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Sustainability Legal Specialists (Pty) Ltd



NOVEMBER 2018 SUSTAINABILITY NEWSLETTER

For a copy of the Safety, Health and Environmental (SHE) Legislation Update, please go to:

<http://imbewu.co.za/wp-content/uploads/2018/12/Monthly-Sustainability-Legislation-Update-November-2018.pdf>

INTERNATIONAL

GENERAL

PLASTIC: A dead whale which washed up on a beach in Eastern Indonesia was found with 1000 pieces of plastic in its stomach (5.6 kg of plastic including 115 plastic cups). **Source: Climate Action Programme dated 20 November 2018.** http://www.climateaction.org/news/dead-whale-in-indonesia-found-with-1000-pieces-of-plastic-in-its-stomach?utm_source=ActiveCampaign&utm_medium=email&utm_content=New+poll+finds+82++of+Europeans+are+unaware+diesel+has+palm+oil+added+to+it+-+Climate+Action+News&utm_campaign=CA+Newsletter+23rd+November+2018 A new study conducted in the United Kingdom (UK) by Sky Ocean Rescue shows that there has been a shift in the public's perception of plastic and 7 out of 10 people now believe that commonly used single-use plastics should contain a cigarette-style warning label. **Source: Climate Action Programme dated 8 November 2018.** http://www.climateaction.org/news/new-study-finds-public-in-favour-of-cigarette-style-plastic-warnings?utm_source=ActiveCampaign&utm_medium=email&utm_content=Iceland+s+palm+oil+Christmas+TV+advert+banned+for+being+too+political+-+Climate+Action+News&utm_campaign=CA+Newsletter+9th+November+2018 Global travel giant, the Thomas Cook Group, announced plans to remove 70 million single-use plastic items from their operations over the next 12 months. **Source: Climate Action Programme dated 5 November 2018.** <http://www.climateaction.org/news/thomas-cook-to-remove-70-million-items-of-single-use-plastics-over-the->

[next?utm_source=ActiveCampaign&utm_medium=email&utm_content=New+research+finds+hydropower+dams+unsustainable+in+the+developing+world+-+Climate+Action+News&utm_campaign=CA+Newsletter+6th+November+2018](http://www.bizcommunity.africa/Article/410/693/184265.html)

CLEAN ENERGY: The African Development Bank has launched an online platform called the Africa Energy Portal which will address the lack of information in the energy sector by consolidating, validating and disseminating energy data which covers transmission, generation, distribution, regulation and policy. **Source: BizCommunity dated 13 November 2018.** <http://www.bizcommunity.africa/Article/410/693/184265.html> The Spanish government announced that it plans to run off 100% renewable energy by 2050. **Source: Climate Action Programme dated 16 November 2018.** http://www.climateaction.org/news/spain-will-switch-to-100-renewable-energy-by-2050?utm_source=ActiveCampaign&utm_medium=email&utm_content=Supermarkets+put+out+59+billion+items+of+plastic+packaging+every+year+-+Climate+Action+News&utm_campaign=CA+Newsletter+16th+November+2018

COAL: According to Carbon Tracker, about 42% of the world's coal power plants are not profitable mainly due to a surge in coal prices over the last three years. **Source: Mining Weekly dated 30 November 2018.** <http://www.miningweekly.com/article/almost-half-of-coal-power-plants-seen-unprofitable-to-operate-2018-11-30>

ENDANGERED SPECIES: The Chinese Ministry of Agriculture has halted the construction of a bridge in the province of Hubei following the death of approximately 6000 critically endangered fish. A team of investigators found that the construction illegally encroached on a protected national nature reserve and the fish died due to the "shocks, noises and changes of water sources" caused by the construction of the project. **Source: Reuters dated 23 November 2018.** <https://af.reuters.com/article/commoditiesNews/idAFL4N1XX55T> The Chinese government has postponed its plans to lift the 25-year ban on the domestic trade in tiger bone and rhino horn. **Source: Climate Action Programme dated 13 November 2018.** http://www.climateaction.org/news/china-postpones-plan-to-lift-the-25-year-ban-on-endangered-animals?utm_source=ActiveCampaign&utm_medium=email&utm_content=New+report+finds+Cadbury+has+destroyed+over+25%2C000+hectares+of+Orangutan+habitat+-+Climate+Action+News&utm_campaign=CA+Newsletter+13th+November+2018

The International Union for Conservation of Nature (IUCN) has updated its Red List of Threatened Species and noted that both the fin whale and mountain gorilla populations have increased due to conservation efforts. The fin whale has moved from 'Endangered' to 'Vulnerable' largely due to international whaling bans and the mountain gorilla has moved from 'Critically Endangered' to 'Endangered' due to collaborative conservation efforts across several African countries. **Source: Mail & Guardian dated 14 November 2018.** <https://mg.co.za/article/2018-11-14-fin-whale-mountain-gorilla-populations-rise-amid-conservation-action>

DEFORESTATION: According to data released by the Brazilian government and the National Institute for Space Research, deforestation in the Amazon Rainforest increased by 13.7% between August 2017 and July 2018. **Source: Climate Action Programme dated 27 November 2018.** http://www.climateaction.org/news/deforestation-rates-in-amazon-rainforest-highest-in-a-decade?utm_source=ActiveCampaign&utm_medium=email&utm_content=EU+to+be+carbon+neutral+by+2050+-+Climate+Action+News&utm_campaign=CA+Newsletter+30th+November+2018 The French Environmental Ministry intends to ban the import of all products linked to deforestation by 2030. **Source: Climate Action Programme dated 16 November 2018.** http://www.climateaction.org/news/france-announces-plans-to-ban-deforestation-imports?utm_source=ActiveCampaign&utm_medium=email&utm_content=Supermarkets+put+out+59+billion+items+of+plastic+packaging+every+year+-+Climate+Action+News&utm_campaign=CA+Newsletter+16th+November+2018

PROTECTED AREAS: The IUCN has included 15 new natural sites in its Green List of Protected and Conserved Areas which brings the total number of sites on the list to 40. **Source: The Green Times dated 28 November 2018.** <http://thegreentimes.co.za/iucn-lists-15-new-sites-as-worlds-best-protected-areas/>

PUBLICATIONS

POLLUTION: According to a report released by the Australian Conservation Foundation entitled "*The dirty truth. Australia's most polluted postcodes*", almost all of Australia's most polluting industries are located in low-income areas. **Source: The Guardian dated 16 November 2018.** https://www.acf.org.au/the_dirty_truth_most_polluted_postcodes

ENERGY: The International Energy Agency (IEA) has released its "*World Energy Outlook 2018*" report. **Source: Mining Weekly dated 13 November 2018.** <https://www.iea.org/newsroom/events/publication-world-energy-outlook-2018.html>

CARBON DIOXIDE: The United Nations World Meteorological Organization has released its annual "*Greenhouse Gas Bulletin*" which shows that the amount of carbon dioxide in the atmosphere has increased from the previous year's levels. **Source: Engineering News dated 22 November 2018.** <http://www.engineeringnews.co.za/article/global-carbon-dioxide-levels-hit-a-new-record-in-2017-un-says-2018-11-22>

NATIONAL

GENERAL

MINING JUDGMENTS: The North Gauteng High Court set aside the decisions of former Mineral Resources Minister, Mosobenzi Zwane, and the late Environmental Affairs Minister, Edna Molewa, to allow a new coal mine in the Mabola Protected Environment in Mpumalanga in the judgment of *Mining and Environmental Justice Community Network of South Africa and Others v Minister of Environmental Affairs and Others*. **Source: Centre for Environmental Rights (CER) dated 8 November 2018.** <https://cer.org.za/news/court-victory-for-south-africas-protected-areas-in-mabola-case> The North Gauteng High Court also ruled in the landmark judgment of *Baleni and Others v Minister of Mineral Resources and Others* that the Department of Mineral Resources (DMR) has to obtain the "*full and informed consent*" from the affected community in the Xolobeni area, Eastern Cape before issuing a mining right to the mining company in question. Such consent was required as the community held an "*informal right to land*" as defined in the Interim Protection of Informal Land Rights Act, which Act provides that "*no person may be deprived of any informal right to land without his or her consent*". The DMR noted that they would study the judgment. **Source: BizCommunity dated 23 November 2018.** <http://www.bizcommunity.com/Article/196/608/184661.html#more>

WATER: The South African National Defence Force (SANDF) has fully assessed the extent of the pollution in the Vaal River System and has started cleaning up the river and fixing the associated wastewater treatment infrastructure. **Source: SA Government News dated 24 November 2018.** <https://www.sanews.gov.za/south-africa/sandf-gets-work-vaal-river> The Minister for Water and Sanitation, Gugile

Nkwinti, announced that his Department will establish an institution to accelerate the issuing of water use licences. **Source: SA Government News dated 12 November 2018.** <https://www.sanews.gov.za/south-africa/institution-fast-track-water-use-licences> The Water Research Commission (WRC) has funded a project at the University of the North West to research the presence, concentration and risk implications of Antiretroviral (ARV) drugs in South Africa's water resources. Preliminary results indicate the presence of ARVs in treated waste water, ground water, tap water and in aquatic life including fish. Studies are still ongoing to determine the long-term effects of exposure to ARVs in water sources. **Source: The Daily Maverick dated 29 November 2018.** <https://www.dailymaverick.co.za/article/2018-11-29-strict-measures-needed-to-prevent-the-disposal-of-arv-pharmaceuticals-in-waste-water/> The Human Rights Commission (HRC) is currently investigating complaints over sewage spillages and problems with wastewater treatment plants in various municipalities in Mpumalanga. **Source: Engineering News dated 28 November 2018.** <http://www.engineeringnews.co.za/article/human-rights-commission-in-mpumalanga-to-probe-complaints-of-sewage-spillage-2018-11-28> The Department of Environmental Affairs (DEA) has welcomed the criminal conviction of the Captain of a Ukrainian fishing vessel for discharging sewage into South Africa's coastal waters. He was ordered to pay a fine of R300 000 or serve 24 months' imprisonment. **Source: DEA Media Release dated 26 November 2018.** <https://www.environment.gov.za/mediarelease/deawelcomescriminalsentenceofpollutingsouthafricanwaters>

ILLEGAL MINING: The DMR has initiated a ground stability study in Johannesburg, which will be undertaken by the Council for Geoscience (CGS), to assess whether there has been any long-term damage to critical infrastructure from illegal mining. **Source: Mining Weekly dated 26 November 2018.** http://www.miningweekly.com/article/dmr-initiates-ground-stability-study-in-areas-affected-by-illegal-mining-in-joburg-2018-11-26/rep_id:3650

GAS AND OIL DRILLING LICENCES: The Minister for Mineral Resources, Gwede Mantashe, announced that his Department will relax the moratorium on oil and gas exploration licences implemented earlier this year. **Source: Business Day Live dated 29 November 2018.** <https://www.businesslive.co.za/bd/national/2018-11-29-halt-on-gas-and-oil-drilling-licences-will-be-relaxed-says-gwede-mantashe/>

LANDFILL SITE: The former Acting Minister of Environmental Affairs, Derek Hanekom, ordered Interwaste to temporarily shut down its controversial FG landfill site in Olifantsfontein stating that the closure was necessary to reduce environmental pollution and degradation caused by the site. **Source: The Saturday Star dated 17 November 2018.** <https://www.iol.co.za/saturday-star/news/hanekom-ordered-disposal-firm-interwaste-to-shut-its-fg-landfill-site-18157422>

ENERGY: The JSE-listed company Massmart Holdings has become the biggest producer of renewable energy in the South African retail sector by installing solar photovoltaic panels on the rooftops of six of its stores nationally. **Source: Engineering News dated 8 November 2018.** http://www.engineeringnews.co.za/article/massmart-top-renewable-energy-user-in-south-african-retail-2018-11-08/rep_id:4136 South Africa has joined the International Energy Agency (IEA) as an association country (the first African country to be afforded this status). **Source: Engineering News dated 6 November 2018.** http://www.engineeringnews.co.za/article/south-africa-joins-the-iea-as-an-association-country-2018-11-06/rep_id:4136

BEACH POLLUTION: Seadog Sport, Plastics | SA and DPI Plastics have launched a joint project to install waste bins at certain blue flag beaches as well as other coastal areas across the country. The public is encouraged to pick up any plastic sticks (such as earbuds, lollipops and straws) they see on South African beaches and place them in these new bins. The Sustainability Manager at Plastics | SA, John Kieser, noted that a similar project aimed at cleaning up fishing tackle on beaches had been a success. **Source: The Green Times**

dated 26 November 2018. <http://thegreentimes.co.za/reducing-beach-pollution-with-lolly-stick-bins/>

CARBON TAX: The Finance Minister, Tito Mboweni, has tabled the Carbon Tax Bill in Parliament and it will become effective from 1 June 2019. **Source: SA Government News dated 22 November 2018.** <https://www.sanews.gov.za/south-africa/mboweni-tables-carbon-tax-bill>

CONSERVATION: The Minister of Environmental Affairs, Nomvula Mokonyane, announced that her Department will appoint a high-level panel to review policies, legislation and practices relating to the management, breeding, hunting, trade and handling of lions, elephants, leopards and rhinos. **Source: SA Government News dated 4 December 2018.** <https://www.sanews.gov.za/south-africa/minister-appoint-panel-look-conservation>

ONLINE: The Environmental Assessment Practitioners Association of South Africa (EAPSA) announced the launch of its online registration system for Environmental Assessment Practitioners (EAPs) at www.eapsa.org.za. **Source: BizCommunity dated 28 November 2018.** <http://www.bizcommunity.com/Article/196/628/184838.html#more>

PUBLICATIONS

MINE HEALTH AND SAFETY: The Mine Health and Safety Council has released their Annual Report for 2017/18 and the Department of Mineral Resources has also released their Annual Report for 2017/18. **Source: The Mine Health and Safety Council dated 18 October 2018.** https://www.gov.za/sites/default/files/Mineral%20Resources%20Annual%20Report%202017_2018.pdf and <http://mhsc.org.za/site/sites/default/files/public/publications/MHSC%20Annual%20Report%20%202017%2018%20Final%20Version%20High%20Res.pdf>

CAPTIVE LION BREEDING: The Parliamentary Portfolio Committee on Environmental Affairs has adopted a new Parliamentary report entitled "*Captive Lion Breeding for Hunting and Bone Trade in South Africa*" which recommends the banning of captive lion breeding. **Source: CER dated 12 November 2018.** <https://www.sabreakingnews.co.za/2016/05/03/african-safari-operators-call-for-an-end-to-captive-breeding-canned-lion-hunting/>

SUSTAINABLE SEAFOOD: The World Wide Fund for Nature South Africa (WWF-SA) and Pick n Pay have released a new report entitled "*A Decade of Impact*" which outlines how partnerships in the seafood supply industry can help secure responsible fisheries and healthy marine ecosystems. **Source: BizCommunity dated 22 November 2018.** <http://www.bizcommunity.com/Article/196/457/184592.html#more>

BIODIVERSITY: The Endangered Wildlife Trust (EWT) and the National Biodiversity and Business Network (NBBN) have released a report entitled "*Invitation to Join the Biodiversity Disclosure Project – A Study of the Biodiversity Performance of South African Companies*". **Source: BizCommunity dated 7 November 2018.** <http://www.bizcommunity.com/Article/196/628/184015.html#more>

ALIEN AND INVASIVE SPECIES: The South African National Biodiversity Institute (SANBI), in collaboration with the Department of Science and Technology and the National Research Foundation Centre of Excellence for Invasion Biology, have released the "*National Status*

Report on Biological Invasions in South Africa". **Source:** SANBI dated 1 November 2018. <https://www.sanbi.org/media/the-status-of-biological-invasions-and-their-management-in-south-africa/>

EMISSIONS: The University of Cape Town has released their annual "Brown to Green Report" which shows that South Africa has the highest greenhouse gas emissions in the G20 sector with emissions per capita being roughly double the group's average. **Source:** BizCommunity dated 16 November 2018. <http://www.bizcommunity.com/Article/196/693/184363.html#more>

CONFERENCES AND OTHER EVENTS

IMBEWU WORKSHOPS

CLIMATE CHANGE LAW WORKSHOP: 29 January 2019 in Johannesburg. R2500 per delegate, excluding VAT. Early bird special – book before 20 December 2018 and receive R500 off the cost to attend. Please contact Lulu Lewis on 011 214 0660 or at lulu@imbewu.co.za for more information or go to: <http://imbewu.co.za/services/>.

NATIONAL

AFRICAN MINING INDABA: 4-7 February 2019 in Cape Town.

AFRICA ENERGY INDABA: 19-20 February 2019 in Johannesburg.

INTERNATIONAL

UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC) 24TH CONFERENCE OF THE PARTIES (COP24): 3-14 December 2018 in Katowice, Poland.

UNITED NATIONS 28TH WATER MEETING: 1-2 February 2019 in Rome, Italy.

WORLD WETLANDS DAY: 2 February 2019.

WORLD WILDLIFE DAY: 3 March 2019.

IMBEWU's environmental tip: 12 positive actions to help fight the war on waste this festive season:
http://planetark.org/news/display/1395?utm_medium=email&utm_campaign=Planet%20Ark%20News%20December%202017&utm_content=Planet%20Ark%20News%20December%202017+CID_82225acd0f5276f7c63946651b9d635e&utm_source=Campaign%20Emails&utm_term=Find%20out%20more

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