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# IMBEWU

*Sustainability Legal Specialists (Pty) Ltd*



## AUGUST 2019 SUSTAINABILITY NEWSLETTER

*For a copy of the Safety, Health and Environmental (SHE) Legislation Update, please go to:*  
<https://imbewu.co.za/wp-content/uploads/2019/09/Monthly-SHE-Legislation-Update-August-2019.pdf>

### INTERNATIONAL

### GENERAL

**AMAZON RAIN FOREST:** The French President, Emanuel Macron, has called the on-going, record breaking fires in the Amazon Rain Forest an “international crisis” and the United Nations (UN) Secretary General, Antonio Guterres, has expressed his concern over the impact of these devastating fires. Brazil’s President, Jair Bolsonaro, has accused non-governmental organisations (NGOs) of starting the wildfires to damage his government’s image but has also acknowledged the farmer’s involvement, stating that it is the season of the “queimada” where farmers burn land to clear it for grazing and planting crops. The National Institute for Space Research’s (NISR) satellite data shows an 85% increase in the rate of forest fires which commonly occurs during the dry season. **Source: Climate Action Programme dated 23 August 2019.**

[http://www.climateaction.org/news/amazon-rainforest-fires-declared-an-international-crisis?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=Amazon+fires+declared+an+international+crisis+-+Climate+Action+News&utm\\_campaign=CA+Newsletter+23rd+August+2019](http://www.climateaction.org/news/amazon-rainforest-fires-declared-an-international-crisis?utm_source=ActiveCampaign&utm_medium=email&utm_content=Amazon+fires+declared+an+international+crisis+-+Climate+Action+News&utm_campaign=CA+Newsletter+23rd+August+2019)

**MINING:** As part of the Chilean President, Sebastián Piñera's, mining policy, the Chilean government and mining industry is determined to

promote the country as a world leader in sustainable mining by developing environmentally sustainable and socially inclusive mining practices. **Source: Mining Weekly dated 16 August 2019.** <https://www.miningweekly.com/article/chile-govt-industry-team-up-to-make-mining-enviro-friendly-through-an-energy-revolution-2019-08-16>

The Chinese National Coal Mine Safety Administration announced following a spate of recent fatal coal-mining accidents, that they would launch a new round of safety inspections on coal mines during the course of September 2019. **Source: Mining Weekly dated 14 August 2019.** <https://www.miningweekly.com/article/china-to-launch-new-round-of-coal-mine-safety-checks-2019-08-14>

**ENDANGERED SPECIES:** Eight environmental organisations have filed a lawsuit in the US District Court for the Northern District of California in an attempt to prevent the Trump Administration from making changes to the Endangered Species Act. The proposed changes will eliminate the risks from climate change being taken into account and will bring economics into the picture when determining protections for species. **Source: Climate Change News dated 22 August 2019.** <https://insideclimatenews.org/news/21082019/lawsuit-endangered-species-act-trump-rule-changes-climate-change-earthjustice-sierra>

**PLASTIC:** Iceland Supermarket Company in the United Kingdom (UK) has recycled over 1 million plastic bottles in just over a year after implementing a trial reverse vending machine in five of its stores. **Source: Climate Change News dated 27 August 2019.** [http://www.climateaction.org/news/icelands-reverse-vending-machines-reach-one-million-plastic-bottles-recycle?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=Underground+to+heat+homes+in+London+-+Climate+Action+News&utm\\_campaign=CA+Newsletter+27th+August+2019](http://www.climateaction.org/news/icelands-reverse-vending-machines-reach-one-million-plastic-bottles-recycle?utm_source=ActiveCampaign&utm_medium=email&utm_content=Underground+to+heat+homes+in+London+-+Climate+Action+News&utm_campaign=CA+Newsletter+27th+August+2019)

Lidl claims to be the first supermarket in the UK to offer reusable fabric bags for loose fruit and vegetables. **Source: Climate Action Programme dated 9 August 2019.** [http://www.climateaction.org/news/lidl-introduces-reusable-fabric-bags-for-loose-fruit-vegetables?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=IPCC+say+land+is+critical+in+averting+climate+emergency+-+Climate+Action+News&utm\\_campaign=CA+Newsletter+9th+August+2019](http://www.climateaction.org/news/lidl-introduces-reusable-fabric-bags-for-loose-fruit-vegetables?utm_source=ActiveCampaign&utm_medium=email&utm_content=IPCC+say+land+is+critical+in+averting+climate+emergency+-+Climate+Action+News&utm_campaign=CA+Newsletter+9th+August+2019)

## PUBLICATIONS

**AIR POLLUTION:** Greenpeace India, has commissioned a study using NASA satellites to track sulphur dioxide (SO<sub>2</sub>) and nitrogen oxide (NO<sub>2</sub>) hotspots around the world and has released a report entitled “*Global Air Pollution Map: Ranking the World’s Worst SO<sub>2</sub> and NO<sub>2</sub> Emission Hotspots*”. The study shows that the coal-fired power plant and industrial cluster in Mpumalanga is the world’s worst hotspot for power plant NO<sub>2</sub> and SO<sub>2</sub> emissions, and ranks 4th overall for NO<sub>2</sub> and 3rd for SO<sub>2</sub> emissions in the world. **Source: Greenpeace International dated 19 August 2019.** <https://www.greenpeace.org/africa/en/press/7678/mpumalanga-so2-pollution-as-bad-as-no2-new-study-finds/>

**CLIMATE CHANGE AND LAND:** The Intergovernmental Panel on Climate Change (IPCC) has released a report entitled “*Climate Change and Land: an IPCC special report on climate change, desertification, land degradation, sustainable land management, food security, and greenhouse gas fluxes in terrestrial ecosystems*”. **Source: Environmental Law Association (ELA) Newsletter 30 dated 8 August 2019.** <https://www.ipcc.ch/report/srccl/>

**FOOD:** The World Resources Centre, the World Bank, the United Nations Environment Programme (UNEP) and the United Nations Development Programme (UNDP) have published a report entitled “*Creating a Sustainable Food Future. A Menu of Solutions to Feed Nearly 10 Billion People by 2050*”. **Source: ELA Newsletter 31 dated 16 August 2019.** <https://wrr-food.wri.org/sites/default/files/2019->

**PLASTIC:** Science Advances has published a research article entitled “*White and wonderful? Microplastics prevail in snow from the Alps to the Arctic*”. Source: ELA Newsletter 31 dated 16 August 2019. [https://advances.sciencemag.org/content/5/8/eaax1157?utm\\_campaign=toc\\_advances\\_2019-08-16&et rid=307814892&et cid=2949187](https://advances.sciencemag.org/content/5/8/eaax1157?utm_campaign=toc_advances_2019-08-16&et rid=307814892&et cid=2949187)

The World Health Organisation (WHO) has released a report entitled “*Microplastics in drinking water*” which looks at the potential health risks of ingesting microplastics. Source: News24 dated 22 August 2019. <https://www.news24.com/Green/News/watch-health-risk-of-microplastics-in-drinking-water-is-low-who-20190822>

**SMART CITIES:** The International Climate Development Institute has released a report entitled “*Global Smart Solution Report 2019: City challenges and innovations*”. Source: ELA Newsletter 31 dated 16 August 2019. [https://www.icdi.network/gssi?utm\\_source=Confirmed+iNews+subscribers&utm\\_campaign=f39e00403c-EMAIL\\_CAMPAIGN\\_2019\\_08\\_14\\_01\\_48\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_eb2a8ff6e2-f39e00403c-119738273](https://www.icdi.network/gssi?utm_source=Confirmed+iNews+subscribers&utm_campaign=f39e00403c-EMAIL_CAMPAIGN_2019_08_14_01_48_COPY_01&utm_medium=email&utm_term=0_eb2a8ff6e2-f39e00403c-119738273)

**PAPER RECEIPTS:** Green America has published a report entitled “*Skip the Slip, Environmental & Human Health Impacts of Paper Receipts*” which states that every year in the United States, receipt use consumes over 3 million trees, 9 billion gallons of water, generates over 4 billion pounds of Carbon Dioxide (CO<sub>2</sub>) and produces 302 million pounds of solid waste during production. The report covers different solutions and costs to paper receipts and how some suppliers and retailers of these alternatives are successfully using them. Source: Climate Action Programme dated 5 August 2019. [http://www.climateaction.org/news/report-skip-the-slip-environmental-costs-human-health-risks-of-paper-receipt?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=July+hottest+month+ever+recorded+-+Climate+Action+News&utm\\_campaign=CA+Newsletter+6th+August+2019](http://www.climateaction.org/news/report-skip-the-slip-environmental-costs-human-health-risks-of-paper-receipt?utm_source=ActiveCampaign&utm_medium=email&utm_content=July+hottest+month+ever+recorded+-+Climate+Action+News&utm_campaign=CA+Newsletter+6th+August+2019)

**TOXIC TEXTILES:** Green America has published a report entitled “*Toxic Textiles – The Environmental and Social Impacts of our Clothing*”. Source: Climate Action Programme dated 19 August 2019. [http://www.climateaction.org/news/report-toxic-textiles?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=UK+hospitals+surrounded+by+toxic+air+-+Climate+Action+News&utm\\_campaign=CA+Newsletter+20th+August+2019](http://www.climateaction.org/news/report-toxic-textiles?utm_source=ActiveCampaign&utm_medium=email&utm_content=UK+hospitals+surrounded+by+toxic+air+-+Climate+Action+News&utm_campaign=CA+Newsletter+20th+August+2019)

## NATIONAL

## GENERAL

**ENERGY:** Recently appointed acting head of the Independent Power Producer Office, Sandra Coetzee, announced that her office will be in a good position for procurement, as soon as the bid determinations are ready, following the promulgation of the amended Integrated Resource Plan (IRP). She believes that “*the roll-out of the programme will continue to build on the strong foundations of the past nine years.*” Source: Mining Weekly dated 19 August 2019. <https://www.miningweekly.com/article/acting-ipp-office-head-promises-extensive-talks-with-stakeholders-on-new-bid-documents-2019-08-19>

**MINING:** AfriForum have laid criminal charges against Singo Consulting, the company appointed by Manzolwandle Investments to conduct the Environmental Impact Assessment (EIA) for the development of a proposed coal mine near the Kruger National Park, stating that Singo Consulting committed plagiarism in the EIA. Afriforum also believe that if coal mining commences in the proposed area this would hold "enormous disadvantages and destructive consequences for the immediate environment, the Crocodile river and other water sources, nature reserves, wildlife, the road network in Mpumalanga and agricultural activities." **Source: Mining Weekly dated 14 August 2019.** [https://www.miningweekly.com/article/afriforum-opposes-development-of-proposed-mine-near-kruger-national-park-2019-08-14/rep\\_id:3650](https://www.miningweekly.com/article/afriforum-opposes-development-of-proposed-mine-near-kruger-national-park-2019-08-14/rep_id:3650)

The Department of Mineral Resources and Energy advised the public that the Mpumalanga regional office's South African Mineral Resources Administration System (Samrad) application system has been reopened almost a year after its closure following allegations of corruption and backlogs in the issuing of licenses. **Source: Mining Weekly dated 6 August 2019.** <https://www.miningweekly.com/article/mantashe-mum-on-corruption-probe-after-mpumalanga-office-reopens-2019-08-06-1>

**WATER:** Following a spillage at Sunfoil Oil (part of the Willowton Group) in Pietermaritzburg, the Department of Water, Sanitation and Human Settlements has warned residents living upstream from the Msunduzi and Umgeni Rivers and surrounding areas not to use water from those resources until further notice. **Source: Engineering News dated 19 August 2019.** <https://www.engineeringnews.co.za/article/clean-up-of-duzi-continues-2019-08-19> The Department of Water, Sanitation and Human Settlements issued a water status update which stated that they will take "drastic measures" to stop the groundwater pollution caused from mines and industries in the Highveld area. The Department estimates that 90% of groundwater in the Highveld has been contaminated by malcontent and negligent industries. **Source: Mining Weekly dated 21 August 2019.** <https://www.miningweekly.com/article/highveld-polluters-on-the-water-departments-radar-2019-08-21>

**RHINOS:** The Minister of Environment, Forestry and Fisheries, Barbara Creecy, on World Ranger Day 2019, announced that from January to June 2019 318 rhinos had been killed from poaching (a decline of 68 incidents over the same period last year), 122 alleged poachers were arrested within the Kruger National Park and nationally 253 arrests were effected in respect of both rhino poaching and rhino horn trafficking. **Source: Department of Environment, Forestry and Fisheries dated 31 July 2019.** [https://www.environment.gov.za/mediarelease/barbaracreecy\\_callforreviewon\\_anitpoachingefforts\\_2019worldenvironmentday](https://www.environment.gov.za/mediarelease/barbaracreecy_callforreviewon_anitpoachingefforts_2019worldenvironmentday)

The Mhala Regional Court in Mpumalanga has sentenced Norman Khoza to an effective 30 years in prison. He was found guilty of being an illegal immigrant, trespassing in a national park, possession of an unlicensed hunting rifle, possession of a firearm with the intent to commit crime, possession of unlicensed ammunition, possession of dangerous weapons as well as the illegal hunting of an adult female rhino and her calf. **Source: The Green Times dated 5 August 2019.** <http://thegreentimes.co.za/poacher-gets-37-years-for-killing-mom-and-baby-rhino/> The World Wide Fund for Nature South Africa (WWF-SA) Black Rhino Range Expansion Project (BRREP) has successfully completed its 12<sup>th</sup> black rhino population move (a total of 201 black rhinos have been relocated to these 12 sites since the projects inception in 2003). **Source: WWF-SA dated 6 August 2019.** [https://www.wwf.org.za/our\\_news/news/?28941/Black-rhino-project-translocates-200th-rhino](https://www.wwf.org.za/our_news/news/?28941/Black-rhino-project-translocates-200th-rhino)

**REGISTER AS AN EAP:** The Environmental Assessment Practitioners Association of South Africa (EAPSA) has issued a reminder that the deadline to register as an Environmental Assessment Practitioner (EAP) is 12 October 2019 in order for the application to be assessed before 8 February 2020 (the deadline in terms of the legislative requirement to be registered as an EAP). **Source: ELA Newsletter 31 dated 16 August 2019.** <https://www.eapasa.org/>

**WASTE:** As of 23 August 2019, it is illegal to dump liquid waste in landfill sites. The National Norms and Standard for the Disposal of Waste to Landfill come into effect on 23 August 2013 with various transitional periods to allow industry to put the necessary measures in place to comply with the legislation. One of the main benefits of this provision is to protect the country's groundwater reserves from seeping hazardous materials. **Source: IOL dated 21 August 2019.** <https://www.iol.co.za/sunday-tribune/news/it-will-be-illegal-to-throw-liquid-waste-on-landfill-sites-from-thursday-31049174>

**AFRICAN LION:** The Endangered Wildlife Trust (EWT), under the auspices of the Cat Specialist Group (CSG) of the International Union for Conservation of Nature's (IUCN) Species Survival Commission have launched a knowledge hub which will be used to compile, analyse, and store data on African Lion distribution, abundance and population trends, and support the continuous assessment of the status of lions across the continent. **Source: The Green Times dated 8 August 2019.** <http://thegreentimes.co.za/knowledge-hub-established-to-save-africas-most-iconic-cat/>

The Pretoria High Court has set aside the 2017 and 2018 lion bone quotas stating that the quotas that were issued by the then Department of Environmental Affairs and the former Minister were unlawful and unconstitutional (*National Council of The Society for Prevention of Cruelty to Animals v Minister of Environmental Affairs and Others* (86515/2017) [2019] ZAGPPHC 367). **Source: The Green Times dated 6 August 2019.** <http://thegreentimes.co.za/landmark-decision-for-lions-ahead-of-world-lion-day/>

**MISALIGNMENT OF LEGISLATIVE MANDATES:** A Parliamentary Portfolio Committee has been set up to address the misalignment of legislative mandates with regard to some entities under the Department of Mineral Resources and Energy. The committee will visit the Petroleum Association of South Africa, Council for Geoscience, National Energy Regulator of South Africa, National Nuclear Regulator, South African Nuclear Energy Corporation, National Radioactive Waste Disposal Institute, Council for Mineral Technology of South Africa, South African Diamond and Precious Metal Regulator, State Diamond Trader, Central Energy Fund, Mine Health and Safety Council and the South African National Energy Development Institute to gain an understanding of their legislative mandates and challenges. **Source: Mining Weekly dated 28 August 2019.** <https://www.miningweekly.com/article/misalignment-of-legislative-mandates-in-some-minerals-and-energy-entities-concerning-parliament-2019-08-28>

**GREAT WHITE SHARKS:** Shark Spotters, a local charity that monitors local beaches for sharks, as well as boats that take tourists to Seal Island, has not recorded one sighting of a Great White Shark this year in False Bay in the Western Cape. However, shark cage diving companies have reported sightings near to False Bay in Gansbaai. The decline in sightings could be due to increased activity by Orcas in the area and factors such as overfishing and pollution. **Source: ScienceMag dated 30 August 2019.** <https://www.sciencemag.org/news/2019/08/great-white-sharks-have-suddenly-disappeared-one-their-favorite-hangouts>

## PUBLICATIONS

**FOOD:** Bright Nkrumah has published an article in the *De Jure* Journal entitled "Opening Pandora's box: A legal analysis of the right to food in South Africa".

Tigist Gebrehiwot, Steve Cornelius and Lise Korsten have published an article in the *De Jure* Journal entitled "Impact of global food and agriculture laws on Africa's food security". **Source: ELA Newsletter 32 dated 23 August 2019.** [http://www.scielo.org.za/scielo.php?script=sci\\_arttext&pid=S2225-71602019000100003&lng=en&nrm=iso&tlng=en](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2225-71602019000100003&lng=en&nrm=iso&tlng=en) and

[http://www.scielo.org.za/scielo.php?script=sci\\_arttext&pid=S2225-71602019000100005&lng=en&nrm=iso&tlng=en](http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2225-71602019000100005&lng=en&nrm=iso&tlng=en)

The Centre for Scientific and Industrial Research (CSIR) has estimated that approximately 30% of all food produced in South Africa is lost or wasted with most food losses occurring postharvest during the early stages of the food value chain. **Source: Food for Mzansi dated 15 May 2019.** <https://www.foodformzansi.co.za/column-about-30-of-food-produced-in-mzansi-is-lost-or-wasted/>

**PLANT EXTINCTIONS:** According to research conducted by the University of Stellenbosch, 79 plant species have gone extinct in South Africa's 3 biodiversity hotspots, namely the Cape Floristic Region, the Succulent Karoo, and the Maputuland-Pondoland-Albany corridor. The main reasons for this very high rate of extinction were found to be agriculture (49.4%), urbanisation (38%) and invasive species (22%). **Engineering News dated 23 August 2019.** <https://www.engineeringnews.co.za/article/shocking-rate-of-plant-extinctions-in-south-africa-2019-08-23>

**MINE SAFETY:** The Southern African-German Chamber of Commerce and Industry has released a report entitled "Best Practice Report on Health and Safety on South African Mines". **Source: Mining Weekly dated 15 August 2019.** <https://www.miningweekly.com/article/wmi-endorses-best-practice-report-for-health-and-safety-2019-08-15>

**WILDLIFE CONSERVATION:** WWF-SA have released a report entitled "Connecting South Africa's Wildlife, Landscapes and People". **Source: WWF-SA dated 21 August 2019.** [https://www.wwf.org.za/our\\_research/publications/?29081/connecting-south-africas-wildlife-landscapes-and-people](https://www.wwf.org.za/our_research/publications/?29081/connecting-south-africas-wildlife-landscapes-and-people)

## CONFERENCES AND OTHER EVENTS

### IMBEWU WORKSHOPS

**ENVIRONMENTAL LAW UPDATE WORKSHOP (SACNASP ACCREDITED WITH 1 CPD POINT):** 22 October 2019 in Johannesburg. R2750 per delegate, excluding VAT. Please contact Lulu Lewis on 011 214 0660 or at [lulu@imbewu.co.za](mailto:lulu@imbewu.co.za).

### NATIONAL

**NOSCHON:** 12 September 2019 in Sandton.

**8<sup>TH</sup> WORLD CONFERENCE ON ECOLOGICAL RESTORATION:** 22-27 September 2019 in Cape Town.

**ELA STUDENT AND ANNUAL CONFERENCE:** 26-28 September 2019 in KwaZulu-Natal.

**12<sup>TH</sup> GREEN BUILDING CONVENTION:** 2-4 October 2019 in Cape Town.

**NATIONAL ASSOCIATION FOR CLEAN AIR CONFERENCE:** 3-4 October 2019 in Stellenbosch.

**WINDABA:** 8-9 October 2019 in Cape Town.

## INTERNATIONAL

**SUMMARY OF THE 18<sup>TH</sup> MEETING OF THE CONFERENCE OF THE PARTIES OF THE CONVENTION ON INTERNATIONAL TRADE OF ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES COP18)** see: <http://enb.iisd.org/cites/cop18/>

**INTERNATIONAL COASTAL CLEAN UP DAY:** 15 September 2019.

**WORLD OZONE DAY:** 16 September 2019.

**WORLD RHINO DAY:** 22 September 2019.

**AFRICAN MINING SUMMIT:** 24-25 September 2019 in Gaborone, Botswana.

**6<sup>TH</sup> WORLD CONFERENCE ON GREEN CHEMISTRY AND RECYCLING:** 14-15 October 2019 in Seoul, South Korea.

**6<sup>TH</sup> GLOBAL SUMMIT ON CLIMATE CHANGE:** 20-21 October 2019 in Amsterdam, Netherlands.

**10<sup>TH</sup> WORLD CONVENTION ON RECYCLING AND WASTE MANAGEMENT:** 21-22 October 2019 in Sydney, Australia.

**3<sup>RD</sup> INTERNATIONAL CONFERENCE ON SUSTAINABLE DEVELOPMENT AND GREEN TECHNOLOGY:** 1-3 November 2019 in Koahsiung, Taiwan.

**8<sup>TH</sup> INTERNATIONAL CONFERENCE ON BIODIVERSITY CONSERVATION AND ECOSYSTEM MANAGEMENT:** 11-12 November 2019 in Tokyo, Japan.

**WORLD SUMMIT ON RENEWABLE ENERGY AND RESOURCES:** 18-19 November 2019 in Rome, Italy.

**DUBLIN MINING CONVENTION:** 3-4 December 2019 in Dublin, Ireland.

**UNFCCC COP 25:** 2-13 December 2019 in Santiago, Chile.

**7<sup>TH</sup> INTERNATIONAL CONFERENCE ON ENVIRONMENT POLLUTION AND PREVENTION:** 18-20 December 2019 in Melbourne, Australia.

**IMBEWU's environmental note: tips on how and when to plant trees:** <https://www.treesaregood.org/treeowner/plantingatree>  
<http://www.climateaction.org/news/8-products-that-will-make-your-lifestyle->

[sustainable?utm\\_source=ActiveCampaign&utm\\_medium=email&utm\\_content=World+s+largest+solar+farm+to+be+built+in+Australia&utm\\_campaign=CA+Newsletter+15th+July+2019](https://www.imbewu.co.za/sustainable?utm_source=ActiveCampaign&utm_medium=email&utm_content=World+s+largest+solar+farm+to+be+built+in+Australia&utm_campaign=CA+Newsletter+15th+July+2019)

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