into the mine. The accident, which happened at noon, appeared to have been caused when the roof of the area in which the miners were working collapsed. - Sapa

Star 6/6/98

**D WORK IN  
AFRICA**

**'See illegals as  
part of costs'**

The Government should



# Govt reviews its investigation of mining accidents

POD 13/7/98 (212)

Dustin Chick

THE minerals and energy department was reviewing its accident investigation procedures to learn lessons for the future rather than simply apportion blame, deputy director of mines Carl Marx said at the weekend.

Marx said it was important to distinguish between the causes and issues of culpability in accidents.

Investigations needed to be decriminalised in the interest of

learning more about safety needs from each accident.

It was necessary to make more effective use of the attorney-general's power to indemnify witnesses from incriminating themselves so that they would provide more detailed information on what had happened.

"At the moment, we have a blame fixing culture," Marx said. He said accidents always had multiple causes and investigators needed to look at procedures, conditions, and unsafe

acts in their investigations.

However he said the new procedures would not put an end to personal liability.

"If there is death involved and someone is responsible, then the law must take its course," Marx said.

The department said at the weekend that it was sending 10 inspectors of mines on a four-week exchange programme to the US at the invitation of the US government.

The inspectors would attend

courses at the National Mine Health and Safety Administration in Virginia.

"The technology acquired from these programmes, as well as the technology from Australia and Britain, will be adapted to suit the SA mining industry and produce a world best," Marx said.

The exchange programme was arranged during an official visit to SA by Davitt Mcateer, the US assistant secretary for mines, earlier in the year.



# SA cattle will bolster Swazis' EU meat quota

James Hall

MBABANE — Swaziland aims to spend R24m this year on SA cattle to enable more Swazi-grown meat to be allocated to its European Union (EU) export quota

Swaziland Meat Industries MD John Williams said 12 000 head of SA cattle were

required, at an average cost of R2 000 each

"Swaziland's EU quota is a great opportunity for us as it represents a guaranteed sale," he said

"Unfortunately, domestic output is insufficient to meet the quota"

Another 12 000 head of cattle will be imported for fattening and export

to the EU if Swaziland succeeds in its petition to the EU for exemption to the rule requiring all Swazi export meat to be locally born

Williams cited reluctance of peasant farmers on Swazi national land to part with their cows until they were past their market prime

All locally grown beef purchased by Swaziland Meat Industries was exported

"This is prime hindquarter cut, highest standard, with a four-month shelf life," Williams said

To meet domestic needs, Swaziland Meat Industries imports cattle

from SA and markets them under the Simunye Beef label

Louise Cook reports that the European Commission confirmed that Swaziland had only half of its allocated quota available for export

A spokesman for the commission's Pretoria office said there was no clearance for export of the meat to the EU unless the animal was born in Swaziland

The spokesman also said the commission had given financial backing for a study to find ways in which Swaziland could boost its supplies to meet the annual quota

Bo 22/7/98

## Talks to be held on use of asbestos

David Greybe (212)  
DB 23/7/98

CAPE TOWN — A national summit to tackle problems arising out of the mining and use of asbestos in SA is planned for the end of November

Organised by Parliament's environment affairs and tourism committee, the summit will involve stakeholders in the private and public sector, including mining houses and communities that are affected

It could result in legislative steps to remedy asbestos-related problems, said Liz McDaid, a member of the national asbestos summit working group, yesterday

The summit would look at the areas where asbestos could present serious health threats and identify the main ways in which asbestos was still being used in SA, said McDaid, who is also a parliamentary researcher for the portfolio committee

The intention was to "help government and other role-players involved to make effective decisions at and after the summit", she said

Jerry Ndou, chairman of the asbestos subcommittee in Parliament, said problems arose out of the past mining and use of asbestos

Ndou, an African National Congress MP, said the purpose of the summit was threefold

- To provide an opportunity for information about asbestos and its effects on the people of SA to be shared by all interested and affected parties, including former mining communities, trade unions, scientists, government officials and industrialists,
- To set out and prioritise the main areas of concern and explore possible strategies for addressing them, and,
- To encourage government and other key role-players to commit themselves to specific action-oriented strategies following the summit

# Sasol Mining management threatened with homicide charge

**JONATHAN ROSENTHAL**

INDUSTRIAL EDITOR

Johannesburg — Sasol Mining's management could be charged with culpable homicide after an inquiry found that employees of Sasol's Middelbult colliery were responsible for a 1993 explosion that killed 53 people, the Chemical Workers' Industrial Union announced last week.

The mine also faces claims for additional compensation by the families and dependants of deceased black workers. It settled the claims of families of white workers some time ago.

Richard Spoor, the legal representative of the union, said

the findings of the inquest had been passed on to the attorney-general to initiate a prosecution against the mine's management.

"Sasol's top management face the rather grim prospect of standing in court, accused of 53 counts of culpable homicide," Spoor said.

Last week, the union said further charges could be added when assessor Ken Guhmanz of the minerals and energy affairs department delivered his report on possible violations of mine safety laws and regulations.

"The findings should send a clear signal to mine management everywhere that they will be held accountable for breaches

## Coal mine fatalities

Year	Average labour of work	Fatalities	Rate*
1990	49 667	20	0.40
1991	49 667	20	0.40
1993	40 599	25	0.62
1995	56 667	25	0.45
1996	56 770	25	0.45

\*Fatalities per 1 000 workers  
Source: Chamber of Mines of South Africa

of managerial responsibility," the union said.

The long-running inquest heard that the explosion was

caused primarily by coal dust — and not methane, which is seen as unpreventable.

Professor Albert Davies, an international mining expert, testified that the accident was caused by poor ventilation, inadequate maintenance of machinery, the inadequacy of stone dusting standards, poor standards of dust suppression and the failure to use explosion barrier systems.

He said management had failed to control, manage and direct mining operations in the section in which the explosion occurred.

Sasol issued a statement at

the weekend expressing its sympathy with the families of the deceased.

"Sasol Mining places the highest premium on the safety of its employees, and the company co-operates with the authorities as well as its workforce to safeguard the working environment of its people," Sasol said.

It said that the mine was rated fifth out of 46 in a Chamber of Mines safety award and that, in April 1998, it achieved 1 million man shifts without a fatal injury.

"Sasol Mining will have to study the detail of the judgment before any further statements can be made," the company commented.

(212) CT (M) 11/8/98







Mineworkers Development Agency CEO Kate Philip discusses the R5,8m retrenchment fund with NUM president James Motlatsi, left, and AngloGold CEO Bobby Godsell.

Picture TREVOR SAMPSON

## Anglogold pledges R5m to jobless fund

BD 8/9/98

(212)

Reneé Grawitzky

THOUSANDS of retrenched mine workers and their home communities look set to benefit from a retrenchment fund established jointly by the National Union of Mineworkers (NUM) and AngloGold yesterday.

The fund is intended to finance job creation initiatives and will be financed with R5,8m pledged by AngloGold. It comes in the wake of the loss of 36 000 jobs as a result of AngloGold's restructuring over the past 18 months.

The fund will pay for skills

training for retrenched workers and projects initiated by the union's development arm, the Mineworkers Development Agency. The agency, established after the 1987 strike, has been instrumental in facilitating rural self-employment schemes for retrenched mineworkers and mining communities by setting up four development centres.

AngloGold has committed itself to financing a development centre in Kokstad in the Eastern Cape and is considering funding a similar project in Mozambique.

AngloGold CEO Bobby Godsell

said the industry had to downsize in order to survive in recent years.

NUM president James Motlatsi expressed the hope that other companies would follow AngloGold's example and fund similar initiatives.

Development agency CEO Kate Philip said the idea formed part of an R80m proposal tabled during the ongoing gold crisis committee meetings and was intended to spearhead job creation and rural economic development.

She said the setting up of a network of 15 regional development centres in rural areas was central to the proposal.

# Bill aims to transfer radiation regulation in mines

**Jonny Steinberg**

PLANNED legislation will transfer the regulation of underground radiation levels from the Council for Nuclear Safety to the minerals and energy department

But a spokesman for the council, Phil Nkhwashu, said yesterday he was appalled when he read the draft

"The expertise necessary to monitor underground radia-

BD 21/9/98 (212)  
tion simply does not exist in the department," Nkhwashu said "We have been performing this function since 1990 If the department is to take it over, there needs to be a formal transfer of skills and training It all needs to happen in the open, under the scrutiny of international peer review"

National Union of Mineworkers general secretary Gwede Mantashe also said it

was unacceptable that the department take over radiation control "It must be an independent function," he said "We will say as much when the bill is opened to public debate"

In response, mine health chief director Dick Bakker said the department was eminently qualified to take over the monitoring function

"We have 11 radiation control officers with high qualifications and a wealth of venti-

lation experience," Bakker said "The Mine Health and Safety Act makes underground safety our responsibility We are not going to abrogate a task which the law places on our shoulders"

The union was also concerned that a conflict of interest may exist in the position of deputy director-general in the department, Gordon Sibiya, a non-executive director of Randfontein Estates mine



# Furore over radiation safety in mines

JONATHAN ROSENTHAL

INDUSTRIAL EDITOR

Johannesburg — A bitter row between the Council for Nuclear Safety (CNS) and the department of minerals and energy over radiation safety in mines had to do with money rather than safety, senior government and industry sources said this week

The row was made public at the weekend with attacks on Gordon Sibiya, one of the country's top nuclear scientists and the deputy director-general of the department of minerals and energy

Sibiya was accused of attempting to water down radiation safety regulations in mines by introducing legislation passing responsibility for monitoring radiation from the CNS to the department's own inspectorate.

This week the National Party called for Sibiya's dismissal, arguing there was a clear conflict of interest between his position



**UNDER FIRE** Gordon Sibiya is accused of conflict of interest

in the department and his role on the board of a mining company

Both Sibiya and the Chamber of Mines this week denied the regulations would be loosened. They said the change in responsibility was mandated by the Mine Health and Safety Act, which brought a range of mining health and safety issues

under one law for the first time.

Sibiya and mining industry executives said this week the CNS's attempts to keep a grip on radiation monitoring in mines was motivated by the licence fees it earned from this function

Industry sources said the CNS, which licenses mines in the same way it licenses nuclear power plants, charges mines around R11 million a year. Costs of compliance for the industry run to about R45 million a year, or almost R2 million a mine, according to a recent survey by the Chamber of Mines

"A concern expressed at mines is that they don't have sight of the details of what the charges refer to, what they are paying for and if they are getting value for money," John Stewart, a mining consultant to the Chamber of Mines, said this week

The CNS failed to respond to calls for comment on Wednesday and Thursday

# Experts to assist in mine radiation levels

Linda Ensor

CAPE TOWN — International radiation experts are to be brought to SA by the minerals and energy department in a bid to resolve the dispute that is raging between it and the Council for Nuclear Safety over proposed legislative amendments which would see the standards applied to radiation levels in the mining industry reduced.

Deputy director-general Gordon Sibuya hoped the experts would confirm the de-

partment's view independently.

The council believes the department wants to lower the standards to below international norms, whereas the department argues that the council is applying standards four times higher than international standards, at considerable cost to the mines. The council charges a licence fee for doing so, which council deputy liaison manager Phil Nkhwashu said amounted to about R4.5m in the 1997/98 financial year. Another effect of the proposed Nuclear

Safety Bill would be to transfer the regulation of radiation hazards on the mines from the council to the Mine Health and Safety Inspectorate.

Both the council and the National Union of Mineworkers are opposed to this on the grounds that a single department would then control the regulation of the industry and its promotion.

The council says it has come under "enormous pressure" from the mining industry to compromise on safety standards.

The Chamber of Mines supports the transfer of functions. However, there was no question of applying standards lower than internationally accepted ones.

"In the gold mining industry, where 200 000 jobs have been lost during the past 10 years, any unnecessary regulatory cost which does not reduce health and safety risks, and which is therefore unnecessarily burdensome, is now starting to be seen as a real threat to the viability of certain mines that are struggling to survive," said Denis

(212) BD 28/9/98

dispute

Wymer, assistant technology adviser at the Chamber of Mines.

"The unwarranted commitment of resources by mines in order to comply with misplaced requirements of nuclear regulation will not do anything to reduce the already low risks from radiation," he said.

Since about 1993, every gold mine in SA has been a licensed nuclear facility and mines have complained that the cost of complying with the onerous regulations undermined their competitiveness.



# Mines best equipped to monitor own radiation hazards

RADIATION hazards in mines are in principle no different from many other health and safety hazards in mines, and have little to do with nuclear safety.

Elsewhere in the world, nuclear safety regulation is essentially aimed at nuclear facilities, and its application to mines is either nonexistent or restricted to those mines dedicated to the production of uranium, of which there are none in SA.

Indeed, at the time when the Council for Nuclear Safety was established, it was the government's stated intention that radiation hazards in our gold mines should be regulated by the government mining engineer.

But because our mine health and safety legislation was not sufficiently developed at the time, licensing by the council was decided upon as an interim measure.

With the introduction of the Mine Health and Safety Act last year, perpetuation of this interim arrangement is no longer necessary and indeed makes no sense.

Health and safety hazards in mines are now subject to a sophisticated and all-embracing system of statutory control involving the joint participation of the state, employers and employees and a formalised tripartite framework of responsibility and decision making.

To exclude the control of radiation exposures from such a system would not only be a mistake, but would constitute an unwarranted fragmentation of regulatory responsibility, given that the very intention of the Mine Health and Safety Act is to develop a unified and holistic approach to mine health and safety.

Both the mining industry and the Mine Health and Safety Inspectorate are well prepared for this change. During the interim period of licensing by the council, much has been achieved by the mining industry through the establishment of comprehensive programmes on mines to protect workers and the public against radiation hazards.

Mines have equipped themselves with highly trained staff and sophisticated monitoring equipment, and have quantified, through comprehensive and detailed surveys, the radiation levels to which employees and members of the public are exposed.

Several of the inspectorate's staff are already qualified in radiation protection on mines, and the regulatory documents setting out basic requirements and stan-

dards are being reviewed in the tripartite structures established under the act.

The documentation is based strictly on international standards endorsed by the International Atomic Energy Agency, the International Labour Organisation, the World Health Organisation, and other world bodies, and is being reviewed by regulators from other countries. There is no question of standards being set below international norms.

What of the radiation hazards themselves, and the associated health effects? An extensive survey in 1993/94 showed that the average radiation dose received by underground gold miners was 13% of the internationally accepted dose limit. This is less than the radiation dose typically received by airline pilots, whose radiation exposures are not subject to any form of regulatory control.

Only 0.7% of the workplaces had radiation levels that could cause the dose limit to be exceeded, and then only if the workplace were occupied by the same worker continuously for five years.

Concentrations of radon gas in underground workplaces — by far

Rational debate on the control of radiation hazards in mines is clouded by deep-seated misunderstandings that drive public doubts about anything to do with the subject. Dennis Wymer examines the issue

DD 29/9/98

the greatest contributor to the radiation exposure — were such that in only 13% of workplaces would it be necessary in terms of international standards to institute any form of control.

Radiation doses to the public living near gold mines have been found to be generally less than 10% of the internationally accepted dose limit, while the recycling of scrap metal from gold mines exposes workers to no more than 0.02% of the acceptable limit.

Studies on uranium miners in North America and Europe, exposed to high levels of radon between 20 and 50 years ago, showed an increased risk of developing radiation-induced lung cancer late in life, typically after reaching 60 years of age.

Their exposures to radon were between 70 and 1 700 times greater than the annual exposures in SA gold mines, so it comes as no surprise that studies by the Medical Bureau for Occupational Diseases have failed to identify any increased risk of radiation-induced lung cancer among gold mine workers.

At the same time, the risk of lung cancer in those same gold

tain mines that are already struggling to survive.

The unwarranted commitment of resources by mines to comply with misplaced requirements of nuclear regulation will not do anything to reduce the already low risks from radiation.

Notably, and importantly so, the use of radiosotopes in medicine and industry, which are far more dangerous than any materials encountered in the mining industry, are not subject to the system of nuclear regulation, but are controlled instead by the health department under separate legislation dedicated to the control of hazardous materials. Why should a similar philosophy not be applied to radiation in the mining industry?

It is now obvious that the interim arrangement involving the nuclear licensing of mines has outlived its usefulness. It is time for nuclear regulation to focus on the safety of nuclear installations, and for the Mine Health and Safety Act to play its full role in providing the regulatory framework for all mine health and safety issues, including radiation. The proposed revisions to nuclear legislation do just that.

□ Dennis Wymer is assistant technology adviser to the Chamber of Mines

mine workers was found to be more than doubled due to the effects of smoking.

Nevertheless, as a precautionary measure, it is assumed that some potential for radiation-induced health effects exists, even at the low radon levels in our gold mines, and exposures to radon are therefore being closely monitored and kept under control by adequate ventilation.

While much progress has been made during the interim period of nuclear regulation of mines by the council, it is becoming increasingly clear that the system of nuclear regulation is not suited to the nature of the radiological risks in the mining industry.

It is largely tailored to the safety of nuclear installations, where dangerously radioactive materials are handled and where there is always the risk of an accident with catastrophic consequences.

In the gold mining industry, where 200 000 jobs have been lost during the past 10 years, any unnecessary regulatory cost which does not reduce health and safety risks, and which is therefore unnecessarily burdensome, could be a real threat to the viability of cer-



# Ex-miners demand 'unpaid' benefits

MANDLA MNYAKAMA  
STAFF REPORTER

Hundreds of former miners - aged 37 to nearly 80 years - crammed into the Black Sash offices in Cape Town this week to seek help in applying for employment benefits to which they say they are entitled.

But they left frustrated after being advised by the office to approach the Employment Bureau of Africa in the areas where they were employed originally.

The bureau was set up by the mining industry in 1912 to recruit workers from southern Africa.

Some of the 400 former miners lost their jobs or were retrenched as far back as the 1940s, while others became unemployed in the late 1980s.

Among the group were women wanting widow's pensions after their husbands were killed in mine accidents.

The miners had documents to prove they were entitled to long-service awards and provident-fund payouts they claimed the mining companies owed them.

The provident fund was set up jointly by the National Union of Mineworkers and the Chamber of Mines in 1988. Many of the miners said they had lost their jobs before the fund was established.

The rest had not completed the 15-year period of service they needed to be eligible for long-service awards.

The miners accused the present Government of "fooling around with the poor", claiming



MANDLA MNYAKAMA

**Help: jobless miners seek help from the Black Sash offices in Cape Town to apply for benefits**

there was a lack of co-operation between the miners and the Employment Bureau.

"We are here to demand what we've worked for in the mines," said Mzuxolile Skwenza, 38, of Nyanga, who worked on the President gold mine.

A Black Sash spokeswoman, Phumla Mncayi, said their offices had been inundated since August by former mineworkers claiming benefits.

"We advised them to re-apply for the benefits or to get all other required details from the Employment Bureau offices

around the country - but they said they could not afford to travel to their home towns, where they were originally employed by the bureau.

"Others have been to the National Union of Mineworkers' regional offices to inquire about these problems," said Mrs Mncayi.

The Black Sash had approached the Employment Bureau's head office and branches in the provinces and had been told the miners should come back in January.

Mario Wanza from the union

acknowledged that many former mineworkers were in desperate need of their benefits.

His organisation would meet the Black Sash to discuss how they could tackle the problem.

Chamber of Mines industrial relations adviser Frans Barker said the chamber did not involve itself in the operational affairs of the mining companies for which the men had worked.

He said only people who had been employed after July 1989 would be eligible for money from the provident fund because that was when it was set up.



More than 500 former mineworkers are seeking advice from Black Sash offices in Cape Town on financial entitlements. The number of people seeking advice had increased dramatically, from 200 a week at the beginning of the year to more than 500 a day this week.

Picture: ARTHUR TYRONE

## Black Sash offices inundated with claimants

Alan Fine

CAPE TOWN — The Employment Bureau of Africa (Teba), the mining industry's recruitment and personnel management arm, is to offer special assistance to the Black Sash, whose advice office here has been inundated by former mineworkers seeking advice on financial entitlements.

According to Black Sash regional director Pumla Mncayi, the advice

office has been serving about 400 to 500 former miners a day this week.

The increased numbers may have to do with reports of successful claims reaching the close-knit former miners' communities.

The advice seekers included miners who had lost their jobs through retrenchment, injury and illness and retirement. Some had come to Cape Town to seek work after losing their mining jobs, while others were trav-

elling from the Eastern Cape.

Teba MD Roger Rowett said he planned to offer to send someone from the company's Johannesburg headquarters to assist.

He said Teba's data base showed some former miners were still entitled to payouts related to the industry's current and defunct provident funds' long-service allowances. Dependents of deceased miners may also be entitled to death benefits.

BD 11/11/98



# Sasol officials could be charged with 53 deaths

CHRIS BARRON

ST 22/11/98

(212) (b1)

PETROL giant Sasol has been found criminally responsible for the deaths of 53 workers who were killed in an explosion at its Middelbult coal mine in Secunda in Mpumalanga in 1993.

In a scathing report released this week, the deputy chief inspector of mines, Kenneth Gudmanz, accused Sasol officials of ineffective management and supervision, and found that the explosion was fuelled by an "excessive" build-up of coal dust, and not by methane gas as claimed by Sasol.

The inquest magistrate, M Jungbluth, found that the behaviour of the officials in the period leading to the explosion constituted "a criminal offence".

Gudmanz found that a Sasol mine manager, a shaft manager, two production supervisors and a shift supervisor caused the deaths through negligence.

He has recommended that these and other Sasol officials be prosecuted for violating 12 safety regulations.

Lawyers for black victims of the blast are demanding that Sasol accept responsibility and pay compensation.

Richard Spoor, a lawyer for the Chemical Workers' Industrial Union, to which the black miners belonged, said lawyers for the black families would now push for charges of culpable homicide against the officials.

Spoor criticised Sasol for paying nothing to the families of the black victims apart from funeral contributions.

He said families of the white victims had pressed civil charges against Sasol and received an undisclosed out-of-court settlement. This route was not open to the black families because black workers, who earned less than their white counterparts, were covered by the Workmen's Compensation Act. But the money they received was "absolutely inferior and does not approximate the actual loss suffered by black families".

Sasol said this week it disagreed with the findings on the cause of the explosion. The findings will be considered by the office of the attorney-general, which will decide whether to prosecute.

Sasol communications manager Alfonso Niemand said that R7,7-million had been paid to families of the victims in accordance with the law and their service conditions, "without discrimination on any basis".



## Managers blamed for 53 deaths

Secunda - Members of the management team at Sasol's Middelbult Colliery near Secunda in Mpumalanga could face criminal charges after their alleged negligence cost the lives of 53 miners in an underground explosion in May 1993.

In a report released by the Department of Mineral and Energy Affairs last week, the mines manager, the shaft

manager, the shift supervisor and two production superintendents were accused of gross negligence that led to the explosion in the north shaft.

Investigations found the blast was caused by ineffective mine management and supervision that led to a methane explosion that ignited excessive coal dust in the air - African Eye News Service

(21a) Star 23/11/98

# Sasol manager may be charged

(212)

**JONATHAN ROSENTHAL**

Johannesburg — A recently released report by the minerals and energy department into an explosion that killed 53 people at the Middelbult coal mine in 1993 had recommended that criminal charges be laid against Andre van Niekerk, the mine manager

But Sasol, which owns the mine, said it disagreed with the findings regarding the cause of the accident and the recommendations regarding possible prosecutions

The report, compiled by Ken Gudmanz, the department's deputy chief inspector, found that the mine management had failed to take reasonable measures to ensure the health and safety of employees at the mine as required by law

The report found the explosion was caused primarily by the operation of a continuous mining machine in an unventilated part of the mine. Because there

was insufficient ventilation in the 40m corridor along which the machine was mining, methane gas built up near the ceiling of the corridor. When this exploded, it ignited coal dust in other parts of the section, spreading the explosion and flame

Gudmanz said contributing factors to the explosion included ineffective management and supervision, the presence of excessive amounts of coal dust, insufficient inertisation (such as spreading stone over the coal to prevent it from burning) and "the total disregard of good mining practice over a period of several shifts preceding the day of the accident"

On the day before the explosion, the shaft manager was made aware that methane had been detected and that ventilation control walls, which would have helped clear the gas, had been removed. Ironically, two days before the explosion the

mine was given the industry's highest award for safety by the National Occupational Safety Association

On that day, the report alleged, the production superintendent failed to inspect the section and falsified entries on the inspection report and the clearing of gas report

"Under these circumstances, a devastating propagating coal dust explosion was inevitable," Gudmanz found

He recommended that van Niekerk be charged for failing to take reasonable measures to ensure the health and safety of employees and that other supervisors and managers be charged for causing serious bodily harm to persons at the mine

These included charges for failing to cut off the electricity when methane gas was detected, failing to ensure adequate ventilation and failing to prevent the discharge of coal dust

CT (DR) 25/11/98

# Rovic judge calls for homicide charges

Reneé Grawitzky

(21a)

THE judge in the inquiry into the Rovic mine disaster, which claimed the lives of 20 miners in 1996, has lambasted management and mine owners, saying they were attempting to rape the mine while failing to heed that people were more important than money.

Judge Dirk Kotze of the Free State division of the high court recommended that the Canadian-owned Rovic mine in the Free State, its SA-based management company Metorex and three senior managers be prosecuted for culpable homicide for the deaths of the 20 miners.

Kotze said in his findings on Friday that a reasonable mine manager would have realised that the mud in the open pit was a time bomb waiting to be activated.

He said a reasonable mine manager should find a balance between production on the one hand and the health and safety of his workers on the other.

The National Union of Mineworkers (NUM), acting on behalf of its members, said yesterday the union intended meet-

ing representatives of the attorney-general's office and national director of prosecutions Bulelani Ngcuka to ensure that the matter was dealt with effectively.

The bodies of 16 miners remain buried under tons of mud and water. To date Rovic has paid out R3,6m to the families of NUM members. The disaster occurred when about 50 miners were trapped underground after a mudslide flooded the mine. The mud burst through the floor of an open pit above the mine workings.

The three senior managers facing criminal charges include mine manager Pieter Smith, mine overseer Kobus Olivier and Metorex technical director Jomo King. King is about to be appointed president of the Golden Lions Rugby Football Union, succeeding Louis Luyt.

The NUM's attorney, Tefo Raditapole, said it was a historic judgment as liability had been placed where it should be.

The judge found that Smith and Olivier, among others, were involved in a plot to mislead the court about the fact that they had been informed the day before the accident by the mine's electrician,

George van der Merwe, that an area of the ground above the mine was subsiding.

They failed to do anything about it before the accident and allowed workers to go underground.

King, a mining engineer, was unaware of this, but he faces charges of culpable homicide for allowing the uneven and unmonitored withdrawal of ore from one section of the mine.

The judge said King had told a "comical story" that a concrete roof or similar structure was keeping the floor of the open pit from caving in. Kotze found that King contradicted himself about eight times about the size of the alleged concrete roof. The mine failed to produce proper plans to illustrate King's claim while the union complained throughout the proceedings that management was withholding documentation.

Five months before the accident, the mine was bought from the Lemkas group by Canadian-based Botswana Diamond Fields. SA-based Metorex was appointed to manage the mine and it planned to double production.

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# Rovic head has 'clear conscience'

FRANK NXUMALO

LABOUR EDITOR

Johannesburg — Jacobus Olivier, the captain of Rovic mine, said yesterday his conscience was clear and he was not responsible for the November 1996 mudslide in which 36 people lost their lives

The bodies of 16 victims still lie entombed in the mud-flooded mine, which has since been mothballed

Last Thursday Judge Dirk Kotze, the chair of an inquiry into the disaster, cited "gross negligence" on the part of the mine, which is owned by Botswana Diamondfields and located in the Free State, as the cause of the disaster

"Kobus Olivier, the mine captain, was not interested in keeping the mine's plans up to the required standards

"There was testimony that he made liquor, meat and women of questionable character available to visitors or inspectors," the judge said

But Olivier said although there had been cross-examinations during the inquest, he did not believe much of the evidence the judge had cited to support his findings could stand the test of a court of law

"I do not feel any responsibility at all I acted in the way I thought best at the time

"I was at the mine and I know that a lot of things that are believed to have happened during the accident are not true."



**WAITING SEAT** Jacobus Olivier, the captain of the Rovic mine, feels no responsibility for the disaster PHOTO JOHN WOODROOF

Olivier said the parties, Rovic and the National Union of Mineworkers, were now waiting to hear whether the attorney-general would prosecute

Olivier said he was aware that although Peter Smith, the

mine manager, was technically and ultimately responsible for what went on at the mine, he and Jomo King, the director of Metorex, the managing company for the Canadian owners, could be collectively and individually held responsible

(212) CT(BR) 14/12/98

# Asbestosis victims win right to sue

(212)

CT 15/12/98

THE House of Lords in London yesterday refused British company Cape Plc leave to appeal against a landmark decision by the Court of Appeal in July giving the go-ahead for five South African asbestosis sufferers to sue the company in the London High Court.

The claimants were exposed to blue and brown asbestos at work or from living in the vicinity of the mills and mines in the Northern Cape (Prieska and Koegas) and Northern Province (Penge)

They instituted proceedings last year

In January this year the London High Court granted Cape Plc a stay of proceedings on the grounds that the case would be heard in South Africa

The Court of Appeal reversed the High Court decision, however.

It ruled instead that the five — two of whom have subsequently died — could sue the company in England.

Cape Plc disinvested from South Africa in 1979.

This left thousands of asbestosis victims penniless and uninsured.

It also had a major environmental impact as the company left

behind several contaminated and abandoned mines.

The claim by the five against Cape Plc follows successful damages actions brought in England by Richard Meeran, a lawyer with the London based Leigh, Day and Co

The actions were brought on behalf of 20 Thor Chemicals workers in KwaZulu-Natal — poisoned by mercury — as well as cancer victims from Rio Tinto's Rossing uranium mine in Namibia.

The Thor case was settled for about R10 million in April last year.

At the same time, a further 21 Thor workers' right to sue in England led to the Lord Chancellor proposing legislation to prevent foreigners from suing multinationals in English courts.

Since the Court of Appeal decision, Leigh, Day and Co have set up offices in Prieska

From there — in association with two South African law firms — the firm has taken instructions from about 600 asbestosis sufferers from the Prieska area and a further 1 500 victims formerly employed at the Penge mine

The instructions are to sue in the London High Court. — Staff Writer

**Thousands of victims were left penniless and uninsured.**

# Rovic disaster could bring about mine act changes

(212)  
Management has labelled recommendations impractical, writes Reneé Grawitzky

DD 15/12/98  
THE Mine Health and Safety Act, which came into effect last year, could be amended if the recommendations proposed by the judge in the inquiry into the Rovic mine disaster — which claimed the lives of 20 miners in 1996 — are accepted by government

Judge Dirk Kotze of the Free State division of the high court recommended on Friday that the mine's owners, management company and three senior managers be prosecuted for culpable homicide for the miners' deaths

Kotze made a number of far-reaching recommendations on the obligations of mine managers in the event of a fatal mine accident, saying that in future accidents mine managers should hand over all relevant documentation to mineral and energy affairs department within 48 hours.

There were many acrimonious exchanges between counsel for the National Union of Mineworkers and the advocates representing Rovic and its SA-based management company, Metorex, during the inquiry over the company's failure to produce relevant documentation and information

Kotze said the mine's plans were in a chaotic state and it appeared that they had not been updated for some time. In addition, the mine failed to convince him that there was a concrete roof or similar structure in place to keep the floor of the open pit from caving in

Metorex's technical director Jomo King claimed the roof was in place, but this could not be substantiated by the plans provided

Kotze said similar problems had occurred in other inquiries into mine accidents in the past with regard to management's failure to produce relevant information and documentation

To ensure that managers presented all relevant documentation to the department in the event of a fatal accident, the judge recommended that they sign an affidavit stating that all documents had been handed over to the department within 48 hours

Other recommendations include the reporting of a mine disaster within two hours to the department and the presentation of photographs and the list of the deceased to the department within 24 hours

The department's chief inspector, Dick Bakker, said Kotze's recommendations and findings entrenched the view that the responsibility for health and safety lay in the hands of management

The findings "go further than the outcome of the joint inquest-inquiry into the Vaal Reefs mine disaster"

Bakker said that in terms of the new act a fatal accident must be reported immediately to the department. The department would then decide whether to initiate a joint inquest-inquiry or two separate processes. This took time — in other words, documents could disappear

Labour lawyer Willem le Roux, who is representing the Hartebeesfontein mine in the inquiry into a 1997 mine accident, said Kotze's recommendations were impractical. Mine management could not be expected to collate all documents and information within a period of 48 hours and not give attention to more important obligations. In the event of a multiple fatalities the mine manager and his staff had to attend to rescue operations, deal with the families of the victims, continue managing the mine in a safe manner and maintain liaison with the media and trade unions

Le Roux said at such an early stage it was difficult to decide the relevance of documentation and information

What may be considered irrelevant at an early stage could become relevant at a later stage

In terms of the act, the department's inspectorate had wide powers to enter mine property and to obtain documentation if the mine manager was not co-operative. In view of these provisions, there should be no changes to current legislation or regulations, he said.

## GETTING IT RIGHT

THE mysterious product, "silicum", mentioned in a brief report yesterday should have been silicon



NUM 'must start afresh' in case against Haartbeesfontein

# Bakker steps down from mine inquiry

FRANK NXUMALO

LABOUR EDITOR

Johannesburg — A serious blow was dealt against the inquiry into the July 1997 disaster at Haartbeesfontein gold mine (Harties) when Dick Bakker, the presiding officer and chief inspector of mines, agreed to recuse himself

The accident followed a seismic rock burst, measuring 4,3 on the Richter scale, in which 18 mineworkers died.

Last week Wilhem le Roux, the legal counsel for the mine, requested that Bakker recuse himself for allegedly having had discussions with National Union of Mineworkers (NUM) experts that could have "materially" affected the proceedings

Le Roux argued that under the circumstances, Bakker could no longer be regarded as impartial

Bakker said after reviewing

CT (BR) 15/12/98 (212)  
all the factors that might have contributed to Harties' fear of bias, he had concluded that "a reasonable apprehension of bias could exist on the part of the mine

"I believe that no material injustice would result if these proceedings were commenced afresh, (given) the fact that the evidence of not even one witness has been concluded and that the inquiry was mostly limited to the discovery of documents," Bakker said.

"Consequently I am inclined towards acceding to the request on the part of the mine, in the result I hereby recuse myself as presiding officer and designated inspector to conduct this inquiry."

He said responsibility of dealing with the matter further would "probably revert to the powers from whence it came"

This move was a complete about-face on the part of

Bakker, who had told Le Roux he would not step down as presiding officer without a high court order.

The legal representatives of the NUM said they were "very disheartened" by the turn of events, given the amount of money, time and effort already dedicated to the proceedings

"We now face a situation where we have to start afresh," said Sesı Baloyı of Cheadle Thompson, the legal representatives for the NUM

Baloyı said among the things that had to be redone were for the parties to decide whether they wanted an inquiry, in which case Bakker could appoint a presiding officer in terms of the Mine Health and Safety Act 1996

Alternatively, they could request a joint inquest-inquiry, in which case the presiding officer would be appointed by the judge president of the high court

# Mine inquiry to start anew after chairman's recusal

(212)  
Reneé Grawitzky

RD 15/12/98

THE inquiry into last year's mine disaster at Avgold's Hartebeesfontein gold mine, which claimed the lives of 18 miners, will have to start afresh in the new year after the presiding officer was forced to recuse himself as chairman of the proceedings.

Avgold applied for the recusal of inquiry chairman Dick Bakker after claiming that there was a potential bias on his part.

Bakker's recusal comes amid numerous complaints by the National Union of Mineworkers (NUM), acting on behalf of the members who died in the accident, that the mine was not making available relevant documentation.

The union's legal counsel, Gordon Aber, said during the proceedings yesterday that he would have to seek instructions from the union about its future participation in the inquiry.

Avgold's legal representative, Willem le Roux, argued that Bakker had been seen discussing the case on two separate occasions with advisers to the NUM.

The mine believed the issues under discussion between Bakker and the union's advisers were material to the inquiry. The incidents created a "suspicion of bias" on Bakker's part, Avgold said.

In its response, the NUM questioned whether the "facts" surrounding the incidents were sufficient grounds in law for Bakker to recuse himself.

Aber said the mine had failed to demonstrate that there was any sound reason in fact or in law for the chairman to recuse himself. The union said the mine's real reason for seeking a recusal was based on the contents of a confidential memorandum drawn up by the mine.

This document stated that the "focus of multiple rock burst fatality inquiries seems to have shifted from what happened to who can be kept responsible. . . As multiple rock burst fatalities is uncommon to Harties it is very likely that Mr Bakker will be more involved even in the less severe cases. The most recent experience is that the purpose of the inquiry is to find somebody who can be blamed and kept responsible."

The accident at Hartebeesfontein in the North West resulted from an underground rockfall precipitated by a seismic event measuring 4,1 on the Richter scale.

Bakker said the "quoted perception in the memorandum is relevant" although it did not form the basis of the mine's application for his recusal.

He denied that his discussion with an expert consultant retained by the union related to the accident, but conceded that his discussion with a second NUM consultant did touch on the inquiry. He said the memorandum constituted proof of an apprehension of bias against the mine. In view of this, he agreed to recuse himself despite earlier claims that he would not.

# Mine safety at risk due to lack of funds

(212)  
Audit finds cost to industry in work-related deaths,  
injury and ill health amounts to R1,14bn a year

Stephané Bothma

PRETORIA — The health and safety inspectorate is unable to ensure safe, healthy working conditions on SA mines, largely due to inadequate training and poor remuneration, a performance audit by Auditor-General Henri Kluever says

The report said the inspectorate had a 31% shortage of professionals in March this year. Its 209 professionals and 53 administrators were responsible for maintaining health and safety standards at about 1 200 operational mines. The SA ratio of inspectors to miners was 1 4 790 compared with 1 733 in Australia.

Kluever said 8 868 miners were killed and 173 007 seriously injured from 1984 to 1997. The cost to the industry in work-related deaths and injury, together with costs resulting from ill health, amounted to R1,14bn a year.

Occupational health was the highest risk area yet only a small portion of research funds on the mines was spent on this aspect of the inspectorate's work.

The audit, conducted by Kluever between August 1 1997 and August 31 this year, found that the financial implications of occupational disease among miners were not being monitored.

"Although HIV exacerbates the occurrence of tuberculosis, prospective and current miners are not compelled to undergo HIV tests," the report said. "However, according to educated estimates, between 20% and 30% of the total labour force of about 570 606 miners is HIV positive and the total cost of treatment for tuberculosis is about R210m per year."

In addition, radioactivity caused cancer and genetic defects which passed from one generation to another. Costs related to treatment of cancer patients from mines could vary from R120 to R60 000 per patient a month.

The report said the incidence of can-

cer per 367 000 risk-associated miners amounted to 15 000 for gold mines, 1 100 for coal mines and 2 250 for platinum mines. "Calculated at a nominal cost of R12 000 per patient per year, the total cost to the mining industry per year amounts to R220m, but this was never reported on (by the inspectorate)."

The inspectorate was also criticised for inadequate preventative measures to reduce "falls of ground accidents". In total 45% of deaths were related to falls of ground. "A special internal investigation relating to three incidents revealed that 15 lives could have been saved had the correct roof support management systems been applied."

Kluever quoted a report from a regional office in Mpumalanga as saying that between July 1 and September 30 1997, 128 out of 160 accidents of this type could have been avoided if standard requirements had been complied with.

Kluever said accident investigations focused on determining blame rather than on identifying basic causes and instituting preventative systems.

The report found that there was no proper planning to ensure the most effective use of scarce resources for follow-up inspections at mines and that a disproportionate number of inspections were carried out by the inspectorate.

Kluever found that the inspectorate also failed to provide effective safety information to the mining industry to ensure the implementation of preventative measures. "Documentation by the safety in mines research advisory committee was issued only to mines that paid a levy, resulting in 57% of all operating mines not getting important information."

Kluever said several corrective steps had been taken in response to the audit, including the drafting of guidelines on occupational diseases in mines and setting up a task team to tackle the issues.

DD 28/12/98



# Mine health and safety inspectorate denies it lacks <sup>(212)</sup>adequate funding, staff

PRETORIA — The mine health and safety inspectorate had adequate staff and funds to do its work, minerals and energy department deputy director-general Dick Bakker said yesterday.

Bakker denied a finding by Auditor-General Henri Kluever that the inspectorate was unable to ensure safe, healthy working conditions on SA mines due to inadequate training and poor salaries.

He said 50 assistant inspectors would start work next month after completing three years' training, bringing the number of such staff up to strength.

The inspectorate was about 15% short of machine inspectors, while the number of mine inspectors was nearly adequate.

Bakker confirmed that the ratio of inspectors to miners in SA was 1 4 790 — much higher than in most other countries. This could be attributed to the fact that the gold mining industry in SA was labour intensive, while most other mining countries focused on coal — a more machine-driven industry. He said the body had 180 inspectors, enough to enable it to do its work.

The new Mine Health and Safety Act placed the onus on mine managers to ensure safe and healthy working conditions for their workers, Bakker said. The inspectorate

was responsible for ensuring that this was done by means of regular inspections and audits.

"Of course one always hopes for more staff, but we are able to implement the act in its current form."

Bakker said the inspectorate had enough money. Its last budget amounted to about R120m, which was what it had requested.

On salaries, he said "There can always be improvements."

According to a performance audit by Kluever, the inspectorate had a 31% shortage of professionals in March this year. He reportedly found that 8 868 miners were killed and 17 3007 seriously injured from 1984 to 1997, resulting in an annual cost of R1,14bn to the industry.

Bakker said Kluever had focused on the negative aspects in his report. "He looked at what had been done and what had not been done, but he did not take into account a number of things that were in the implementation stage at the time of the audit."

Bakker said the country's first mine medical inspectorate was set up this year. He said Kluever had been aware that such a move was in the pipeline, but did not report on it.

SA had one of the most sophisticated accident reporting data systems, he said. This enabled the inspectorate to identify problem mines, which then became subjects

of a new, intensive audit system.

Mines where no problems were reported were also visited regularly. Large mines were visited at least once weekly, smaller ones about once a month, and the smallest mines about twice a year.

Bakker rejected Kluever's criticism that the inspectorate had failed to introduce measures to prevent "falls of ground accidents."

He said a new system came into effect in July in terms of which the inspectorate could fine mine managers up to R200 000 for failing to adhere to health and safety standards.

Bakker described as nonsense an accusation by Kluever that the inspectorate focused on determining blame, rather than on identifying the causes and preventative measures.

The body's main aim was to identify the causes of accidents so it could recommend ways in which future mishaps could be avoided, he said. The directorate had a R40m budget exclusively for research into accident prevention.

Bakker also rejected a finding that the inspectorate failed to provide effective safety information to the industry. He said the body issued a monthly newsletter to all mines, which included such data.

Reports on accident prevention research was also distributed to all mines — Sapa

BD 29/12/98

# Mine inspectorate boss counters report that it cannot ensure safety

(212)

Star 29/12/98

The mine health and safety inspectorate had adequate staff and funds to do its work, Minerals and Energy Department deputy director-general Dick Bakker said yesterday

Bakker, who is responsible for the department's mine health and safety division, denied a finding by Auditor-General Henri Kluever that the inspectorate was unable to ensure safe, healthy working conditions on mines due to inadequate training and poor salaries

Bakker confirmed that the ratio of inspectors to miners in South Africa was 1 4790 - much higher than in most other countries. He said this could be attributed to the fact that the gold mining industry in South Africa was labour intensive, while most other mining countries produced coal, a more machine-driven industry

He said the body had 180 inspectors, enough to enable it to do its work. "Of course one always hopes for more staff, but we are able to implement the law in its current form."

Bakker said the inspectorate also had enough money. Its most recent budget amounted

to about R120-million, which was what it had requested

According to a performance audit by Kluever, the inspectorate had a 31% shortage of professionals in March

He reported that 8 868 miners were killed and 173 007 seriously injured from 1984 to 1997, resulting in an annual cost of R1,14-billion to the industry.

Bakker said Kluever had focused on the negative aspects in his report

"He looked at what had been done and what had not been done, but he did not take into account a number of things that were in the implementation stage at the time of the audit."

South Africa had one of the most sophisticated accident-reporting data systems in the world, he added. This enabled the inspectorate to identify problem mines, which then became the subjects of a new, intensive audit system.

Mines where no problems were reported were also visited regularly. Large mines were visited at least once a week, smaller ones about once a month, and the smallest mines about twice a year - Sapa

MINING - ACCIDENTS

1999



# HIV/Aids timebomb in mining community

(12) (212)  
FRANK NXUMALO

CT(MR) 18/11/99 LABOUR EDITOR

Johannesburg — The mining industry is staring disaster in the face because of a rapidly increasing HIV/Aids epidemic on the mines, a survey published last week shows

The study by the Epidemiology Research Unit and sponsored by the Mothusimpilo Trust, showed that one in every five mineworkers in the Carletonville mining area, near Johannesburg, and up to 75 percent of the prostitutes from a nearby informal settlement, were infected with the HIV virus

The research was conducted among 1 597 mineworkers and 500 prostitutes in the Carletonville area. Anglo American and Gold Fields employ about 70 000 mineworkers in this small mining town. Experts estimate the Carletonville HIV infection rate to be more than two-thirds higher than the national average, estimated at 2,8 million people and increasing at a rate of about 1 500 a day

Although Aids cuts indiscriminately across social class, race and age, research has shown it spreads like fire in migrant labour compounds and communities living in squalid conditions.

Zwelinzima Vavi, the deputy general secretary of Cosatu, stressed recently that the catalytic role played by poor social conditions in the rapid spread of HIV infection. He identified "a relationship between the legacy of apartheid and HIV/Aids in that this epidemic is rife among mining towns, informal settlement, hostels and surrounding areas

"Surely the greatest contributors to this situation is the labour migrant labour system and single-sex hostel system which unfortunately continued to be allowed to exist"

Cosatu has committed itself to a partnership with government to fight the scourge of Aids

Company seeks to refute a compensation bid by 2 000 SA miners by – in part – having their UK lawyers described as ‘ambulance chasers’

# Asbestos claim: ‘spin doctors’ fire first salvo

(2/2)

Star 5/2/99

(S)

THE INDEPENDENT  
London

**D**r Gerrit Schepers, a South African government health inspector, once remarked thus “The administration used young boys within the collecting bags to trample down and compact the asbestos fluff. There was a burly fellow patrolling the bags to lash at the backs of any boys who slowed their pace.”

This is not an account of slavery in the 18th century, but the recollections of Schepers, who witnessed the labours of asbestos workers in British-owned mines as recently as 1965.

His testimony is to be used by lawyers as part of legal claims by more than 2 000 sick South African asbestos workers and their families against Cape plc, the British company that owned the mining concern which employed them.

Because of a test case in the House of Lords last year, the way was opened for them to sue and almost 1 900 did so this week.

But they have already come up against the forces of spin. Cape, which owned the Cape Asbestos Company Ltd until 1979, has employed Charles Lewington, John Major’s former media guru, and Wilf Weeks, who ran Sir Edward Heath’s private office, to deflect attention away from the company’s responsibilities.

Already, the men and their companies, Media Strategy Ltd and GJW Government Relations, have set about trying to plant stories in the right-wing press pointing at the potential cost of granting legal aid to so many foreigners, and describing their lawyers, Leigh, Day & Co, as “ambulance-chasers”.

They will not, however, be able to erase Schepers’ memories of asbestos mining at Penge, in the northern Transvaal.

He saw men, women and children fighting for breath and dying from the cancers in their lungs caused by asbestos fibres.

“On the matter of whether black workers and white workers received

equal health protection. It is almost ludicrous to suggest such a thing,” he wrote to Leigh, Day & Co. “The white workers spent 95% of their day time in offices or dust-controlled enclaves in the mill.

“The black men, women and children were exposed to all the dust that was generated in drilling, blasting, mucking, cobbing and crushing asbestos ore.”

He said white workers were given proper health care. “At the mine and mill, the white workers lived in proper houses and were paid enough to be able to afford proper food and some luxuries such as automobiles.

“The blacks were crowded together in shanty town hovels, paid low and subsisted mainly on sour milk and maize porridge. There was no doctor for the blacks.”

It is against this background that Cape is mounting a publicity blitz aimed at applying pressure on the Lord Chancellor, Lord Irvine of Lairg, to block legal-aid applications from the South Africans.

“The intention is to portray the issue as a ‘foreigners get legal aid’ story” rather than promoting the ‘poor victims of heartless multi-national’ story,” Lewington is understood to have advised Cape.

“A friendly journalist at the Daily Mail should be alerted. [the journalist] would be provided with an (our) estimate of cost

to the taxpayers were all plaintiffs to be fully funded.”

In 1997, the latest records available, Cape reported profits of £12.3-million (about R123-million) on a turnover of £243.2-million from manufacturing and supplying building materials.

Richard Meeran, the Leigh Day partner representing the workers, said this week: “People here should not object to these workers claiming legal aid in Britain.”

“Their action should be paid from British taxes because, for decades, they were exploited by British companies who reaped the assets of their homeland and transported it to create wealth in Britain, leaving them with nothing except terrible illness.”

“  
**The blacks  
were crowded  
into shanty  
town hovels  
and paid low**  
”

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## Mine inspectors cannot ensure safety, audit finds

Linda Ensor

(2/2)

CAPE TOWN — The mine health and safety inspectorate failed to monitor the financial implications of occupational diseases in the mining industry, according to a performance audit tabled in Parliament this week.

The industry spent about R210m and R220m a year on treating tuberculosis and cancer respectively

The audit, conducted between August 1997 and August 1998, also found that the inspectorate was unable to ensure safe and healthy working conditions in the industry because of inadequate manpower

Australia had a ratio of one inspector for 733 miners, but SA's was one for 4 790 miners. From 1984 to 1997, 8 868 miners died, and 173 007 were seriously injured. Fatalities cost the industry R4bn in today's money terms.

Miners were not compelled to undergo HIV tests, though estimates were that between 20% and 30% were HIV positive in the total of 570 606 miners.

The audit found that preventative measures to reduce loss of life on mines due to falls of ground were inadequate. Safety objectives were not achieved.

12/2/99



# Danger on gold mines increases

(212) ARG 13/2/99  
JONATHAN ROSENTHAL

MINING EDITOR

Johannesburg — The fatality and injury rates on all South Africa's mines declined marginally last year, but the latest statistics compiled by the department of minerals and energy show that South Africa's gold mines became a little more dangerous over the same period.

Derek Baker, a senior inspector of mines in the department of minerals and energy, said the overall number of deaths and injuries in mines declined by 11 percent to 370 from 415 the previous year. But he said that since employment levels had also fallen at a similar pace, the fatality rate, measured in terms of the number employees killed for every thousand at work, had remained fairly constant.

The safety statistics are in sharp contrast to those of developed mining nations. Statistics compiled by the US department of labour indicate that in 1996 the entire US mining industry suffered 152 fatal mining accidents, most of which were related to oil and gas extraction. In that year the US gold mining industry, which employs far fewer people than the South African industry, suffered six fatalities.

Last year the overall South African fatality rate fell to 0,85 employees killed for every 1 000 at work, from 0,88 the previous year. The number of employees seriously injured, such that they were incapacitated for at least 14 days, fell to 14,1 for every 1 000 employees, from 14,67 the previous year.

But on South Africa's gold mines, the sector that experienced the greatest fall in employment numbers, the fatality and injury rates increased. Last year 1,09 in a 1 000 gold miners was killed, up from 0,95 the previous year, and 19,87 were seriously injured, compared with 19,54.

The increase breaks a steadily declining trend in the gold industry over the past few years.

A spokesman for the Chamber of Mines, the body representing most of the mining houses, said the general declining trend appeared to be as a result of a more co-operative approach between labour and employers on safety issues. New safety legislation, that among other reforms allowed mineworkers to refuse to work in unsafe conditions, was brought into effect in January 1997.

Baker said last year's increase in accidents on gold mines could possibly be attributed to the fact that mining was taking place at greater depths as well as the production pressures arising from the weak gold price.

He said there was no measurable correlation between increased labour productivity and accidents but said, "somewhere down the line it must have some effect on safety".

Earlier this week Penuell Maduna, the minister of mineral and energy affairs, said the decrease in the absolute number of fatalities and injuries was a result of improved risk management and better health and safety measures.

□ Business Watch, Page 12



# Compensation means nothing to me, says asbestos miner with

LINDA DANIELS

South Africa's asbestos mineworkers have an anguishing choice continue working and risk death, or resign and face the prospect of unemployment

However, their choice could be made easier if a proposed compensation fund gets off the ground  
The report on the findings of the

last year's national asbestos summit was handed to the parliamentary portfolio committee on environment affairs and tourism this week

Among the report's recommendations is the establishment within six months of a national fund to provide compensation and legal aid to victims of asbestosis, a fatal lung disease that affects asbestos workers

But the prospect of compensation means nothing to asbestos mineworker Aron Sibande of Mpumalanga

He says he has no choice but to continue working

He has been employed by the Msauli mine in Mpumalanga for 28 years

Every two months he visits the local hospital where he pays R50 for

medication to help "take away the pain that feels like a wound in my chest"

He discovered he had asbestosis in 1995. He said he did not know of the dangers of asbestos mining before then

"No one told me. I knew only after I went to see the doctor," he said

Mr Sibande has 14 children and is the breadwinner of the family

He said he did not have many options should he decide to stop working

"If I don't work there's no food on the table for my family  
"I need help. If I stop working here no one will feed my family"

He said he was sick and uneducated and could not find other work  
Many of his colleagues were also, suffering from asbestosis, he said

While new employees at the mine were aware of the dangers of working on an asbestos mine, they had no alternative.

He said miners had been given pamphlets on the dangers of working there and the high risk of contracting asbestosis.

Jerry Ndou, the chairman of the parliamentary sub-committee dealing with the issue, said

tion for asbestosis sufferers would benefit workers like Mr Sibande.

The compensation recommended in the report included medical coverage.

"I am hopeful that we'll be able to do something for people who are suffering.

"We hope to bring to the attention of the Government how serious the problem is," said Mr Ndou.

a 'wound in his chest'



# Asbestos miners between a rock and a

By LINDA DANIELS

**S**outh Africa's remaining asbestos mineworkers have an agonising choice - unemployment or the risk of death. But they could soon be paid compensation from a national fund. Asbestos mineworkers say they have not had much choice but to risk their health to feed their families.

But their lot could be alleviated by the report on the findings of the national asbestos summit last year, which was handed to the parliamentary portfolio

committee on environmental affairs and tourism this week.

Among recommendations is that a national fund be set up within six months for compensation and legal aid for victims of asbestosis, a fatal lung disease that affects asbestos workers.

But this means nothing to asbestos mineworker Aron Sibande of Mpumalanga.

He says he has no choice but to continue working. He has been employed by the Msauli mine in Mpumalanga for the past 28 years.

Every two months he pays R50 at a hospital for medication to help "take away the pain that feels like a wound in my chest".

He was diagnosed with asbestosis in 1995 and says he did not know of the dangers of asbestos mining before then.

"No one told me. I knew only after I went to see the doctor," he said.

Sibande has 14 children and is the breadwinner of the family.

He said there were not many options open to him

if he decided to stop working.

"If I don't work there's no food on the table for my family. I need help. If I stop working here, no one will feed my family."

He said he was sick and uneducated and could not find other work.

Many of his colleagues had asbestosis, and while many new employees at the mine know of the health risk, they too have no alternative means of earning a living.

Sibande said miners were recently given pamphlets

about the dangers of working at the mine and the high risk of contracting asbestosis.

Jerry Ndou, chairperson of the parliamentary sub-committee dealing with the issue, said compensation for asbestosis would benefit workers such as Sibande. Compensation recommended in the report included medical cover.

"I hope we'll be able to do something for these people who are suffering. We hope to bring to the government's attention just how serious the problem is," said Ndou.

hard place

(212) (130)

Shw 20/2/99



# NUM furious over nuclear safety Bills

By Malcolm Ray

THE National Union of Mineworkers has rejected the proposed passage of two draft Bills concerned with the regulation of nuclear safety and the environment

Num, supported by the Chemical Workers Industrial Union demanded the return of the bills yesterday pending a thorough process of discussion and debate

In his submission to the portfolio committee on minerals and energy in Cape Town NUM general secretary Mr Gwede Mantashe criticised the Department of Minerals and Energy Affairs and employers for the arrogance with which the two pieces of legislation have been bulldozed without taking labour's views into account

The National Nuclear Regulator Bill and the Nuclear Energy Bill were first mooted by the Government for

legislation early last year and are expected to be passed during this session of Parliament

Their objective is to create a regulatory framework for the management of nuclear waste and radioactive hazards at nuclear power facilities and processing plants

Highlighting his union's main concerns, Mantashe said it was unfortunate that a "veil of secrecy" continued to surround nuclear energy in South Africa

He said the consultation process on the bills excluded the unions and communities who are directly exposed to radiation hazards in underground stope processing plants and residential areas of mining towns throughout the country

"We are also reasonably worried about the exclusion of the mining industry from the ambit of the Nuclear Regulator," he said

*Southern 24/2/99 (212)*

The industry's removal was on grounds of the 'limited impact of radioactive emissions', a clause that has been a bone of contention for NUM

Citing shocking health and safety statistics on the mines, Mantashe said about 1 000 workers at the Harmony gold mine on the Reef were exposed to levels of radiation exceeding the international dose limit

## Exceeding the limit

At least 10 000 mineworkers are exposed to potential annual doses of radiation exceeding the limit

"It's ironic that, under a democratic government committed to transparency and accountability, this veil of secrecy is sustained by the department of minerals and energy," he said

He added that the 'limited consultative process in Nedlac last year' did not augur well for "cooperative govern-

ment

He asked all stakeholders to "comply with the Constitution and Open Democracy Bill" both of which encouraged the disclosure of information

Another concern raised by NUM was a provision in the Bills directed at weakening the role of the Council for Nuclear Safety and lowering the nuclear radiation monitoring standard

In terms of the proposed legislation

responsibility for waste management and radiation hazards will be transferred from the Government to employers a provision that could undermine the independence of the Nuclear Regulator

The emphasis has not been on improving health and safety of workers and the public but to reduce costs for the Chamber of Mines. Cost-cutting can never be the primary purpose for

developing a regulatory framework," Mantashe said

Although he did not elaborate, it is believed the legislation allowed employers too much room to reduce standards of radiation protection and regulation on the mines

"We are concerned that the contents of these Bills have been determined by the Chamber of Mines, Eskom and the department to the exclusion of other interests," he said

In so doing, he said both the Government and employers have "flouted" the Mine Health and Safety Act which established an inspectorate within the department of minerals and energy to ensure that mining activity complied with the Act's health and safety provisions

He called instead for an independent Nuclear Regulator to retain responsibility for setting and maintaining safety standards

# Compromise proposal on bill

Linda Ensor

CAPE TOWN — The minerals and energy department has come up with a compromise proposal to meet the objections of the National Union of Mineworkers' (NUM) to the National Nuclear Regulator Bill regarding the control of radiation in the mining industry

The department has proposed that the mining industry be included under the ambit of the bill, but that no change be made to the Mine and Health Safety Act which made the chief inspector of mines responsible for the regulation of all mine hazards, including radiation

However, the regulator would have to consult with the chief inspector of mines and the Mine Health and Safety Council on the monitoring and application of standards. Chief director Dick Bakker said that while the act had jurisdiction over all hazards in the mining industry, it had not

*(212)* *BD 2/3/99*  
in the past exercised any control over radiation, leaving this to the Council for Nuclear Safety. The union still has to endorse the proposal submitted to Parliament's committee on mineral and energy affairs, but the Chamber of Mines has flagged its in-principle agreement.

NUM objected to the fact that the bill excluded the mining industry from the ambit of the national regulator, and kept the supervision of radiation under the auspices of the department's mine health and safety inspectorate.

The union feared this would result in lower standards of radiation protection and wanted the council to retain its responsibility in this regard. It suggested the inspectorate had not effectively dealt with the problem of dust on the mines.

The department also accepted a proposal by Eskom that a licence fee paid by a licensee should reflect the actual costs of regulation of the specific licensee.

# Mines urged to make dumps safe

Star 19/3/99 (2/2)

BY MELANIE-ANN FERIS  
Environment Reporter

Mines that do not take responsibility for rehabilitating dumps, which are causing serious health and environmental problems in residential areas, could lose their mining permits

Gauteng MEC for environmental affairs Nomvula Mokonyane said yesterday the department now had the legal power, in the form of the new Environmental Management Act, to take action against mines that did not take responsibility for rehabilitating dumps

"The worst scenario is that we apply to the national government to suspend their mining permits," Mokonyane said

For years, residents in Kagiso on the West Rand, Meadowlands and Dobsonville in Soweto, and the bordering Fleurhof community have been living under clouds of dust from nearby mine dumps

Studies have shown that poisonous dust particles from the dumps, combined with smoke pollution, have caused air pollution levels to rise to three times higher than accepted international standards

Dr Vali Yousefi of the Na-

tional Centre for Occupational Health said dust from mine dumps could contain high levels of crystalline silica, and people inhaling large volumes of dust containing these particles could develop silicosis, an incurable lung disease.

He said people living in the vicinity of mine dumps could do very little to protect themselves against exposure to dust caused by wind erosion or other natural or manmade activities

Government authorities and mine owners could rehabilitate sites to reduce or totally eliminate dust, Yousefi added.



Lawyers try to prevent South African asbestosis victims taking case to UK court

# New hurdle for asbestosis cases

**RONNIE MORRIS**

Cape Town — A campaign has been launched in Britain to persuade Lord Irvine, the lord chancellor, to amend the law to prevent the cases of 1 700 South African asbestosis victims from being tried there.

The lord chancellor is Britain's senior judge.

GJW Government Relations, a British lobby company, and Charles Lewington, the former media adviser to John Major, the former prime minister, who have launched the campaign, say the

multimillion-rand asbestosis lawsuits will damage trade relationship between the UK and South Africa.

The asbestosis victims want the London High Court to determine whether an English parent company owes a duty of care to those injured as a result of its overseas operations.

In a document titled "A political and communications audit for Cape PLC", GJW said the Foreign and Commonwealth Office was concerned that the decision to pursue the case in the UK courts would be seen as display-

ing a lack of faith in the South African legal system.

The British department of trade and industry, the document said, would not want multinational companies discouraged from setting up their headquarters in the UK.

"The implications of such a multiple claim by foreign nationals on the public purse would be a matter of serious concern to the treasury due to its impact on future expenditure," the document said.

However, in a letter to Leigh Day and Company, the London

solicitors for the claimants,

Alec Erwin, South Africa's trade and industry minister, gave permission for the enforcement of British judgments, orders, directions and letters of request against Cape in South Africa.

Pennell Maduna, the minerals and energy minister, pledged his full support to the claimants and allowed inspectors to give evidence and make the relevant documents available at a trial in the London High Court.

The original case was brought in the London High Court by five

South African asbestosis victims in 1997.

In January last year, the court granted Cape a stay of proceedings on the ground that the case could be heard in South Africa.

The Court of Appeal reversed the decision and ruled that the five claimants — two of whom have subsequently died — could sue the company in England.

The House of Lords has since refused the company leave to appeal against the Court of Appeal ruling.

# Lobby may choke asbestosis victims' case

## SPECIAL CORRESPONDENT

DAMAGES actions brought in the London High Court by almost 1 700 South African victims of asbestosis could be at risk if the British government bows to pressure and amends legislation permitting this

The South Africans are suing Cape Plc, once the world's largest asbestos mining company, with the help of funding by British legal aid.

But lobbying firm GJW Government Relations Ltd and Charles Lewington, a media adviser to former prime minister John Major, have now launched a campaign to pressure the Lord Chancellor Lord Irvine to amend the law to prevent the cases from being brought in the UK.

In a document entitled "A political and communications audit for Cape Plc", GJW said the court cases

could damage trade relations between the two countries. Furthermore, it said, the Foreign and Commonwealth Office was concerned that the decision to pursue the case in the UK rather than South Africa would be seen as displaying a lack of faith in the South African legal system.

However, in a letter to Leigh Day and Co, the London solicitors for the claimants, Minister of Trade and Industry Alec Erwin gave permission for the enforcement of British High Court judgment, orders, directions and letters of request against Cape Plc in South Africa.

Similarly Minister of Mineral and Energy Affairs Penuel Maduna pledged his full support to the claimants and consented to South African mine inspectors giving evidence and making relevant documents available at a trial in the London High Court.

In documents, the lobbying firm said the British Department of Trade and Industries admitted they would not want multi-nationals discouraged from setting up their headquarters in the UK.

"The implications of such a multiple claim by foreign nationals on the public purse would be a matter of serious concern to the Treasury due to its impact on future expenditure," the document said.

In a memorandum dated January 25, Lewington sets out how sections of the British press hostile to the perceived misuse of legal aid could be used in the campaign.

"That a Labour Lord Chancellor should be promoting legislation to curb legal aid with only a few murmurs of dissent from the backbenches is largely due to continuing pressure from the *(Daily Mail)*. The wider political implications of granting legal aid to even a

handful of non-British claimants will be immediately apparent to a paper like the *Mail*.

"The political ironies are so delicate for a paper like the *Mail* (a Labour Lord Chancellor having to choose between black workers and multi-nationals) that the detail of the claims are likely to be of secondary interest.

"Cape Plc cannot avoid being mentioned in any story but the taxpayers and the politics will be the headline issues rather than any alleged lack of safety procedures in a Transvaal mine 30 years ago."

Lewington ends his memorandum by saying it was an issue of strong public interest and sufficient newsworthiness to give Cape Plc a good chance of turning the spotlight away from the responsibilities of multi-nationals to their former Third World employees to the issue of whether the British taxpayer should fund such actions.

Cape Plc owned huge asbestos mines and mills in the Northern Cape (Prieska and Koegas) and Northern Province (then Lebowa). It had amosite (Brown) asbestos mines at Pongfret in the North West and Penge in the Northern Province.

Cape Plc disinvested from South Africa in 1979, leaving thousands of asbestosis victims penniless and uninsured.

The claimants say that multi-national companies, such as Cape Plc, which undertake hazardous operations overseas in breach of known health, safety and environmental standards should be held legally responsible for any injuries that result.

The claimants want the London High Court to decide whether an English parent company owes a "duty of care" to those injured as a result of their overseas operations.

See Business Report



## INSIDE MINING

# Placer to humanise face of SA mines

(212) ET (BR) 1/4/99

**N**orth American mine workers generally lead what we would consider a middle-class lifestyle. They often live in their own homes and work in relatively clean and safe environments, earning almost ten times the wage of South African mineworkers.

All of this is not accidental. A combination of factors enable this, including lower unemployment, which means people have to be enticed to work in mines rather than threatened with starvation. Tighter government health, safety and environmental regulations also play their part.

The flip side is that mining investment in North America is declining and moving to developing nations where it is less costly to comply with environmental legislation.

Harmony, the South African mining group, estimated its North American mines employ one-sixth the number of people it would have employed here. The story is the same across the industrial board.

The question is: can the North American model be applied to South Africa's mines and would this be a good thing?

Placer Dome, the Canadian gold company that today takes control of a joint venture over the Western Areas' mine, thinks it can.

Robert Franklin, the chairman of Placer's board, said the high fatality and injury rates and incidence of occupational diseases on South African mines are unacceptable.

"What has been acceptable

levels of fatalities (on South Africa's mines) is just not on having 20 percent plus of your employees with HIV is not on."

On the joint venture team will be a Canadian health and safety expert whose job will be to immediately begin improving conditions in the mine.

This will include further investments in seismic monitoring equipment, to help anticipate rock falls, as well as a more collaborative approach to working in the mine.

The group will hope to apply some of the lessons it is learning from an international \$20 million a year research programme aimed at improving the technology of safely extracting ore from mines.

Other changes will include replacing Fanagalo, a mish-mash language developed in the mines, with English to reduce miscommunication and thereby increase safety.

But Placer's plans are to do more than make mining safer. It plans to change fundamentally the way in which deep mining takes place in this country.

For a start, decision making will be delegated right down to the mine, cutting out layers of cumbersome bureaucracy. And, in a departure from convention, the joint venture will be headquartered right at the mine.

"We want our workers to have a better quality of life, and part of that is fewer people



**JONATHAN  
ROSENTHAL**

working in a more skilled fashion, producing more and earning more," said Franklin.

That will include mineworkers living in houses with their families rather than migrating to and from the rural areas.

In many respects the nature of the ore body, which has a reef that reaches a width of four metres in parts, lends itself to highly mechanised mining methods.

The flip side is the workforce on the mine is likely to fall dramatically over the next five years. Thus far the unions seem to be in favour of the broad proposals.

But once the full extent of job losses becomes clear, following an optimisation study on the mine in about six months' time, it is not known how the workforce will respond.

The implications of Placer's plans will be far more wide-ranging than changes in the Western Areas mines. If it manages to apply a high productivity, high wage model, it will overturn the applecart of the whole South African mining industry.

Workers on other mines will justifiably begin to question why they still earn poor wages, contract lung diseases at work and live in hostels.

Placer said its restructuring would not take place overnight, but we will be watching closely to see if it keeps its promises.



# Mystery of missing miners whose bodies reappear years later

By SHALLO MBATHA

Mining is a dangerous business, and people get injured and killed. But strange things are happening in shaft 1 at the Randfontein gold mine, west of Johannesburg

People disappear kilometres below ground, never to be found again. Sometimes they get lost in the maze of tunnels and shafts, sometimes they fall into deep abandoned workings.

Sometimes, though, their bodies reappear

That's what happened this week when a mine official made the grisly discovery of the body of a man who disappeared 10 years ago

The man, whose name has not been released, was found lying on his back, one arm cradled under his head and the other outstretched, as if he had been sunbathing. Miners who saw the corpse found it position strange

National Union of Mineworkers shop steward Jeremia Mashito said

that when people died underground, their bodies were usually found in a foetal position. "We are very suspicious and concerned. We found the deceased's shoe and helmet 11 metres away from the body I have never seen someone die like that in a mine"

Mashito added that one miner had gone missing around 1988, and two the following year. In 1994, two

bodies were found together - that of the man who disappeared in 1988, and one of the others who had disappeared in 1989

"As far as the union is concerned, we find both the disappearance of the three and their subsequent discovery very suspicious

"Back in 1988 the management of the mine was very hostile towards us and dismissed our persistence, saying one missing person had gone home to Transkei. Then his body

was found six years later next to another missing person's body. How is that possible? Do the dead walk?"

Mashito said the union's concern was that they had been informed in the afternoon about the discovery and that the bodies were going to be removed the following day, but management had removed the bodies without one black person being present and had done so under the cover of darkness that same night.

"What were they hiding? They

Star 3/4/99

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even refused to tell us the results of the postmortem," he said

Most of South Africa's extensive and deep gold mines have detailed systems to identify and track people working underground.

The miners clock in and wear numbered helmets underground. At the end of their shift they clock out and the helmets are counted. A mine can tell immediately if someone is missing. The mine's security officers first look for a missing miner in

the hostels, and once they are satisfied that the person was last seen underground, the underground search begins.

Some miners say the dead may have been victims of tribal clashes, rife during the 1980s, but others wonder suggest the deaths were some sort of ritual killing to make the mine more profitable

The management of Randfontein gold mine was not available for comment

puzzles their colleagues

# 600 miners safe, 400 still trapped after quake

ARGUS CORRESPONDENT

Welkom - About 600 miners from Matjhabeng mine were brought safely to the surface today after being trapped underground when an earthquake in central Free State left mines without power.

The tremor was felt as far away as Durban's beachfront  
There were 400 more miners still wait-

ing to be brought to the surface this afternoon, according to Pam Mongoato, a spokeswoman for Anglo Gold which operates the mine

Emergency generators were brought in today to run the elevators which stopped after a nearby sub-station was damaged during the earthquake shortly after midnight  
The nightshift, consisting of about 1 000 workers, were trapped in the mine

ARG 23/4/99  
"Two men are still unaccounted for," Ms Mongoato said

Houses were wrecked, water mains burst and power knocked out in Welkom after the tremor today, which measured 4.6 on the Richter scale

Water pipes were ruptured and police and emergency services were in the area attending to call-outs

"As day broke, people started to see the damage to their properties," said Mr

(212)  
Kumr, co-ordinator of disaster management in the area

About 80 farm workers were left homeless when 20 houses collapsed

A Durban resident who felt the tremor was Sheila Nelson, who lives on the 12th floor of a block of flats on the beachfront

"It was like a boat swaying," she said "It lasted for 30 or 40 seconds

The lights moved on the ceiling This whole building moved "



# Floating fibres a menace to community

(212) Raw 24/4/99

In a place in Mpumalanga that does not appear on the map, people believe they are being slowly choked to death by asbestos

Near the Swaziland border at Msauli, a white asbestos waste mountain five storeys high and two city blocks wide scars the undulating countryside

This mine, which has been in existence since the 1940s, belongs to the African Chrysolite Asbestos (ACA) mining company. At its peak it employed more than 3000 workers but the number has shrunk to just over 200 today

Eight villages surround the mine and dump. The mine compound even has a primary school on its premises

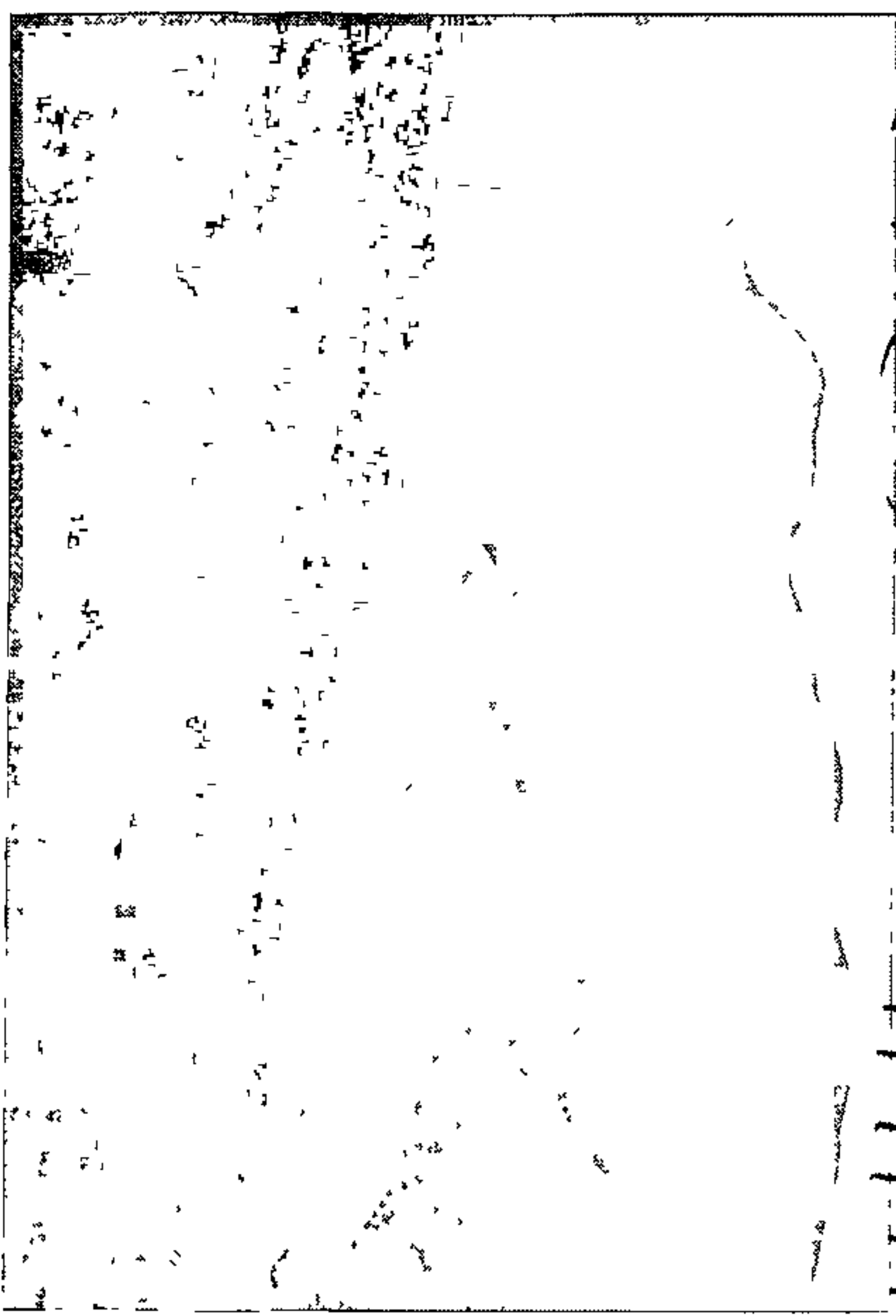
Most residents in the area appear to have respiratory problems. They snuffle perpetually, blaming their illness on what they call "maboya" - the white fibres that fly off the dump

## Little harm

The mine is the major source of employment for the locals. So far, no scientific study has been undertaken to measure the effects of the chrysolite asbestos mined there - said to be the most "benign" of the three different types of asbestos

ACA technical director F W Knox believes that the mine has done little harm to people's health

"It is a known fact that chrysolite asbestos poses almost no danger to anyone. As a mine we assist both our former and active workers to get compensation from the government. But if they get their payments late, blame the government, not us. We occasionally spray water on the dump and we are proud to say that our level of asbestos fibres in the air is, according to our estimates, acceptable."



**BROODING PRESENCE.** The chrysolite asbestos mine at Msauli, near the Swazi border, with the dump to its side  
Photograph KENNETH MULLER

Knox says ACA is not responsible for the surrounding communities

However, reality suggests that something is not right in this area

At a garage near Msauli, I approach a group of men sitting in the shade and ask for directions. Most wheeze as they give them to me

Jan Msithini (35) worked in the ACA mine for 15 years and was given R15000 as a severance package when the mine realised he had a "bad chest"

"The only job I've ever had has been at the mine. I dug, crushed and carried asbestos for as long as I can remember. When I joined the mine I was fit and healthy, but look at me now. Even my own age group call me *mkhulu* (old man) because I've aged so much."  
Zaccheus Sibuya is 36 but looks

about 55, and walks like a living ghost. He also worked at ACA for 15 years until he was retrenched last year. All he can manage to say is "It's better I die than remain so tired every day."

Everyone agrees Sibuya subsists on pap and sugar water because he spent most of his money on witchdoctors. Every time he attempts to say something, he spews out sputum and gives up trying to speak

Two others describe themselves as "refugees" from the local hospital, where they are "serving a TB sentence". They are still employed at the mine. They say officials told them to wear protective clothing, including masks. But they also told them to work faster. "It's hot down there, and before long you can't breathe properly. So, to get

more oxygen, we all took off the masks and breathed the 'maboya' directly."  
None of them know about the dangers of asbestos. One of them says his daughter once told him about it but he dismissed her for being childish

In Kamshayi, five minutes away from the mine, two elderly women are sitting outside a house, staring vacantly and panting. They have been living near the mine for more than 20 years. They say they are waiting to be buried because most of their friends are dead or bed-ridden. They say they can't walk far because they tire easily

Professor Tony Davies of Wits University told a conference in Johannesburg this week that before the mining houses sponsor primary healthcare in Lesotho or other remote places, they should think about sponsoring care centres in the areas where they recruit mineworkers in order to monitor and intervene early once lung diseases are identified

## Not as deadly

Some experts claim that chrysolite asbestos is not as deadly as brown and blue asbestos. But a study carried out by University of Cape Town experts in 1995 on behalf of the National Union of Mineworkers found a significant number of workers suffering from various degrees of lung disease

Between 30 and 35% of the workers suffered mesothelioma, a complication related to exposure to asbestos  
NUM shop steward Willie Mkhwanazi says that when the atmospheric readings are dangerously high at Msauli, or when the mine area looks "hazy" from the fibres, water is sprinkled on the dump. He adds that despite the obvious problem with asbestos fibres, the mine has never been penalised for not keeping fibres below the acceptable level



# Difficult search for 2 trapped miners

CP 25/4/99

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RESCUERS are battling against difficult conditions to reach two missing miners trapped underground since an earthquake struck the Free State town of Welkom in the early hours of Friday

But there is concern for the safety of the two who are trapped at the Matjhabeng mine because they have not responded to the rescuers' calls

Anglo Vaal spokesperson Pam Mongoate said the rescue effort would continue despite the lack of response

Anglo Gold spokesperson An-

dries Van Zyl said the team was about 250 m from the men

They had not given up hope that the men might still be alive. About 1 000 miners underwent a horrifying ordeal when they were trapped more than a kilometre underground after seismic activity on Thursday night dislodged boulders and the subsequent quake cut off power supplies

Many of the trapped workers had to walk about 8 km underground to a shaft from where they could reach the surface

There was no power for the lifts

because the quake damaged a nearby substation. Emergency generators were brought in to bring the miners to the surface on Friday

Six miners were admitted to the Ernest Oppenheimer hospital with injuries

One man had serious head injuries, but the injuries of the other four was limited to bruises and lacerations

Mongoate said rescue teams, assisted by volunteers, would continue searching for the two missing men - Sapa

# Hopes for two trapped miners fade

(212)  
BY HOPEWELL RADEBE

Star 26/4/99

Hopes of finding two missing miners at the Elands shaft of Matjhabeng mine in Welkom more than 70 hours after an earthquake were fading last night, mine managers Anglo-gold said.

The earthquake, measuring 4.6 on the Richter scale, shook the area early on Friday morning. All miners underground, barring the two missing men, were brought to the surface.

Spokesperson Andries van Zyl said Anglo-gold was racing against time, with rescue teams operating under extremely difficult conditions.

No contact had been made with the missing workers since the incident. "Nobody can say with certainty that they are still alive or not," Van Zyl said.

"Anglo-gold obviously hopes that they are alive but we are concerned that more than 70 hours have elapsed since the incident, and the chances of them surviving are diminishing," he added.

# NUM calls for mining revamp

FRANK NXUMALO

LABOUR EDITOR

Johannesburg - The National Union of Mineworkers (NUM) last night made a strong call for the overhaul of the country's mining methods after workers were trapped underground by an earthquake measuring 4,6 on the Richter scale. The quake struck the Elands shaft of Matjhabeng mine in Welkom on Thursday.

Archie Palane, the NUM deputy general secretary, asked why there had been no alternative electricity supply at the mine that would have allowed the

CT(BR) 26/4/99  
immediate hoisting up of over 900 miners trapped by the quake

James Duncan, the AngloGold communications executive officer, said there were "emergency diesel power generators at all four of the Matjhabeng mine shafts"

Duncan said management was comfortable that procedures had been correct. He said NUM officials were involved throughout the proceedings, and neither at that time nor subsequently had they expressed discontent.

"The purpose of these generators is to provide power for surface telecommunications and

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lighting. Surface to underground telecommunications is by battery-powered communications.

"The emergency generators also provide for small emergency lifts. These were not used in this instance because there was concern for shaft damage," he said.

Director Matlala, the NUM Free State regional chairman, said the Occupational Health and Safety Act was a general safety policy guideline that stipulated "adequate standards" but was silent on detail. "We think something needs to be done to re-evaluate the methods used by South Africa's mining industry"



# Slow but sure approach to trapped miners

(212) BD 28/4/99  
**Simphiwe Xako**

CONCERN for the safety of two Welkom miners trapped about 1 400m underground by a recent earthquake was the reason why rescuers were taking time to reach them, AngloGold spokesman Andries van Zyl said yesterday

The process entailed removing massive rocks and rubble using explosives and physical labour. Rescue teams yesterday adopted a two-

pronged strategy, approaching the area from opposite directions, with the nearest coming within 150m of the stopes area

The two men, Lawrence Tsolo and John Delekile, were believed to have had access to medical supplies but had possibly been without food or water since Friday's earthquake

All the other miners were brought to the surface safely last Friday when the Matjhabeng mine was hit by the earthquake, measuring 4.6

on the Richter scale. Van Zyl said mine management would go on searching until the men were found

"The teams, which are using explosives, are experts in their field and are using them with the sole intention to move faster without causing greater risk to the miners. It means clearing rocks and creating safety," Van Zyl said

He said full production at three of the mine's other shafts resumed on Sunday night

# Rescue teams closer to missing miners

*Sowetan 30/4/99*

*(212)*

ANGLOGOLD spokesman Mr Andries van Zyl yesterday praised the efforts of search teams which had been working "full steam ahead" to find trapped Welkom miners Mr Lawrence Tsolo and Mr John Delekile

Van Zyl said the teams were working in dangerous and difficult conditions and their efforts were being hampered by loose rocks created by the rockfall. But they were putting their full effort into finding the men for this, the last attempt, he said.

He said teams were digging into a 300 square metre area where the miners were thought to be. However, he would not comment on how far he thought the teams had progressed into this area.

"Distances are misleading. Each area has its own obstacles and so the distance itself is of no real value," he said.

Tsolo and Delekile went missing underground at Matjhabeng mine last Friday when an earthquake, measuring

4,6 on the Richter Scale, struck the Free State mining town.

About 1 000 other mineworkers were safely brought to the surface with emergency power after the mine's shaft elevators failed when a substation was damaged in the quake.

Earlier, Van Zyl said rescue teams had by Wednesday night pinpointed the area where the miners were thought to be.

"Stopes (the forefront of mining areas) bordering the area have been searched and the rescue teams are now focusing on a 300 square metre area," he said.

He said the temperature and ventilation where the teams were working were "bearable" but it was not known whether the conditions were the same in the area where the men were thought to be trapped.

Though the two miners would have had First Aid equipment with them, it was unlikely that they would have had enough food and water for their six-day ordeal, Van Zyl said - *Sapa*

# Disaster strikes despite precautions

Whether mine safety has improved since 1996, is in debate, writes Belinda Anderson

THE first miners used to send canaries ahead into unexplored shafts in case of gas emissions or rock falls. Present-day safety standards — though far superior — are still not able to avert the proverbial "act of god".

Friday's earthquake in Welkom left two miners trapped and forced the evacuation of 500. On Wednesday night, rescue workers managed to break into the area where the miners were believed trapped, but yesterday they were still searching the area and clearing obstructions.

In order to avert potential accidents, the Mine Health and Safety Act was passed in 1996, and requires all mines to have a code of practice in place, using guidelines set out by the Department of Minerals and Energy Affairs.

"We like to have the flexibility where a manager can make certain that their code covers their circumstances," says the department's head of mine health and safety inspectorate, Dick Bakker.

He says mining is as safe a profession as any, and all miners have the right to a safe and secure working environment and the right to participate in structures that plan and implement safety precautions.

Those mines on more active ground, that is, subject to greater seismic activity or gravitational pulls that cause rockbursts and rock-

falls, must take greater precautions when sinking and securing shafts and subsequently monitoring safety standards.

So how safe was Matlabeng mine before the earth moved 4.6 on the Richter scale on the ill-fated Friday?

Bakker says that AngloGold, the company that owns the Welkom mine and is also the world's largest gold producer, has always adhered to the most rigid safety requirements. The corporation's website includes an exhaustive acknowledgement of safety requirements, and declares compliance with these.

"We do have a full document that we comply with, as well as emergency procedures which were all adhered to when the earthquake occurred," says AngloGold spokesman, Pam Mongato.

She says full-time and part-time shopstewards are employed to deal with safety.

So, AngloGold's safety standards seem up to speed, but how effective has the legislation been? Well, fatalities have declined — from 463 when the law was promulgated — to 371 last year. Bakker says the industry has reaped the benefits of the legislation.

In fact, a look at the statistics published by the department shows that fatalities have been on the decline quite remarkably since the mid-

1980s, not only since the law was passed. However, the number of miners employed in the industry has also declined rapidly, to match the stagnant demand for precious metals like gold.

The number of miners and contractors registered with the Chamber of Mines has decreased by a third of what it was when the Safety Act was promulgated, from 342 439 in 1996 to 235 000 in 1998.

This explains the marginal decline in the fatality rate, less than the declining number of deaths suggests. It went from 0.94 in 1996 to 0.86 last year.

So, whether or not mines have become safer than they were before 1996 is a question that will answer itself over time.

What is clear is that standards being set for training requirements and research into new safety techniques will benefit the industry in the long run, in terms of investing in human capital and technology.

Bakker says there will soon be a national quality framework for trained mine safety personnel, registered with the SA Qualifications Authority.

To allow new technology to filter into the safety net, the department received a research budget of R45m this year.



# SA asbestosis sufferers take legal fight to the UK

RONALD MORRIS

CUPIDO ADAMS, 76, of Prieska, last left South Africa to fight in World War II

Last week he left South Africa again to fight a British multi-national company for compensation for his illness.

Yesterday Adams told British MPs that after the war he joined Cape Plc, the world's largest asbestos mining company, as a packer.

He was not given protective clothing and, like members of his family long since dead, he suffers from asbestosis

He, along with almost 2 000 other South African victims, have instituted damages actions against Cape Plc in the London High Court after the House of Lords ruled that a British company could be sued in a British court for injuries caused by their overseas operations

Hendrik Ismael Afrika and other claimants said they suffered personal injuries or, damages, as a result of Cape Plc's negligence.

They said Cape Plc was aware of the dangers of asbestos from 1931 when Britain's asbestos regulations were introduced

Two months ago, Cape Plc was accused of trying to pressure the Lord Chancellor, Britain's senior judge, to amend a law to

prevent the damages actions being heard in the UK. In a document, Charles Lewington, a media adviser to former British Prime Minister John Major, said the cases could damage trade relations between the two countries

It also said the Foreign Office was concerned that pursuing the cases in the UK would be seen as displaying a lack of faith in the South African legal system.

The firm also tried to whip up public sentiment by saying the claimants would be funded by the British legal aid system.

Trade and Industry Minister, Alec Erwin, has given permission for the enforcement of a British judgment in South Africa, while Mineral and Energy Affairs Minister, Penuell Maduna, has consented to mine inspectors giving evidence and to make documents available.

In Prieska, where Cape Plc operated a mill for 34 years, 13% of the deaths were attributed to mesothelioma, a painful asbestos-related cancer.

Here asbestos levels were recorded in 1948 as almost 30 times higher than the maximum permissible UK limit.

Cape Plc disinvested in 1979 leaving behind thousands of asbestosis victims penniless and uninsured. It left it to the South African government to deal with contaminated and abandoned mines.

*(Handwritten)* 13/5/99

## Rockfall kills two miners

(212)

Two AngloGold miners were killed in an underground rock fall at the Mponeng mine near Carletonville yesterday, an AngloGold statement said.

The miners, whose names would not be released until

their next-of-kin had been informed, were working almost 3km underground when a tremor measuring 1.8 on the Richter scale caused a rockfall.

Two other employees were injured - Sapa

Star 14/5/99

# Wage talks focus on AIDS

Reneé Grawitzky

WAGE negotiations between the National Union of Mineworkers (NUM) and collieries will focus extensively on AIDS awareness programmes after a survey found that up to 20% of coal miners are HIV-positive

This formed the basis of the start of wage negotiations between the Chamber of Mines and the NUM on Thursday

Initial discussions were also held on the effect on coal mines of fully implementing the Basic Conditions of Employment Act. Employers estimate it will raise overall labour costs by up to 8%

The same wage demands were tabled for gold and coal mines: minimum increases of 25% and minimum wages of R1 500 for surface and R2 000 for under-

ground workers. Parties have yet to schedule meetings for the start of wage negotiations for gold mines, but industry sources said consideration was being given to preliminary talks

Chamber of Mines health adviser Lettie la Grange said the results of the HIV/AIDS survey were in line with the national average statistics released by the health department, although miners were considered a high risk group

However, prevalence could be higher on gold mines which employed more migrant workers, La Grange said

In Carletonville, initial research showed that up to 30% of gold miners tested HIV-positive

The industry agreed in March to set up a structure to monitor and address HIV/AIDS on the mines

~~(21)~~ (212) 30 18/5/99



# Experts to probe cause of Mponeng mining accident

BD 2/7/99 (212)  
Safety record has received a blow, say **Simphiwe Xako** and **Sapa**

GOVERNMENT has appointed a team of six explosives experts to investigate the cause of last week's accident which claimed 19 lives at AngloGold's Mponeng mine in Carltonville

Minerals and energy director-general Sandile Nogxina said the team, headed by deputy chief inspector of mines Harold Motaung, would resume the inquiry today

"Government has summoned the team of explosives experts to get to the root cause of the accident. The disaster is a blow since government has in the past three years been focusing on creating a (safe) working environment for miners," Nogxina said

The accident is SA's worst mining disaster in two years and brings to about 179 the number of miners killed since the start of the year. This figure is slightly lower than the 201 deaths recorded in the first six months of last year

AngloGold spokesman James Duncan said in a statement that rescue workers at the site yesterday recovered the body of a miner who had been missing since the underground explosion at the mine on Thursday night

He said proto team members wearing special breathing apparatus to cope with gas and smoke had been searching the area in 12-hour shifts round the clock

"(The) body was found at about 5am, not far from where the explosion is believed to have happened," Duncan said

The explosion — which mine management believe was triggered by methane gas — occurred at about 6am on level 99, which is about 2 700m below the surface

Official figures show a steady decline in the numbers of deaths and injuries in SA mines over the past 15 years, although analysts say this is partly because of the decrease in the number of people employed in the industry

However, death and injury rates, calculated as a proportion of the number of people at work — which are regarded as a more accurate measure — have also stabilised or moved downwards

In 1984, 774 people were killed and 15 745 injured. The fatality rate was 1,12 per 1 000 persons at work

Last year, SA's mines recorded a fatality rate of 0,86 deaths per 1 000, the same as in 1997. The total number of deaths dropped from 415 in 1997 to 371

Gold mines have always accounted for the vast majority of deaths and injuries in the mining industry

The Mponeng disaster is the worst one to have hit SA's mining industry since July 21 1997, when 18 people were killed at Anglo-

vaal's Hartebeesfontein mine in the North West Province

Most of the accidents over the past two years have been fairly small with no more than four people being killed in each incident

SA's worst mining disaster took place at the Kinross mine in 1986, when 177 people were killed

At Vaal Reefs in 1995, 104 miners were killed when the cage carrying them plunged to the bottom of a shaft

Most mining accidents are caused by seismic-related activity, such as rockfall and rockbursts, while gas accidents are fairly rare, according to Derek Baker, a senior mine inspector at the minerals and energy department

Most fatalities occur either at the workface or very close to it

In September 1995, however, a gas explosion claimed eight lives at AngloGold's Elandsrand mine, in the same area as Mponeng

Initial reports from the Mponeng mine show that methane was detected before the explosion but that workers were not able to clear the area in time

Ironically, AngloGold executives and mine union leaders launched a "zero tolerance" safety campaign earlier this month in an attempt to promote the idea that safety was the responsibility of each employee

# Bid to delay asbestosis case

CT 5/7/99

(212) (131)

**RONALD MORRIS**

THE fate of thousands of asbestosis victims and their families hangs in the balance as the London High Court decides this week on a bid by Cape plc, defendant in a multimillion pound damages action, for a stay of proceedings

Asbestosis, a debilitating lung disease, and mesothelioma, a very painful asbestos-related cancer, is caused by unprotected workers breathing in asbestos fibres

Cape plc owned asbestos plants or mills in the Northern Cape, the Northern Province, North West Province and Gauteng. It disinvested from South Africa in 1979, leaving thousands of asbestosis victims penniless and uninsured

Cape plc is defending a damages action brought by Hendrik Afrika and 2,000 workers who are being funded by a British legal aid agency. About 400 former Cape plc workers have died and family members have brought the action on behalf of their estates

Afrika and his co-claimants contend that Cape plc was fully aware of the dangers of asbestos

from 1931 when Britain's asbestos regulations were introduced to reduce exposure

Medical evidence before the London High Court is that in Prieska, where Cape operated a mill for 34 years, 13% of deaths were attributed to mesothelioma. Asbestos levels at the mill were recorded in 1948 as almost 30 times higher than the maximum permissible UK limit

In asking for a stay of proceedings, Cape's lawyers will argue today that from an original five applicants, the group of claimants has grown to 2,000

In January last year the London High Court granted Cape plc a stay of proceedings on the grounds that the case could be heard in South Africa. However, the Court of Appeal overturned the decision and ruled that the five claimants — two of whom have died — could sue Cape in England. A House of Lords refusal to grant Cape leave to appeal cleared the way for an initial 1,700 South African victims to sue the company in the London High Court

Cape plc will argue that when the Court of Appeal made its rul-

ing, it was not aware that a far larger number of claimants would sue and its decision should therefore be reviewed

The hearing has been set aside for five days. Eminent South African advocates Peter Hodes, SC, and Gilbert Marcus, SC, for Cape plc, and Jeremy Gauntlett, SC, Wim Trengove, SC, and George Bizos, SC, for asbestosis victims, will be used by both sides as experts on aspects of South African law

Issues on which they will be called to give opinions include the availability of funding to sue Cape in South African courts, whether damages claims can be brought on behalf of a deceased's estate and whether mechanisms in South Africa exist to bring class actions

Trade and Industry Minister Alec Erwin has given permission for the enforcement of the British judgment in South Africa. Similarly, Penuell Maduna, the former minister of mineral and energy affairs, has pledged his support to the claimants and consented to South African mine inspectors giving evidence and making documents available for the trial

● See Business Report

CT 6/7/99 (13) (212) (212)  
**Bid to keep asbestos case in SA**

LONDON: A British company being sued by 4 000 South Africans, who say they are victims of asbestos-related diseases, began its latest court action yesterday to prevent the case being heard in Britain.

A High Court in London began hearing the "stay application" by industrial group Cape plc, which wants the joint legal action by the alleged victims heard in South Africa.

The plaintiffs say they contracted diseases as a result of Cape plc's asbestos mining activities in South Africa, in the Northern Cape and Northern Province. Many are former employees of Cape plc, which sold the last of its mines and mills in South Africa in 1979.

The most serious disease affecting people exposed to asbestos without protection is mesothelioma, a cancer of the lining of the lung or of the abdomen.

Cape's senior lawyer, Brian Doctor,

told the court yesterday the case should be heard in South Africa because the events leading to the claim had occurred there and that was where the relevant information had to be collected.

"The allegations made against (Cape plc) have to be investigated from scratch," Doctor said.

"The defendant has very little documentation relating to South Africa ... There is no one to whom the company can turn. It has to go out and find documents, information, witnesses and so on."

Lawyers for the plaintiffs will argue there is no mechanism for South African courts to hear a mass claim of this nature.

Solicitor Anthony Coombs, who represents 1 500 of the claimants, has previously argued that Cape plc took decisions in Britain which directly affected practices followed on the mines. The latest case will last at least until Thursday — Reuter



# Asbestos case: SA or UK?

**GUSTAV THIEL**  
CONSUMER WRITER

THE London High Court is expected to decide at the end of this month whether a case involving 4 000 South Africans, who claim to be suffering from asbestos-related illnesses, will be heard in South Africa or England

Cape plc, once the largest asbestos mining company in the world, said on July 5 that the case should be heard in South Africa when it became apparent that the number of claimants had risen from five to 4 000

Malcolm Lyons, a South African lawyer who represents 2 000 claimants, has just returned from London where he is trying to ensure that the case will be heard in England. According to him it is vitally important for the claimants that the case be heard in the London High Court because it could potentially mean a bigger settlement for his clients

The claimants say they contracted the diseases when they were employed by Cape plc in the Northern Cape and Northern Province. Cape plc sold the last of its mines and asbestos mills in



**DEADLY DUMP:** A worker at an asbestos dump in Lebowagoma wears a mask during an exercise to halt asbestos pollution.

South Africa in 1979. The mines were at Prieska and Koegas in the Northern Cape, Pomfret in the North West and Penge in the Northern Province. There were several factories in Benoni.

Cape plc started its operations in South Africa in 1930

It left in 1979, leaving stranded without compensation many victims of asbestos-related illnesses

Figures released by the SA Pulmonary Society in March this year showed that more than half of former asbestos workers suffer from lung diseases caused by asbestos. The society also said half the population of Prieska suffers from asbestos-related illnesses

In 1997 five claimants were successful in suing the company in the London High Court, but the court granted a stay of the proceedings on the grounds that the

case should be heard in South Africa.

Cape plc's senior lawyer, Brian Doctor, argued that the case should be heard in South Africa principally because the events leading to the claims occurred in this country and relevant documentation was likely to be garnered in South Africa.

Doctor said his client had very little documentation relating to South Africa and would have to start an investigation from scratch

Lyons told the *Cape Times* that he was not sure what the London High Court would decide, but remained confident of winning the right to sue Cape plc in London. He said judgment had been reserved by the court, but expected a decision by the end of the month

ET 20/7/99 (212) (131)

# Old asbestos mine is still killing villagers

By HANGWANI MULAUDI

DESPITE its closure more than 20 years ago, the asbestos mine which was left open is still claiming dozens of lives of Ha Mathabatha villagers.

At least 50 people are reported to have died since the beginning of the year.

Efforts by the Potchefstroom University Reclamation Project to rehabilitate the mine have been stalled because those who worked on the projects fell seriously ill because of the poisonous asbestos that has resulted in the deaths of some of the workers.

The epidemic, which is fast taking over the area, according to the residents, needs urgent attention before it spreads out of control.

In an attempt to get their situation addressed, the villagers turned to City Press. They want initiatives taken on their behalf.

Those interviewed spoke in harsh voices, launching scathing attacks against the mine management which has since vanished and against the provincial mineral and energy department for failing to solve the problem.

Mathabatha Health and Asbestos Association director Shadrack Molokoane said that area is experiencing hazardous asbestos fumes which are fast destroying the nation.

He said initiatives to deal with the problem should receive a high priority from government officials.

According to Molokoane, the mining company (Egnep Asbestos) from the UK started operating in the early 1920s until 1978, when the mine closed.

Molokoane said that in that period of 58 years, 21 other small companies developed, leaving the situation uncomfortable for everyone in the area.

Molokoane said that since the mines closed 20 years ago, many lives had been lost.

He added that there was every likelihood that more lives would be lost.

This prompted an intense investigation which revealed that the cause of the deaths and disabilities was the asbestos dust in and around the village.

"It is known that our people are not dying of natural causes. The fumes from the asbestos pits are the cause.

"Our village is seriously affected by the fumes. People are running around trying to locate a better place for themselves, but unemployment and poverty makes this impossible.

"The Malips River serves as the only source of water in the area, but the water is also contaminated.

"How long must we continue to bury people on an almost weekly basis? The government has been fully informed about this disaster," said Molokoane.

Molokoane said they are trying on their own to locate the mine management to claim compensation for the losses incurred and still to be incurred.

He said his organisation is currently taking down statistics of all people infected by the asbestos.

**A DYING PEOPLE ...** Shadrack Molokoane says asbestos fumes and dust are continuing to kill people in the Ha-Mathabatha area where a UK company, Egnep Asbestos, operated a mine for 58 years until its closure in 1978. Residents want to be compensated for their suffering.

So far they have established that more than 300 people have fallen victim to the fumes and the number is expected to increase.

"We are a dying nation, but we

are not going to allow these exploiters to get away with murder.

"We are more than willing to take the fight to mine management wherever they are, whether we get any assistance from the government or not," said Molokoane.

(212) (56)

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family doctor's accomplice thinking it was hers.





Steps to lessen impact of epidemic on mining industry 'almost too late to be effective'

# Aids toll will cost Anglo Coal R156m

**JONATHAN ROSENTHAL**  
COMMODITIES EDITOR

Johannesburg - Anglo Coal, one of South Africa's top exporters, yesterday said the HIV epidemic among mineworkers would cost the company R156 million over the next 10 years.

Alan Martin, a senior vice-president responsible for human resources at Anglo Coal, said shifts lost because of illness had doubled in the past six years.

The group also had to grapple with issues such as the loss of skilled personnel, the costs of

retraining replacements, reduced performance from ill employees and workers taking time off to attend the funerals of colleagues dying from HIV-related illnesses.

Martin speaking at an Ernst & Young seminar on the impact of Aids on the mining industry, said it was almost too late to start implementing measures to deal with the crisis.

He said mines needed to attempt to reduce the spread of HIV through education campaigns and other measures, and take steps to alleviate the impact of HIV on the bottom line.

Such steps included identifying key positions, such as heavy equipment operators, and training a pool of replacements to step in should key people come down with the disease. Anglo Coal was looking at issues such as entering a partnership with Hospice to care for chronically ill or dying employees.

Kobus Moolman, a mining industry partner at Ernst & Young, warned Aids would reduce labour effectiveness as well as impact on costs of benefits.

"There is a huge off balance sheet contingent liability that

hasn't been quantified and hasn't been booked," he said.

Janina Slawski, a director of Alexander Forbes and the convenor of the Actuarial Society's Aids committee, said within five years companies could have to employ 20 percent more labour to maintain current output levels because of HIV.

"Industries that are heavily reliant on a relatively skilled labour force, of which mining is foremost, have to face the fact that 5 to 10 percent of their workforce every year will be lost to Aids. By 2004, up to 15 percent of

their workforce will be less than half as productive as they are now," she said.

She said Aids would increase payroll costs through driving up the costs of healthcare benefits by roughly 45 percent. It would transform the labour market as companies would lose skilled employees and have to keep replacing them with unskilled workers, leaving the economy short of skilled and experienced workers.

At a macroeconomic level HIV could knock between one and two percentage points from gross domestic product growth and

(212) (92) CT(CR) 29/7/99  
reduce global competitiveness in relation to economies with a lower incidence of HIV.

Speakers at the conference said an urgent priority was to ensure effective treatment of other sexually transmitted diseases, as this could slow the spread of HIV.

Brian Williams, an epidemiology expert, said spread of the disease had been slowed in other countries through initiatives such as legalising and regulating sex work. More research was needed into the control of infections such as TB that are ultimately responsible for Aids-related deaths.

## NUM defends safety legislation

**FRANK NXUMALO**

The NUM said although the act had not resulted in a decrease in the number of accidents the amendment had forced mining houses to take the legislation seriously.

Sazi Jonasi, the NUM health and safety officer said there had been no dramatic decrease in mine accidents since 1996.

He said there had been 432 fatalities and 7 363 injuries between 1996 and 1997 and 417 fatalities and 6 975 injuries between 1997 and 1998.

I am not sure that is an improvement since the number of people employed on the mines has also decreased dramatically, he said.

Willem le Roux, a director of Brink Cohen le Roux & Roodt which have acted for a number of mining houses and institutions including AngloGold Gold Fields Phalaborwa Mining and the Chamber of Mines, said employers had

two principal interests in the text of mine safety legislation.

"The one is to achieve the health and safety objectives of the act, and the other to avoid exposure to civil and criminal liability."

"These interests are competing, and the act does not provide any acceptable resolution in this regard. In fact, section 11(6) of the act totally disregards the employer's interest not to expose himself to criminal and civil liability," Le Roux said.

Le Roux said the act had to be amended as employers were reluctant to give details of accidents for fear of prosecution.

The mine's own investigation concerning an accident (as required by the act) and the report in terms of section 11(6) should be legally privileged so that it is protected from disclosure in all legal proceedings.

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# HIV poses threat to mine output — warning

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Ilija Graulich

THERE are fears that next three to four years could see as many as half of the workers at some mines infected with HIV, resulting in an overall reduction in gross domestic production growth of between 1%-2% a year.

This "pessimistic yet realistic" prediction was part of presentation by auditing firm Ernst & Young yesterday at a seminar on the effect of AIDS on the SA mining industry.

Alexander Forbes senior director Janina Slawski said in her address that the total HIV prevalence in the next four to five years could be as high as 45%, varying among mine communities. This could result in overall productivity losses of up to 15% because of sick leave

and absenteeism due to attendance at funerals

Slawski said the effect on individual firms would be that the mines would have to find and train new workers totalling about 20% of the current workforce, with an attrition rate of 5% to 10% of the workforce a year. Another 15% of workers would be less than 50% productive because of illness. Since most new workers employed to replace AIDS victims would be unskilled and need extensive training, there would be a direct effect on mines' bottom lines.

On top of production losses and additional training costs, medical aid and retirement fund payments could increase exponentially.

The effects could also spread to the macro-economic sphere, affecting foreign investment and business confidence by rendering SA less

competitive than its counterparts not affected by AIDS, Slawski said.

Yet amid the doom and gloom, there was positive input. Brian Williams, a research scientist at the Council for Scientific and Industrial Research, said while it was clear conditions in which miners lived suited the spread of HIV at work and at home the virus was not invincible.

The battle, he said, was not one of eradicating the virus but of restricting its spread by education programmes for workers, nearby communities and especially prostitutes.

Alan Martin, senior human resources vice-president at Anglo Coal, said management of the fallout from AIDS was a priority, including setting up support structures such as hospitals and hospice associations for infected workers



# Aids hits mines hard

*Sowetan 29/7/99*

THE impact of HIV-Aids in South Africa is set to bury the mining sector if drastic measures are not implemented to manage the spread and reduction of infection

According to Ernst and Young, a global consulting firm, HIV prevalence on South African mines is already between seven and 17 percent above other population sectors

Ernst and Young said 22,7 percent of pregnant women tested positive at the end of last year and have the capacity to reach a 50 percent mark in certain mining populations in the next few years,

During the opening seminar on the impact of Aids on mining in South Africa, Kobus Moolman, the company's mining industry partner, expressed his concern at how the disease could affect companies

"Firstly, labour effectiveness could be impacted, leading to under-performance due to illness, while the second impact would be on medical aid and retirement funds," he said

According to Janina Slawski, financial services director at Alexander Forbes, said the epidemic could not be overdramatised

"Industries that are heavily reliant on a relatively skilled labour force have to face the fact that five to 10 percent of their workforce every year will be lost to Aids"

However, despite the doom and gloom, there is hope for South Africa and its economy. The company believes it is possible to reduce the rate of infection through targeted education and support of the affected companies and industry sectors -

*Sowetan Business*

# 18 miners killed as gas explodes underground

SAPA-AFP AND ARGUS CORRESPONDENTS

Johannesburg - Eighteen miners died in a gas explosion 2 700m below the surface of Mponeng gold mine in Carletonville last night.

Anglogold spokesman James Duncan said today 20 miners were rescued and one was missing

Speaking from the mine (formerly Western Deep Levels South mine), Mr Duncan said about 20 rescuers, who had been working since the explosion at Level 99 at 6pm, found the 15th body early today

He said "We will keep on going until we are satisfied everybody is accounted for "

The rescue teams had the equipment and training to work underground with little or no ventilation, and in the presence of noxious fumes or smoke, he said

They had lifted the 20 survivors to safety soon after the blast, They had been sent

(212) ARG 30/7/99  
home to rest after a medical examination  
None was seriously injured

Mr Duncan said the men were lengthening a major access tunnel to a working area about 6pm when a dangerous gas - probably methane - ignited

Part of the process of lengthening a tunnel was to drill long holes into virgin rock to check for pockets of gas or water, he said

"They detected methane, the alert was given and the evacuation was in progress when the gas ignited "

Asked if the miners had skirted safety procedures, he said. "Quite the contrary We have no indication there was any deviance from procedure "

President Thabo Mbeki said today he was shocked and saddened by the miners' deaths

He hoped no stone would be left unturned to determine the exact cause of the disaster



# No warning of gas leak before mine explosion

(2/2)

## 18 bodies pulled from 3km shaft

ARL/31/7/99

ELLIOTT SYLVESTER

**T**he 18 miners killed after the explosion at the Mponeng Mine in Carletonville were given no warning of the imminent danger, even after a methane leak was discovered, leaving the men to walk into a blast that left many dismembered and identifiable only by fingerprints.

The blast, three kilometres underground, has left miners and bosses baffled. No one knows what ignited leaking methane or what happened during the 10 minutes between the detection of the leak and the fatal explosion. The drill operator who discovered the leak about 5.30pm on Thursday, sent his assistant back to warn approaching miners but the message never reached them.

Why were no alarms sounded? What happened to the assistant? The National Union of Mineworkers' Archie Pilani posed these questions at a media briefing, saying the tragedy could possibly have been averted, but the assistant would have to be consulted

The drill operator was killed in the blast while the assistant is recovering from his injuries.

Mine bosses said the explosion ripped through the 99 level, destroying all support structures in the tunnels that 40 miners were working in.

Shift boss Walter Mulovhedzi, who was one of the first people to venture down the nearly 3km deep shaft to the blast scene said "There were pieces of bodies lying around. Hands and legs were ripped off and I couldn't see who was who because they were in pieces."

Mr Mulovhedzi recounted what the miners' final moments must have been like. Part of the process of lengthening a tunnel was to drill long holes into virgin rock to check for pockets of gas or water. The driller and his assistant were about 500m from the rest when they found the leak.

"Finding methane is a common thing because you always do a test for it when going down. Something must have caused an explosion before the assistant could warn the others. They were

trapped between the explosion and the rock."

When Mr Mulovhedzi went down the shaft hours after the explosion, smoke and gas still filled the remainder of the shaft. The first bodies found were those of the men walking towards the driller. Those who survived the blast were crushed by falling rock or suffocated by gas and smoke.

Speaking from Mponeng mine, formerly Western Deep Levels South Mine, a spokesman for mine owners AngloGold, James Duncan, said no irregularities had been discovered and all safety precautions appeared to have been observed.

The disaster had taken place only a week after AngloGold had launched a major group safety campaign with the theme of "zero tolerance" of accidents.

Minister of Mineral and Energy Affairs Phumzile Mlambo-Ngcuka said a thorough investigation into the explosion would begin on Monday. An independent security company would be brought in to prevent any tampering with evidence.

# UK dodging asbestos case

By CHIARA CARTER

THE English High Court this week delivered a blow to the hopes of South African victims of asbestos-linked diseases that they might successfully sue in the country's courts

High Court judge Mr Justice Buckley on Friday granted a stay of proceedings in a case brought by more than 2 000 South African victims against Cape PLC, a British-based company which was once the largest asbestos producer in the world. Cape PLC pulled out of South Africa several years ago.

Victims have been engaged in a lengthy battle to have their claims heard in Britain where awards are usually higher than in South Africa.

This week Buckley said the cases should be dealt with by the

South African courts because of "practical difficulties" in dealing with the claim in Britain.

Buckley also stayed claims brought by five initial claimants who last December were given the go-ahead by the House of Lords - the country's highest court - to sue in Britain.

The claimants were granted the right to appeal against Buckley's ruling and this hearing is likely to take place towards the end of this year.

Buckley said that as a "matter of public policy" the English courts should not deal with claims that should and could have been lodged in South Africa. In support of this argument, he cited a US court decision not to hear claims by India's Bhopal disaster victims against Union Carbide.

Richard Meeran, the London-

based lawyer for the claimants, said despite the ruling he remained optimistic about the chances of being allowed to proceed with the cases in England.

Meeran said commercial interests had prevailed over justice for the victims and that it was nothing less than gross understatement for Buckley to have described conditions at the asbestos mines and plants as "sometimes very bad".

"A British company which goes to South Africa and relies on the system of apartheid to exploit black workers - including young children - should properly be held accountable in England," Meeran said.

Diseases associated with asbestos are slow to manifest. The worst-hit areas include Prieska, Kuruman and the Penge mine surrounds.

# Big safety drive: But miners still die

(212)  
ANDREW DONALDSON

ST 1/8/99

TEN days after launching what they claim to be the industry's most ambitious safety programme, AngloGold suffered the country's worst mining disaster since 1995

Nineteen miners were killed instantly late on Thursday, torn apart by a massive methane explosion 2,7km underground at the company's Mponeng mine in Carletonville, Gauteng

While a high-level investigation into the disaster begins tomorrow, the mine's management remained adamant that the correct procedures were being adhered to when the gas exploded

This, said AngloGold spokesman James Duncan, was in keeping with the company's recently adopted policy of zero tolerance for accidents

Even so, questions remain concerning the procedures followed between the time of the gas's discovery and the time of the 6pm blast

Archie Pilane of the National Union of Mineworkers has claimed that the explosion took place 10 minutes after the methane was detected. The union also has claimed that some miners were walking towards the gas-steeped work area when the blast occurred. "Why were the miners not warned about the methane in time?" it asked



**ALIVE:** Moleti Mosala was visited by Mineral and Energy Affairs Minister Phumzile Mlambo-Ngcuka. Picture: ELIZABETH SEJAKE

When the Sunday Times spoke to one of the survivors he certainly gave no indication of having been warned

Moleti Joseph Mosala, 29, of Fochville, a town near the mine, had been working in another tunnel in the vicinity of the blast. "I was coupling some pipes," he said, "and then I remember nothing — just the bang"

This was Mosala's second mining injury. Two years ago he lost his thumb in a work accident

In Thursday's blast he was hit on the back of the head by flying debris, as was Teboho Damane, 27, from Lesotho

Both men were visited in the mine's hospital on Friday by a high-level delegation that included the Minister of Mineral and Energy Affairs, Phumzile Mlambo-Ngcuka; her Deputy Minister, Susan Shabangu, union officials and company executives.

Eighteen other survivors were brought to the surface by rescuers, who worked all night in the potentially dangerous disaster

area. The operation ended yesterday morning with the discovery of the body of the only miner left unaccounted for.

Most of the 19 dead were migrant workers from Mozambique, Lesotho and Swaziland, which supply up to 40 percent of the workforce in South Africa's gold mines

Mponeng, formerly Western Deep Levels South, and its sister mine, Savuka, 80km southwest of Johannesburg, are the world's deepest mines at 3 700m

The disaster came at a time when the industry was renewing efforts to improve worker safety. Mlambo-Ngcuka told reporters "One death is one too many. We are committed to improving safety standards to ensure that it never happens again"

When AngloGold launched its safety campaign recently, it did so on an emotive note: the names of 129 victims who had died in accidents at the company's mines since last year were scrolled on giant screens before employees



'GOD IS GREAT' . Musa Mnyambo, who survived an underground gas explosion at Mponeng gold mine near Carletonville that left 19 miners dead, still cannot believe his luck

Picture: Panyaza Mcinaka

# Ancestors credited with saving miner from blast

By DOMINIC MAHLANGU

AN Anglo Gold Mponeng mine worker still cannot believe how he miraculously escaped death in an inferno sparked by a methane gas explosion which claimed the lives of his 19 "comrades" in the belly of the earth more than 2 km underground on Thursday.

Musa Mnyambo (30), a Swaziland national who has been with the mine for nine years, could only attribute his luck to his "Amadlozi" (ancestors)

Trembling with shock, Mnyambo, a father of two, related how he went down with the 19 on their evening shift which started at 6 pm on Thursday

He said on arrival at their workstation, more than 2 736 metres below surface, his headlamp did not come on

"I remained near the shaft to try to get the torch to work when there was a sudden burst of cold air and then the explosion," he said.

The blast knocked him to the ground and he was buried under a heap of rubble that came crashing down on him

"I managed to crawl on my belly not knowing where I was going until I lost consciousness. I don't know what happened, but I woke up when I heard the voice of my late father saying I should rise," he said

Mnyambo said he staggered in the dark and saw a torch light shine in his face

*CP 1/8/99 (212)*  
Mnyambo said he would slaughter a beast to thank his ancestors when he returned home

When he was interviewed by City Press on Friday afternoon, Mnyambo said he had not been able to eat since the blast

He was still in "a terrible shock".

All 19 of his colleagues died at the scene. He was the only survivor of the group. Two others who were working in another section of the mine were also caught in the blast and injured

Anglo Gold spokesperson Alan Smith said Mnyambo was the first to be rescued. He was found confused a short distance from the blast.

It is still not known how the methane gas ignited after it was detected

The National Union of Mine-workers (NUM) said the disaster

could have been prevented

NUM vice president Senzeni Zokwana said reports received indicated that there was a breakdown in communication between the miners and their seniors.

The explosion is thought to have been ignited while workers were drilling to extend the shaft.

Zokwana said one of the workers was ordered to report to senior mine managers who were stationed far away from the drilling site that high levels of methane had been detected around the drilling hole.

"We are looking at possibilities of negligence on the part of senior mine workers.

"If the gas was detected early, why was it that those men in front were not removed in time before the explosion?" asked Zokwana

□ Turn to Page 2

## 'Ancestors' saved miner

□ From Page 1

*CP 1/8/99 (212)*  
"We must begin to ask questions as to why senior supervisors were not around the area where they were supposed to have been

"Were our workers supposed to hold their positions until they were told to move even when they were faced with death?" asked Zokwana

Minister of mineral and energy affairs Phumzile Mlambo Ngcuka visited the mine on Friday where she told mine managers that the department would investigate the incident

North West Premier Popo Molefe sent a message of condolence to the bereaved families.

President Thabo Mbeki said he was shocked and saddened to learn of the miners' deaths and expressed his hope that no stone would be left unturned to determine the cause of the disaster

# Pall of death hangs over mine disaster survivors

(212) Sowetan 2/8/99

**By Mokgadi Pela and  
Mzwakhe Hlangani**

A SOMBRE atmosphere has engulfed AngloGold's Mponeng Mine after the deaths of 19 people and injuries to 20 others

Workers at the mine said yesterday the accident, which happened on Thursday at 6pm near Carletonville, had sapped them of energy and the will to live

At the same time, mine officials had started the grim task of identifying the deceased and informing their next of kin in places like Lesotho, Swaziland and the Transkei

Even one of the heroes of the day, Mr Freddy Thwala (37), who rescued two miners from certain death, said "there's nothing to celebrate as many of my colleagues have perished. My only consolation is that I managed to save two people, one of them, Musa Mnyambo

"Everything seemed to be going well when unexpectedly, I heard a loud bang followed by a cloud of smoke. When I heard two people screaming for help, I risked my life to rescue them," Thwala said

Another survivor, Mr Andile Dungelo

(32), said while he was lucky to be alive, he was "immensely depressed for no one knows who is next"

Addressing a media conference on Friday, AngloGold spokesman Mr James Duncan said the blast was believed to have been triggered off by a high presence of methane gas

He said the alarm was raised when the substance was detected by a driller. A few minutes later, the blast occurred

Workers said a memorial service would be held once the deceased have been identified and their next of kin informed

Meanwhile, the Government has expressed concern at last week's mine disaster and has once again raised the issue of safety at South African mines where more than a million mineworkers have been injured

Labour Minister Membathisi Mdladlana said yesterday apart from victims of such disasters which brought the number of miners killed since the start of the year to 179, many thousands continued to die "slow deaths" through diseases such as silicosis, pneumoconiosis and asbestosis, while others were maimed for life due to avoidable injuries

# Cape may have to pay up R1bn

ET (BR) 4/8/99 (212) (131)

**RONNIE MORRIS**

Cape Town - The multimillion-rand damages action brought in the London High Court by South African victims of asbestosis against asbestos producer Cape plc might reach R1 billion and involve 3 000 plaintiffs if the case was heard in South Africa, law firm Webber Wentzel Bowens (WWB) said yesterday

Last Friday in London Justice Buckley granted Cape a stay of proceedings when he found that the cases ought to be dealt with in South African courts

Buckley cited the practical difficulties involved in dealing with claims in the UK for his decision, saying an injustice would be caused to Cape

The judge granted the claimants leave to appeal

In a statement yesterday Nick Alp of WWB, Cape's South African attorneys, said both he

and Cape held the view that South Africa was the jurisdiction with which the litigation had its most substantial connection

"This is a South African issue of national concern, which requires a South African solution

"South Africa is where the injuries were allegedly sustained, it is where the claimants and the witnesses reside, it is where the documentation is to be located, and indeed where the overwhelming majority of the evidence is to be found," he said

Alp said Cape's subsidiaries were not the only ones involved in the asbestos industry in South Africa and the claimants' alleged exposure might well have come from other sources

A lawyer with Leigh, Day and Co, the London law firm that represents the claimants, said "It is immaterial that the injuries were sustained in South Africa

"The allegations of negligence

are against the British company Cape was at all times a British company with all of its assets in Britain and should now be held accountable for its actions in Britain without further delay"

Cape owned huge asbestos mines and mills in the Northern Cape and Northern Province (then Lebowa), amosite asbestos mines in the North West and Northern Province and factories or plants at Benoni

In 1998 the London High Court granted Cape a stay of proceedings brought by the original five applicants, saying the case should be heard in South Africa

The five, two of whom have since died, received British legal aid and took the matter to the court of appeal, which overturned the High Court decision

The House of Lords subsequently refused Cape leave to appeal, clearing the way for a further 2 000 victims to institute claims



# Blaming the right people for mining accidents (212)

Owners need to invest more in  
safety systems and training,  
writes **Gwede Mantashe**

BD 10/8/99

ONE can only speculate why six days after the Mponeng mine disaster Business Day should run an editorial (August 4) on mine health and safety that serves to justify the mining industry's poor health and safety record.

Perhaps the mine owners had been hurt by a rather critical editorial in one of the Sunday news papers and had whispered that Business Day might put a different line to the public and investors.

Since the accident the spin doctors of the mine's owners AngloGold have stressed two things in their public comments.

The first was that shortly before the accident the mine had embarked on a major safety campaign.

The second was that there had been no irregularity in the mine's systems.

It is this second part that is crucial. Because there were no irregularities in the way the mine was run, the reader is left to assume that the cause of the accident must have been human error. This is just a sophisticated version of the old "blame the worker" thesis much beloved by mine managements.

This argument was addressed to the Leon commission in 1994. It was rejected by the commission in the strongest terms. The commission's comments are worth repeating: "However the recurring management apology when paraphrased claims that the systems (were) in place and the accidents (were) due to human errors."

"There is no moral basis for this excuse. The theoretical solutions are relatively obvious but difficult and slow to implement in practice. Management must engineer the systems so as to minimise the opportunity for human error and train all ranks of the workforce to act in accordance with sound procedures."

This is not a purple passage. It is central to the commission's recommendations for legislative changes and is made concrete by the Mine Health and Safety Act's requirements that mine managements develop systems to analyse and control hazards.

The commission's recommendations are borne out by the inquiries into the major mining disasters in this country. These show that multiple fatality accidents (such as that at Mponeng) occur after several mining and safety systems have failed.

While human error may have triggered some of these accidents, the proper operation of safety systems would have prevented substandard conduct or ensured that it did not lead to fatalities.

Mine spokesmen also have stressed the extensive rights that mineworkers have under the Mine Health and Safety Act.

While there is no doubt that the act has shifted the balance between management and worker and helped usher in an era in which worker participation in health and safety is at long last taken seriously, the primary responsibility for operating mines safely remains with the owners.

Many mines have dramatically improved their health and safety systems but the historical backlog remains enormous. Yet in the wake of major accidents the old kneejerk reactions reappear. Correctly, this has been criticised by certain papers.

In contrast Business Day has produced an editorial that is so simplistic that it borders on callous.

This is particularly disappointing as the paper has in the past been one of the few that has given serious scrutiny to mining health and safety.

— Mantashe is general secretary of the National Union of Mineworkers

HALLEN

# Another tragedy as miners mourn

Sapa and Sowetan Reporter

ON the day of a memorial service for the 19 miners killed in the methane gas explosion at Mponeng Mine, three more miners died and five were injured - this time after an earth tremor at Driefontein Gold Mine on the far West Rand

As mourners listened to National Union of Mineworkers (NUM) president Mr James Motlatsi call for better safety training, AngloGold spokesman Mr Willie Jacobsz confirmed that the three died when the tremor loosened surrounding rock and ground at the number four shaft

Two of the injured were serious, Jacobsz said

Motlatsi yesterday questioned the training provided to Mponeng miners, saying if they had been trained properly, the explosion on July 29 would not have claimed 19 lives

Grief at the mine, formerly known as Western Deep Levels, was compounded days later when another miner was killed in a rockfall

Motlatsi said miners' health and safety was the responsibility of man-

agement, and Mponeng management should not try to run away from what had happened. Since 1992 NUM had been calling for better and more effective safety measures

"I want to point out that in 1993 when I and the then NUM general secretary Cyril Ramaphosa were going to KwaZulu-Natal after a mine disaster there, he said to me that in this country black miners in particular are dying like flies and being buried like dogs, and that something had to be done"

Motlatsi urged miners not to go underground when they thought it might be unsafe

About 2 000 people, some from Mozambique, Lesotho and Transkei, attended the service

A specialist team is investigating the cause of the explosion

● Minerals and Energy Deputy Minister Susan Shabangu visited the site of the rockfall yesterday to make an assessment of the situation and to visit the injured miners

The ministry extended its condolences to the families that lost their loved ones

Sowetan 12/8/99

## SOUTH AFRICA

CT 12/8/99

### 3 miners die, 5 hurt in W Rand tremor

(2/2)

ON the day of a memorial service for 19 miners killed in the methane explosion at Mponeng mine last month, it was revealed that three more miners died and five were injured after an earth tremor at the Driefontein mine on the West Rand.

As mourners listened to National Union of Mineworkers president James Motlatsi call for better safety training yesterday, AngloGold spokesperson Wilhe Jacobsz confirmed that the three had died when a tremor loosened surrounding rock at Driefontein's number four shaft. He did not say when the accident had occurred.

Motlatsi said that if the Mponeng miners had been trained properly, the explosion on July 29 would not have claimed 19 lives.



# British MP backs asbestosis victims

CT (BA) 24/8/89 (131) (aia)

RONNIE MORRIS

Cape Town - Cape plc the UK mining and industrial company which disinvested from South Africa in 1979, had taken advantage of the apartheid regime to exploit its workforce, including young children a British member of parliament said last week.

Kevin McNamara an MP for Kingston Upon Hull North criticised a London High Court Judge for ruling that it would be against public policy for Cape to be held accountable in a British Court for damages suffered by South African victims of asbestosis.

"No British company should be able to escape its responsibilities to the human rights of its foreign employees by hiding behind the deficiencies of the law in the country in which it operates," McNamara said in a letter to Lord Irvine the lord chancellor.

He asked for an assurance that the British government did not share the judge's view regarding public policy.

Asbestosis, a debilitating lung disease and mesothelioma a very painful asbestos-related cancer are caused by unprotected workers breathing in minuscule asbestos fibres.

On June 29 Judge Buckley granted Cape a stay of proceedings

JONATHAN ROSENTHAL

COMMODITIES EDITOR

Johannesburg - Amplats the world's largest platinum producer yesterday signed a zero tolerance health and safety policy with its unions and the government.

Barry Davison Amplats chief executive, said the new policy marked a turning point in attitudes towards health and safety in the mining industry.

"We needed to change the culture that is endemic to the South African mining industry and indeed, South Africa as a whole, that life is cheap."

"We needed to change the culture that turns a blind eye to unsafe acts and conditions."

The agreement upholds the right of an employee to refuse to work at any place believed to be unsafe.

It commits the company to take all reasonable steps to make its workplaces safe and to investigate any health and safety related issue brought to its attention. In return workers are bound to take responsibility for sticking to the rules and to report any unsafe situations.

Archie Phalane the deputy general secretary of the National Union of Mineworkers said mineworkers went underground with a real fear of not returning to the surface.

Historically, miners killed in accidents were not identified by name but by a number tied to their wrists. He said the new poli-

# Amplats signs zero tolerance health and safety agreement

(aia) CT (BA) 24/8/89



**PAT ON THE BACK** (from left) Barry Davison of Amplats gets an autograph from Archie Phalane of the NUM at the signing of the historic policy

PHOTO JOHN WOODCOCK

cy should help to address these historical inequities.

Dick Bakker, the chief inspector of mines in the department of minerals and energy, welcomed the new policy. He said it was important that all the unions had signed on.

"I am certain when we look back in the next year - this new policy will have achieved what it set out to achieve," he said.

Graham Dubber, the Amplats group manager of safety, said this year the group had suffered eight fatalities among its 39,000 workers. The fatality rate on Amplats mines was 0.25 fatalities for every 1,000 miners.

Last year the platinum industry reported 44 fatalities and 765 reportable injuries, according to the department of minerals and energy.

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# Mine workers exposed to excessive radiation

BD 2/9/99 (212)

While many areas were fine, some were above annual limits

LARGE numbers of workers in underground mines surveyed by the Council for Nuclear Safety were getting radiation doses over the annual limits, the CNS said in a report tabled in Parliament yesterday

The CNS viewed this very seriously, and had pressured mining companies to improve conditions, executive officer Bert Winkler said in the CNS's report for 1997/98

Representatives of these workers were also being consulted

Winkler said the findings were made during a CNS survey

"These assessments revealed that exposure levels were acceptable in many areas, but also identified a number of areas where large numbers of workers were receiving radiation doses in excess of the annual limits," he said

Radiation hazards to workers in surface operations were "generally under adequate control"

Management of radioactive waste from the mining and minerals processing industries remained less than satisfactory, particularly the longer-term management of

waste and control over contaminated scrap metal

Little progress had been made in rehabilitating off-mine sites contaminated through inadequate control, and this was largely because there was no national waste management policy

Winkler also said there had been seepage of radioactive waste from "packages" at the Vaalputs repository in the Northern Cape

Waste management disposal adopted by Eskom for the Koeberg nuclear power station near Cape Town involved long periods between shipments to Vaalputs

This meant waste packages in disposal trenches stayed uncovered and exposed to weather for long periods, which caused "some degradation of package integrity"

This resulted in "contamination" seeping to the surface of some of these packages

"No contamination has been released to the environment and no radiation hazards to workers or the public have arisen," said Winkler "Measures have been put in

place to rectify the situation and to prevent recurrence"

He said although safety standards at Koeberg were high, a few incidents raised concerns

He said the incidents apparently arose from pressures to bring about "improved economic operation" at Koeberg

Although the incidents involved deviations from procedure, they did not have serious radiological consequences for workers, and no effect on nuclear safety

Winkler said a major two-year safety review at Koeberg had continued throughout the year

All design and operation aspects contributing to safety were being thoroughly evaluated and compared to internationally recognised standards

The project was well advanced and although areas had been identified for improvements, no major safety concerns had been raised

When completed, the review should provide assurance the station was safe and operations could continue, Winkler said — Sapa

# Mines force inspector to stop issuing fines

CT (MR) 3/9/99

(a12)

JONATHAN ROSENTHAL

COMMODITIES EDITOR

Johannesburg - Dick Bakker, the chief inspector of mines, said this week he had been forced to suspend the issuing of fines against mines that contravene health and safety regulations because of numerous appeals to the labour court by mines.

Several cases were now before the court and he was waiting for a precedent to be set on the legality of the fines.

The system of administrative fines was introduced about a year ago as a quick and easy tool to prod mines into tightening their adherence to the regulations.

The new system, agreed by labour and employers, was the result of compromise talks over a reversal of the burden of proof contained in the new mine health and safety legislation.

This change could have forced employers to prove they were not responsible for accidents. In exchange for holding back on those sections of the law, all parties agreed to implement a non-criminal system of fines.

"The idea was to keep it out of the hands of the lawyers and courts," Bakker said. "The administrative fine is a tool to compel employers at the highest level."

But he said since its introduction mining houses had refused to pay fines and had forced the issue back into the courts.

"Instead of being a quick and easy way of disciplining employers, it's becoming a legal nightmare," Bakker said.

He said 90 percent of fines were withdrawn if employers rectified their violation. The inspectorate had only pushed ahead with fines in 30 cases. Of those fines, worth about R750 000, less than R100 000 had been paid. The rest were subject to appeal.

One appeal case was brought by a coal mine which had been cited for 45 contraventions of the regulations, "each one of which threatened the safety and health of a large number of employees."

The mine had shown disregard for all safety measures, but rather than rectifying the problems it had appealed against the fines.

In another case a chief ventilation officer had approached the inspectorate after the mine's management repeatedly ignored his reports of heatstroke conditions in parts of the mine. This case was also taken on appeal.

Bakker emphasised that several mining houses were co-operating with the inspectorate.



## Parties agree on radiation levels

(56) (210)  
(212)  
Linda Ensor

CAPE TOWN — The National Union of Mineworkers (NUM) and the Chamber of Mines have reached agreement on the regulation of radiation levels in mines, opening the way for Parliament to adopt the National Nuclear Regulator Bill.

Minerals and Energy deputy director-general Smunda Mokoena told Parliament's committee on minerals and energy yesterday that in terms of the agreement, the regulating authority to be created would also monitor radiation levels in the mines.

The original draft of the bill excluded the mines from the jurisdiction of the authority, leaving them to the inspectorate. This led to fears by NUM that this would result in lower standards of radiation protection. It suggested the inspectorate had not effectively dealt with the problem of dust on the mines.

Mokoena said the department agreed in principle with the amendments and would present them to the state law advisers for incorporation into the bill. Still to be resolved was the independence of the regulator, an issue for the minister.

BD 7/9/99

# Economic realities' important in the asbestos debate

FROM SAPA

Cape Town - Any decision on whether to ban the use of asbestos in South Africa would have to take account of the economic realities of the country and the sub-continent, a department of environment affairs official told parliament's environment portfolio committee yesterday.

"We should not take a radical decision in resolving the question," said Muriel Dube, the department's chief director for atmospheric protection.

"Economic contribution should be taken into account"

Briefing the committee on progress made in cleaning up and making safe the dozens of asbestos mines and dumps scattered across the country's northern provinces, Dube reminded the committee that some of South Africa's neighbours still mined and exported asbestos.

Asbestos mining in South Africa would come to an end later this year when the last operating mine, at Msauli in Mpumalanga, exhausted its deposit, he said.

But local manufacturers still imported about 2 000 tons of white chrysotile a year, most of it

from Zimbabwe

Dube said: "The approach has to take everything into account, including the economic factors. It is a consideration and one must be aware of these facts."

The final decision rested with the minister, she said.

The total rehabilitation costs for Mpumalanga, the Northern Cape and Northern Province were estimated at more than R95 million. To date the process had cost the government R35,5 million, Dube said.

Rehabilitation involved "encapsulating" the exposed asbestos with a layer of top soil,

planting indigenous plants and trees, and fencing the site to stop access

This process was "essentially cosmetic" and not in line with the policy of restoring the land to its original state.

The department planned to re-examine this issue with a view to improving rehabilitation techniques.

Dube said the department's law reform process needed to be accelerated to address the recommendations made at the national asbestos summit which was held in Johannesburg in November last year.

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# Judge pulls out of asbestosis appeal

CT (MR) 5/10/99 (212)  
(131)

**RONNIE MORRIS**

Cape Town - Proceedings in the London Court of Appeal against a London High Court judge's decision to grant Cape plc a stay of proceedings in a multimillion-pound damages action were delayed when the senior judge recused himself yesterday.

Lord Justice Beldham, who would have led the three-judge appeal panel, withdrew when he cited a family connection with asbestos business.

A new judge was found and proceedings would resume this morning and continue till Friday.

The action against Cape has been brought by more than 2 000 South African asbestosis victims who claim they have suffered personal injuries or damages as a result of Cape's negligence, or breach of duty in supervising, controlling, extracting, producing, processing or distributing asbestos and related products.

The company operated asbestos mines in Prieska and Koeegas in the Northern Cape, Pofmfontein in the North West, and Penge in the Northern Province, and had factories or plants in Gauteng and elsewhere from 1930.

Cape disinvested from South Africa in 1979, leaving thousands

of asbestosis victims penniless and uninsured. The South African government is now rehabilitating contaminated and abandoned mines and asbestos dumps because of health hazards.

In 1997 five South African asbestosis victims instituted claims against Cape in the London High Court. The company fought the action and in January last year the London High Court granted Cape a stay of proceedings on the grounds that the case could be heard in South Africa.

The Court of Appeal, however, reversed the decision and ruled that the five - two of whom have subsequently died - could sue the company in Britain.

The House of Lords subsequently refused the company leave to appeal against the Court of Appeal ruling, paving the way for a further 2 000 claimants to sue the company.

On July 30 this year the London High Court again granted Cape a stay of proceedings on the grounds that the case ought to be dealt with in South African courts and that an injustice would be caused to Cape.

The court, however, granted the claimants leave to appeal, which will now be heard this week.



# SPECIAL INVESTIGATION

Study found high levels of uranium in Deelkraal workers' urine

# Danger lurks in the water for thousands on mines

Thousands of mineworkers have been exposed to potentially dangerous levels of radiation from drinking contaminated water in the mines. Business Report has found.

In most deep-level gold mines, the cold service water used to cool machines and suppress dust has been recycled from the lower levels of the mines. As it is pumped through the mine workings over and over again, it picks up uranium, radium and other radioactive elements as well as chemical and biological contaminants.

Uranium is often found at various grades in the gold reefs. Officially, workers do not drink this water and mines are legally obliged to provide a source of potable drinking water.

Unofficially, it is widely known that on deep-level mines employees drink several litres of service water a day, either because no potable water has been provided near the workplace or because the supply is warm, unchilled and piped to the drills right in the stopes.

An internal study conducted at Deelkraal gold mine in the mid 1980s found that uranium levels in underground water were as much as 10 times higher than the maximum allowed limit for drinking water. Secret tests were then conducted at the mine to measure the levels of uranium in the urine of all mineworkers who reported to the sickbay.

The study found that several workers had concentrations of uranium in their urine that exceeded 50ug/litre. At these levels, it is widely known that employees drink litres of contaminated water daily.

Workers at Deelkraal are exposed to and absorb either from the water or underground dust significant amounts of uranium, the report said.

Uranium and other radioactive elements exposed in gold mines have found their way into water supplies used by mineworkers, writes Jonathan Rosenthal in this two-page report



THIRSTY WORK UNDERGROUND Miners at the rockface in the African Rainbow Minerals mine at Orkney

confidential found that the main canal carrying water from the West Driefontein gold mine had radium concentrations of more than double the effluent limit and up to eight times the limit for drinking water.

Another study, this one conducted by the Gold Fields group in 1984 found elevated levels of radiation in the service water of several mines including Kloof, West Driefontein, Deelkraal and Venterspost. In some cases the radiation was 50 times greater than the limit for drinking water.

The study states that the maximum (radioactive) activity which may be acceptable in service water which is used for drinking when chilled can only be recommended in a situation including increased incidence of heatstroke.

Amis said the group took a view that workers should be educated about the dangers of drinking service water and encouraged to drink the potable water provided. He said however, that nothing was being done to physically prevent employees from drinking the service water.

The problem does not appear to be confined to mines from the former Gold Fields group.

A former mine engineer from Hartbeestfontein, a mine that

(a12) ET(BE) 7/10/99

produces uranium as a by-product to gold, said that potable water was only supplied in a limited number of areas underground and that it was common practice to drink service water. "Of course we have a radiation problem in the water," said Denis Wynmer, an assistant technology consultant to the Chamber of Mines, said that studies done by the Chamber and several mines had indicated that the radiological risk from drink-

ing service water was "way below any level of concern". The primary danger of drinking service water was its bacterial contamination, he said, because workers urinated and defecated underground and this contaminated the service water. A secondary risk was the chemical contamination of the water as it leached salts from the ore in passing through the mine. Wynmer said a study conducted by the Chamber using all avail-

able data from 1960 to 1989 found that the average dose to which mineworkers were exposed was 0,3 mSv a year, or less than 10 per cent of the dose from other radiation sources in mines. He said the highest dose found was 2,1 mSv a year but that this was an extreme case and that in general the doses were below 1,1 mSv. He said he was unaware of the urine tests conducted at Deelkraal and could not comment on the matter.



This announcement appears as a matter of record only

PHOTO JOHN WOODCOCK

ty for drinking water. The water is however used for industrial purposes in mine processes (such as) refrigeration plants. The control of this water to ensure only industrial application is an area of uncertainty. It is impossible that scenarios may develop for this water to be used for drinking, the report states.

It also states that radiation levels in water released into hat water courses and irrigation water had on occasion exceeded the department of water affairs criteria.

Driefontein said a more recent study completed in 1998 had shown that the peak exposure to its workforce from drinking two litres of service water a day would be no more than 0,38 mSv a year. This is in comparison with an annual dose limit for mineworkers in licensed sites of 20 mSv a year.

The study conducted in accordance with the mine's nuclear licence conditions had found that



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Uranium is often found at various grades in the gold reefs. Officially workers do not drink this water and mines are legally obliged to provide a source of potable drinking water.

Unofficially, it is widely known that on deep-level mines employees drink several litres of service water a day, either because no potable water has been provided near the workplace or because the supply is warm, unlike the service water which is chilled and piped to the drills right in the stopes.

An internal study conducted at Deelkraal gold mine in the mid 1980s found that uranium levels in underground water were as much as 10 times higher than the maximum allowed limit for drinking water. Secret tests were then conducted at the mine to measure the levels of uranium in the urine of all mineworkers who reported to the sickbay.

The study found that several workers had concentrations of uranium in their urine that exceeded 50ug/litre. At these levels it said, workers in nuclear clean installations were normally with drawn from their jobs and only allowed to return when their uranium levels had fallen.

Workers at Deelkraal are exposed to and absorb, ground dust, significant amounts of uranium," the report said.

It said the long term health effects of uranium included bone changes, leukemia and chronic renal disease. Although uranium itself is not highly radioactive, it is toxic in high concentrations and is often associated with radioactive "daughters", the products of the natural decay of uranium. These include radium, thorium and radon as well as radon's own "daughters", such as polonium.

John Amis, AngloGold's environmental consultant, said the results of the urine tests had not been disclosed to the group when it acquired the mine. Ongoing monitoring of the dose levels to which employees were currently exposed indicated that doses were well within limits, he said. He said all employees had access to clean water.

A separate study conducted by the Chamber of Mines in the mid-1980s found high levels of radium in the water supplies of other mines in the area.

The report, marked strictly



THIRSTY WORK UNDERGROUND Miners at the rockface in the African Rainbow Minerals mine at Orkney

PHOTO JOHN WOODCOCK

Andrew McLaren, the former chief water technologist at Gold Fields, said he had presented proposals to deal with the issue at Deelkraal. The cheapest of these would have been to put a very bit of the service water to discourage people from drinking it.

"We proposed that the water be treated to discourage people from drinking it, but nothing ever came of it. It was very economical and would have cost something like R400 a day to treat the mine's water," he said.

McLaren said he believed the mine was unwilling to implement this as it could have provoked an angry response from workers, who could then have demanded cooled drinking water, or reduced productivity if workers had to leave their workplaces to find drinking water. A further concern was that workers could then drink less water and suffer an increased incidence of heatstroke, a reportable injury.

Another proposal that was implemented at Deelkraal was to treat the water with lime which caused the uranium to drop out of the water as silicate and resulted in a significant reduction in uranium levels.

But this treatment was unsuccessful in reducing levels of radium, he said.

A 1996 report prepared by West Driefontein in terms of its nuclear licence conditions, found that department of water affairs guidelines for uranium and radium content for water leaving the mine were frequently exceeded.

Some of the higher levels were found in water being pumped to Western Deep Levels an AngloGold mine. "The radioactivity levels in the water that is pumped to Western Deep Levels is consistently above the criteria for radioactivity," the report stated.

The mine said it was now mining reefs that had a far lower uranium content than those previously mined, which reduced the risks of radiation exposure across the board.

John Amis, AngloGold's environmental consultant, said the group had not been informed by Driefontein of the radiation levels in the water but that it had reduced its purchases of water from Driefontein to almost nothing.

A former mine engineer from Harrebeestfontein, a mine that several mines had indicated that the radiological risk from drinking water was all available by the Ch...

This announcement appears as a matter of record only



Deelkraal and could not comment on the matter.



RADIOACTIVE POLLUTION A member of the investigation's steering committee says the testing was fatally flawed

# Water study 'is a cover-up to protect the mines'

JONATHAN ROSENTHAL

Several scientists involved in a two-year government study into the release of radiation in water supplies in the Carletonville area have slated the report saying the investigation was fatally compromised by a series of technical blunders.

Andrew McLaren, the former chief water technologist at Gold Fields and a member of the investigation's steering committee, said the data was not scientifically gathered and the final report was "a cover up to protect water affairs and the mining industry."

The health effects of drinking radioactive water can include cancer bone changes, leukemia and kidney damage.

The study, conducted by the department of water affairs and forestry, found that the public was not endangered by radiation released into the water by mining

activities in the area

Denis Wymer, an assistant technology advisor to the Chamber of Mines and a member of the committee, defended the study and its findings.

McLaren's two main criticisms of the study were that there had been inadequate quality control of the sample-testing and that water samples were filtered before they were tested.

Water itself can never be radioactive but it can carry radioactive contaminants, either as solid particles or in a dissolved form. Filtering the samples removed all of the particles associated with radioactivity and much of the dissolved radium that would have attached itself to solids in the water.

While samples have often been filtered, correct scientific procedure requires that the filter itself be analysed to see how much radiation has been trapped

This procedure was not carried out until the last month of the study.

McLaren said the technical committee that supervised the study had been informed only in the last month of the study that the samples were being filtered.

He said the committee immediately instructed that, in all further tests, the filters should also be tested. This was done on the last few cases.

However, McLaren and others involved in the study said they had still not seen the raw data from the tests on the filters.

The report itself said that "it was not the intention of this study to measure radioactivity in the solids suspended in the water."

It said that in the final month of the study, filters used on samples from 15 sites had been checked. The radiation doses associated with the suspended

solids trapped by the filters was minimal "and can therefore be ignored."

Another scientist associated with the study said that unless the raw data was released, this statement would be impossible to verify.

"Probably a significant proportion of the radiation was associated with sediments in the water," McLaren said.

Another scientist associated with the study questioned the procedure of filtering the samples in the first place. "No municipal water plant is ever going to filter out solids that small," he said.

Even if the water was filtered, people who drank it would still be exposed to almost as much radiation as they would have received in unfiltered water.

Furthermore, a number of families downstream had consumed unfiltered water and

caught fish from the river

Wymer, however, said filtering the water was standard practice. The investigators had been forced to make several trade-offs because of cost constraints, including the decision to test only the water and not the filters as well.

He said the tests on the filters in the final month of the study had validated the decision, as only small amounts of radiation had been found in the solids. He also said the technical committee had been kept fully informed throughout the study.

McLaren's second criticism of the report was that there were apparently inadequate quality controls over the testing procedure.

Testing protocols, specified by the Council for Nuclear Safety, state that at least 10 percent of the samples should be control, sent to test the laboratory's quality control. These would include blank samples of distilled water

with a known quantity of radioactive material added, or the same real sample sent through the laboratory twice, or to two different laboratories.

McLaren and other scientists associated with the study said this was not done. Wymer said he was satisfied with the quality control measures, which had included sending samples to three laboratories including one in the UK.

"They bent over backwards to accommodate concerns over quality control," Wymer said. While McLaren pointed to the possibility of a deliberate cover-up, other scientists associated with the study attributed the blunders to the inexperience of the department of water affairs in conducting such tests.

Wymer said the criticism of the report did not invalidate its findings. Even if the amount of radiation in the water had been double that found, it would not have altered the final finding that the water posed no real risk to members of the public.

The study was launched in 1987 on the instructions of Kader Asmal, then minister of water affairs and forestry, after two previous preliminary studies indicated that there was some cause for concern over radioactive discharges by mines around Carletonville into streams which fed into the Mooi river.

Water from these streams is used by local farm labourers as drinking water. It is given to cattle and sprayed on to irrigated vegetables. Ultimately, it finds its way into the Vaal river system.

After 17 revisions, the final draft of the study said that "at no site was the radiological quality such that immediate remediation was called for." It found that only two of the 41 sites monitored were problematic.

It said the water at these two sites was still radiologically acceptable for use as drinking water in the short term, but further investigation would be required to establish whether the water quality is radiologically acceptable in the longer term.

Wymer said this was simply an alert for further study not a cause for real concern. The water at these two sources was not readily accessible to the public and one of the sources had dried up in the course of the study.

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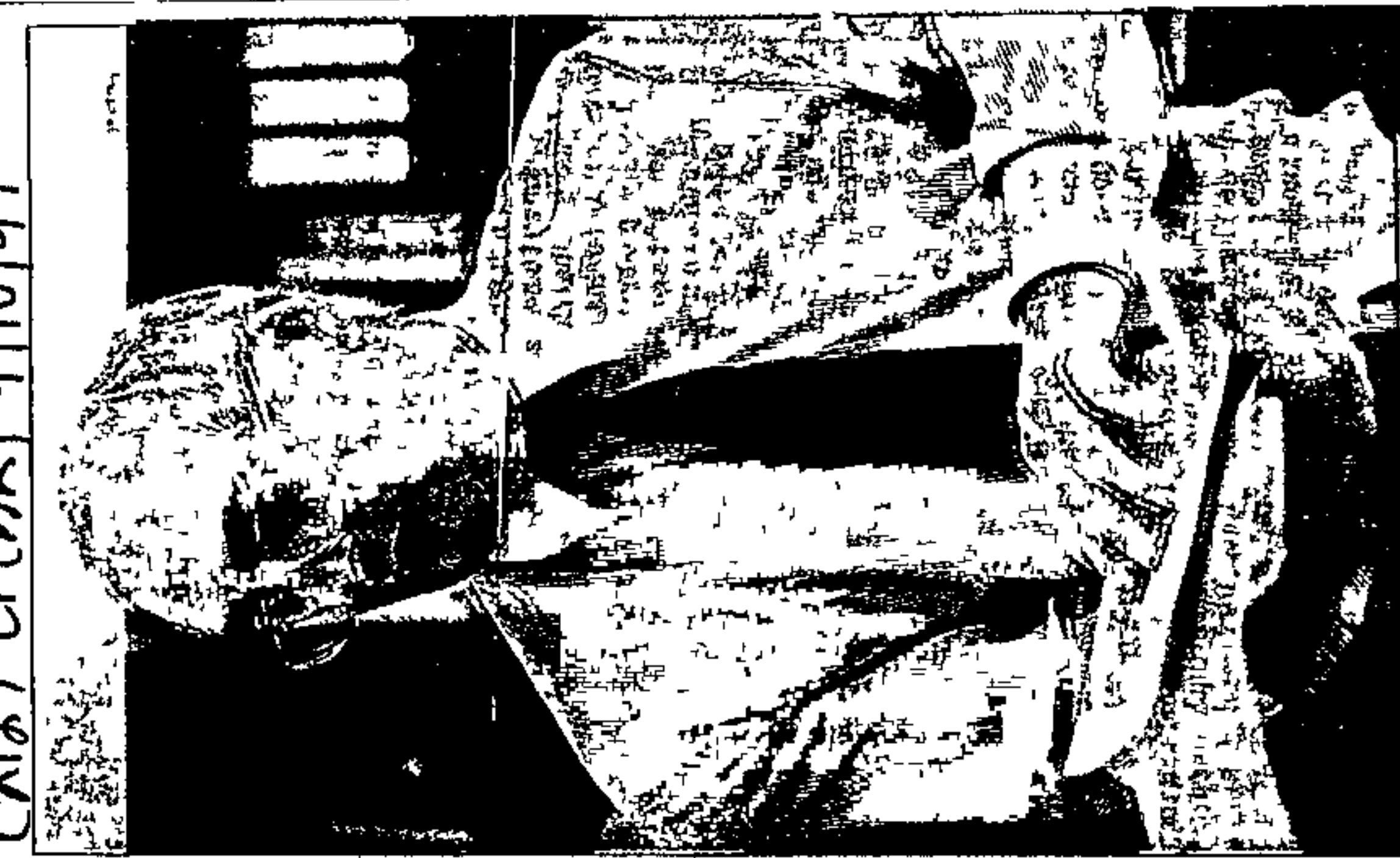
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RISK-FREE Denis Wymer defends the study, saying the water poses no health risk

Both AngloGold and Gold Fields said they regularly monitored their own discharges and the results of the study were largely in line with those from their own tests.

Ben Nel, the head of the Potchefstroom waterworks, which draws water from the streams under study said he had independently tested water used by the town and found no cause for concern.

A further study, sponsored jointly by the Water Research Commission and the Council for Scientific and Industrial Research (CSIR), is investigating the presence of radionuclides in sediments at the bottom of streams in the area.

It is understood the preliminary findings indicate that radionuclides entering the water system from mines seem to be settling out into the sediments.

The concentration of radionuclides is understood to be higher than that found in the uranium bearing ore being mined. Scientists say this implies it is being concentrated in the sediments.

Peter Wade who is participating in the study for the CSIR, said its purpose was a risk assessment to determine the probability of a release of radionuclides back into the water in the event of a change in environmental conditions. He said the report should be available by the end of the year.





# Where has the danger gone?

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(212)

JONATHAN ROSENTHAL

The Council for Nuclear Safety (CNS), the radiation watchdog body, has raised questions about its integrity by claiming that there is no radiation in the Deelkraal recreation dam, in spite of a mass of data to the contrary.

The Deelkraal dam, around which the Deelkraal village is built and alongside which residents play and fish, is one of the sites monitored by the CNS. More than 15 years ago, studies conducted by the mine found that the dam contained radioactivity levels that made the water too dangerous to drink or to swim in and the fish too dangerous to eat.

Several studies over the intervening years found again and again that radiation levels in the dam were cause for concern. So much so that, in June 1996, the department of water affairs and forestry issued a news release warning people not to drink the water contained in the dam. Yet when the CNS was asked for further information on the dam on several occasions over the past few months, it denied that there was or ever had been any radiation in the Deelkraal dam.

On March 29 this year, a CNS inspector visited the mine with Business Report. People could be seen fishing in the dam and the CNS inspector took water samples. Months later, after repeatedly promising the results of the water tests, the CNS said the samples had been thrown away as there was nothing new to be learnt from testing them.

The CNS said at the time that it was already aware of radioactive contamination in the dam and was satisfied with safety precautions taken by the mine. It said it had received regular reports from the mine's own radiation protection officer.

Then at the end of August, in response to numerous requests for copies of the reports on the dam, the CNS changed its story and said there was no radioactive contamination in the dam.

Elias Kotane, the head of the CNS mine monitoring programme, said "really there is no radiation in that dam". He again said samples taken when the inspector visited the mine had not been tested.

When asked how he knew there was no radiation if the water had never been tested, Kotane said it was clear that there could not be radiation in the water. "If it's a return water dam it will have radiation, because it comes from under ground. This is just surface water," he said.

Phil Nkwashu, a CNS spokesman, said previous measurements had shown that the dam was clean.

But this statement is in direct conflict with several previous studies.

Confidential investigations conducted 15 years ago by the Atomic Energy Corporation (AEC) on behalf of the mine found that water had gross alpha levels of 102,5 pCi (a discontinued measure of radiation) a litre - 30 times higher than the recommended limit for drinking water. Gross beta levels of 153 pCi a litre were five times the limit. Gross alpha and beta are different types of radiation.

At the time, the mine management issued a memo warning people that the dam was dangerous. The memo, which warned people not to drink the water or eat fish caught in the dam, made no mention of radioactivity and simply warned of "contamination".

An investigation by the department of water affairs in 1996 found that there were still high levels of radiation in the dam.

It found uranium concentrations of 385 ug (micrograms) a litre, five times the limit for drinking water and radium concentrations of 0,5 Bq (a measure of radioactivity) a litre, more than double the limit.

On a visit to the mine on August 18 this year, Business Report

found there was no access control to the dam and people from Deelkraal and surrounding mines, Blyvoor and Elandsrand, were fishing in the dam. Although signs around the dam instruct people not to remove fish from the dam, several of those fishing were unaware of the radioactive contamination of the water and said people routinely consumed fish from the dam.

"Some people take the fish, they say they taste fine," said one fisherman.

Another said he had heard of a radiation scare but "that was a few years ago, there is no problem now".

The particular danger of eating fish is that radiation can build up in the fish to levels of up to 1 000 times higher than their surroundings through a process known as bioaccumulation.

Denis Wymer, an assistant technology adviser at the Chamber of Mines, said little data were available on bioaccumulation factors of South African fish.

He said the area was being studied further but preliminary tests had indicated that the factor appeared to be relatively low.

John Amis, an environmental consultant to AngloGold, said more recent tests indicated that radiation levels in the dam were not elevated.

Andrew McLaren, the former chief water technologist at Gold Fields who was involved in the original AEC investigations 15 years ago, said that by now radiation levels in the water were likely to have fallen as the contaminants would have settled in the silt at the bottom of the dam.

He said the dam was originally contaminated by water runoff from the plant and uncontrolled spillage from the shaft. He said in the intervening period controls had been tightened.

*'Some people take the fish from the contaminated dam, they say it tastes fine'*

## Council discovers high dose of radiation in miners

JONATHAN ROSENTHAL

COMMODITIES EDITOR

Johannesburg - The Council for Nuclear Safety (CNS) estimates that at least 10 000 mineworkers, or roughly one in 20 mineworkers, have been exposed to radiation levels that exceeded safety limits.

Radiation, even in relatively low doses, can lead to lung cancer and other occupational diseases.

In 1998, according to CNS estimates, 1 000 employees at Harmony Gold mine were exposed to

radiation levels that in some instances were three times higher than the annual dose limit of 20 mSv a year. At Nigel, workers were exposed to dose levels of up to 130 mSv a year, or seven times higher than the allowable limit.

These are the safety violations that have been officially recorded since nuclear regulation was extended to the mining industry in 1993. However, a six month investigation by Business Report has uncovered a frightening legacy of nuclear safety violations over the

past 15 years that could vastly increase the number of mine workers and members of the public who have been exposed to dangerous levels of radiation.

Mining companies and the Chamber of Mines say there is no problem, or that where there was a problem it is now under tight control. They say the CNS figures overstate the extent of the problem and little more than a handful of workers has actually been exposed to doses that exceed the limits.

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But they are unable to explain why, for instance, in one mine in the mid 1980s the urine of mineworkers was found to contain dangerously high levels of uranium.

Or why at several mines throughout the mid 1980s, managers knew that underground employees were drinking dangerously radioactive water, yet chose to do nothing.

Streams, rivers and dams in mining areas were found to have contained more radioactivity

than uranium bearing ore.

Inside Business Report today we examine the questions of mineworkers drinking radiation tainted water and the debate over the release of radiation into streams and water supplies in the Carletonville area.

Tomorrow we ask whether the 5 billion tons of radioactive mine tailings contained in dumps across the gold fields pose a long term threat to the public.

See Pages 5 and 6

## POLITICS

# UK may fund SA miners' litigation

*Sowetan 7/10/99*

*(212)*

By Waghied Misbach  
Political Correspondent

**T**HERE is renewed hope for thousands of cancer-stricken asbestos miners from the Northern Cape and North West to get sorely-needed funding for their compensation battle against the British-based companies that owned and operated the mines in South Africa.

The 2 000 people currently suing London-based Cape plc, the asbestos mine-owning company, were recently refused further funding from the cash-strapped Legal Aid Board (LAB) - the state-funded body meant to help needy litigants.

LAB chief executive Peter Brits told *Sowetan* yesterday that there was a "good possibility" that the miners would get funding from the Welsh and English Legal Aid Boards, if they succeed in their bid to get the case heard in a British court.

The miners are currently fighting to have the case heard in London because, they argue, they cannot claim from the company in South Africa, because all its subsidiaries have been closed down. If the case is held in the UK, it will also make it easier for the miners to get the UK taxpayer to cover some of the costs.

It also looks increasingly likely that some of the costs could be borne by local lawyers, who have already indicated their willingness to work on a contingency basis. Lawyers that agree to work on this basis, would only be paid once the case is won.

The miners would probably need millions of rands to pursue their case, because a further 1 000 miners and their families are reportedly expected to join the compensation battle against Cape plc.

● Last week, Justice Minister Penuel Maduna cut the miners' legal funding by announcing that the LAB would no longer fund per-

sonal injury cases and various other civil cases, such as divorces.

Although the LAB only recently started funding the case, other personal injury cases undertaken by the LAB - largely motor vehicle accident claims - have cost tens of millions, pushing the body into the red to the tune of about R740 million.

If the LAB had continued paying lawyers for personal injury and other cases, the LAB's debt would increase by R150 million this year.

From November, the LAB will no longer take on these cases. Maduna said then that it had been a "painful decision" but the LAB's funding, but this had to be done to save the only body that could provide some form of legal support to those who need it most.

Maduna has proposed setting up judicial centres around the country that would help needy people, particularly rurals. A pilot centre is now operating in Kimberley to test whether the system is sustainable.



# SPECIAL INVESTIGATION

Experts warn SA may be left with the world's most serious case of contamination

ET (MA) 8/10/99 (aia)

## Gold mining has bequeathed us radiation

One of the legacies bequeathed to future generations from the gold mining industry is about 5 billion tons of finely ground and slightly radioactive rock in mine dumps and tailings dams across the country's gold fields.

Several nuclear experts have warned that the tailings, because of their sheer volume, might have left South Africa with the world's most serious crisis of widespread radioactive contamination. They say the extent of the problem is unknown because of insufficient research.

"In some cases, some of this may pose a danger (to the public) but it requires a lot of research," said Thomas auf der Heyde, a board member at the Council for Nuclear Safety.

But radiation experts in the mining industry maintain that radiation levels in the mine tailings are an insignificant threat to the health of people living near mine dumps or to employees working on the dumps.

They say this is backed up by extensive public hazard assessments conducted over the past few years by

*The long-term movement of radioactivity from slimes dams to inhabited areas remains unresolved, writes Jonathan Rosenthal in these special reports*

mines in terms of their nuclear licence conditions.

A 1996 study conducted by the Council for Geoscience found that tailings in the Witwatersrand area typically had radioactivity levels in the range of 300 to 4 000 bq a kilogram, above the limit at which regulatory control kicks in. The biggest concern raised by the report was that the radioactive contamination does not stay on the dumps or within the tailings dams, but leaches out with water or blows out as dust.

"Studies indicate that disturbing quantities of uranium are present in both on and off site ground and surface water," the report stated. The study also indicated wind-blown dust provided a pathway for radium to enter the environment. Radium decays into radon gas, a short-lived radioactive gas associated with lung cancer.

mine tailings only indicate that fixing the problem could be vastly expensive.

A study conducted for the German ministry of finance in 1993 indicated South Africa had the largest stockpile of uranium tailings of the 15 uranium producing countries investigated. It also found the average international cost of cleaning up uranium tailings was \$2,20 a ton. The specific cost for South Africa was pegged at \$0,12 a ton, but this included the clean up costs of processing plants only and not the tailings.

The study said South Africa had 700 million tons of uranium tailings, implying it would cost \$1,5 billion in 1993 dollars.

The US Uranium Mill Tailings Remedial Action Project (UMTRA), a 20-year rehabilitation project conducted by the US department of energy, cost close on \$2,8 billion to clean up 24 million tons of uranium tailings at 24 sites. It is estimated to have prevented 471 cancer deaths over the next 100 years.

Denis Wynnet, an assistant technology adviser to the Chamber of Mines and radiation expert, said South Africa

could not really be compared with the US because South African mine tailings have only one-tenth of the radioactivity found in the US uranium mines.

Also, attempting to encapsulate South African mine tailings in a similar manner to the Umtra project would be completely unaffordable. The key issue, he said, was to determine the risk posed by the tailings and then determine the social costs and benefits of remediation.

Rand for rand, money spent on other social projects could save far more lives. At a 1996 conference on radioactive waste, he argued a worse-case scenario indicated residents living near tailings dams would be exposed to no more than 0,1 to 0,5 mSv a year from dust and radon inhalation. But he said the concentration was so low as not to pose a significant public hazard if modest precautions were taken.

AngloGold radiation protection specialists argued while many of our tailings dams have radiation levels similar to those cleaned up by the US



**EXPOSED** An aerial map of mine dumps around the town of Carletonville shows the movement of radiation off the dumps. Red and orange indicate higher levels of radiation, while blue indicates lower levels. PHOTO BY N.WOODCOCK

authorities, the US had overreacted to a relatively minor issue.

AngloGold studies had shown employees working eight hours a day on slimes dams would be exposed to a radiation dose lower than the annual limit for the public - 1 mSv a year from all sources - or one-twentieth the limit for a miner in a licensed site. The public limit from a particular activity such as mining, was 0,25 mSv a year.

A study conducted this year by East Driefontein gold mine found the maximum exposure of staff on its tailings dams was no more than 0,4 mSv a year. Its sister mine, West Driefontein, found employees working on tailings dams were exposed to between 1 and 2 mSv a year, which was above the minimum dose at which employees must be classified as nuclear employees and monitoring became mandatory.

Its number 2 tailings dam, which is being reclaimed, was expected to have a higher dose and give an exposure of no more than 5 mSv a year.

Public hazard assessments at both mines found the doses to which nearby communities were exposed remained within the limit from a single activity source of 0,25 mSv a year. The possibility of the long term movement of radioactivity from slimes dams to inhabited areas remains a danger that has not been entirely resolved.

Gert Neil, a manager at Driefontein, and John Arms, an environmental consultant at AngloGold, said tailings dams built by both groups were designed to inhibit the run-off of water from the dams as well as limit wind erosion. Modern tailings dams have sophisticated drainage systems canals and walls to contain water runoff. Many are now covered with vegetation to stabilise the sidewalls and protect them from wind-erosion.

The dams will however, require ongoing maintenance and remediation to prevent the failure of these systems for hundreds of years until radiation levels fall to below the regulatory limit.



# Exposure guidelines leave room for error

CT(MR) 8/10/99 (212)

**I**onising radiation such as that emitted by radium and radon gas has two possible effects on the human body. Above a certain threshold it kills the cells, resulting in radiation burns and the loss of tissue function. Below that threshold radiation is less likely to kill cells but it can damage them, leading to a risk of cancer as the cells reproduce.

Safety guidelines for workers in the nuclear and mining industries limit radiation doses to 100 mSv over five years, with a maximum safe dose in South Africa set at 20 mSv in one year.

Denis Wymer, a radiation expert and an assistant technology adviser to the Chamber of Mines said this dose was estimated to increase the risk of fatal cancer in a given year by one in a thousand. That level would roughly equate with other occupational hazards like rockbursts in mining. But the dose was cumulative, Wymer said, so continued exposure to the same dose for a second year would double the risk of cancer to one in 500.

The dose for the general public has been set at 5 per cent of that level, partly because radiation can be more harmful to the very young or old and partly because the public is not deemed to have accepted the risks that employees in the industry are deemed to have accepted.

In theory, workers exposed to the maximum dose for a full five years would have a one in 200 chance of contracting fatal cancer.

Wymer said in practice it was unlikely that a mineworker would be exposed to the maximum level for more than a year because of the continual variability of the mining environment. The majority of workers were generally exposed to doses of less than 10 per cent of the maximum in a given year.

At an international seminar in Vienna in 1995, Wymer said the mean effective dose to which mineworkers were exposed was 2.6 mSv a year, with only a small number exposed to doses of between 20 and 25 mSv.

The industry has, however, argued that a dose of 50 mSv in a single year should be allowed, provided the five-year dose of 100 mSv is not exceeded.

Wymer said compared with other occupations, the dose was relatively low. United Nations figures indicated that aircrew in high altitude jets, for instance, received a dose of 3 mSv a year.

The primary radiation risk to which mineworkers are exposed comes from radon gas, a natural decay product of uranium that loses half its radioactivity in less than four days. Radon itself poses little danger, its radiation can only damage lung tissue because it is breathed back out of the lungs.

But the decay of radon produces

other radioactive elements that can lodge in the lungs where they emit alpha and beta particles as well as gamma radiation.

Thomas auf der Heyde, a board member of the Council for Nuclear Safety, said the predominant view in the industry was that the risk of cancer was linear, with lower doses equating to a lower risk. The linear theory would hold that at certain doses the risk becomes statistically insignificant.

But auf der Heyde said there was evidence that low doses of radiation caused a much larger risk of cancer than expected from the linear model. Controversial research had found that radiation doses within the regulated limit still caused cellular damage.

Research was also being conducted into a possible connection between low dose radiation exposure and tuberculosis. Some scientists suspected low doses might weaken the body's immune response.

Wolfgang Kohnlein, a nuclear expert in Germany, has argued that the actual risks of radiation exposure may be 20 times higher than those predicted by the linear models.

"If we consider that 0.02 Sv (or 20 mSv) per year is currently allowed for nuclear workers, then a doubling dose for lung cancer and leukemia will accumulate within three years' time."

"A dose that doubles the risk of a fatal disease in such a short time is a serious public health hazard," he said.

auf der Heyde said the generally accepted view was to try to keep dose rates as low as reasonably achievable.

But the question as to what can be reasonably achieved is in itself controversial, driven as much by questions of cost as the value of human life.

The debate is compounded by the existence of naturally occurring radiation in many parts of the country that is higher than the regulated limits.

But while standards for mine workers and nuclear workers are set at an internationally accepted level, limits for the radiation dose to which members of the public may be exposed through drinking water are still no more than recommended guidelines.

A study conducted by the department of water affairs and forestry and released in July recommended that a dose of 1 mSv was acceptable in drinking water for short term use.

For longer term use it recommended a limit of 0.25 mSv but suggested this could be increased after further study.

The report argued the linear theory was conservative and remedial action should be justified because the costs should be more than offset by the reduced dose likely to be achieved.

**Controversial  
research has  
found even  
acceptable  
doses caused  
cell damage**

HOUSE OF LORDS TO DECIDE

# Asbestosis victims in limbo

ET 11/10/99

**FORMER SA** asbestos mining and processing workers — who contracted asbestosis owing to their work — are still no closer to getting compensation for their afflictions.

**A** PANEL of five British Appeal Court judges rejected an application by almost 2 000 South African claimants on Friday, for leave to appeal against a London High Court judge's ruling last month, that South African courts were the appropriate forum to sue Cape Plc for damages amounting to millions of pounds.

The asbestosis victims claim they have suffered personal injuries or damages as a result of Cape Plc's negligence or breach of duty in supervising, controlling, extracting, producing, processing or distributing asbestos and related products.

Once the court gives reasons for the rejection, an application for leave to appeal may be

brought before the House of Lords, said Richard Meeran, an attorney for the claimants.

The victims' lawyers fear that, with the admission by South Africa that the Legal Aid Board's finances are in a critical state, they would not get justice in South African courts.

Cape Plc, once the world's largest asbestos suppliers and major player in the SA asbestos mining industry from the turn of the century, owned huge asbestos mines and mills in the Northern Cape, Northern province and North West province, and factories in Gauteng, from 1930

In Prieska, where the company operated a mill for 34 years, 13% of deaths are attributed to

mesothelioma, a very painful asbestos-related cancer. Asbestos levels within this mill were recorded in 1948 as almost 30 times higher than the maximum permissible UK limit.

After the Western world realised the dangers of asbestos, the market dried up and Cape Plc sold out in 1979, leaving thousands of asbestosis victims penniless and uninsured.

Contaminated and abandoned mines and asbestos dumps are now being rehabilitated by the South African government because of the health hazards they pose.

In 1997, five South African asbestosis victims instituted claims against Cape Plc in the London High Court. The company defended the action and in January last year the court granted Cape Plc a stay of proceedings, on the ground that the case could be

heard in South Africa. The Court of Appeal, however, overturned the decision and ruled that the five claimants — two of whom have subsequently died — could sue the company in England.

The House of Lords subsequently refused the company leave to appeal against the Court of Appeal ruling. That cleared the way for an initial 1 700 South African victims to sue Cape Plc in the London High Court.

On July 30 the London High Court again granted Cape Plc a stay of proceedings on the ground that the case ought to be dealt with in South Africa and that an injustice would be dealt to Cape Plc, should the case be heard in Britain.

The court, however, granted the claimants leave to appeal, which was heard last week, and refused — Staff Writer

## Mine accidents this year total 4 466

Linda Ensor (212) and Simphiwe Xako

CAPE TOWN — There had been 4 466 mine accidents this year in which 247 miners were killed, Minerals and Energy Minister Phumzile Mlambo-Ngcuka said in a written reply to a question in Parliament yesterday

At 1 804 accidents, most were caused by failure to comply with recognised good practice, standards or procedures, 806 by lack of caution or alertness and 679 because of inadequate examinations, inspections or tests

National Union of Mineworkers (NUM) spokesman George Molebatsi said the figures were "horrifying" and should be a cause for great concern

Molebatsi said the fact that management and mining unions signed an agreement on the issue earlier this year showed commitment to safety

However, despite the Mining, Health and Safety Act, the absence of safety inspectors on mines would always make miners susceptible to accidents. The implementation of the act was "hamstrung", Molebatsi said

"Technological changes in production methods have not been in keeping with safety methods," he said "If you take the recent Mponeng mining disaster, a team of miners was on an assignment to detect the build up of methane gas. Before they could clear the area the substance exploded"

Another problem, says Molebatsi, is that subcontractors are driven by quotas, which puts production over safety

Chamber of Mines communications adviser Peter Bunkell said the act stipulated clearly that miners had to use their own discretion. They should refuse to work in any environment they deemed dangerous, he said

BD 12/10/99



00 19/10/99 (212)

# A glowing account of radiation in the mines

Mining industry thinks Council for Nuclear Safety has exaggerated levels of exposure faced by underground workers, writes Denis Wymer

**M**ORE is known about the risks of exposure to radiation than about those of practically any other physical or chemical agent in our environment. Yet people are worried about radiation.

They are not convinced that radiation risks are adequately controlled and many believe that certain uses of radiation, such as nuclear power generation, should be banned outright.

Those same people, however, happily accept the use of radiation for X-rays and radiotherapy.

Radioactivity is a part of our earth and has existed for just as long. Naturally occurring radioactive materials are present in the earth's crust in our food and drink and in the walls of our homes, schools and offices.

There are radioactive gases in the air we breathe. Our own bodies — muscles, bones and tissue — contain radioactivity. We are also exposed to radiation from outer space in the form of cosmic rays.

If radiation is so harmful, does this mean that we are at risk from all of this so-called background radiation? We know from studying health records of people exposed to high doses of radiation that some health effects do not appear unless a large dose is absorbed by the body over a short time.

With low doses of radiation, damage to cells in the body is repaired rapidly and effectively, so there is still considerable uncertainty about the overall health effects. There is even evidence suggesting that low doses of radiation

may prove beneficial by stimulating the body's defence system.

There are thousands of substances in everyday life besides radiation that can also cause cancer, including soot, tobacco smoke, ultraviolet light, asbestos, some chemical dyes, fungal toxins in food and viruses.

What is a radiation dose? It is basically a measure of the risk of biological harm and is usually expressed in millisieverts (mSv).

One year of exposure to natural background radiation normally gives rise to a dose of about 2.6mSv, although depending on where one lives this could be up to 10 times higher. One chest X-ray will give rise to a dose of about 0.2mSv, while X-rays on other organs in the body can result in doses as high as 7mSv.

At the other extreme, serious accidents in nuclear installations, such as the one occurring recently in Japan can deliver almost instantaneously a dose of several thousand mSv to a worker at the scene, which will normally result in death within a week or two. Such accidents are rare and can happen only in nuclear installations.

Mining is one activity that involves exposure to natural radiation. The radioactive elements uranium and thorium are present throughout the earth's crust in concentrations of typically four parts per million (ppm), while modern uranium mines exploit ores with uranium concentrations of 30 000 to 200 000ppm.

SA gold reefs have, by comparison, very moderate uranium levels ranging from 10 to 400ppm.

Of particular importance in mines is radon gas, a radioactive decay product of uranium which, when inhaled, can deposit radioactivity on lung tissue and lead to a risk of lung cancer. World standards require that the maximum dose received by a worker must not exceed 100mSv in five years.

For radon, because of large variations and natural worker movements, the usual "spot" measurements conducted in mines are not a reliable indicator of the maximum five-year doses received by workers, and lead to substantial overestimates.

The mining industry believes that the Council for Nuclear Safety has significantly exaggerated the situation when it says, on the basis of spot measurements, that large numbers of underground workers are exceeding the dose limit.

Spot measurement surveys have nevertheless identified certain problem areas which although involving probably less than 1% of the labour force, are taken very seriously by the mining industry. Rapid progress is being made in reducing radon levels in these particular workplaces.

Considering also the relatively minor exposures from the inhalation of ore dust and direct electromagnetic radiation from the rock, it was estimated from a 1993/94 survey of 21 gold mines that the average radiation dose to underground workers was 2.5mSv per year. This is less than half the worldwide average of 6mSv for monitored workers in similar types



of mines as quoted by the United Nations scientific committee on the effects of atomic radiation.

Both values fall well below the international five-year dose limit which, on an annual basis, comes to 20mSv a year.

Mining can also give rise to radiation exposures to the public through radon gas or dust particles blown by the wind from tailings dams. Radioactivity may also migrate from tailings dams by

water run-off or by percolation through the underlying soil into the ground water.

All of these possible exposure mechanisms are under investigation. So far, it has been found that none of them are likely to result in doses exceeding the international dose limit of 1mSv per year.

Perhaps as the truth about radiation from our mines emerges, scare stories will give way to a

more balanced understanding. It will always be difficult to address public suspicion about anything connected with radiation.

Continued efforts to promote good communication with all concerned parties are essential to eventually bring about the understanding that radiation should be treated with care, not with fear.

□ Wymer is assistant technology adviser at the Chamber of Mines.



## The battle to beat the big guy

(212) MTG 15-21/10/99

*The legal claims of 3 000 South Africans against a UK-based asbestos company are spotlighting the issue of multinational companies' accountability for activities in developing countries, writes Richard Meeran*

**T**he United Kingdom Court of Appeal has acceded to Cape Public Limited Corporation's requests to halt the claims of 3 000 South African asbestos victims of the mining, milling and manufacturing operations of English company Cape.

Although the court gave an immediate decision, reasons have not yet been given, but it is safe to assume that the claimants will pursue an appeal in the UK's highest court, the House of Lords. The outcome of the dispute about the venue of the case is of enormous significance. It is also of fundamental importance to the question of multinational accountability for activities in developing countries.

So far the legal dispute in the Cape case has revolved exclusively around the issue of the appropriate venue, England or South Africa. This issue was also litigated extensively (and very expensively) to the highest level in the Thor Chemicals mercury poisoning case, a claim against RTZ by a throat-cancer victim employed at the Rossing Uranium mine in Namibia and, of course, in the first five Cape claims which the House of Lords last year agreed should be allowed to proceed in England. Why has millions of pounds been spent arguing over the venue issue, which has nothing whatsoever to do with the merits of the case?

It is important to emphasise the distinction between the justification, as opposed to the reasons, for the claimants' desire to sue Cape in its home base and Cape's resistance to that. Justification for bringing claims in England was that Cape is and always has been an English-based company. As a matter of legal principle it is usual to sue a company in its home base.

The principle arose to benefit defendants who should be more confident of obtaining justice from their home courts. Under the Brussels Convention, to which all European Union countries are party, it is mandatory to sue a defendant where it is based (the reason why Cape is unable to halt the claims brought in England by the group of victims employed at its Turin factory).

Cape's stance here is to be contrasted with its response to claims brought in Texas by United States asbestos victims of its products. Cape refused to answer the claims in Texas and although judgment was given, the UK Court of Appeal refused to enforce it. In that instance it did not suit Cape to be sued in the US.

The legal approach in these cases is essentially to make the parent company responsible for injuries which on the face of it resulted from the operations of its South African subsidiaries (which for practical purposes are defunct and uninsured).

However, US and European multinational companies operating in developing countries have consistently been permitted to avoid liability to victims by hiding behind worthless local subsidiaries. The US courts have dismissed many claims, for example those by the Bhopal victims against Union Carbide and by banana workers from Latin America, the Caribbean, Cote d'Ivoire and the Philippines who had been rendered sterile by the use of pesticides manufactured by US-based Dow Chemicals. Success stories have been few but include the Thor case and a claim brought in Australia against a mining company,



**Deadly legacy.** It is surprising that the South African government has not sought reimbursement from Cape for the millions of rands spent on the rehabilitation of the mines, mills and dumps which were abandoned by the company, leaving a continuing and life-threatening hazard for neighbouring communities. PHOTOGRAPH: SIDDIQUE DAVIDS

BHP by 30 000 Papua New Guinean land owners.

The Thor and Cape cases have aroused considerable interest in the English courts because they involve a novel legal approach, which in effect treats the subsidiaries as a "red herring".

No one would question the principle that a manufacturer is directly liable for injuries caused to consumers of its products. Why should a multinational which exercises control over its overseas operations and knows the hazards not similarly be liable to the workforce and local residents affected by its operations? In a nutshell, this is the approach of the Cape claimants.

It is this control of operations and knowledge of hazards on the part of Cape in England, and knowledge of the particularly gross conditions at the South African operations which forms the basis of the Cape claim.

It would also be misguided to regard Cape's South African operations as a discrete business. They should be viewed as the beginning of a production chain which ended in the UK. Asbestos-related disease occurred among miners, millers and residents nearby the operations, workers transporting the asbestos, stevedores loading the ships in Durban and Port Elizabeth, ship workers stevedores unloading the ships in the UK, workers at Cape's London factory and residents around that factory.

Cape's justification for resisting the English litigation is that the claims have nothing to do with Cape in England. Cape also contends it would be necessary to involve other potential culprits such as the South African government and mining companies for putting asbestos into infrastructure, although the infrastructure around the Cape operations seems to have been built by Cape.

It is surprising that the South African government has not yet attempted to seek reimbursement from Cape for the millions spent on the rehabilitation of the mines, mills and dumps which were abandoned by Cape (leaving a continuing and life-threatening hazard for neighbouring communities).

There is some evidence that Cape may have had public liability insurance cover for environmental damage (though not for personal injury) through General Accident South Africa. The relevant policy documentation can be made freely available if this avenue is considered worthwhile.

The reasons for bringing claims in England stem from the fact that in general the claimants' motivation is to obtain compensation rather than to invoke principles. As such, their reason for suing in England is a clear perception that they can only obtain justice there. Of paramount importance is the availability of UK legal aid which would enable the claimants to fight the case almost on a "level playing field".

In South Africa, no funding is available to the claimants, but Cape would be represented by the same army of UK and South African lawyers, including Webber Wentzel Bowers (according to their website, the largest firm in South Africa), Peter Hodes, former chair of the Bar and Brian Doctor, QC and SC, who has fought Cape's case

in the UK. So much for "equality of arms".

In addition, about 350 of the 3 000 claimants sue on behalf of the estates of deceased victims. While these claimants may be able to recover compensation for pain and suffering in England, there is no such prospect in South Africa since such claims are not transmitted to an estate under South African law. The termination of the case in the UK would effectively bring an end to their claims. Apparently according to Cape's lawyers, this aspect of South African law is not however considered unfair.

Obviously Cape's reasons for resisting the UK proceedings are based on precisely the same considerations. So determined was Cape to avoid a trial in England that political lobbyists were hired to consider ways of derailing the case. They proposed a campaign designed to embarrass the UK government over the granting of legal aid to black workers and to discredit the claimants' lawyers as "ambulance chasers".

Cape has contended that the litigation of these claims in England does not accord with UK public policies. The court has been urged by Cape to follow the example of the New York District Court in the Bhopal case. There, the court considered that the interest of the US public (and taxpayer) was against the continuance of the litigation in New York.

It should be noted that in the UK Cape had to comply with the 1931 Asbestos Regulations. Cape was a founder member of the industry-led UK Asbestos Research Council in the 1950s.

Cape closed its principal UK factory in 1968 due to the high incidence of asbestos-related disease. However, it continued to operate bad working practices in South Africa until 1979.

In South Africa, Cape's operations took full advantage of apartheid, including the extensive use of children, many of whom are claimants in the present case. An inspection of the Pengeles mine by government doctor GW Scheepers found that industrial hygiene was deplorable. Exposures were crude and unchecked. I found children trampling down fluffy amosite asbestos, which all day long came cascading down over their heads. They were kept stepping lively by a burly supervisor with a hefty whip. X-rays reveal several to have asbestosis before the age of 12.

The question of multinational accountability is now at a critical stage. The latest decision, if upheld, allows the companies to apply double standards in developing countries without fear of being held accountable for damage they cause. As such, no doubt it provides much comfort to companies such as Cape and Thor Chemicals.

*Richard Meeran is a legal representative of the South African workers who are suing Cape.*

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# Two trapped miners die <sup>(212)</sup>

**T**wo of the three miners trapped by a rockfall at AngloGold's Bambanani Mine near Welkom in the Free State were confirmed dead late yesterday afternoon

AngloGold spokesman James Duncan said the one miner who was reburied after a fresh rockfall yesterday afternoon, was confirmed dead by 4 30pm

Rescue workers risked their lives to free a second miner trapped nearby only to find that he too was dead

"The prognosis for the third miner does not look good," Duncan said

"There have been two rockslides since lunchtime yesterday and the miners in the first team trying to recover the two bodies and rescue the third miner are real heroes, risking their lives," Duncan said

The three miners were trapped 1 400m underground after a rockfall caused by a seismic event at the mine at about 8 25am on Saturday morning

Earlier yesterday rescuers had managed to partially uncover the first miner, who was using his knowledge of the area to help rescuers free him

Unfortunately he was killed in a renewed rockfall around 3pm

The third miner is thought to be further down the tunnel

Duncan said that when rescuers reached the first miner, he told them that the three of them had talked to each other overnight

They were also heard by the first teams who found the trapped miners shortly after the seismic event

On Saturday evening mine officials left for Lesotho to find the families of two of the miners, while the third comes from Mozambique Their names will not be released until their families have been notified

The rockfall was the third at an AngloGold mine in a month

The National Union of Mineworkers yesterday said it would call for an enquiry into the safety measures and standards of AngloGold Mines

Network Radio News quoted NUM spokesman Gwede Mantashe as saying the safety standards at the mines could be improved

He said the union would be calling for an inquiry because it felt that the safety standards were suspect - Sapa

SOWETAN 25/10/99



## ASBESTOSIS VICTIMS

# The bitter battle for justice is drawn out

CT (BR) 26/10/99  
(56) (212)

RONNIE MORRIS

**T**he law cannot be distanced from justice and morality without losing its claim to legitimacy (it) must be seen to be fair in its impact on the life of the humblest citizen in search of protection against justice

These words spoken by Chief Justice Ismail Mahomed at the Bram Fischer Memorial lecture at the old House of Assembly on February 3 last year, are cold comfort to about 3 000 South Africans who are seeking justice in a British court against C ipi Plc formerly one of the world's largest asbestos mining companies

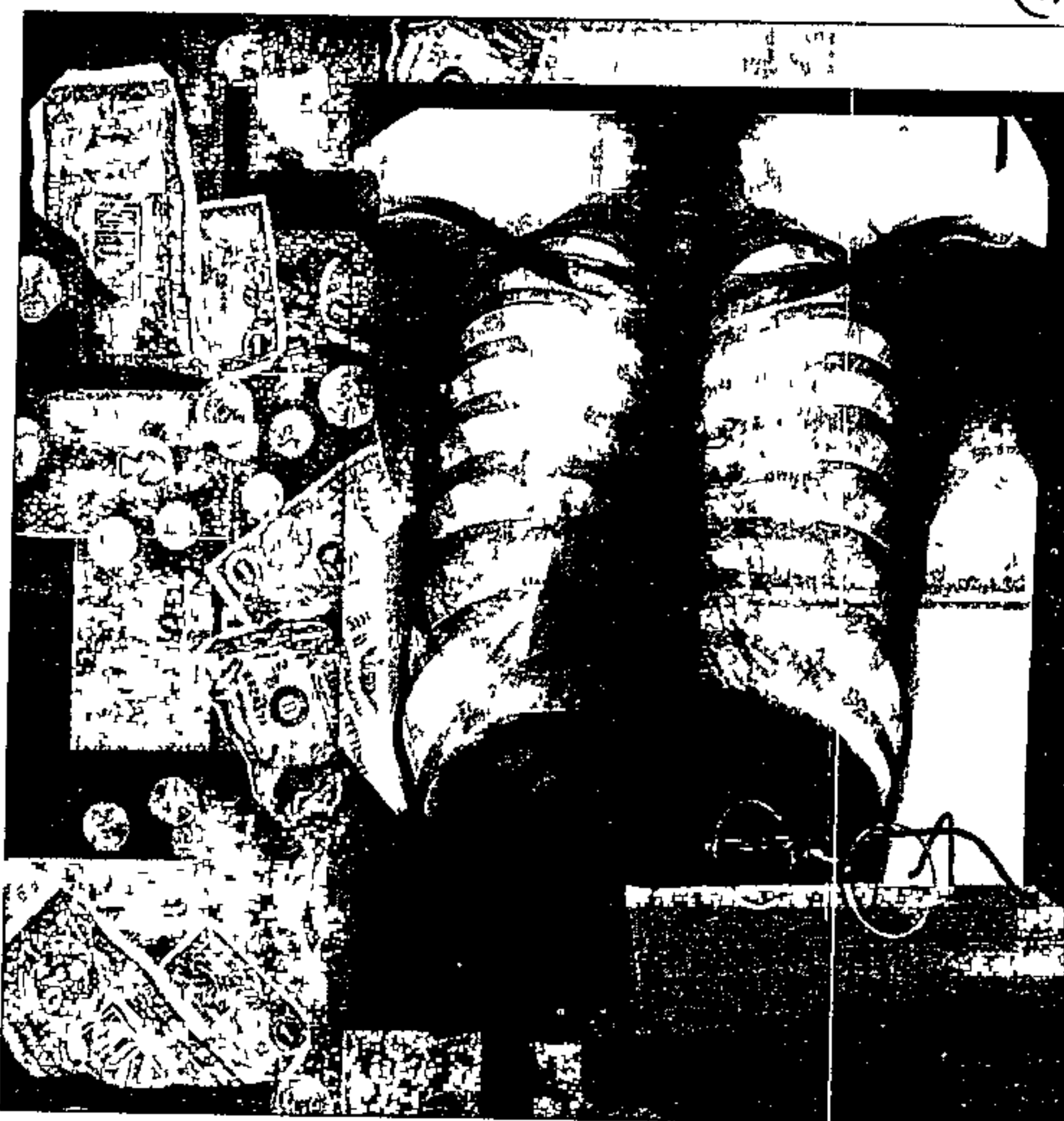
These claimants who worked at asbestos plants all over South Africa and their families are seeking compensation reputed to be worth about R1 billion from Cape after they contracted asbestosis a stiffening of the lungs caused by irritating asbestos needles or mesothelioma a painful cancer related to asbestos

From an original five claimants in 1997 the number has grown to almost 3 000 of whom 400 are dependents of people who have already died South African law does not permit the latter to sue on behalf of an estate because claims cannot pass to next of kin

The claimants allege they have suffered personal injuries or damages as a result of Cape's negligence or breach of duty in supervising, controlling extracting, producing processing or distributing asbestos and related products

They maintain that multinational companies which undertake hazardous operations overseas in breach of known health safety and environmental standards should be held legally responsible for any resulting injuries

The company operated asbestos mines in Prieska and Kogas in the Northern Cape Pomfret in the North West, Penge in the Northern Province and had factories or plants at Benoni, Gauteng and elsewhere from 1930 onwards. It sold out in 1979, leaving thousands of



asbestosis victims penniless and uninsured

Contaminated and abandoned mines and asbestos dumps are now being rehabilitated by the South African government because of the health hazards they pose The rehabilitation costs of Mpumalanga, the Northern Province and Northern Cape alone are estimated at R95 million

On July 30 this year, in what could only be seen as a legal roller coaster, the London High Court again granted Cape a stay of proceedings on the ground that the case of the 3 000 ought to be dealt with in South African courts The judge said it would be against public policy for Cape to be held accountable in a British court for damages suffered by South African victims of asbestosis

The judge said he "took comfort" from a New York district court decision which, as a

matter of public policy (because of the burden it would pose on US taxpayers), had stayed proceedings in a damages suit by Indian Bhopal victims against Union Carbide, the US chemicals company

The matter was taken on appeal and, after hearing argument for eight days, the court of appeal judges, without giving reasons, upheld the judge's ruling The judges took eight minutes to reach that decision

Brian Doctor QC, the counsel for Cape, told the court that the South African Legal Aid Board had announced that when legal aid for personal injury claims was withdrawn from November 1, applicants could use the Contingency Fees Act

Under this system, claimants who had no money to finance litigation could only bring claims which were considered by their lawyers to be worth bringing This meant that

substantial justice could be done because good claims would be litigated he said

There was no reason to believe and no cogent evidence before the court, that if these claimants had a good case they would not get legal assistance in South Africa for their claims

It would be inappropriate in the circumstances for the British court to make adverse findings about the South African civil justice system, he said

It would also be wrong and contrary to the evidence presented for the court to find that the South African legal profession would wholly fail to ensure that deserving indigent claimants had access to justice, Doctor said

Gilbert Marcus SC, who as South African senior counsel has taken three cases on contingency basis in recent months, said he had no reason to assume that the South African legal profession

would "turn its back on the claimants if there are reasonable prospects of success"

However Jeremy Gauntlett SC, an eminent South African advocate and the chairman of the General Council of the Bar (the national umbrella advocates body) said Judge Mohamed Navsa the chairman of the Legal Aid Board (LAB) had admitted the fund was in 'crisis' and was technically insolvent

The budget for the department of justice had been slashed from R3 5 billion to R2 77 billion and there was virtually no prospect of the current level of available legal aid being materially improved Gauntlett said

A judicial review or a constitutional challenge to the LAB decision were unlikely to be completed for many months and it was not clear how these actions were likely to set free funding in respect of specific instances let alone extensive litigation such as the asbestosis matter he said

The suggestion that the Contingency Fee system may to some extent alleviate the devastating consequences of the withdrawal of legal aid from civil litigation in South Africa was insupportable, Gauntlett said

There was no US style entitlement to a share in the prospective damages award

Litigation by the 3 000 claimants in South Africa would be protracted and complicated and attorneys and advocates could well wait years before being paid he said

So, will the 3 000 get justice? Many lay people believe they have made a compelling case for the case to be heard in the UK

It is after all where Cape is located and where for the moment at least, access to funding is available

Should they fail in the House of Lords, they may well approach the European Court of Justice for a ruling that the UK abide by the provisions of the Brussels Convention which provides that a defendant should be sued in the country of its home base

## NEWS



Phumzile Mlambo-Ngcuka, the minister of minerals and energy  
PHOTO CREDIT

# Minister and AngloGold to discuss safety

CT (BR) 26/10/99 (212)

JONATHAN ROSENTHAL  
COMMODITIES EDITOR

Johannesburg - Phumzile Mlambo-Ngcuka, the minister of minerals and energy, yesterday arranged to meet AngloGold, the world's largest mining company, to discuss the large number of fatal mining accidents

The request for a meeting comes after two mineworkers were killed and a third was feared to have been killed in an accident

at AngloGold's Bambanani mine Mambo Ngcuka said that while the government recognised the industry's efforts to improve safety, "I have time and time again said that one death on the mines is one death too many"

Her department had undertaken a study of mine accident statistics from 1983 to 1999 to "put the issue of mine accidents in South Africa on a global perspective"

James Duncan, a spokesman for AngloGold, reportedly told the

Sapa news agency that safety standards on South African mines were inadequate

"When they (the National Union of Mineworkers) say our safety standards are not up to scratch on these mines we agree with them," Duncan told Sapa yesterday

He said later that fatal accidents had been reduced by half over the past decade, and AngloGold's fatality rate had dropped by 18 percent

"Much more remains to be done - and the company welcomes both scrutiny and advice from any quarter on this issue," he said

"We are convinced that South African gold mining can be made much safer"

Dick Bakker the chief inspector of mines in the department of minerals and energy said that given the number of employees working on AngloGold mines, its accident rate was no higher than average

PROTESTERS MAKE DISCOVERY

# Graves found near Prieska asbestos mine

(212) CT 5/11/99

**PRIESKA, Northern Cape:** The discovery of unmarked graves near an asbestos mine in Prieska coincided with a protest by communities who were affected by asbestos.

**B**ETWEEN 200 and 250 unmarked graves were discovered on a hillside next to a minedump at the Glen Alan Open Cast Mine in this town near Kimberley yesterday as communities affected by asbestos were about to embark on a protest march.

The protest in the Northern Cape was aimed at pressuring the House of Lords in Britain to order that a court case involving legal claims by 3 000 South African sufferers of asbestos-related illnesses be heard in Britain.

They are claiming compensation from the UK-based Cape, once the largest asbestos company in the world. The firm and the community have been involved in a legal battle to have the case heard in Britain, rather than South Africa.

“National Union of Mineworkers

spokesperson George Molebatsi said yesterday that as the protesters were passing the mine dump, they stumbled across the graves.

“We believe these are the victims of the asbestos case. Who else would have been buried there and in unmarked graves?” he asked.

Prieska municipality deputy clerk Johann Badenhorst said there were no records of the graves and the land was privately owned.

Farmer Bill van Deventer, who owns the land, said he had seen the graves while driving routinely on the land. But, he said, he did not know who had been buried there since he moved into the area in 1990.

Molebatsi said the communities would march to the local magistrate to present a memorandum addressed to Justice Minister

Penuell Maduna demanding he inform his UK counterpart that the case should be tried in London.

“United Kingdom legislation on environment and industrial safety is more advanced than that of South Africa,” he said.

On Wednesday, the lawyers for South African asbestos sufferers said they would appeal against the London court decision last month that their claims for compensation cannot be heard there.

Civil claims lawyer Richard Meeran, who represents about 3 000 South African claimants, said from London his clients would appeal to the House of Lords. “We believe that the rights of the victims have been ignored in favour of commercial interests.”

Cecil Scheepers, general secretary of the lobby group, Concerned People Against Asbestos, said earlier this week the marches in Kuruman and Prieska would also vent the communities’ anger at the court’s decision. — Sapa



# Graves may be of asbestosis victims

(212) Sowetan 8/11/99

**By Russel Molefe**  
Environment Reporter

THE unmarked graves discovered next to an asbestos mine dump in Prieska, Northern Cape, may have been of the people who died of asbestosis while working at the now closed Glen Alan Open Cast Mine, *Sowetan* has learned

Of the 205 graves, only those of Bennie Visser and Alletta Visser who died in 1960 and 1962 aged 12 and seven months respectively, were marked

Others are just heaps of unmarked stones on a hillside near a mine dump which now forms part of land privately owned by a sheep farmer Mr Bill van Deventer

Van Deventer said he acquired the farm in 1990 and had seen the graves. He said he was always under the impression that they were of people who lived in the area some years ago and did not want to tamper with them

Northern Cape MEC for environmental affairs Mr Thabo Makweya at the weekend promised to launch an investigation into the

background of the graves

He believes the company either deliberately covered up the existence of the graves or neglected them

The Glen Alan Open Cast Mine was operated by a British company, Cape plc, from the 1800's until 1979 when it became evident that asbestos was a danger to human health

The mine provided employment to the community in Prieska

During a visit to the area, *Sowetan* also found that asbestosis was playing havoc with the community of Bontheuvel in Prieska where almost every resident knows somebody who has died of or is suffering from the illness

According to the Concerned Group Against Asbestos' Mr Cecil Scheepers, a group of scientists from Wits University who did a study in 1997 found that "there was a lot of people suffering from asbestosis"

"No one was aware of the graves and I have a very strong feeling that they are of people who died of asbestosis," Scheepers said



# Dying in a town without hope

By Russel Molefe  
Environment Reporter (212)

**F**OUR words sum up the situation at Bonteheuwel in Prieska, Northern Cape: the people are dying.

Coupled with the 70 percent unemployment rate, it is a situation that has brought stress and hopelessness to the 15 000 residents where almost everyone knows somebody who is dying of asbestosis, a killer disease that develops after exposure to asbestos dust.

Asbestos mines – established in the last century and closed in 1979 when it became evident that asbestosis is a silent killer – employed many of the young community members who worked in appalling conditions with no protection against the deadly asbestos.

Those who survived, the majority being sole breadwinners in their families through Government pension money, are now elderly people who

(76)  
are desperately ill and waiting to die. Health officials point out that it takes 15 to 20 years for asbestosis to develop after exposure to asbestos, hence the elderly people waiting to die in Bonteheuwel.

The young people are also at risk of developing asbestosis in their later years because they are also exposed to the mine dumps that the British company, Cape plc, did not rehabilitate when it left the country in 1979.

The dumps in Koegas, Groenwater and at the disused Glen Alan open cast mine blow blue dust on windy days which the community inhales.

It is a situation that led to the formation of the Concerned Group Against Asbestos in 1994, led by Cecil Scheepers to force Cape plc to compensate asbestosis sufferers and rehabilitate the mine dumps.

But it is an uphill battle and the community has already lost the first round after the London High Court dismissed an application to have a case for compensation to be heard

*Sowetan 12/11/99*

**‘The young people are also at risk because they are exposed to mine dumps that were not rehabilitated’**

there because South African law did not allow the relatives of dead victims to claim compensation for pain.

Scheepers believes the case need not have gone to court if Cape plc had had an interest in the welfare of the people that unknowingly put their lives at risk, helped make the profits, and are now suffering the consequences.

‘Many of our people are sick and

dying and the company is showing no interest at all. I believe the company should have paid compensation to the people it knew it was exposing to danger.

‘The global demand for asbestos fell early this century when its dangers were discovered. But the company came to South Africa and continued its activities with the full knowledge of the dangers it posed.’

‘My father worked in the asbestos mine and he told me the employees worked with no protective clothing,’ an angry Scheepers said.

This view is shared by Fred Higgs of the International Federation of Chemical Energy, Mine and General Workers Union who claimed it was ‘a disgrace that the company is even contesting the claims.’

This also confirmed suspicions within the Bonteheuwel community that the 205 unmarked graves recently discovered on a hillside next to an unrehabilitated asbestos mine dump of the disused Glen Alan open cast

mine, just outside Prieska, were of the victims of asbestosis and the company kept them secret.

The only clue to when the people were first buried is the marked graves of Bennie and Alletta Visser buried in 1960 and 1962, aged seven months and 12 months respectively.

Northern Cape MEC for environmental affairs Thabo Makweya has promised to launch an investigation into the background of the graves which may result in the exhumation of the bodies for forensic tests.

He believes the company either deliberately covered up the existence of the graves or had neglected them.

He is also aware of the asbestosis that is debilitating and reducing the quality of life and the mine dumps that have polluted the land on which communities live and seek to make a living.

Pointing out that there are 23 unrehabilitated asbestos mine dumps in the province Makweya claimed: ‘No one knew all the health hazards of asbestos. We learned these things through time.’

‘But, as is often the case, companies are under pressure from their shareholders to maximise profits and they resist evidence that shows their operations are unsafe or that suggest they should spend additional money to improve working conditions.’

However, he referred to the new National Environment Management Act that gives power to workers to refuse to work in an environment that is bad for their health.

‘Put pressure on companies to fulfil their moral obligations to former employees and their families who suffered, possibly through negligence. This year, companies in Germany are beginning to respond to pressure to compensate slave labourers they used 55 years ago.’

‘This has been done not so much on legal grounds, but by using moral arguments. Together, we should strive to ensure that the suffering and death endured by our communities will not be in vain and that other communities, families and individuals do not have to endure the same type of pain and sorrow,’ Makweya said.

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# Slow killer stalks community

(56) (212) Sowetan 19/11/99

By Russel Molefe  
Environment Reporter

**L**ike her three young children, relatives and most people in Bonteheuwel, Prieska, in Northern Cape, Stephanie Jansen (44) is aware that she is dying. Her death is not from natural causes.

She may be a victim of the activities of Cape plc, a

British company which mined asbestos in the region from the last century until 1979, when it withdrew from South Africa.

Jansen suffers from a rare and fatal cancer which affects the lining of the chest and abdomen. The cancer develops when the tiny fibres that are released by asbestos into the air after it has crumbled are inhaled. Asbestos is associated with a deadly disease known as asbestosis, which is now playing havoc with the Bonteheuwel community of 15 000.

Many young lives have already been destroyed because breadwinners are now too sick to work and therefore unable to support their children at school.

Last month Cape plc successfully opposed an application in the London High Court to have the case for compensation for victims heard in Britain.

The claimants believe South African environmental laws are too lenient when it comes to compensation and feel the company knows it might get away with it. They are seriously

considering taking the matter to the House of Lords, Britain's highest court of appeal.

Jansen is fully behind this move because she wants her children - aged 11, 14 and 17 years - to continue schooling after her death. Her career as a nurse at a local hospital was shattered when she became incapacitated because of her asbestos-related cancer, diagnosed in February.

Jansen stayed near the Glen Alan Open Cast Mine until she was five years old with her father, who was a labourer there. Her father died in 1968 of an asbestos-related disease.

"I now spend most of the time lying in bed because sitting makes the pain worse. My children are still young but they are aware that I'm very sick," she says.

She and her three children are looked after by her sister, who is a teacher at a local school. She believes Cape plc must fulfil its moral obligations.

"I may be lucky that I can afford medication through the help of my sister. But my sympathy goes out to those who are sick like me and cannot even afford medication," she said. Sowetan was unable to contact Cape plc for comment at the time of going to press.



# Where Lungs turn to stone

ST 2/11/99 (12A)  
STONE (5b)

*The plight of Prieska's asbestos miners and their case against a British mining company is set to be debated in the House of Lords, writes JAN HENNOP. In the meantime, they're slowly dying*

**F**RANK Bonjiswe falls silent as we drive the last 2km to the asbestos mine. He becomes as brooding as the oppressive Northern Cape heat which today sees the thermometer rise to a searing 39°C. Bonjiswe, known as "Oom Frank Boontjes", is returning to a place he'd wished he would never see again.

More than 30 years ago, he and his wife Elizabeth, packed their possessions and moved from the Glen Allan mine near Prieska, hoping that the life of hell they had left behind would never come back to haunt them.

But it has Bonjiswe 72 has asbestosis, and his lungs are slowly turning to stone. His wife has also caught the "hoeslong" (coughing lung) from her days of pounding rock to extricate asbestos — the mineral she refers to as "garang" (thread).

At the deserted mine Bonjiswe climbs a steep dump and stares across to 155 graves marked with mounds of rock on a barren hillside opposite. Only recently discovered, Bonjiswe cannot remember seeing them before.

Two weeks ago, while on an inspection tour of mine dumps in the area, a spokesman for the National Union of Mineworkers, George Molebatsi, stumbled on the graves.

In doing so, he again brought attention to the plight of 3 000 workers and their families who are trying to sue the British company Cape plc, which ran mines in the area, for damages in an English court.

But local doctors — who are sympathetic to the plight of the former workers — say asbestosis is not the reason for the 155 graves.

Asbestosis is caused when asbestos fibres are inhaled. The fibres form a layer of dust on the lungs and show up as a white shadow on an x-ray.

In less severe cases, the victim has difficulty breathing in severe cases the lungs harden and stop functioning.

Asbestosis's twin is mesothelioma, a lung cancer caused by asbestos which kills victims within two years.

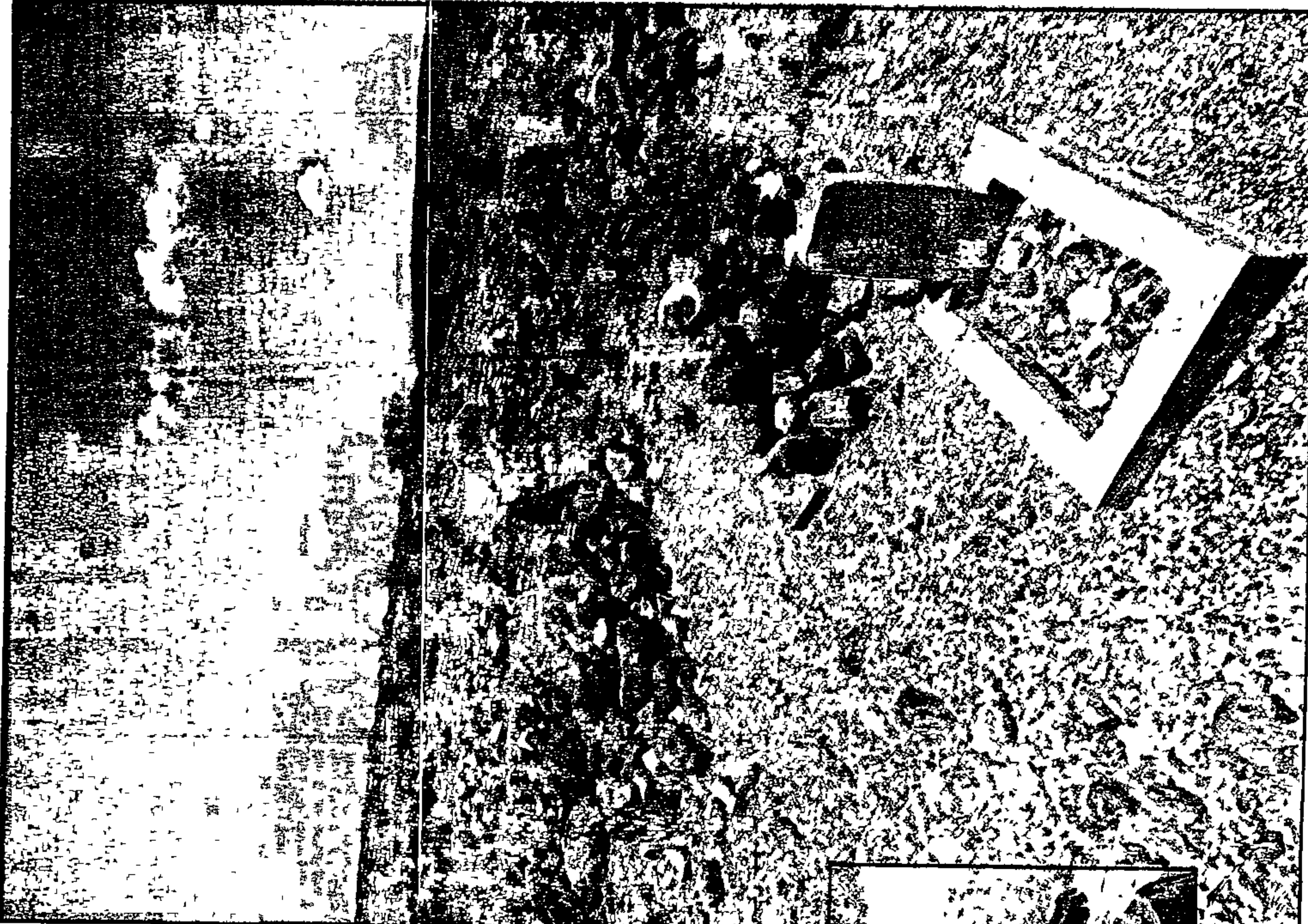
But both diseases takes between 15 and 20 years to develop — far longer than the time most people spent at the mine, says the local district surgeon, Dr Wilhelm Pieterse.

But the fact remains asbestos killed these people. Maybe not as a disease, but just because they were working there.

Bonjiswe remembers the illness the drunkenness, the stabblings and the tuberculosis — the most likely cause of death for those who lie beneath these heaps of rock.

"We lived in homes made from rags at the mine," he says. "I was sick there on the mine. My chest hurt and I was coughing all the time."

He worked as a packer at



MYSTERY The graveyard near the now-deserted Glen Allan mine

**All I can remember is a lot of people who were sick here. They died because of the asbestos. The asbestos has finished us**

39

there should be an investigation into the matter," he says.

Many others think the identities of the dead will never be known. Many don't care.

What they do care about is the court case and the compensation. Prieska's economy has taken a serious tumble since the mine closed down. Many blame this on the negative publicity the town has received because of the asbestos.

And, in Prieska, it's everywhere. It is still used as insulation in ceilings. Asbestos roofs and water tanks dot the lunar-like landscape of the surrounding Bo-Karoo.

In the plasterwork of Alexander Boo's makeshift house on the outskirts of town, the asbestos sticks out like electrical wires looking for a connection.

Boo, 52, has asbestosis. It's a thing that you learn to live with, he says.

But most of Bonjiswe's old friends are dead. On Monday, Petrus Matshangan who worked with him at the mine, passed away — because of asbestosis, his family say. He was in his 70s, and died horribly.

"He could not do any longer," says his sister-in-law Susan Nel. "His eyesight had gone, and he could not breathe."

As with all those who die of mine-related diseases, Matshangan's body will be removed and sent to the Medical Research Council in Johannesburg. It is a late probably awaits to be removed, who was



**VICTIMS** Frank Bonjiswe and his wife, Elizabeth, worked at the mine. Both have fallen seriously ill as a result

60s there was no proper transport when they wanted to get to work. The miners rode on the back of a truck filled with

down who they were have been unsuccessful. There are at least a thousand Vissers in town," he says.



Asbestos fibres are  
fibres form a  
lunks and sh  
sh flow on  
In less se  
re cases, the vic  
tim has difficulty breathing. In  
severe cases, the lungs harden  
and stop functioning.

Asbestosis is a twin is meso-  
thelioma, a lung cancer caused  
by asbestos which kills victims  
within two years.

But both diseases takes be-  
tween 15 and 20 years to devel-  
op — far longer than the time  
most people spent at the mine  
says the local district surgeon,  
Dr Wilhelm Pieterse.

But the fact remains asbestos  
killed these people. Maybe not  
as a disease, but just because  
they were working there.

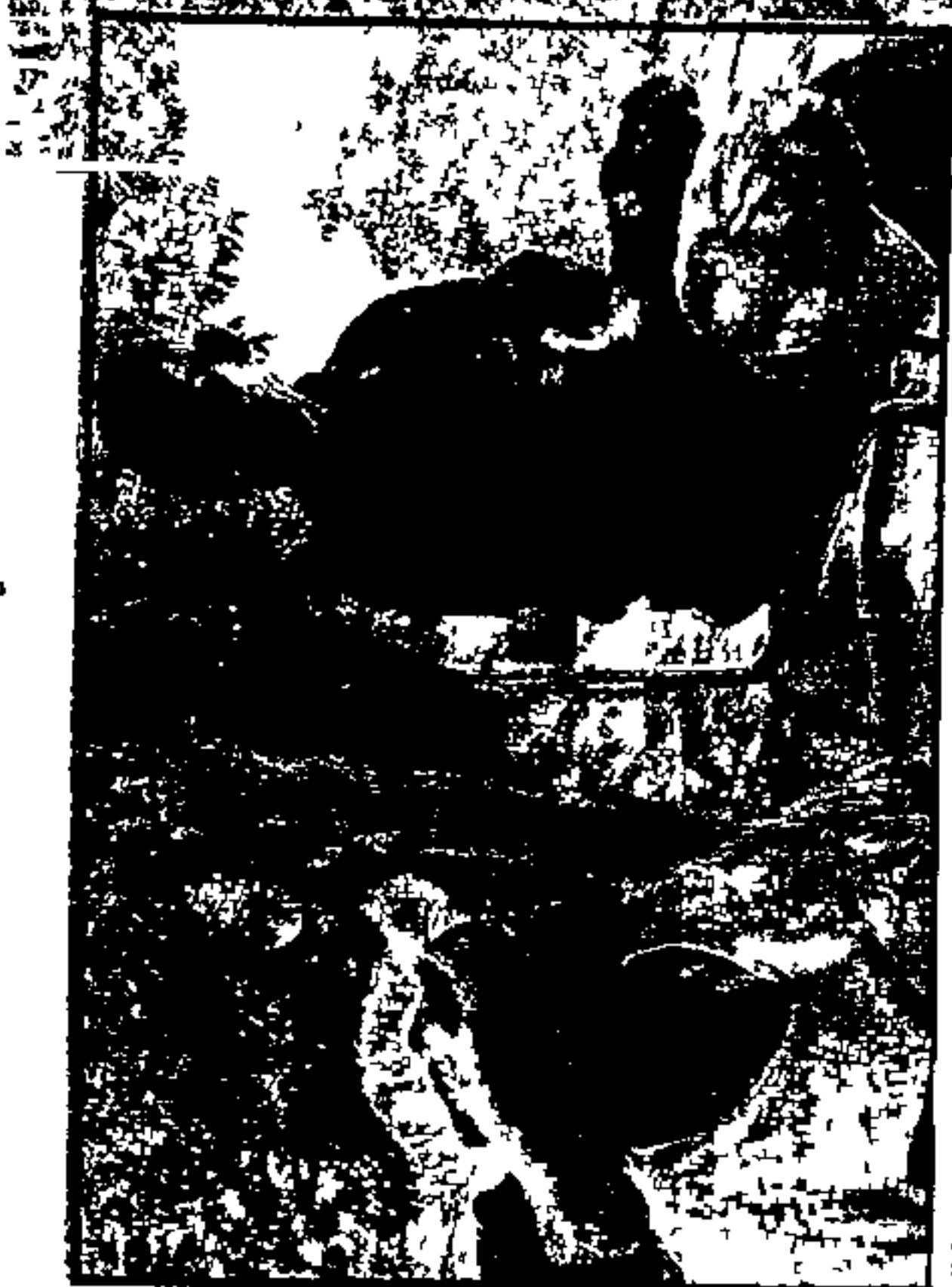
Bonjiswa remembers the ill-  
ness, the drunkenness, the stab-  
bings and the tuberculosis —  
the most likely cause of death  
for those who lie beneath these  
heaps of rock.

"We lived in homes made  
from rags at the mine," he says.  
"I was sick there on the mine.  
My chest hurt and I was cough-  
ing all the time."

He worked as a jackhammer  
operator while his wife chipped  
away at the rock in the blazing  
sun with a hammer and steel  
chisel, pulling out asbestos and  
dumping it in a bucket.

"All I can remember is a lot of  
people who were sick here.  
They died because of the  
asbestos. The asbestos has  
finished us," Bonjiswa says.

In those days, in the 50s and



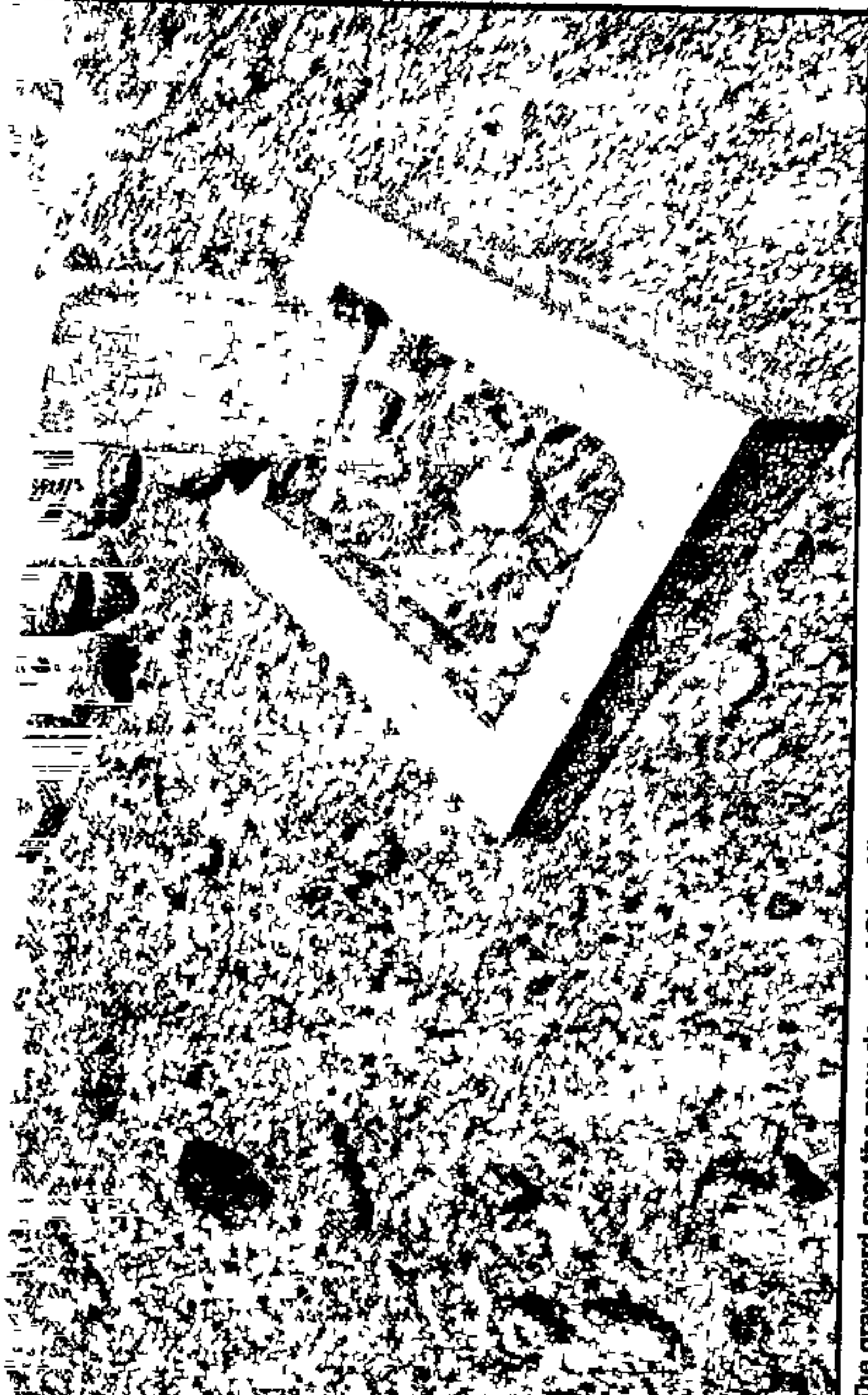
**VICTIMS:** Frank Bonjiswa and his wife, Elizabeth, worked at the mine. Both have fallen seriously ill as a result.

'60s, there was no proper trans-  
port and, when they wanted to  
get into town, the miners rode  
on the back of a truck filled with  
asbestos on its way to the mill.

Among the anonymous  
graves near the mine are two  
marked headstones, for Bennie  
and Aletta Visser. Believed to be  
brother and sister, they were  
both six months old when they  
died — Bennie in 1960 and Alet-  
ta in 1962.

Efforts by local community  
leader Cecil Skeffers to track  
down who they were have been  
unsuccessful. "There are at  
least a thousand Visser's in  
town," he says.

There are other puzzling as-  
pects about the graves. The hill  
on which they are located is  
barely 20m away from where  
the miners' homes must have  
been. And, given the fact that  
the ground is as hard as rock,  
they could not have been very  
deep, making for unhygienic  
conditions for the present-day  
miners. The graves lie on a farm



**MYSTERY:** The graveyard near the now-deserted Glen Allan mine

whose original owners, Henry  
Muggleston and his son,  
Joseph, have long since died.  
The current owner, Bill van  
Deventer, says he has seen the  
graves but doesn't know any-  
thing about them.

The only person who can re-  
member someone who died at  
the mine is Anna Williams 45

**Pictures:** SIMON MATHEBULA

case to the House of Lords  
Molebatsi thinks differently.  
He believes the origins of the  
graves should be investigated  
— even if it means bringing in  
the Truth and Reconciliation  
Commission.

"What's funny about it is that  
the people in the area know  
nothing about it. That's why

own has received because  
the asbestos  
And, in Prieska, it's every-  
where. It is still used as  
insulation in ceilings. Asbestos  
roofs and water tanks dot the  
lunar like landscape of the  
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"He could not walk any  
longer," says his sister-in-law  
Susan Nel. "His eyesight had  
gone, and he could not  
breathe."

As with all those who die of  
mine-related diseases, Mat-  
shangan's lungs will be removed  
and sent for testing to the Med-  
ical Bureau for Occupational Dis-  
eases in Johannesburg.

The same fate probably  
awaits Bonjiswa, who walks  
around the Glen Allan mine with  
a far-off look in his eyes. He  
picks up a piece of the rock and  
shows us the threads of as-  
bestos inside.

He tells us that when the  
thread lies underground long  
enough it turns into the semi-  
precious stone tiger's-eye.  
"It becomes quite beautiful,"  
he says.

dealt a serious blow last month  
when Britain's Appeal Court  
turned down their request to  
have the case heard in Britain  
prompting their lawyers to re-  
lease a statement saying "We  
believe the rights of the victims  
had been ignored."

They now plan to take the  
quest for compensation was

Her teenage cousin, Ian Swarts  
died when he fell off a cliff face  
nearby.

In town the discovery of the  
graves leaves most people cold.  
They are too busy fighting their  
own court battle against "The  
Cape" (Cape plc), which pulled  
out of the country in 1979. Their  
quest for compensation was

# Ministry says 45% of local mineworkers are infected with HIV

FROM REUTERS

Johannesburg - About 45 percent of South African mine workers were infected with HIV the virus that causes Aids, Susan Shabangu, the deputy minerals and energy minister said yesterday.

Launching an education programme targeted at reducing

the rampant spread of HIV infection in the mining industry, Shabangu said the problem in the mines was compounded by a high incidence of tuberculosis.

"Indications show that 45 percent of South African mine workers are HIV positive," she said.

Shabangu who challenged mining firms to back the education

initiative by setting up safe sex education plans at their mines, said the epidemic was partly being driven by migrant labourers who in turn spread the virus to their countries when they returned home.

South Africa has the fastest growing HIV infection rate in sub-Saharan Africa with an estimated 1 600 new infections a day.

The problem is worse in the mines where most workers live in single-sex hostels and the virus is spread easily through prostitution.

Janina Slawski, of the Actuarial Society of South Africa's Aids committee, told a recent mining seminar that the epidemic was threatening to kill up to 10 percent of the mining workforce a year.

The industry has suffered a wave of retrenchments in recent years but the mining industry still employs close to 500 000 people and is South Africa's biggest earner of foreign currency.

## Nearly half of mine staff HIV positive

STATISTICS indicate that 45 percent of the country's mineworkers are HIV positive, a situation further compounded by a high prevalence of tuberculosis among the miners, Deputy Minister of Minerals and Energy Susan Shabangu said this week.

Speaking at the launch of her department's Aids programme for mineworkers and their communities in Welkom on Wednesday, Shabangu warned that the country faced a labour crisis if the epidemic was not brought under control. "We will experience a situation in which the productive population will not have the physical energy to perform its daily tasks," she said.

"The country could as a result stand to lose foreign investment." *Sowetan 26/11/99*

Her department will train Aids counsellors to educate mining communities in schools, clinics, and recreation centres. The department's medical inspectors will encourage mine sex workers to practice safe sex. - Sapa

(212) (92)



CT 30/11/99 (2/2)

# Asbestos victims turn to House of Lords

JOHANNESBURG. Lawyers for former asbestos miners in the Northern Cape and the Northern Province said in London yesterday they would take the fight to the House of Lords for compensation from British-owned Cape plc. The House followed the London High Court's giving reasons for its decision last month that the case

should be sent back to South Africa. It said South Africa was clearly the most appropriate place. The miners' lawyers said they would appeal through the House of Lords, possibly their last hope. "The decision gives the impression of being political, but the court is concerned with commercial interests and not the victims'

rights," said Richard Meeran, who is representing the miners. He said the decision appeared to be in conflict with the Court of Appeal's 1998 ruling in five cases in which a UK multinational was held accountable in England for injuries incurred by five people. The decision would cause grave injustice to the claimants as they

would have no means of pursuing their cases in South Africa, he said. Campaigners for the miners want Cape plc to compensate 2 400 people affected by asbestos-related diseases. Cape plc's lawyer Geoff Meyer said the company "was pleased" with the ruling, and would co-operate in proceedings in South Africa. — Sapa

# Numsa dispute to have CCMA hearing (213) ET(BR) 10/11/99 ROY COKAYNE

Pretoria - A dispute between the National Union of Metalworkers of South Africa (Numsa) and a motor industry employers' organisation would be heard by the Commission for Conciliation Arbitration and Mediation (CCMA) on Friday the Retail Motor Industry Organisation yesterday said

Hosea Morapedi the motor sector co-ordinator for Numsa confirmed this.

The initial dispute was between Numsa and the South African Motor Industry Employers Association (Samlea) which has been incorporated into the retail motor organisation Numsa and the organisation said the dispute revolved around the interpretation of an understanding between Numsa and Samlea after last year's strike

Morapedi said Samlea was refuting the agreement struck following CCMA mediation during last year's strike.

He said the agreement stated in clear terms that negotiations on wage increases would be based on actual rates of pay.

"The agreement went on to say how the parties were going to deal with and address wage increases. It was to be decided in the Industry Policy Forum how the wage increases would be implemented," he said

Jakkie Olivier, the retail motor organisation's executive director of labour, said a wage model for the various motor sector chapters was to be agreed by the forum, as was the question on whether bargaining would be based on actual or minimum wage levels

He said a number of meetings had taken place since the beginning of the year. It was agreed negotiations would be conducted on a chapter-by-chapter basis.

"Conciliation at the CCMA is scheduled for Friday, failing which the parties will have to go the forced arbitration route

"Numsa has declared a dispute because they want to force us into negotiations on actual wages," he said

Olivier said that in the past the retail motor organisation was not opposed to wage increases based on actual wages at plant level. The organisation was committed to industrial peace and Numsa could not at this stage embark on a legal strike

## Strike threat to Placer Dome mine

(213) CT(BR) 10/11/99

FRANK NXUMALO

Johannesburg - The Placer Dome-Western Areas joint venture faced a strike if a leadership forum meeting today with the National Union of Mineworkers (NUM) did not result in the reinstatement of nearly 3 000 NUM retrenched workers

The issue was discussed on Monday by James Motlatsi, the union president, and Jay Taylor, the president of Placer Dome

"We have been a tolerant and patient union but there are limits beyond which we are not prepared to go," Motlatsi said yesterday

Patrick Evans, the spokesman for Placer Dome, conceded that relations with the NUM were "strained" but added that retrenchments had been completed and it was not contemplated by the company to recall retrenched employees "in the foreseeable future"

"We are strongly committed to re-establishing our relations with the NUM, which has been a key industry player," said Evans

"We wish to have a strong, effective and productive union at our business and we believe that the NUM is the best option"

But Motlatsi lambasted Placer Dome for going ahead with the retrenchments of about 35 percent of its labour force when a joint gold price campaign had resulted in a dramatic recovery

"Any decent person would have thought, therefore, that the rise in the price of gold would have signalled the end of retrenchments, at least for the time being

"But that was not the case, in some quarters the increase in the price of gold was seen solely as a way of increasing profits. I have in mind Placer Dome in the Western Areas which is grabbing the rewards from our joint campaign like loot," he said