

**The Honourable President Cyril Ramaphosa**

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Dear President Ramaphosa

**OPEN LETTER FROM ENVIRONMENTAL ACTIVISTS TO PRESIDENT RAMAPHOSA ON THE SOUTH AFRICA INVESTMENT CONFERENCE, 5 – 7 NOVEMBER 2019**

1. We note your announcement about the upcoming South Africa Investment Conference taking place in Sandton, Johannesburg from 5 - 7 November 2019.
2. As South Africans, we are concerned about skewed economic growth and high levels of unemployment which undermine our constitutional rights to dignity, life and equality. In terms of our Constitution, we are all entitled to dignified livelihoods and the ability to realise our potential. We also have the right to health and clean water and air – a healthy environment not only for ourselves but for generations still to come.
3. The South Africa Investment Conference is immensely important, especially at a time when South Africa's economic future is uncertain. However, in order to ensure that our constitutional rights are respected and protected, decisions about future investments must carefully balance competing interests and fully embrace the impact of such investments on our environment and our environmental rights.
4. In this regard, and in the context of the worsening water crisis in Gauteng and other parts of the country, the impact of investments in fossil fuels, coal mining and coal infrastructure, will continue to have a detrimental impact on our water resources. Such industries are built on the exploitation of our finite natural resources, with little evidence of compliance with or enforcement of environmental laws and regulations or the efficacy of rehabilitation efforts. It must be noted that we also see little benefit – including in the form of jobs – to communities who “host” these industries. In fact, evidence is that many communities are worse off as a result of extractive industries' development. A range of recent reports confirm this<sup>1</sup>.
5. Moreover, as you stated at the United Nations Climate Summit in September 2019 (“UN Climate Summit”), “*the recent IPCC Special Report on Global Warming of 1.5 °C has identified southern Africa as a climate*

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<sup>1</sup> Three of these are: South African Human Rights Commission's Report on the National Hearing on the Underlying Socio-economic Challenges of Mining-affected Communities in South Africa, <https://www.sahrc.org.za/home/21/files/SAHRC%20Mining%20communities%20report%20FINAL.pdf>; Zero Hour: Poor Governance of Mining and the Violation of Environmental Rights in Mpumalanga, <https://cer.org.za/wp-content/uploads/2016/06/Zero-Hour-May-2016.pdf>; and Mining in South Africa: Whose Benefit and Whose Burden? [https://www.osf.org.za/wp-content/uploads/2019/02/sar-5.3\\_online.pdf](https://www.osf.org.za/wp-content/uploads/2019/02/sar-5.3_online.pdf).

*change hot spot. Our region is likely to become drier and drastically warmer even under 1.5 or 2 °C of global warming.”*

6. We are therefore surprised at statements which emerged from the meeting of the Presidential Working Committee on the Jobs Summit in October 2019, which indicate that water use licence conditions for businesses would be made less costly and onerous:

*“the Working Committee noted that deadlines for the issuing of water use licences had been significantly shortened. Government is working on ensuring that these licences are issued within 60 days for agriculture, 80 to 95 days for infrastructure projects from state-owned enterprises and municipalities, and 120 days for mining. Consultation is also ongoing with business to ensure that the conditions attached to licences are not too onerous or costly.”*

7. Ultimately, we are concerned about a drive for investment in South Africa which fails to acknowledge and account for the impacts of investment on the health of our environment and ultimately the health and food security of our people. Irresponsible investment will lead to the unsustainable exploitation of our natural resources – resulting in even worse pollution and ecological degradation. This will, in turn, further compromise our country’s ability to meet our climate change commitments and indeed to adapt to climate change (to which South Africa is particularly vulnerable).
8. In a recent report by the Centre for Environmental Rights it was revealed how coal mining companies in Mpumalanga are not complying with their water use licence conditions. The Department of Human Settlements, Water and Sanitation was found to have failed in monitoring and enforcing water use licence conditions, while companies took advantage of the broken regulatory system, and independent environmental auditors failed to conduct independent audits of company compliance with such conditions. This has contributed to massive pollution of the Upper Olifants Catchment. For too long, coal companies in Mpumalanga have been allowed to put profits over people and pollute water resources, destroying people’s health, agricultural livelihoods and any chance for future generations to enjoy clean air and water.
9. In the context of such regulatory failures and massive non-compliance with water use licence conditions, leading to uncontrolled pollution of the Olifants and Wilge Catchment Areas with dire impacts on human health and wellbeing and on the environment, we vehemently oppose the weakening of water use regulations for any purpose; including to attract investment. Instead, we call for a commitment to the enforcement of existing water use laws and regulations.
10. We therefore call on you, your advisors, and the Minister of Trade and Industry and his department, to only consider responsible investments. Such investments involve clear commitments to ensuring that proper due diligence is conducted on the impacts of investments in coal mining, coal infrastructure and other mining activities so that environmental, social and corporate governance issues and impacts are properly investigated and addressed. Investment to stimulate and develop our economy must be environmentally rational and socially acceptable. Indeed, and in regard to coal as a source of energy, you stated at the UN Climate Summit that there has been a *“rapid fall in prices of renewable energy technologies”* which, in our view, makes investments related to coal mining and coal infrastructure irrational from an economic and an environmental perspective.
11. Solutions to South Africa’s dire need for economic development, better livelihoods, including jobs cannot be at the expense of our people or the environment. They must be inclusive and beneficial to all who live in South Africa; rather than only favouring big businesses. This is especially so in circumstances where

our precious water resources are already severely under-threat, and where these threats will only be worsened by climate change.

**12. Our country cannot continue to allow short termism and irresponsible investments to override long term impacts on our water, soil, air, climate and our people. We therefore demand that our President commits to allowing only responsible investment in SA.**

**Signed and supported by:**

1. Alliance for Rural Democracy (ARD)
2. Assembly of the Unemployed (AoU): Bafana Hlatshwayo
3. Centre for Environmental Rights (CER): Leanne Govindsamy
4. Doornkop CPA: Caswell Pokwane
5. Environmental Monitoring Group (EMG): Thabo Lusithi
6. Federation for a Sustainable Environment (FSE): Mariette Liefferink
7. groundWork: Thomas Mnguni
8. Khulumani Support Group: Majori Johnson
9. Middleburg Environmental Justice Network (MEJN): Bafana Hlatshwayo
10. Mpumalanga Water Caucus: Bafana Hlatshwayo
11. Rural Youth Work Centre: Thabiso Mokwena
12. Social and Environmental Justice in Action (SEJA): Collen Jolobe
13. South African Green Revolutionary Council (SAGRC): Walter Hermens
14. Vukani Environmental Movement (VEM): Promise Mabilo