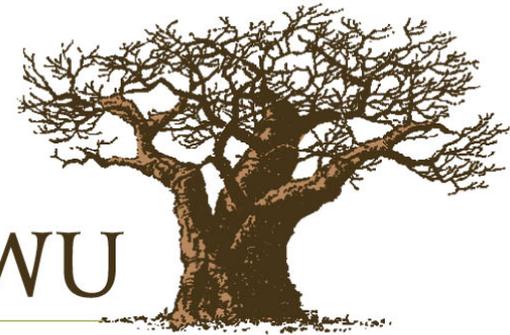




[www.imbewu.co.za](http://www.imbewu.co.za)

# IMBEWU

*Sustainability Legal Specialists (Pty) Ltd*



## JUNE 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/2021/07/Monthly-SHE-legislation-update-June2021.pdf>

### INTERNATIONAL

### GENERAL

**SHELL CEO PLEDGES FASTER CARBON EMISSIONS CUT** – On the 26 May 2021, the Court of Hague ordered the Royal Dutch Shell (“**Shell**”) to decrease its group-wide carbon intensity in production by 6% by 2023. Since the order Shell has stated that it will accelerate its carbon emissions cuts by taking “*bold but measured*” steps. The Chief Executive Officer of Shell said that “*Now we will seek ways to reduce emissions even further in a way that remains purposeful and profitable*”.

**Source: World Oil dated 9 June 2021.**

<https://www.worldoil.com/news/2021/6/9/shell-ceo-pledges-faster-carbon-emissions-cuts-after-dutch-court-ruling>

**THE COURT ORDERS FRANCE TO DO MORE TO FIGHT CLIMATE CHANGE** – The city of Grande-Synthe and environmental NGOs filed a complaint about France’s insufficient climate action. The court ruled that the Government must take all the necessary measures to curb the curve of greenhouse gas emissions before 31 March 2022. If the Government does not comply by taking additional steps to slash its emissions in line with the 2030 EU targets and the Paris Agreements, the Court will consider setting fines.

**Source: Politico dated 1 June 2021**

<https://www.politico.eu/article/top-court-asks-france-to-take-more-measures-to-fight-climate-change/>

**ECOSYSTEM RESTORATION WILL MITIGATE CLIMATE CHANGE** – According to Ms. Inger Andersen the Under-Secretary-General of the UN, the restoration of degraded land at a relatively low cost and through technological solutions can form part of the ways to decrease the rate of climate change. The UN Decade on Ecosystem Restoration initiative aims to mitigate climate change as one in every five hectares of land is unusable. The restoration of just 350 million hectares by 2030 could remove greenhouse gases that roughly equal to half of the world's annual emissions. Africa also aims to restore 100 million hectares of degraded land across the Sahel in the Great Green Wall Initiative.

**Source: ALJAZEERA dated 2 June 2021**

<https://www.aljazeera.com/opinions/2021/6/2/restoring-degrading-lands-can-help-us-mitigate-climate-change>

**CANADA TO REJECT ANY FUTURE COAL MINING PROJECTS** – The Canadian Government will no longer approve any thermal-coal mining projects as they negatively contribute to climate change.

**Source: Mining.Com dated 11 June 2021**

<https://www.mining.com/web/canada-to-reject-any-future-thermal-coal-mining-projects/>

**INDIA'S 10 CONCERNS** – It has been reported that 2021 World Environment Day marks difficult times for India as it battles COVID-19 and environmental degradation. As India tries to revive its economy, water and air pollution continue, and forest degradation worsens. At least 30% of the global COVID-19 deaths in May were from India's rural areas. The Centre for Science and Environment India's annual state of the environment report shows that an unhealthy environment with the COVID-19 pandemic can be more devastating in rural India, where health infrastructure is insufficient. India's fighting chance at a greener future will be creating more ecosystem restoration initiatives and reviving old water bodies. Finally, building natural forests, providing more space to wildlife, and reducing water pollution to restore aquatic life.

**Source: Hindustan Times dated 4 June 2021**

<https://www.hindustantimes.com/india-news/on-world-environment-day-india-s-top-ten-concerns-101622810777515.html>

**1.1 MILLION PEOPLE ON THE BRINK OF FAMINE IN MADAGASCAR** – According to the UN's Food and Agriculture Organisation, at least 1.1 million people in southern Madagascar face food insecurity due to drought and a sandstorm which have brought subsistence farming to a standstill. Since December 2019, there has been no rain and more people are suffering from famine.

**Source: Bloomberg dated 5 June 2021**

[https://www.bloomberg.com/news/articles/2021-06-05/madagascar-has-1-1-million-people-on-brink-of-famine-fao-says?cmpid=BBDO60721\\_GREENDAILY&utm\\_medium=email&utm\\_source=newsletter&utm\\_term=210607&utm\\_campaign=greendaily](https://www.bloomberg.com/news/articles/2021-06-05/madagascar-has-1-1-million-people-on-brink-of-famine-fao-says?cmpid=BBDO60721_GREENDAILY&utm_medium=email&utm_source=newsletter&utm_term=210607&utm_campaign=greendaily)

**CHINA GRAPPLES WITH THE WORST POWER SHORTAGE** – As extreme weather conditions continue in China, the demand for power increases, and the strict limits enforced on the use of coal cannot meet the demand. The power crunch can strain China's economic recovery as production, shipping of goods, and business activities are being hindered. The power demand is expected to continue increasing as the hot summer months go on.

**Source: Times of India dated 30 June 2021**

<https://timesofindia.indiatimes.com/world/china/china-grappling-with-worst-power-shortage-in-a-decade-as-weather-energy-demand-strain-economy/articleshow/83979970.cms>

**GOLDMAN SACHS: RENEWABLE ENERGY STOCKS WILL GROW** – According to Goldman Sachs, now is the time to invest in renewable energy as these stocks will provide "clean" energy. The provision of such a service will see government funding, regulatory support, and greater cash flow. Not only will investing in such stocks be sustainable as energy supply is going green, but it will also create long-term business opportunities as the supply is perpetual.

**Source: CNBC dated 14 June 2021**

<https://www.cnbc.com/2021/06/14/goldman-sachs-these-renewable-energy-stocks-are-set-to-grow.html>

**GULF OF MEXICO: FIRE EXTINGUISHED, BUT THE EXTENT OF THE DAMAGE IS UNCLEAR** – The fire started in an underwater pipeline that connects to State oil company Pemex's Ku Maloob Zaap offshore oil development. The huge fire on the ocean surface west of Mexico went viral and has been dubbed the "eye of fire". After battling the blaze for more than five hours, the fire was extinguished, and no persons were injured. Pemex has vowed to investigate what happened and the extent of the damage.

**Source: Slate dated 3 July 2021.**

<https://slate.com/news-and-politics/2021/07/eye-of-fire-viral-videos-gulf-mexico-pemex.html>

## PUBLICATIONS

**STUDY SHOWS THAT WIND TURBINES CAN WORK BETTER BEHIND HILLS** – A new study has thrown a curveball into the generation of renewable energy. The conventional way to maximise exposure of wind to turbines is by placing them atop tall towers on the crest of hills or miles offshore over the ocean. Research by the University of Twente in the Netherlands shows that turbines can benefit from being placed behind hills. Through aerodynamic modeling, the scientists found that under some conditions the power production of the turbine increases by at least 24 percent.

**Source: New Atlas dated 16 June 2021**

<https://newatlas.com/energy/study-wind-turbines-behind-hills/>

**CLIMATE CHANGE AND MINING IN AFRICA** – A policy brief explores how African countries can consider clean energy and green mining. The industrialisation of African countries leveraged their resources and gave birth to a mining sector. However, the global context and rules of engagement are changing and placing climate change at the forefront of each topic. African Governments do not have guidance to embrace climate change as an opportunity that can further and better industrialisation through sustainable development.

**Source: Columbia Law School dated June 2021**

[https://scholarship.law.columbia.edu/sustainable\\_investment\\_staffpubs/194/](https://scholarship.law.columbia.edu/sustainable_investment_staffpubs/194/)

**AN OVERVIEW OF EXTENDED PRODUCER RESPONSIBILITY** – The National Environment Management Authority has formulated the Environmental Management and Co-ordination (Extended Producer Responsibility) Regulations, 2021 ("**EPR Regulations**"). The EPR Regulations will aim to reduce the pollution and environmental degradation created during production. They will encourage sustainable use of natural resources and promote a circular economy. The EPR Regulations will also promote more environmentally friendly products and create a culture of environmental consciousness and responsibility as seen in this brief overview of the EPR Regulations.

**Source: Oraro & Company Advocates dated 2021**

<https://www.oraro.co.ke/2021/06/15/an-overview-of-the-proposed-environmental-management-and-co-ordination-extended-producer-responsibility-regulations-2021/>

## NATIONAL

## GENERAL

**THE INVASION OF ALIEN SPECIES ACCELERATES THE DECLINE OF BIODIVERSITY** – The Minister of Forestry, Fisheries and the Environmental, Ms. Barbara Creecy, estimates the ecological costs of invasive alien plants and animals is more than R6.5 billion each year. These biological invasions impact biodiversity, the economy, human health and wellbeing, and the country's sustainable development. The number of alien species established in South Africa has

increased by 15%, from 1 637 to 1 880. In addition, invasive trees consume 3- 5 % of South Africa's surface water runoff each year, and the trees also increase the risk and intensity of veld fires.

**Source: News24 dated 14 June 2021**

<https://www.news24.com/news24/columnists/guestcolumn/barbara-creecy-invasion-of-alien-species-accelerates-decline-of-biodiversity-20210614>

**CLIMATE FUND CONSIDERS SOUTH AFRICA FOR \$2BN COAL TRANSITION SCHEME** – Mr. Mafalda Duarte the CEO of Climate Investment Funds, has been tasked with mobilising private capital to help developing countries do away with coal and find more ways to create cleaner jobs. At least \$2 billion has been secured from G7 countries in efforts to limit global heating to 1.5°C, a goal of the Paris Agreement. South Africa, India, and Indonesia are potential candidates as coal mining is a significant part of each country's economy and a source of employment.

**Source: Climate Home News dated 18 June 2021**

<https://www.climatechangenews.com/2021/06/18/climate-fund-considers-india-south-africa-pilot-2bn-coal-transition-scheme/>

**CITY OF JOBURG TO PROCURE IPP RENEWABLE ENERGY** – Johannesburg has announced plans to meet 35% of its power needs through renewable energy sources. The City of Johannesburg will seek privately supplied renewable energy by August. Plans include procuring a 100MW battery energy storage system ("BESS"). City Power's Mr. Paul Vermeulen, the Chief Engineer for renewable energy, stated that independent power producers must be asked how many of them "are able to come with their own capital" as the country's power needs continue to increase.

**Source: SAAEA dated 13 June 2021**

<https://www.saea.org/renewable-energy-news/city-of-joburg-readies-to-procure-ipp-renewable-energy>

**PRESIDENT RAMAPHOSA'S ANNOUNCEMENT CREATES HOPE OF R100 BILLION AND 15,000MW FOR PRIVATE POWER** – The surprise announcement by President Cyril Ramaphosa that South Africa is to increase the threshold for embedded private power generation can unlock investments of up to R100 billion over the next five to seven years and add at least 15,000MW of capacity to South Africa's strained electricity grid. Private companies and individuals are now allowed to build generating projects of up to 100MW in capacity without a license from the National Energy Regulator of South Africa.

**Source: My Broadband dated 13 June 2021**

<https://mybroadband.co.za/news/energy/401509-r100-billion-and-15000mw-of-private-power-the-impact-of-ramaphosas-surprise-announcement.html>

**INCREASED LOADSHEDDING DOES NOT STOP CEOS' INVESTMENTS IN ELECTRICAL VEHICLES** – Eskom's electricity supply is currently below the demand for electricity as load shedding has become South Africa's way of life. Despite this, Mr. George Mienie, AutoTrader's Chief Executive Officer, is one of three motoring companies that have opted for electric vehicles ("EVs"), because EVs can be charged for at least two hours and still run efficiently for day-to-day commuting. The South African highways have also started introducing DC fast chargers.

**Source: IOL dated 8 June 2021**

<https://www.iol.co.za/motoring/industry-news/more-load-shedding-is-coming-yet-these-ceos-have-taken-the-ev-plunge-36781772-3036-4029-ad7a-e4b5d279ea73>

**LARGE METHANE LEAK DETECTED EAST OF JOHANNESBURG** – A cloud of methane emitted at an estimated rate of 65 metric tons an hour on 10 May 2021 was detected by satellites near coal mines in South Africa. Methane traps roughly 84 times more heat than carbon dioxide in its first two decades in the atmosphere. The cloud was spotted 125km east of Johannesburg. The continued mining of fossil fuels and the release of methane gas trapped underground to prevent explosions only increases the chances of such an event reoccurring. According to the US Environmental Protection Agency, one may mitigate this if miners capture the gas and use it for power generation, coal drying, or as supplemental fuel for the boilers.

**Source: MoneyWeb dated 16 June 2021**

<https://www.moneyweb.co.za/mineweb/large-methane-leak-detected-east-of-johanenesburg/>

**KARPOWERSHIP'S PROPOSED POWER STATION: AUTHORISATION REFUSED** – The Department of Forestry, Fisheries and the Environment (“DFFE”) announced its refusal to grant Karpowership its environmental authorisation. The record of refusal shows that the DFFE felt that the environmental consultant, Triplo4 Sustainable Solutions had failed to conduct a proper public participation process, or heed experts that said additional studies were needed to quantify the potentially destructive impact that the powerships could have on birds, fish and the fishing communities.

**Source: Daily Maverick dated 24 June 2021**

<https://www.dailymaverick.co.za/article/2021-06-24-how-karpowership-was-torpedoed-by-substandard-environmental-studies/>

**THE VAAL RIVER WATER SYSTEM IS SOUTH AFRICA'S ECONOMIC LIFELINE** – The Minister of Human Settlements, Water and Sanitation, Ms. Lindiwe Sisulu, has obtained the Cabinet's approval for a section 63 Water Services Act intervention into the water system at the Emfuleni municipality. At least R8 billion will cover the refurbishment of the water system's infrastructure, a full-scale revival of the wastewater treatment plants, and add an operation and maintenance component managed by Rand Water. The Vaal water system is one the most strategic water assets and a water management area of global significance according to Mr. Dhesigen Naidoo, the Chief Executive Officer of the Water Research Commission. The water system provides water security to 19 million people daily as it is a recipient of one of the world's largest transfer schemes through Lesotho. Over the years, the water system has not been treated like the valuable object it has been portrayed to be. The South African Human Rights Commission's investigation into the water system found that it was “*polluted beyond acceptable levels*”.

**Source: Daily Maverick dated 20 June 2021**

<https://www.dailymaverick.co.za/article/2021-06-20-the-vaal-river-water-system-is-south-africas-economic-lifeline-lindiwe-sisulus-r8bn-rescue-plan-is-mission-critical/>

**THE HIGH COURT RULES ON UMSUNDUZI MUNICIPALITY LANDFILL POLLUTION** – The Pietermaritzburg High Court ruled in favour of the South African Human Rights Commission on the Msunduzi landfill. The landfill has been poorly managed by the Msunduzi Municipality as the waste has accumulated and not been adequately managed, it is also toxic and fires have broken out on numerous occasions. The ruling criticised the Municipality's running of the New England landfill site and ordered that the Municipality prepare a detailed and comprehensive action plan that contains measurable deadlines on progress to be made to deal with its ongoing problems of pollution. The ruling is a small victory toward clearing the current “[*ajir pollution and noxious smells*”.

**Source: The South African dated 21 June 2021**

<https://www.thesouthafrican.com/news/pmb-dump-latest-sahrc-wins-court-order-against-city-msunduzi/>

**THE END OF THE 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 the 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. Stopping the project means at least 75,9 million tonnes of carbon dioxide will never be emitted and further air pollution has been avoided.

**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>

## PUBLICATIONS

**THE ROLE OF OIL AND GAS COMPANIES IN A NET-ZERO FUTURE** – This report explores the role of oil and gas companies in investing their returns towards clean energy and what current models they have to support their pledges made in line with the Paris Agreement. To achieve a Net Zero 2050, many oil and gas operations will need to acknowledge an energy transition for more clean energy. The International Energy Agency (“IEA”)’s May 2021 report states that after 2030 the investment in upstream oil and gas will decline by 50% and see a long-term downward trend in the demand for oil.

**Source: Lexology dated 2021**

[https://www.lexology.com/library/detail.aspx?g=1ecc924c-e3c6-4684-90f0-7e3efadeb11f&utm\\_source=Lexology+Daily+Newsfeed&utm\\_medium=HTML+email&utm\\_campaign=Lexology+subscriber+daily+feed&utm\\_content=Lexology+Daily+Newsfeed+2021-06-25&utm\\_term=](https://www.lexology.com/library/detail.aspx?g=1ecc924c-e3c6-4684-90f0-7e3efadeb11f&utm_source=Lexology+Daily+Newsfeed&utm_medium=HTML+email&utm_campaign=Lexology+subscriber+daily+feed&utm_content=Lexology+Daily+Newsfeed+2021-06-25&utm_term=)

**COVID-19 COUNTRY REPORT** – The Department of Planning, Monitoring and Evaluation (“**DPME**”) presented their preliminary report on 5 February 2021 of COVID-19 findings. The report includes a reflection on the critical measures and interventions adopted by the Government and other recommendations for addressing the ongoing health crisis. Issues raised include hunger in communities and creating sustainable means of food deliveries such as school schemes and NGO initiatives.

**Source: National Research Foundation dated 2021**

<https://www.nrf.ac.za/media-room/news/covid-19-country-report-preliminary-findings>

## 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](mailto:sam@imbewu.co.za).

### NATIONAL & INTERNATIONAL

**CLES CRITICAL CONVERSATION: SOCIAL SECURITY LAW AS AN ADAPTION MEASURE TO CLIMATE CHANGE IN SOUTH AFRICAN CITIES:** 8 July 2021

more information visit: <https://forms.gle/jBfJj3JDu77nyUJb6>

**CENTRE FOR ENVIRONMENTAL LAW AT MACQUARIE UNIVERSITY, AUSTRALIA: GLOBAL DIALOGUE ON BIODIVERSITY LAW AND GOVERNANCE:**

**TRANSFORMATIVE PATHWAYS TO LIVING IN HARMONY WITH NATURE:** 6 – 8 July 2021

more information visit: <https://event.mq.edu.au/global-dialogue/registration/Site/Register>

**UWC Dullah Omar Institute Webinar: Municipalities and food security: A constitutional analysis:** 20 July 2021

more information visit: [https://www.eventbrite.co.uk/e/municipalities-and-food-security-a-constitutional-analysis-tickets-](https://www.eventbrite.co.uk/e/municipalities-and-food-security-a-constitutional-analysis-tickets-158731543319?utm_source=newsletter&utm_medium=email&utm_campaign=webinar+invite+municipalities+and+food+security+a+constitutional+analysis+20+july+2021&utm_term=2021-06-15)

[158731543319?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=webinar invite municipalities and food security a constitutional analysis 20 july 2021&utm\\_term=2021-06-15](https://www.eventbrite.co.uk/e/municipalities-and-food-security-a-constitutional-analysis-tickets-158731543319?utm_source=newsletter&utm_medium=email&utm_campaign=webinar+invite+municipalities+and+food+security+a+constitutional+analysis+20+july+2021&utm_term=2021-06-15)

**ELA Annual and Student Virtual Conferences:** 15 – 16 September 2021

more information visit: <https://elasa.co.za/>

**ICLEI Daring Cities 2021 Global Virtual Forum:** 4 – 8 October 2021

more information visit: <https://daringcities.org/>

**PLASTIC FREE JULY:** 1 July – 31 July 2021

**DON'T STEP ON A BEE DAY:** 10 July 2021

**WORLD POPULATION DAY:** 11 July 2021

**WORLD NATURE CONSERVATION DAY:** 28 July 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](mailto:sam@imbewu.co.za) or visit <https://imbewu.co.za/she-electronic-legal-registers/>

**IMBEWU's environmental note: 40 Eco-Friendly Tips June 2021** <https://www.marieclaire.co.uk/life/sustainability/sustainable-living-731921>

***DISCLAIMER: The information contained in IMBEWU's Sustainability Newsletter and Legislation Update has been obtained from sources believed to be reliable. IMBEWU does not warrant the accuracy, completeness or adequacy of such information.***

*If you would no longer like to receive IMBEWU's Newsletter and Legislation Update please email [admin@imbewu.co.za](mailto:admin@imbewu.co.za)*