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SUSTAINABILITY NEWSLETTER

MARCH 2025

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<https://imbewu.co.za/wp-content/uploads/2025/04/Monthly-SHE-leg-update-Mar2025.pdf>

For copies of the last three Safety, Health and Environmental (SHE) Legislation Updates, please go to:

<https://imbewu.co.za/publications/>

NATIONAL

COMMENCEMENT OF THE CLIMATE CHANGE ACT - The Climate Change Act, Act 22 of 2024 (CCA), came into force on 17 March 2025, providing a statutory foundation for climate adaptation and mitigation efforts in South Africa. The CCA delineates the responsibilities of various stakeholders, including government departments, municipalities, provinces, and the private sector, in addressing climate change and transitioning towards a more sustainable, low-carbon economy. Furthermore, the CCA establishes the groundwork for a resilient, inclusive, and forward-looking green economy. By providing a clear framework for climate action, the CCA aims to stimulate innovation, promote sustainable industries, and assist in job creation within renewable energy, sustainable agriculture, and eco-tourism, among other sectors.

The Minister responsible for Environmental Affairs, Dr. Dion George, described the commencement of the CCA as a significant milestone, underscoring the government's commitment to achieving a just transition. Notably, the President's proclamation deferred the implementation of several important sections of the Act. Specifically, sections 12(6), 13(1), 13(3)(b), 14(3)(a), 15(5), 15(6), 17, 18, 19, 20, 21, 22, 25(4)(c), 26(2) to (6), 27, 28, and 30(2)(a) and (b) are not yet

in operation and will be enacted at a later date, as per section 38 of the CCA. Dr. George clarified that the delay is attributed to the ongoing development of draft regulations, which will be *gazetted* and made available for public comment in the near future.

The CCA's core objectives are to shape South Africa's domestic response to climate change by introducing mandatory carbon budgets, defining the obligations of provincial and municipal authorities, mandating the development of the National Climate Change Adaptation Strategy within two (2) years of the Act's commencement, establishing the Presidential Climate Commission (PCC) as a statutory body, setting sectoral emissions targets, and facilitating public scrutiny. The Department responsible for Environmental Affairs will continue to keep members of the public informed of the finalisation of the regulations and the full implementation of the CCA.

Source: <https://www.politicsweb.co.za/documents/dion-george-announces-proclamation-and-implementation>

HIGH COURT VICTORY FOR THE CRITICALLY ENDANGERED AFRICAN PENGUIN - Birdlife South Africa and SANCCOB celebrated a historic victory for South Africa's Critically Endangered African Penguin when the Pretoria High Court, on 18 March 2025, made an order of the settlement agreement reached between the two conservation NGOs and the commercial sardine and anchovy purse-seine fishers. This order overturned the Minister's decision from 4 August 2023, ensuring the protection of key penguin habitats. The court order establishes designated no-take zones for the commercial sardine and anchovy fishery around six vital African Penguin breeding colonies located within the areas where this commercial fishing industry operates. These six closures are strategically placed to protect essential foraging grounds for African Penguins across the West Coast, Southern Cape, and Algoa Bay regions, offering hope for the species' recovery from the brink of extinction.

The settlement follows weeks of rigorous negotiations between conservation groups and the commercial sardine and anchovy fishing industry. The order mandates the Department of Environmental Affairs to implement these closures by updating the permit conditions for commercial fishers. These updated permit conditions will be renewed annually by the Department for the next decade, extending until 2035 – a critical year when scientists predict the African Penguin could face extinction in the wild, unless decisive action is taken.

The finalised island closures, effective as of 18 March 2025, are as follows:

- Dassen Island: Interim closure, as per current permit conditions.
- Robben Island: A 20 km closure, in line with the Island Closure Experiment.
- Stony Point: Closure marked by the black-hatched line in the agreed diagram, applicable to all fishing vessels.
- Dyer Island: Interim closure, as outlined in current permit conditions.
- St Croix Island: Closure defined by coordinates (western boundary: 25°45'E; southern boundary: 34°01' to 25°50'E; southern boundary east: 33°59' to 25°59'E; eastern boundary to MPA: 25°59'E).
- Bird Island: A 20 km closure radius from the lighthouse, as implemented during the Island Closure Experiment.

Dr. George commended the court's decision as a groundbreaking achievement, highlighting the Department's commitment to overseeing the implementation of these closures. The Department will work closely with stakeholders to monitor their impact on penguin populations. With this ruling, South Africa sets a global benchmark for environmental conservation, demonstrating that collaboration and science-driven solutions can secure a sustainable future for both wildlife and human livelihoods.

Source: <https://sanccob.co.za/news/high-court-victory-for-the-critically-endangered-african-penguin/>

SA'S WATER RESOURCES CONTAMINATED DUE TO POOR INFRASTRUCTURE - While March is designated as National Water Month, with World Water Day on 22 March 2025 serving as a reminder to raise awareness about water scarcity and encourage responsible usage, an alarming 30 million litres of raw sewage has been spilling into the Jukskei River, eventually flowing into Hartbeespoort Dam. This environmental disaster is due to malfunctioning infrastructure at the Zandspruit wastewater pump station. Deputy Minister of Water and Sanitation, Sello Seithloho, brought attention to this pressing issue during a recent oversight inspection in Gauteng, where he reviewed key water facilities. Seithloho described water pollution as a “crisis” and acknowledged that, despite ongoing restoration efforts by the City of Johannesburg, the situation remains critical. He confirmed that the Department of Water and Sanitation will closely monitor the pump station and work to resolve broader municipal wastewater infrastructure problems. Additionally, he emphasised that polluters, including those from the mining and agricultural sectors, must be held accountable under the polluter-pays principle.

The sewage spill is a glaring reflection of the larger water pollution crisis in Gauteng, South Africa's economic hub. In his inspections, Seithloho also visited the Blesbokspruit Wetlands, which are battling a water hyacinth infestation, and commended community initiatives in Alexandra aimed at rehabilitating sections of the Jukskei River. He reassured the public that the Department will continue its efforts to combat pollution, with a particular focus on addressing the challenges at the Zandspruit wastewater pump station, as South Africa observes Water Month in March.

Source: <https://www.citizen.co.za/news/south-africa/raw-sewage-jukskei-river-hartbeespoort-dam/>

INTERNATIONAL

THE U.S. PULLS CLIMATE FUNDING FROM SOUTH AFRICA - The United States has withdrawn from the Just Energy Transition Partnership (JETP), a financing initiative designed to support countries like South Africa and Vietnam in transitioning from coal to cleaner energy sources. This marks the latest retreat from a climate agreement since Donald Trump's return to the White House.

In the first week of March 2025, the U.S. terminated its membership in the International Partners Group, a coalition of wealthy nations—including Canada, Japan, the United Kingdom, and the European Union—that had pledged to fund energy transitions through the JETP. Launched at COP26 in Glasgow in 2021, the initiative aimed to accelerate decarbonisation in countries such as South Africa, Indonesia, Vietnam, and Senegal by mobilising sustainable financial resources. The U.S. cited a re-prioritisation exercise under the new administration as the reason for its withdrawal. In its statement, the U.S. noted that its departure would affect financial pledges made to the program and that grant-funded projects, some of which were already in the planning or implementation phases, have now been cancelled.

The JETP initiative was initially launched with an \$8.5 billion commitment to South Africa, which included grants, concessional loans, private investments, and technical support to help the country transition to clean energy. The U.S. had pledged over \$1 billion to support South Africa's efforts to phase out coal-fired power plants and build a low-emission, climate-resilient economy. On 6 March 2025, South Africa released a statement acknowledging the implications of the U.S. withdrawal and reaffirmed its commitment to implementing international climate agreements, including the Paris Agreement.

Source: <https://techcentral.co.za/us-south-africas-energy-transition/260588/>

GHANA SEEKS INCREASED PRIVATE SECTOR ENGAGEMENT IN WILDLIFE CONSERVATION - This year marks the 50th anniversary of Ghana's adoption of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Dr. Boakye, Executive Director of the Wildlife Division of the

Forestry Commission, highlighted that Ghana's conservation framework aims to ensure that wildlife trade is legal, sustainable, and traceable. However, he also emphasised that funding for conservation efforts remains inadequate to protect the country's vital ecosystems and species.

Dr. Boakye further stated that the Wildlife Division is responsible for the sustainable conservation, management, and development of Ghana's wildlife resources for the benefit of all sectors of society. There is growing recognition of the need for the private sector to play a larger role in wildlife conservation and management in Ghana. The Acting Chief Executive of the Forestry Commission (FC) stressed that private financial investment is crucial for the protection, conservation, and management of the nation's wildlife resources. Ghana is home to a rich diversity of wildlife, including iconic species like the African elephant, as well as rare and endangered animals such as the Bongo, leopard, lions, and chimpanzees. These species inhabit national parks, forest reserves, and ecosystems that benefit local communities. The Forestry Commission believes that wildlife conservation is a shared responsibility and calls on all citizens to support efforts to sustainably manage and develop Ghana's wildlife and their habitats, optimising their contribution to national socio-economic development.

Therefore, as Ghana celebrates its 50-year commitment to CITES, the need for sustained efforts in wildlife conservation has never been more critical. While significant progress has been made in protecting the country's rich biodiversity, the involvement of both the private sector and the wider community will be key to ensuring the long-term success of these conservation efforts.

Source: <https://www.africanelephantjournal.com/ghana-calls-on-private-sector-involvement-in-wildlife-conservation-management-intensified/>

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For more information contact admin@imbewu.co.za or visit <https://imbewu.co.za/she-electronic-legal-registers/>

Kindly see below link to secure your seat at our discussion on the Battle for Kruger's Elephants, presented by Dr Sam Ferreira. The discussion will take place on Friday, 4 April 2025, at 9am at our Warburton Attorneys Offices located at 53 Dudley Road, Parkwood, Johannesburg. We look forward to seeing you there! <https://conta.cc/43pZ2Vk>



22 April 2025- Earth Day <https://www.earthday.org/earth-day-2025/>

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