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MAY 2021 SUSTAINABILITY NEWSLETTER

*For a copy of the Safety, Health and Environmental (SHE) Legislation Update, please go to:
<https://imbewu.co.za/wp-content/uploads/2021/06/Monthly-SHE-Legislation-Update-May-2021.pdf>*

INTERNATIONAL

GENERAL

SHELL ORDERED TO CUT EMISSIONS BY 45% – The Dutch Court has ordered that Royal Dutch Shell is to decrease its group-wide carbon intensity in production by 6% by 2023, by 45% by 2035 and by 100% by 2050. This is after the Court considered Shell's climate change policy to become a net-zero emission energy company by 2050, and held that the policy was found insufficiently "concrete". Shell states that it has an existing and sufficient plan for its company to become a net-zero emissions entity and will appeal the court verdict.

Source: Up Stream dated 26 May 2021

<https://www.upstreamonline.com/environment/shell-ordered-by-dutch-court-to-cut-emissions-by-45-/2-1-1016411>

THE UK TO REPURPOSE ABANDONED COAL MINES – Disused and flooded coal mines are undergoing a testing phase to convert them into geothermal power plants. The pilot project will involve the drilling of two wells to transport water from the flooded mines. A heat pump will extract heat from the water, then compress it to a higher temperature and a power plant on the mining site will distribute the energy to heat local buildings. To generate electricity, solar panels and a combined heat and power unit will be used. The energy will be distributed to heat local buildings.

Source: Oil Price dated 15 May 2021

<https://oilprice.com/Energy/Coal/The-UKs-Brilliant-Plan-To-Repurpose-Abandoned-Coal-Mines.html>

BITCOIN "MINING" ADDS TO CARBON FOOTPRINT – A virtual currency that has recently peaked and is becoming widely accepted as a form of payment,

may be contributing to climate change. Bitcoin is unlike traditional forms of money made of paper, plastic or metal. However, its virtual feature comes at the cost of high-powered computers used across the globe. Data from the University of Cambridge and the International Energy Agency shows “mining” bitcoin in 2019 consumed the same amount of energy as the Netherlands. Currently, most power relies on fossil fuels and increased bitcoin “mining” only adds to the carbon footprint. Tesla, in support of decarbonisation, will no longer accept bitcoin.

A PROGRESS REPORT ON THE SDG'S – The UN has released a report investigating the 92 environment-related Sustainable Development Goals (SDGs) by countries and the progress that has been made to achieve the set targets and the identified data gaps. The environmental indicators have shown that 67% of the dataset have followed a positive trend toward combating climate change. However, 33% of the data shows a negative trend or no change at all in combating climate change.

Source: UN Environment Programme dated 22 May 2021

<https://www.unep.org/resources/publication/measuring-progress-environment-and-sdgs>

PLANT-BASED MEAT IS A BOOMING INDUSTRY – A faux meat boom is underway and Daring Foods Inc is amongst the corporations leading this revolution. With a current total of \$40 million in investments in Daring Foods Inc's plant-based chicken since its debut last year, the U.S. market is displaying a willingness to explore the concept. Daring Food Inc comes behind other pioneers of the imitated meat market such as Kelloggs, Nestle, Livekindly Collective and Beyond Meat. It has been reported that the growth of this market will eliminate the ill-treatment of animals and the negative impact on the environment that the meat market has.

Source: Bloomberg dated 18 May 2021

<https://www.bloomberg.com/news/articles/2021-05-18/rapper-drake-invests-in-faux-chicken-maker-s-40-million-round>

Supporting source: Business Live 5 May 2021

<https://www.businesslive.co.za/bd/life/2021-05-05-faux-meat-is-the-future-and-coming-to-a-plate-near-you/>

A FIGHTING CHANCE AT SAVING THE RHINOS – Rhino poaching has lessened to some extent over the past year, however, with the recent change in the economy a rise in rhino poaching is potentially looming. The majority of wild rhinos are on private land and the costs are beginning to outweigh the benefits. A stakeholders discussion held by the Daily Maverick, established a need for financial support to assist with the costs of keeping the remaining rhinos safe. The current proposal is argued to be a safer option than legalising the sale of rhino horns.

Source: Daily Maverick dated 19 May 2021

https://www.dailymaverick.co.za/article/2021-05-19-the-future-of-rhinos-what-it-will-take-to-save-an-endangered-ancient-species/?utm_source=homepagify

WESTERN STATES DUMPING BIOHAZARDOUS WASTE: THE NEW COLONIALISM – According to a recent article, many African countries still have ties with former colonizing states and some ties have allegedly borne exploitive traits. One trait being the dumping of biohazardous waste including plastic in African states such as Tunisia, Liberia and Kenya despite each state's respective laws and bans. The UN Environment Programme released a report this year stating that plastic pollution has increased and has a disproportionate impact on developing countries.

Source: Daily Maverick dated 23 May 2021

https://www.dailymaverick.co.za/opinionista/2021-05-23-the-new-colonialism-western-states-are-now-exploiting-africa-by-dumping-biohazardous-waste/?utm_source=homepagify

CLIMATE CHANGE AND VIOLENCE IN AFRICA CORRELATE – The African Union Peace and Security Council (AU PSC) issued an announcement dedicated to climate change's effects on peace, security and stability in Africa. A link between climate change and conflict cannot be easily defined. However, studies have linked 0.5°C warming with a 10%- 20% increase in the risk of deadly conflict, as it worsens pre-existing tensions, weak governance, depletes resources in turn affecting livelihoods and other socio-economic factors. At least 80% of the current United Nations peace led operations are deployed in

countries ranked the most exposed to climate change.

Source: Centre for Environmental Rights dated 3 June 2021

<https://cer.org.za/news/final-nail-in-the-coffin-for-proposed-khanyisa-coal-power-station>

CLIMATE CHANGE FEARS FORCE MILLENNIALS TO SPEND WISELY – The oldest of millennials will be turning 40 this year. CNBC's Make It has researched "Middle Aged Millennials" and have explored how some of the oldest members of this generation have grown amid the Great Recession and the Covid-19 pandemic as well as other historic events. Humans' carbon footprints have increased drastically over the years and left damning effects for the Earth. This includes but is not limited to the US Escalating wildfires in California. At least 76% of older millennials aged 33- 40 think climate change poses a threat to society. This in turn, influences how they spend their money, the companies they support and products bought.

Source: CNBC dated 28 May 2021

<https://www.cnbc.com/2021/05/28/how-climate-change-is-impacting-millennials-money-decisions.html>

PUBLICATIONS

MILIEUDEFENSIE V SHELL – The 26 May 2021 ruling by the Dutch court instructing Royal Dutch Shell to reduce its group-wide carbon emissions by 45 percent, is provisionally enforceable pending an appeal by Shell. The judgement and its potentially global far reaching impact is explored. The reliance on international treaties and soft law by the Court, further substantiates the far-reaching consequences the judgement may have should other countries' legal systems face similar suits being instituted by activists, as many are bound by these international laws. The judgement as precedent also gives countries an opportunity to secure a zero-emissions state by 2050, as big carbon emitting entities will need to either willingly devise concrete and effective policies within their operations, which actually decrease carbon emissions. Alternatively, entities will have to face suits, like Shell, which will compel them to decrease their carbon emissions.

Source: Sherman & Sterling dated 2021

<https://www.shearman.com/Perspectives/2021/06/Milieudedefensie-v-Shell--Landmark-Court-Decision-For-Energy-Companies>

PUBLIC CHARGING INFRASTRUCTURE WILL ENCOURAGE UPTAKE OF ELECTRIC VEHICLES –Panel data from Germany estimates there is a relationship between public charging infrastructure and the public's willingness to purchase electric vehicles (EVs). The cost effectiveness of normal and fast chargers by each region is explored and supports a geographically differentiated targeting of subsidies to assist with charging infrastructure.

Source: IOP Science dated 27 May 2021

<https://iopscience.iop.org/article/10.1088/1748-9326/ac05f0/meta>

NATIONAL

GENERAL

THE EASING OF PATHS FOR DISTRIBUTED POWER PROJECTS – The Deputy Minister of Finance, David Masondo reports that Operation Vulindlela is close to

resolving an ongoing policy discussion within government on increasing electricity supply by allowing the private sector to invest in its own generation. Mainly, the amendment to Schedule 2 of the Electricity Regulation Act to exceed 1 MW for the licence-exemption cap. The proposed amendment is 10 MW, however businesses, supported by Eskom are calling for 50 MW.

Source: Engineering News dated 21 May 2021

<https://www.engineeringnews.co.za/article/operation-vulindlela-close-to-resolving-debate-on-easing-path-for-distributed-power-projects-2021-05-21>

SOUTH AFRICA TO SEE AN ARRIVAL OF BIG PRIVATE POWER PLANTS – Many new private plants are set to provide electricity to South Africa, using wind, solar, gas and biomass power stations. The procurement will be a part of the Department of Energy's Renewable Energy Independent Power Producers (REIPP) Procurement Programme or Risk Mitigation IPP Procurement Programme. This initiative will decrease the burden on Eskom to provide South Africa's full current energy demand.

Source: My Broad Band dated 24 May 2021

<https://mybroadband.co.za/news/energy/398569-big-private-power-plants-coming-to-south-africa.html>

ANOTHER DEAD END FOR PROPOSED KHANYISA COAL POWER STATION – The Pretoria High Court on the 27th May 2021, ruled that the environmental approval for the proposed 600MW Khanyisa coal-fired power station has expired. GroundWork challenged the project's environmental approval on the basis that climate change impacts were not adequately considered. It was argued that Emahleni is experiencing toxic air pollution and the proposed station would have added to the emissions.

Source: Daily Maverick dated 17 May 2021

<https://www.dailymaverick.co.za/article/2021-05-17-the-climate-crisis-and-violence-in-africa-a-deadly-correlation-fueling-extremism-and-insecurity/>

TCTA AMASS R68 BILLION WATER PROJECTS – The Trans-Caledon Tunnel Authority (TCTA) has amassed a R68 billion pipeline for water resources projects that will deliver water to South Africa before the end of the decade. This amassing will assist with coping with the increasing water requirements, according to the Minister of Human Settlements, Water and Sanitation, Lindiwe Sisulu. Speaking during her budget vote, the Minister held that the projects all have the necessary water resources, the State has secured finances through guarantees and will now be hard at work to provide water security.

Source: Engineering News dated 25 May 2021

<https://www.engineeringnews.co.za/article/tcta-amasses-r68bn-water-project-pipeline-2021-05-25#:~:text=Phase%20I%20of%20the%20LHWP,into%20the%20IVRS%20from%20Lesotho>

ELANDSBERG'S WATER RESOURCES NOW CLASSIFIED A "PROTECTED ENVIRONMENT" – At least 25,000 hectares of KwaZulu Natal's Elandsberg water resources have been classified as a protected environment. This designation is to preserve the rivers including the Thukela and the Phongolo, as many irrigation systems, urban centers and rural users depend on them and a drought is underway. The government will also fund sustainable rangeland management which includes proper attainment of livestock, fire prevention initiatives, protecting endangered vegetation and wildlife.

Source: Afrik21 dated 19 May 2021

<https://www.afrik21.africa/en/south-africa-eldsberg-classified-protected-environment-for-its-water-resources/>

ENVIRONMENTAL ACTIVISTS AND GOVERNMENT AT LOGGERHEADS OVER COAL POLLUTION – The High Court has been tasked with deliberating on the need for tougher action against significant air polluters. In the protection of everyone's Section 24 Constitutional right, activists want to hold parties such as Eskom and Sasol accountable. The Minister of Forestry and Fisheries and Environmental, Barbara Creecy submits that air pollution is a problem, however, the Constitution does not require that the Department impose stiffer rules and this suit is forcing the hand of the Department. Representatives of Eskom and Sasol are yet to respond.

Source: All Africa dated 17 May 2021

<https://www.reuters.com/business/environment/activists-south-african-govt-face-off-court-over-coal-pollution-2021-05-17/>

GREEN PAPER ON NEW ENERGY VEHICLES IN SA RELEASED – The Department of Trade, Industry and Competition (DTIC) released an auto green paper on the advancement of new energy vehicles in South Africa. The green paper establishes policies to coordinate a long-term strategy to position South Africa at the forefront of advanced vehicles and manufacturing. The Minister of Trade and Industry, Ebrahim Patel has challenged large automakers in South Africa to create a roadmap to support local production of electric vehicles.

Source: ESI Africa dated 20 May 2021

<https://www.esi-africa.com/industry-sectors/future-energy/green-paper-on-advancement-of-new-energy-vehicles-in-sa-released/>

FULL DAMS DO NOT GUARANTEE WATER SECURITY – The summer rains have filled many dams in South Africa, however research suggests that action must be taken now rather than later. The Cape Town Day Zero is an example of the State heavily relying on limited water resources and infrastructure to its detriment. The Eastern Cape's Nelson Mandela Bay is currently experiencing water shortages. Gauteng gets its water from the Lesotho Highlands Water Project, however, water use has grown steadily over the past decade. In addition, tenders to build dams and tunnels have not been awarded and the earliest that they will provide water is 2027. According to research by the Gauteng City-Region Observatory, consumption per person in the region is around 300 litres a day and above the global rate. Also the Gauteng population is growing at 3 per cent, the water systems are used to full capacity and full dams merely indicate the amount of water stored and not the length of time it will last for consumption.

Source: DownToEarth dated 25 May 2021

<https://www.downtoearth.org.in/blog/africa/why-full-dams-don-t-mean-water-security-a-look-at-south-africa-77083>

MINISTER BARBARA CREECY'S UPDATE TO SA'S NCOP – The Minister of Forestry and Fisheries and Environmental Affairs, Barbara Creecy, confirmed the country's commitment to climate change efforts and the role that the Presidential Climate Change Coordinating Committee ("PCCCC") will play in overseeing policies set out to meet the zero emissions target and transitioning into low-carbon development. All district municipalities will be a part of the initiative and adapt strategies set out in the "Let's Respond Toolkit" and the necessary training will be facilitated. The last State of Environment Update stressed that South Africa's air quality needs urgent attention, as emissions and increased air pollution deteriorate its quality. Therefore, decreasing the country's current emissions and working towards a zero emission era is crucial.

Source: All Africa dated 25 May 2021

<https://allafrica.com/stories/202105250962.html>

POULTRY ASSOCIATION SAYS "THERE IS NO CRISIS" – The local poultry industry has culled at least 1 million hens due to avian flu and Namibia has banned South African poultry products. The South African Poultry Association say there are enough eggs and broiler to supply demand and the 2017 H5N8 strain of avian flu should decline in infections over the next three months. The poultry industry is said to have experienced great financial loss as Lesotho, Mozambique and Botswana have also banned South African imported poultry.

Source: Mail & Guardian Africa dated 20 May 2021

<https://mg.co.za/environment/2021-05-20-poultry-association-says-avian-flu-wont-rule-the-roost/>

YOU CAN SAVE UP TO R15 000 A YEAR ON YOUR ELECTRICITY – The National Energy Regulator of South Africa (NERSA) approved Eskom's 15.06% increase for its direct customers. According to Susan Steward of Budget Insurance with the rising costs of electricity and fuel and the risk of load shedding, one needs to devise ways to reduce pressure on our resources and save money. Initiatives can include but are not limited to, switching to energy efficient light bulbs as they last longer and use less electricity and turning off any lights and appliances not in use.

Source: Business Tech dated 22 May 2021

<https://businesstech.co.za/news/energy/491857/how-to-save-up-to-r15000-a-year-on-your-electricity-bill/>

PUBLICATIONS

CAN CARBON PRICING REDUCE EMISSIONS? – To motivate polluters to change their behaviour a lot of states have introduced carbon pricing. A review is done on the impact that carbon pricing has had towards a greener environment. Research was mainly sourced from Europe and shows that the aggregate reduction from carbon pricing is limited between 0% to 2% a year. Carbon taxes and Emissions trading schemes are compared, with the overall position showing that carbon pricing has a limited impact on emissions.

Source: IOP Science dated 2021

<https://iopscience.iop.org/article/10.1088/1748-9326/abdae9>

GREEN HYDROGEN IS THE WAY TO GO – The IRENA Coalition for Action has developed a white paper on how green hydrogen projects can form part of the renewable energy industry and the growth opportunities it possesses. Points of consideration include: developing national strategies on green hydrogen projects, setting up globally recognised standards and their supporting certification processes, having financial policies and incentives in place to encourage early-stage innovations and investment in green hydrogen as well as stimulating its demand through carbon prices and other regulative measures.

Source: Polity dated 2021

<https://www.polity.org.za/article/decarbonising-end-use-sectors-practical-insights-on-green-hydrogen-2021-05-28>

CONFERENCES AND OTHER EVENTS

ONLINE COURSES

IMBEWU is offering an **ONLINE ENVIRONMENTAL LAW UPDATE** training course. For more information visit our website: <https://imbewu.co.za/services/> or email: sam@imbewu.co.za.

NATIONAL & INTERNATIONAL

EDUCATION FOR THE ENERGY TRANSITION: APPROACHES, RESOURCES AND NEXT STEPS: 30 June 2021 (Webinar). For more information visit: <https://www.unep.org/events/online-event/webinar-education-energy-transition>

ANIMAL RIGHTS IN SOUTH AFRICAN LAW: WHAT ARE “ANIMAL RIGHTS” AND WHAT RIGHTS DO ANIMALS IN SOUTH AFRICA HAVE?: 28 June 2021 [Webinar] For more information visit: <http://www.lawatwork.uct.ac.za/animal-rights-south-african-law>

WORLD DAY TO COMBAT DESERTIFICATION AND DROUGHT: 17 June 2021

WORLD GIRAFFE DAY: 21 June 2021

IMBEWU'S NEW ONLINE Safety, Health & Environmental (SHE) Legal Register Platform. This new SHE Legal Register offering is contemporary and streamlined for easy access with secure passwords, regular updates, easy navigation, explanations of SHE legislation relevant to your operation, access to a

comprehensive searchable SHE legislation database and user-specific functions such as bookmarks.
For more information contact sam@imbewu.co.za or visit <https://imbewu.co.za/she-electronic-legal-registers/>

IMBEWU's environmental note: Eco-Friendly Father's Day Gift Ideas 2021 <https://www.forceofnatureclean.com/eco-friendly-fathers-day-gift-ideas/>

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