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GROUNDWORK

from-below BRICS 2013

DURBAN SOUTH AFRICA

groundWork is a non-profit environmental justice service and developmental organization working primarily in South Africa, but increasingly in Southern Africa.

groundWork seeks to improve the quality of life of vulnerable people in Southern Africa through assisting civil society to have a greater impact on environmental governanace. groundWork places particular emphasis on assisting vulnerable and previously disadvantaged people who are most affected by environmental injustices.

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groundWork's USA STAFF ARE:
***Director**: Heeten Kalan*
***Coordinator**: Sunita Dubey*

HOW TO CONTACT US:
6 Raven Street
Pietermaritzburg
P O Box 2375, Pietermaritzburg, 3200
Tel: 033-342-5662
Fax: 033-342-5665
e-mail: team@groundwork.org.za
Web: www.groundwork.org.za
555 Amory Street, Boston
MA 02130, USA
Tel: +1-617-522-0604
Fax: +1-617-522-5591
e-mail: info@groundwork-usa.org
Web: www.groundwork-usa.org

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Civil society's 'brics-from-below' summit to challenge the power of BRICS governments. Design by Latha Ravjee, UKZN CCS

From the Smoke Stack


Photo by FoE

by groundWork Director, Bobby Peek

Dear Friends

The start of 2013 has indeed been an interesting one – from Eskom's espionage against groundWork and our partners, to the Department of Environmental Affairs visiting our partners who practise waste picking as a livelihood strategy in Brazil. We must, at the outset, say this is a bold and positive move by the Department and we will assist fully in them understanding the challenges and positive possibilities of waste pickers. Gone are the days when senior management of the Department thought that waste pickers were a scourge. This is indeed the kind of impact that funders often speak of.

As I write this, there is another big jamboree about to take place in Durban. This is the BRICS Summit, where the heads of state of Brazil, Russia, India, China and South Africa are meeting to try and convince the world and their poor that, according to Rob Davies, Minister of Trade and Industry in South Africa, the alleviation of their plight lies within a growing economy that will ensure growth and development. While this might grip the public's attention it is not going to resonate with the very many demobilised workers left after the completion of the mega projects of the World Cup and Medupi power station. Indeed, our government must be questioned on the collusion in trying to foster elite wealth creation in the South rather than a people-driven and supported growth model, which demands decent long term labour and not short term contracts.

Getting back to Eskom. In January this year a document was leaked to groundWork, Earthlife Africa, Greenpeace and the media indicating that Eskom was using Swartberg Intelligence Support Services to spy on these organizations. At first this sounded all too surreal, but we nevertheless confronted Eskom. After a delay in their response, we went to the media with our concerns, upon which Eskom admitted that indeed Swartberg Intelligence Support Services was being contracted by them. Ironically, this builds upon the reality that there is a deep rot within the parastatal that takes us back to the dark days of apartheid. If we cannot trust Eskom's leadership to deal openly with those who are pushing it towards sustainable practices, how can we trust them with such an important asset as our energy provision? A change of leadership is indeed needed.

Eskom sadly faces more delays at the Medupi coal-fired power plant – caused by factors ranging from poor welding in the construction of the boilers to worker unrest. There is now talk of the delay being extended to the end of 2014. Visuals of fires burning in the unrest are common. Government is faced with a monumental headache on this issue, which they would not have had had they chosen a route that was less centralised and intense and had sought rather to change the pattern of how we use energy. Instead, they chose to just feed the insatiable appetite of the Energy Intensive User Group which, while wanting the new coal-fired power station for their consumption habits, is not prepared to pay for it.

We witnessed this during the National Energy Regulator of South Africa (Nersa) hearing on the Eskom price increase proposal of 16%. Somehow this relationship between Eskom and the major

energy consumers seems psychotic and one of acceptance of abuse. Sadly, government states that, besides the technical problems and social unrest at Medupi, they are, according to Public Enterprises Minister, Malusi Gigaba, and as reported in *The Business Report* (Independent Newspapers) on the 15th of March 2013, "unprepared to accept any review for the delivery schedule". This is a dangerous statement to make, for what could be read into this is that, despite the potential for more violence and future environmental problems, government is going to push ahead. If this is the attitude of Minister Gigaba, south Durban had better be worried, for as the protagonist pushing the dugout port in south Durban, it is clear that he is prepared to stop at nothing.

For Eskom, the unrest has, however, not stopped at the construction of the power plants. Unrest from platinum and gold mining operations has now extended to the main mines providing Eskom with coal for its power stations. Both in the Highveld and in Lephalale workers have gone on strike, refusing to deliver coal to Eskom. Eskom is now dipping into their very limited stockpiles. I fear the winter of 2008 is coming back to bite us, despite all Eskom's assurances that they have the situation under control.

Eskom's woes do not stop here. On Friday the 14th of March, the Supreme Court of Appeal dismissed an appeal by BHP Billiton in which the global miner had sought to prevent Eskom from disclosing what it was paying for electricity supplied to its aluminium smelters in Richards Bay and Mozambique. Eskom, I bet, was hoping for the contrary verdict.

After years of politely asking the embattled steel smelter ArcelorMittal for their Master Plan that maps out the environmental damage and possible consequences to society of their archaic steel plant in Vanderbijlpark, the Vaal Environmental Justice Alliance (VEJA), together with the support of the Centre for Environmental Rights (CER), have submitted a Promotion of Access to Information Act application (PAIA) for the Master Plan. After some time of back and forth, the process is finally set to be heard. ArcelorMittal argues that VEJA and their representatives must prove that the information requested is "required for the exercise and protection of any right". This is indeed a victory for the people of the Vaal Triangle and Steel Valley in particular. While people have moved away from Steel Valley under pressure from ArcelorMittal, this is an important event for them for, if successful, this will give them the truth about the years during which they often complained but were never heard.

March is also the month in which the world focuses on the suffering of the Palestinian people under Israel's apartheid policies and violations of international law. Environmental injustices abound in Palestine as a result of Israeli occupation and policies. This I witnessed for myself in August 2012. Palestinians in some areas have as little as twenty-seven litres of water per day, as compared to neighbouring Israeli settlements which enjoy up to 400 litres per day on this arid land. Sewage from Israeli settlements pollutes Palestinian water. Hazardous waste sites result in pollution of the rivers and groundwater of the West Bank, and Palestinians have no access to information on the toxic emissions from Israeli industry situated on the West Bank. And finally, but most critically, Palestinians at this very moment continue to lose land to Israeli settlements where major Israeli industries set up shop and production units on occupied land and sell their goods abroad. The South African government has to be commended for their strong position on this apartheid practice and have called on products made in the West Bank to be clearly labelled as such, and have asked South Africans to reconsider travel to Israel. This has infuriated the Israeli authorities, but South Africa has stood firm. So, during this month, we need to support the Boycott, Divestment, Sanctions Campaign (http://www.bdsmovement.net) in South Africa.

Finally, it has also being a sad month for many of us. Sunita's mother passed away suddenly and Musa's mother-in-law passed away peacefully after a long illness. We also share the pain of Nomxolisi, an old environmental justice friend from the 1990s, who lost her son in March and the south Durban community who lost long-time environmental activist Stephan van Wyk, who passed at a young age in March. May they all rest in peace.

Till next time!

The other side of the BRICS Summit

by Bobby Peek

The brics-from-below summit aims at building a strong criticism of BRICS that demands equality and not new forms of exploitation

When this goes to print, we will be in the middle of the Brazil, Russia, India, China and South Africa state gathering in Durban, known as the BRICS Summit. But before I answer the question for readers about what BRICS is, let's take a short journey.

Just across the border, in Mozambique, there is a tale of a new colonial exploitation taking place. But it is not Europe or the United States that are in the mix here, but rather countries which are often looked up to, such as Brazil, China, India, Russia and South Africa. This is a dangerous statement to make, but let us consider the facts.

South Africa is extracting 415 mega watts of electricity from Mozambique through the Portuguese-developed Cahora Bassa Dam, which has permanently altered the flow of the Zambezi River, resulting in severe flooding on a more frequent basis over the last years. In the floods earlier this year it was reported that a woman gave birth on a rooftop of a clinic. This follows a similar incident in 2000, when Rosita Pedro was born in a tree after severe flooding that year. South Africa's failing energy utility Eskom is implicated in the further damming of the Zambezi, through the commitment it would give to the Mozambican government before Mpanda Nkua – just downstream of Cahora Bassa – is built, possibly with Chinese money. For South Africa, it does not stop here. After years of extracting onshore gas from Vilanculos, Sasol, the South African apartheid-created oil company, is planning to exploit what are some of the largest offshore gas fields in Africa, situated off Mozambique – all to serve South Africa's own export-led growth strategy.

Brazil is also in Mozambique. With them sharing a common language, as a result of colonial subjugation by the Portuguese, business in Mozambique is easier for them. The result is that the Brazilian company Vale, which is the world's second largest metals and mining company and one of the largest producers of raw materials globally, has got a foothold in the Tete province of Mozambique, which is jammed between Zimbabwe and Malawi in western Mozambique. They are so sensitive about their operations there that an activist challenging Vale from Mozambique was denied entrance to Brazil to participate in the Rio +20 gathering last year. He was flown back to Mozambique, and only after a global outcry led by Friends of the Earth International was made was he allowed to return for the gathering.

Further to this, India also has an interest in Mozambique. The Indian-based Jindal group, which comprises both mining and smelting, have set their eyes on Mozambican coal in Moatize, as well as having advanced plans for a coal-fired power station in Mozambique, again to create supply for the demanding, elite-driven economy of South Africa.

Russia also plays an interesting role in Mozambique. While not much is known about the Russian state and corporate involvement, there is a link with Russia's Eurasian Natural Resources Corporation (ENRC), which has non-ferrous metal operations in Mozambique. Interestingly, according to Russian Foreign minister Sergei Lavrov, the Russian government has just invested R1.3 billion in Mozambique to facilitate skills development to actively exploit hydrocarbons and other natural resources.

So this tells a tale of one out of many countries that have Brazil, China, India, Russia and South

Africa heavily invested in extracting minerals, and essentially extracting wealth, while polluting local environments and changing the structure of peoples' lives, making them dependent on foreign decisions rather than their own local and national political power.

This is not a random set of exploitations, but rather a well-orchestrated strategy to shift the elite development agenda away from Europe, the US and Japan, to what we now term the BRICS countries. It is these countries that are gathering in Durban on the 26th and 27th of March, where their five heads of state are set to assure the rest of Africa that their countries' corporations are better investors in infrastructure, mining, oil and agriculture than the traditional European and US multinationals. The BRICS Summit will also include sixteen heads of state from Africa, many of whom are notorious tyrants.

The BRIC (excluding South Africa) was a term coined in 2001 by Goldman Sachs in their exercise to forecast global economic trends over the next half century. In April 2011, South Africa was invited to join the BRICS. Since 2009 there have been five gatherings, this being the fifth, and this being the one with the most vocal civil society response. BRICS leaders have also met on the side-lines of other multilateral meetings such as the G20 and the World Bank gatherings, to mention a few.

As in very many other forums – the United Nations Framework Convention on Climate Change being the most well followed in environmental justice circles – the drive for economic superiority by the BRICS countries is all in the name of poverty alleviation. No matter how one terms the process, imperialist, sub-imperialist, post-colonialist, or whatever, the reality is that these countries are challenging the power relations in the world. Sadly, however, the model chosen to challenge this power is nothing different from the model that has resulted in mass poverty and elite wealth globally. This is the model of extraction, intense development based upon burning and exploiting carbon, and of elite accumulation through structural adjustments known as the Washington Consensus. The agenda of setting up the BRICS Development Bank is a case in point. But the broader agenda is opaque and not open to public scrutiny. Except for the reality as presented above, these countries are coming together with their corporate powers to decide who gets what where in the hinterland of Africa, Latin America, Asia and the Caucuses.

It is projected that by 2050, BRICS countries will all be in the top ten economies of the world – except for South Africa. So the question has to be asked: Why is South Africa in the BRICS? Simply put, the reality is that South Africa is seen as a gateway for corporations into Africa, be they energy or financial corporations. This is because of South Africa's vast footprint on the continent. Remember Mbeki's peace missions? Well they were not all about peace; they were about getting South African companies established in areas of unrest so that when peace happens they are there first to exploit the resources in these countries. If South Africa is only used as a gateway to facilitate resources extraction and exploitation of Africa by BRIC countries, as it is now by the West, this could potentially be a negative role. The question has to be asked by South Africans: Why do we allow this? I do not have the answer.

Getting back to poverty alleviation, the reality is that in the BRICS countries we have the highest gap between those that earn the most and the poor, and this gap is growing. It is calling the bluff of poverty alleviation that is critical, but how to unpack this opaque agenda of the BRICS governments is a challenge, for while their talk is about poverty alleviation the reality is something else.

We recognise that what the BRICS is doing is nothing more or less than what the North has been doing to the South but, as we resist these practices from the North, we must be bold enough to resist these practices from our fellow countries in the South.

Thus, critically, the challenge going forward for society is to understand the BRICS and, given how much is at stake, critical civil society must scrutinise the claims, the processes and the outcomes of the BRICS summit and its aftermath, and build a strong criticism of the BRICS that demands equality and not new forms of exploitation.

This was first published in The Daily News, 27 March 2013

Gender in action in Lephalale

by Siziwe Khanyile

Activists have been taking a close look at the gender impacts of the controversial Medupi Power Station

Activists from South Africa's air quality priority areas participated in a two-and-a-half-day capacity building workshop on the gender impacts of the World Bank-financed Medupi Power Station in Lephalale, South Africa. This was facilitated by Gender Action, a Washington-based gender NGO dedicated to promoting gender justice and women's rights in International Financial Institution (IFI) investments such as the World Bank (WB).

In 2010, the WB granted a US$3.75 billion loan to Eskom, primarily for the construction of the 4800 MW Medupi coal-fired power station. In 2010, groundWork and Earthlife Africa (Johannesburg) then instituted a WB Inspection Panel request for investigation of the project on environmental, health, economic and social grounds. In response to this investigation, the WB Board in 2012 conceded that the development of the power station would be accompanied by major social and environmental risks, citing risks relating to non-compliance in terms of health, water, public infrastructure and assessment of the economic alternatives. No mention of gender impacts was made. Like many IFI loans in large projects such as this one, the potential for gender injustice is neglected as a risk.

groundWork and Gender Action recognised this gap and as a result arranged this workshop. The workshop provided civil society organizations fighting coal mining, oil refining and other dirty industrial installations in Thohoyandou (the former capital of Venda), Highveld, south Durban, Vaal Triangle pollution hotspots and Lephalale and its surrounds, with tools tailored for gender and IFI analysis and advocacy to minimize and mitigate Medupi's (or any other IFI financed fossil fuel project's) harmful gender impacts.

The workshop enabled the community organizations to conduct a gender analysis of the WB's investment in Medupi to determine the extent to which the investment recognises and addresses gender justice and women's rights issues.

Participants obtained tools on how to submit gender discrimination complaints to the WB's Accountability Mechanism – the Inspection Panel – which permits populations who are negatively affected by WB-financed projects to submit complaints for redress. These tools and methodologies provided participants with essential information to engage in gender advocacy to mitigate harmful gender impacts of Medupi and other WB investments.

The work which groundWork and Earthlife Africa (Johannesburg) have been doing in Lephalale is not only limited to high level lobbying of the WB but also includes working with the local groups to generate awareness of environmental impacts, pollution monitoring, training on Environmental Impact Assessments (EIAs), and advocating for improved government regulation and enforcement. Going forward, the differentiated gender impacts on individuals and the community as a result of Medupi and secondary industries will be a key angle in the Lephalale campaign. It is hoped that through community action, and stronger gender advocacy by civil society organizations and community members, the media and the South African government will be sensitized to Medupi's gender impacts.

The workshop has assisted communities challenging fossil fuel extractive industries with tools which they will use to advocate against the South African government's track record around the gender impacts of greenhouse gas emissions and extractive industry investments and pressure IFIs in general to end investments which harm communities, and women in particular.

Nersa's decision

by Siziwe Khanyile

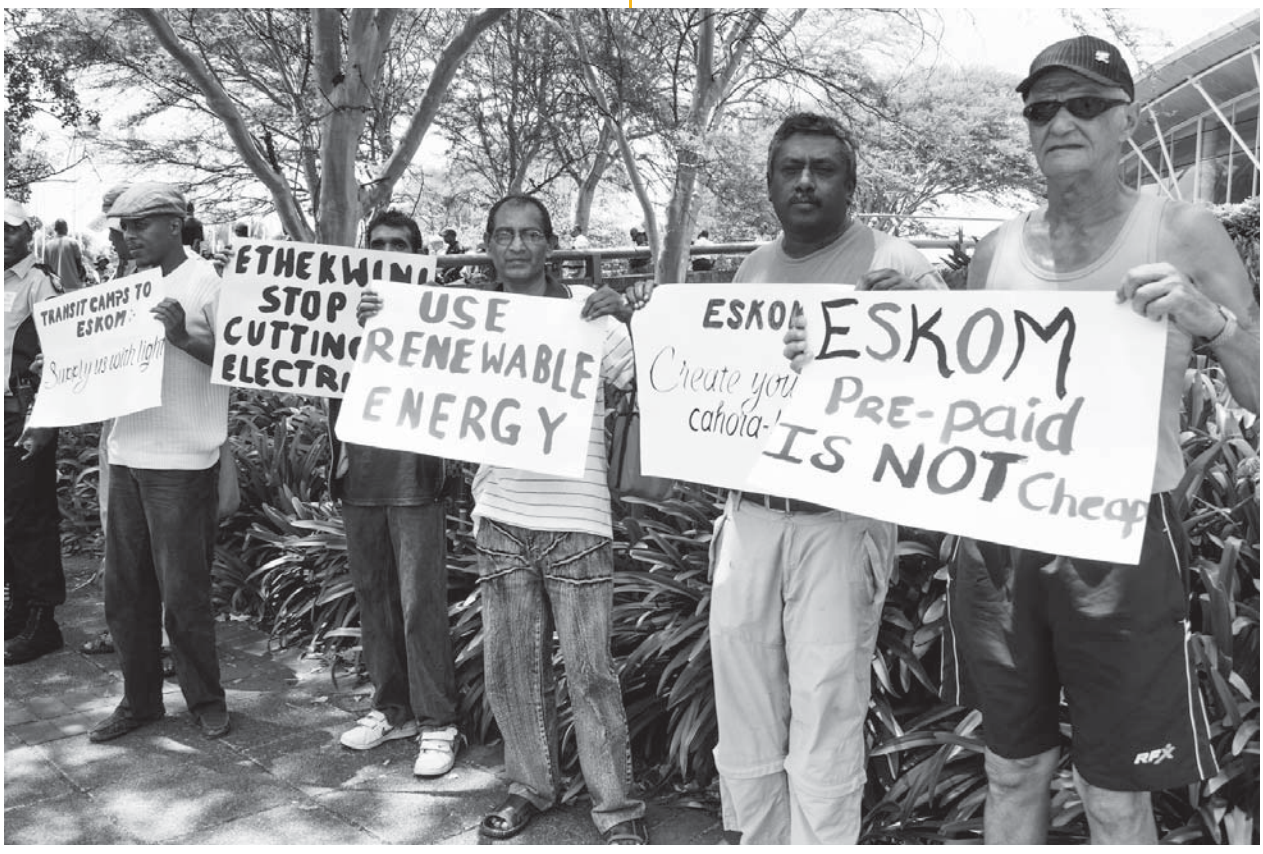
Nersa's decision to award Eskom an 8% increase, instead of the 16% requested, seems like a rather half-hearted compromise

Eskom has tripled the price of electricity over the past five years. This has mostly been to pay for its new coal-fired power stations, Medupi and Kusile, which are primarily designed to provide power to big, energy-intensive industrial users.

On the 17th of January, The National Energy Regulator of South Africa (Nersa) held hearings on Eskom's application for the third Multi-Year Price Determination (MYPD3). Eskom had applied for an average price increase of 16% for each of the five years of the MYPD3 from 2013/2014 to 2017/2018. This would more than double the price of electricity over the next five years.

groundWork made a presentation to Nersa in Durban and highlighted various issues.

We critiqued South Africa's collapsing model of big coal-fired base load, which includes a ready supply of "cheap and abundant" power for the "minerals-energy complex", where ordinary South Africans subsidize big industry. As long as tariffs are below cost-reflective levels, consumers of electricity are, in effect, being subsidized by the government – and,



Protestors at the Nersa public hearing in Durban were denied access into the ICC.

Photo: groundWork

Photo: groundWork

ultimately the taxpayer – and therefore the major beneficiaries of that subsidy are those who use the most electricity.

We addressed issues of health costs and impacts from acid mine drainage and burning coal mines that supply coal to Eskom.

We highlighted the environmental impacts on water usage (coal-fired power stations being intensive water users and water polluters), the conversion of agricultural land to mining in areas like the Waterberg and Highveld and climate change impacts, and raised concerns about the non-installation of sulphur scrubbers on the new coal-fired power stations before 2018 or 2019.

We highlighted that granting the requested price increase locks South Africa into dependency on coal rather than entering the renewable energy debate in a bigger, more concerted way.

We raised concerns that large energy-intensive users such as smelters are still making profits through Eskom's energy buy-back schemes, where the public's money is used to prop up the profits of large energy users. We called on Nersa to investigate these buy-back schemes and to ensure that the public have access to all the documents that have been signed between business and Eskom and that allow for this "fraudulent" practice of using tax payers' money to ensure profitability of energy intensive corporations.

We highlighted that poor people who get electricity will have to cut down usage and burn fuel or waste indoors for energy, leading to indoor air pollution, ill health and accidental fires.

On the 28th of February, Nersa rejected the utility's proposed price increase of 16%, and granted an 8% increase per annum for the next five years. This was no victory for civil society and poor communities. The 8% is above consumer inflation and does not factor in municipal increases, which will be over and above the 8% tariff increase. It also doesn't mean that large energy users will no longer receive subsidies for cheap electricity from Eskom while ordinary South Africans foot the bill.

Energy provision in South Africa should ensure that communities have decent levels of affordable basic services (such as energy) and infrastructure that can be enjoyed by all and not only those that can afford them. This requires the South African government to turn away from fossil and nuclear technologies and focus national capacity on building a sustainable energy system that is under people's control and is based on energy conservation, efficiency and renewable generation technologies.

Fracking in the Karoo

by Bobby Peek

Fracking: A question of land, poverty and the future of the Karoo

The Karoo will always have a fond, if romanticised, spot in my heart. I spent five of my formative years in the Karoo, going to an old mission boarding school in Aliwal North which is on the edge of the Karoo. My view for most of the day was over the flat "veld" extending out of town into the blue horizon of the Karoo sky. Boarding school was "kak", but having the freedom of the Karoo, its skies, its bright moon and piercing stars, its wind in the trees and an empty road to wander out of town on, where childhood plans for the future were built, is something that cannot be bought or sold. However, this version of the Karoo is not the experience of those who live in poverty in the Karoo. Poverty indeed is the story of fracking, because it is in the name of poverty that fracking is proposed.

In March I found myself standing in the warm morning sun, in a small food garden in Nieu Bethesda, an oasis in the middle of the Karoo in a small fertile valley which is truly off the beaten track. Here I was meeting to talk about fracking with local food gardeners and emerging farmers Nikki Nickelo, Romano Davidson, Martins Jantjies and Jacob van Staden. I got to be there because the Southern Cape Land Committee (SCLC) asked groundWork to assist with building community knowledge about fracking and environmental justice.

After some pleasantries we surprisingly went straight into the crux of the matter with a question from Ramano: "Can we really stop Shell?" Maybe it was the reality of a Saturday morning. Maybe it is the way of the Karoo: people are straight and direct. This question led to a debate that lasted for one hour under the warm morning sun. We meandered through a variety of dialogues, trying to find the answer to the question. By the end, the haze of a night before, which included too many beers at the local pub, was a past reality.

The meeting was clear that this is their land. There was a serious concern about the very many thousands of hectares that were under foreign ownership. Will foreign interest hold out and fight for the land when Shell puts pressure on them? Probably not. The experience in Lephalale shows us that where game farms are owned by foreign interests they are sold to coal interest for big profits so that rich land owners can move on to the next viable venture. But the question of land is also critical, since the majority of the Karoo people do not own the land, which is vested in not only foreign ownership but in rich endowments to families of the past and to very many absentee landlords, who visit from time to time when the pressure of the city gets too much for them. How do we build a struggle against fracking if there is no equity, if the land issue is unresolved?

The Karoo is a dry place, essentially a desert in many respects. Water is scarce, but it does exist from boreholes from which people draw groundwater. In a desert-like environment the last thing you mess with is water, but this is what Shell is planning to do by using loads of the scarce local water to frack for shale gas. What makes this reality even more challenging is that the Karoo, like the rest of South Africa west of the eastern escarpment, is already a water-scarce area and will receive less and less rainfall as climate change sets in. Here in the Karoo people sit on gold mines, in the form of water, and government wants to allow Shell to mess with it. It is often said that future wars will be fought around water. We have a war already on.

Climate change is the war and it must be understood in the context of fracking, which deals us a cruel double blow in our resistance to climate change. Firstly, the gas exploration and exploitation will lead to an increase in greenhouse gas emissions and, critically, the most essential resource the Karoo has to combat climate change is being destroyed

by Shell. On these two counts, I believe Shell – and the South African government – should face future human rights abuses if they allow this to continue.

But how can one challenge all this if you are poor, and work a subsistence living on a harsh land? Our past struggle and the leaders of that struggle promised the poor of South Africa a new tomorrow. But for many people, like Nikki and his friends, poverty and struggle is an on-going issue in the Karoo – and they are privileged, for they have a little something they are doing. For most of the people in the Karoo, despite having deep ancestry there, they are landless and merely surplus labour for rich landlords. With this lack of land, and the ravishes of poverty, comes a powerlessness that has not been rectified in a new democracy. Why? Because in South Africa power is linked to wealth, not to the people of the land. While we have democracy and equity written into our constitution, it is hard to practise in a world where, on the one hand, there is a scrabble for riches and, on the other, a closing of doors in resistance to sharing accumulated wealth.

The new tomorrow should have built a relationship of equity amongst all people. This has not happened. Instead we have the poor of the Karoo not knowing if their government is going to listen to them. They do not have access to power and they do not have access to the financial means to make power listen to them. But what people do have in the Karoo is each other.

How does one break through the barriers of wealth, class and race to build a unified struggle against fracking? This is the challenge the Karoo is facing. On reflection, the question was simple but the answer is complex. Well sort of. We, as a collective society in solidarity with the poor in the Karoo, can give this question one short answer, and that is: Yes, Shell can be stopped!

But stopping Shell is not going to be easy. It is important that a development path is chosen for the Karoo that deals with poverty in a meaningful way. Herein lays the conundrum. This is reflected in independent researcher and environmental justice activist David Fig's writing in Amandla! after the Karoo Development Conference in October 2012.

"Real development requires leaving the "oil in the soil". But if the decision not to extract shale gas is made, there will still be a pressing need for a development path to lead the Karoo out of its poverty and inequality. Perhaps the shale gas debate will help us to take more serious responsibility for this question."

This article was first published on Green24.com http://green.24.com/

Small Karoo towns like Nieu Bethesda are under threat because of fracking.

Photo: groundWork

DEA to visit Brazil's waste pickers

by Musa Chamane

Twenty years ago, Brazilian waste pickers were in the same position that South African waste pickers are in now: they were being ostracized by society. They were looked down upon and were considered as people who were not assisting society but only causing trouble by demanding their rights from government. Gradually, recognition came forth for both landfill and street based waste pickers. The main contributing factor towards their acceptance by government was through the labour party winning the elections for the first time in Brazil. The then president of the country instilled the acceptance of waste pickers. Waste picking became one of the recognised careers in Brazil. President Lula of Brazil left a legacy of accepting waste pickers and every Christmas he had breakfast with the waste pickers!

The Brazilian model

After President Lula called for recognition of waste pickers in Brazil, the relevant government departments and municipalities passed legislation promoting the inclusion of waste pickers in waste management systems. The other contributing factor to the success of the Brazilian waste pickers was the involvement of industry, especially the packaging industry, SEMPRE. The industry assisted in building materials recovery facilities (MRFs) for waste pickers. These MRFs were owned and controlled by waste pickers in different towns such as Sao Paulo, where they still exist today. The waste picker movement grew until it formalized itself into a workers union called the MNCR (National Movement of Waste Pickers/Waste Reclaimers). The MNCR, the South African Waste Pickers Association (SAWPA) and other countries' waste picker's groups are affiliated in a global movement of waste pickers. There have been some exchanges that have taken place between SAWPA and MNCR, where each movement has learnt from the experiences of the other.

South Africa's government: Learning from Brazil – finally!

After years of interaction with Brazilian waste pickers and relaying the positive messages back to the South African government, the Department of Environmental Affairs (DEA) has finally decided to visit Brazil and see for themselves what the situation is. This is indeed a success resulting from the collective work of groundWork, SAWPA and Women in Informational Employment: Globalising and Organizing (WIEGO) in South Africa. Influencing decision makers is what we always want to do and claim as a victory. In the last two years, representatives of the Packaging Council of South Africa (PACSA) have gone to Brazil with SAWPA representatives to look at the models which could suit South Africa and the outcome of that is the Vaal Park project that is about to start in Sasolburg.

Conclusion

The visit to Brazil is mostly welcomed by groundWork and we believe the department has got much to learn in Brazil. We sincerely hope that the lessons learned in Brazil will be used in South Africa. South Africa does not only have a challenge in creating jobs, but also in managing waste properly and we hope that all the good learning will be of good use. We were hoping that our government officials would take SAWPA representatives with them to Brazil, but it seems as if this will not happen. SAWPA has very mixed feelings about this visit. When the industry decided to visit Brazil they decided that they should involve SAWPA. Our government chooses to do it differently and SAWPA, together with groundWork, wishes them good luck for the visits in Brazil. There is no doubt that they will come back with more knowledge about waste management that includes a strong characteristic of recycling. SAWPA, groundWork and WIEGO has requested a meeting between us and DEA before they visit Brazil.

Can pigs fly?

by Rico Euripidou

Yes, as is proven by the fact that Eskom is to be prevented from continuing its massive toxic mercury pollution, pigs can fly if government wants them to!

Although Eskom would try and have us believe that air quality issues often become confused with climate change issues, because both have to do with gaseous emissions into the atmosphere, perhaps it's useful to remind them over and over again that, basically, they are very closely interrelated. This means that if Eskom makes a meaningful effort to control air quality and reduce the toxic emissions on their neighboring communities, they may then begin to make some meaningful inroads into reducing their gargantuan climate change contribution, which affects and holds us all to ransom globally!

One way that Eskom will have to take measures to reduce its toxic emissions is mercury. Mercury is an element in the earth's crust. Humans cannot create or destroy mercury. It is found in trace amounts in many rocks, including coal. When coal is burned on the massive scale that Eskom does annually, many tonnes of mercury are released into the environment. Coal-burning power plants are the largest human-caused source of mercury emissions to the air globally, accounting for over 50% of all domestic human-caused mercury emissions in the world, as can be proven where emissions data exists, such as in the USA1. The US Environmental Protection Agency has estimated that about one quarter of the US mercury emissions from their coal-burning power plants are deposited within the contiguous US and the remainder enters the global cycle. Mercury emissions from Eskom's fleet of fifteen coal-fired power stations (approximately 40 000kg per year) are similarly deposited nearby and will impact local communities as well as contribute to the global pool. However, this free ride to pollute communities at will is about to end because in late January negotiations for a new global mercury treaty were completed and once this treaty is finalized in a diplomatic convention in October it will mean that the South African government will have the basis and the tools to require Eskom not to pollute and emit their mercury at will.

Since 1999, groundWork has worked proactively and keenly on the global mercury problem, initially with Health Care Without Harm, a global alliance of NGOs working on a global campaign to rid the health sector of toxics such as mercury in health care measuring devices. Using the slogan "First do no harm", which is based on a principle from the Hippocratic Oath that obliges a health worker to promise "to abstain from doing harm", groundWork achieved almost the impossible by successfully convincing the KwaZulu Natal health sector to phase out mercury thermometers and blood pressure devices by 2005. By 2009, we had successfully convinced the private health sector to all commit to going mercury free, and today Mediclinic, Life Healthcare and Netcare hospitals are also all mercury free, along with major hospitals around the country such as Tygerberg and Groote Schuur.

Fast forward to January 2013. On early Saturday morning, on the 19th of January 2013 at 7am, over 700 delegates and observers from over 140

1 (Source: 2005 National Emissions Inventory): http://www.epa.gov/ttn/chief/net/2005inventory.html

countries concluded negotiations following an overnight session, on the text of the world's first treaty to address mercury pollution. The treaty, negotiated over four years, will address the global threat that mercury poses to public and environmental health.

The final treaty is planned to be named The Minamata Convention on Mercury — after a city in Japan where serious health damage occurred following unregulated industrial pollution, laced with methyl mercury, into Minamata Bay where the mercury bio-accumulated up the food chain and local people were exposed through the ingestion of contaminated fish. The result was horrific. Babies were born with gross congenital deformities and mental impairment, and exposed children and adults developed severe neurological impacts such as uncontrolled shaking of the limbs. The World Health Organization has subsequently found that there are no safe limits for the consumption of mercury and its compounds, which can also cause brain and kidney damage, memory loss and language impairment.

In South Africa, because Eskom is responsible for the bulk of our mercury pollution – emitting an estimated 30 to 40 tonnes into the global environment every year from our coal-fired power stations in an uncontrolled manner – the treaty gives our government the opportunity to do the right thing and take measures to mitigate emissions. These measures will also have co-benefits and similarly reduce other toxic pollutants that affect nearby communities.

However, if nothing is done the mercury (which is an inevitable trace element of the coal) then circulates in the global environment until it is deposited. While it is deposited locally, it is also deposited in places far away from where it was released, and begins its cynical journey into the food chain. Because these "point source emissions" of mercury are associated with any coal combustion that does not have mercury pollution controls, this source sector constitutes one of the largest sources of emissions globally – up to 500 tonnes of mercury globally!

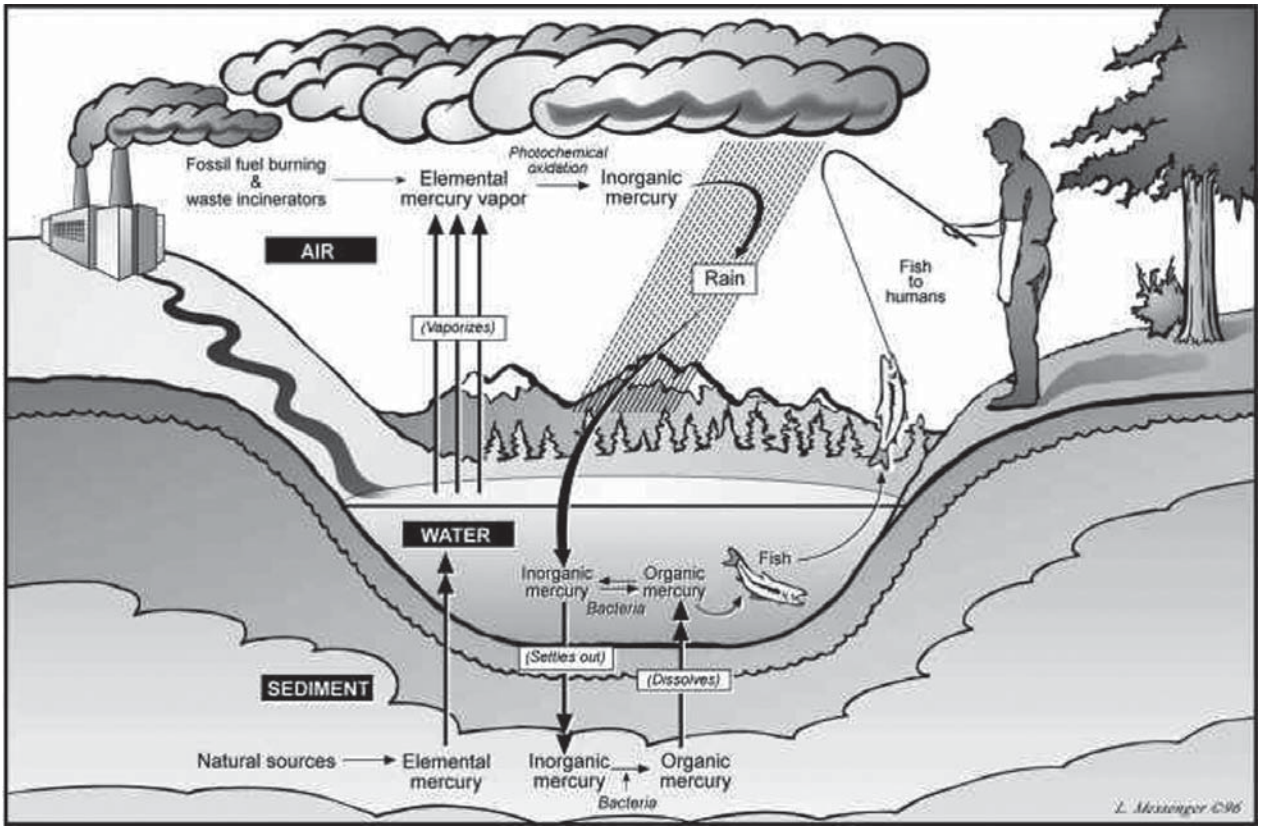


Diagram showing how mercury is absorbed by the environment and people.

Credit: http://people.uwec.edu/piercech/Hg/mercury_water/cycling.htm

To address this threat the treaty provides controls and reductions across a range of products, processes and industries where mercury is used, released or emitted. These range from medical equipment like thermometers to energy-saving light bulbs to the mining, cement and coal-fired power sectors.

The negotiations were, however, not easy. Many countries demanded key concessions and some countries held the world to ransom, using as justification the belief that their economic development should not be hindered by this treaty. The result of this is that the treaty text is strong when covering some provisions, but essentially weak in addressing other priorities.

For example, the provisions on product phase-outs are relatively good and strong and mercury will be phased out universally quite soon. Mercury in sphygmomanometers and thermometers will be phased out globally by 2020 and the dental sector will have focused strategies which countries can and should be able to make best use of to advance their mercury elimination work.

Requirements to control mercury emissions for new plants are relatively good and will require significant investment in technology to capture mercury emissions. In contrast, the air emission control requirements for existing facilities are delayed far too long. Eskom's existing coal-fired power stations, with expected operating lifetimes of many decades, will, if government gives them a free ride, only have to implement a choice of voluntary measures from a menu of options to reduce emissions. This lack of political will for existing sources is very disappointing as this treaty will therefore not bring immediate requirements for immediate reductions of mercury emissions unless governments make a special effort to do so.

Still, the fact that there is a global mercury treaty at all is a significant accomplishment given the gridlock on other issues. Overall, the agreement is a good starting point for building international coordination and cooperation, and there's room to make improvements down the line. A brief summary of some of the other key provisions that are worth noting are that:

- The trading of mercury requires the written consent of the importing country;
- New mercury mines are prohibited from the date the Convention enters into force, and existing mines must be phased out within fifteen years;
- Specified mercury-added products are subject to a 2020 phase out date. These mercury-added products include batteries, switches and relays, skin lightening soaps and creams, pesticides, biocides, topical antiseptics, barometers, hygrometers, manometers, thermometers, and blood pressure cuffs;
- The use of mercury in dental amalgam, and the manufacture of vinyl chloride monomer, polyurethane, and sodium methylate are subject to phase down requirements;
- Air emissions controls for coal-fired power plants and industrial boilers, lead, zinc, copper, and industrial gold roasting and smelting processes, cement plants and waste incinerators;
- To address mercury use in small-scale gold mining, governments must implement national action plans to prohibit the worst practices, and undertake other measures to significantly reduce mercury use over time. To send the right market signals to miners and reduce mercury availability, mercury from mercury mines and chlor-alkali plant decommissioning cannot be used for small-scale gold mining once the Convention comes into force; and
- A special trust fund will be created within the Global Environmental Facility to support developing nations as they undertake activities to implement this Convention.

The global mercury pollution problem is not completely solved by this treaty, but the building blocks are there for reaching that objective some time in the future. We now have to concentrate our efforts on making this treaty as effective as possible. The South African government can do the right thing by taking steps to require Eskom to mitigate its toxic mercury footprint!

Development by the 99%

by Megan Lewis

At the end of last year, forty-four families have been left without husbands, fathers, brothers and sons, workers without friends, and the South African society shocked, albeit for very different reasons, at what is now notoriously known as the Marikana Massacre.

On the 10th of August, miners at Lonmin's platinum mining operations in the Marikana region began a protest to voice their anger at the National Union of Mineworkers (NUM), one of South Africa's oldest and strongest unions for miners, who were not supporting the miners in their demands for more wages from the mining company. A rival union, the Association of Mineworkers and Construction Union (AMCU), was offering more support and threatened a depletion of NUM's members. The first round of those killed during the protests were eight workers and two members of the South African Police Service (SAPS), and the second round, on the 16th of August, saw thirty-four miners killed and eighty-seven injured by the SAPS.

Today, the Farlam Commission of Enquiry, chaired by retired Judge Ian Farlam, continues to interview witnesses and engage with evidence presented to it by media, police and ordinary citizens to gain an understanding of what happened, what went wrong and who is to blame. In an effort to increase international pressure on the South African government, the State and the mining company, groundWork, with The Benchmarks Foundation, nominated Lonmin Plc. as a worthy candidate in the Public Eye Awards (PEA) of 2013.

It was not these organizations' desire to jump into the spotlight and garner public attention – as various media reports intimated was the motive behind the visit to the mine after the massacre by former African National Congress Youth League (ANCYL) president Julius Malema, and other politicians[1] – but an attempt to create further awareness of the systemic neglect of workers and the surrounding community by Lonmin and the majority of mines in South Africa, as well as to critically highlight the failure of the State to protect its people from a dogged corporate agenda and a brutal police force, neither reined in by a government that purports to uphold its people's interest.

Awards challenge corporate power

Parallel to the World Economic Forum (WEF) held annually in Davos, where big business and governments meet to discuss the world's economic and growth future, the PEA, organized since 2000 by the Berne Declaration and Friends of the Earth (replaced in 2009 by Greenpeace), challenge those very corporations (and, in some instances, the governments that host them) by exposing their human rights and environmental violations. Without an active global civil society, these awards would most likely not be possible, and it is through the stories of those affected that corporations are brought to book.

The six other nominations for the awards were security company G4S, energy corporation Repower, energy and transport conglomerate Alstom, oil company Shell, mining company Coal India and banking corporation Goldman Sachs. Voted for online by 41 800 people from across the globe, the People's Award went to Shell, as it is set to be the first major oil company to exploit the fragile Arctic for oil. The Jury Award, voted on by nine jurists from various civil society organizations, went to Goldman Sachs, for bringing Greece to its knees by getting paid to hide half the country's debt.

The WEF and the idea of "development"

Forty years on, the WEF's rhetoric of "environmental sustainability", paired with "economic growth", remain a slap in the face for those communities like Marikana who have little or no access to decent housing, sanitation and healthcare facilities, water and food, and whose family members work in unhealthy and hazardous conditions and are not paid a decent living wage. The age-old thinking of development for and by whom still holds true today, particularly for these communities who are promised jobs by corporations and governments

1 The Mail and Guardian – "Malema's moment of power" – 24 August 2012. See: http://mg.co.za/article/2012-08-24-00-julius-malemas-moment-of-power

The current development model has furthered inequality and fuelled violence against ordinary people.

Credit: Public Eye Awards

investing in new development projects, but are inevitably left with destroyed environments and their community's social fabric torn apart.

In *Planet dialectics: Explorations in environment and development* (1999), Sachs begins with a quote that strikes to the heart of all of this:

> "I believe that the idea of development stands today like a ruin in the intellectual landscape, its shadows obscuring our vision. It is high time we tackled the archaeology of this towering conceit, that we uncover its foundations to see it for what it is: the outdated monument to an immodest era."

It is the capturing of the idea of development by the institutions and structures within our society that are profit and status driven, rather than by the people who it is allegedly meant for, that has caused this idea to crumble. It is those who make up the WEF, those in governments who allow innocent people to be massacred with little immediate recourse, those in big business who choose profits over the basic well-being and right to a decent standard of living of their workers and the communities that live next them, and those who have fingers in both pies, who have bastardised the idea through their malpractice.

The WEF *Mining and metals scenario to 2030* predicts a world, twenty years down the line from the publishing date in 2010, where "the world is divided and countries are defined economically by whether or not they belong to the Green Trade Alliance (GTA), formed in 2016 to promote 'environmental sustainability without compromising competitiveness'". With this kind of forecast, it is clear that for those miners who lost their lives at Marikana, and those who continue to work in or live next to extractive industries and other unsustainable sectors across the globe, development left in the hands of the few will not be backed up in reality by the necessary environmental governance, sustainable livelihoods and sharing of resources, as environmental sustainability will always be compromised by the competitive nature of corporates and governments.

The Keystone Pipeline

by Sunita Dubey

The Basics

The Canadian oil and gas company TransCanada hopes to begin building a new oil pipeline that will trek close to 2 000 miles from Alberta, Canada, to the Gulf Coast of Texas. If constructed, the pipeline, known as the Keystone XL, will carry one of the world's dirtiest fuels: tar sands oil. Along its route from Alberta to Texas, this pipeline could devastate ecosystems and pollute water sources, and will jeopardize public health.

Giant oil corporations invested in Canada's tar sands are counting on the Keystone XL pipeline to make the expansion of oil extraction operations profitable. The pipeline would double imports of dirty tar sands oil into the United States and transport it to refineries on the Gulf Coast and ports for international export.

Before TransCanada can begin construction, however, the company needs a presidential permit from the Obama administration.

Where Keystone XL stands

Presidential rejection

After more than two years of active campaigning by Friends of the Earth, its members and activists, and a broad coalition of allies, President Obama rejected the permit for the Keystone XL pipeline on the 18th of January 2012, dealing a blow to Big Oil. The president's action was compelled by strategic, sustained grassroots pressure exerted by activists across the country.

TransCanada circumvents a full review

In its latest scheme to circumvent a transparent, thorough review process, TransCanada announced, after President Obama's initial rejection of the presidential permit for Keystone XL, that it would split the pipeline into two segments, a northern, transborder segment from Alberta to Steele City, Nebraska and a southern segment from Cushing, Oklahoma to the Gulf Coast of Texas. TransCanada announced that it would plough ahead with the southern leg of Keystone XL, which would provide the crucial link to relieving the current glut of tar sands oil in the Midwest by piping it down to refineries and international shipping ports on the Gulf Coast for export, without channels for public input or an environmental review.

Backtracking by Obama

On the 22nd of March 2012, President Obama bowed to Big Oil by issuing a memorandum and executive order to federal agencies to expedite the review of Keystone XL's southern segment, completely backtracking on his previous basic commitment to a transparent and full review of TransCanada's pipeline. The president pledged to "cut through the red tape" and "get it done" – as if following bedrock environmental laws were a nuisance instead of a necessity.

TransCanada has furtively moved forward with its permit applications to the Army Corps of Engineers for the southern segment amid objections from EPA Region 6. TransCanada's application submission for the southern segment triggers a forty-five-day deadline by which the Corps must deny the permits, or they are automatically approved by default. The Corps can also approve the permits before the forty-five days are over.

Re-application by TransCanada

On the 4th of May 2012, the State Department confirmed that TransCanada had submitted its re-application to the agency for the permit to build the northern, transborder segment of the Keystone XL.

No matter how TransCanada tries to slice and dice its pipeline to evade meaningful review, the dirty reality remains that the Keystone XL pipeline would be an environmental disaster – leading to more bullying of landowners and indigenous communities, more risk to our water supplies and clean air, and more carbon pollution destabilizing our climate.

An environmental crime in progress

Dirty tar sands oil

Pollution from tar sands oil greatly eclipses that of conventional oil. During tar sands oil production alone, levels of carbon dioxide emissions are three

times higher than those of conventional oil, due to more energy intensive extraction and refining processes. The Keystone XL pipeline would carry 900 000 barrels of dirty tar sands oil into the United States daily, doubling our country's reliance on it and resulting in climate-damaging emissions equal to adding more than six million new cars to US roads.

Water waste

During the tar sands oil extraction process, vast amounts of water are needed to separate the extracted product, bitumen, from sand, silt and clay. It takes three barrels of water to extract each single barrel of oil. At this rate, tar sands operations use roughly 400 million gallons of water a day. Ninety percent of this polluted water is dumped into large human-made pools, known as tailing ponds, after it's used. These ponds are home to toxic sludge, full of harmful substances like cyanide and ammonia, which has worked its way into neighbouring clean water supplies.

Indigenous populations

Northern Alberta, the region where tar sands oil is extracted, is home to many indigenous populations. Important parts of their cultural traditions and livelihood are coming under attack because of tar sands operations. Communities living downstream from tailing ponds have seen spikes in rates of rare cancers, renal failure, lupus, and hyperthyroidism. In the lakeside village of Fort Chipewyan, for example, 100 of the town's 1 200 residents have died from cancer.

Unless tar sands production is halted, these problems will only get worse. Unfortunately, an area the size of Florida is already set for extraction. Investing in a new pipeline would increase the rate of production, while decreasing the quality of life for indigenous populations.

Pipeline spills

TransCanada has already attempted to cut corners by seeking a safety waiver to build the pipeline with thinner-than-normal steel and to pump oil at higher-than-normal pressures. Thanks to the pressure exerted by Friends of the Earth and allies, the company withdrew its safety waiver application in August 2010.

The threat of spills remains. In summer 2010, a million gallons of tar sands oil poured into the Kalamazoo River in Michigan from a pipeline run by another Canadian company, Enbridge. The spill exposed residents to toxic chemicals, coated wildlife and has caused long-term damage to the local economy and ecosystem.

Heightening concerns, TransCanada's Keystone I pipeline has spilled a dozen times in less than a year of operation, prompting a corrective action order from the Department of Transportation. Experts warn that the more acidic and corrosive consistency of the type of tar sands oil being piped into the US makes spills more likely, and have joined the EPA in calling on the State Department to conduct a thorough study of these risks.

The Keystone XL pipeline would traverse six U.S. states and cross major rivers, including the Missouri, Yellowstone and Red Rivers, as well as key sources of drinking and agricultural water, such as the Ogallala Aquifer which supplies two million Americans.

Refining tar sands oil

After travelling through the Keystone XL pipeline, tar sands oil would be brought to facilities in Texas to be further refined. Refining tar sands oil is dirtier than refining conventional oil, and results in higher emissions of toxic sulphur dioxide and nitrous oxide. These emissions cause smog and acid rain and contribute to respiratory diseases like asthma. Communities near the refineries where the Keystone XL pipeline would terminate, many of them low-income and communities of colour, already live with dangerously high levels of air pollution. The Keystone XL pipeline would further exacerbate the heavy burden of pollution and environmental injustices these communities confront.

Stopping the pipeline

Tar sands oil is one of the dirtiest fuels on the Earth. Investing in tar sands oil now will delay investments in clean and safe alternatives to oil, such as better fuel economy requirements, plug-in electric cars fuelled by solar power, and smart growth and public transportation infrastructure that give Americans choices other than cars.

Down the tubes

by Greenfly

We have a clear choice: exchange the people or change the economy

We are told that the economy will go down the tubes because of the wildcat mineworkers' strikes, it will go down the tubes because of the farmworkers' rebellion, it will go down the tubes because of the class action law case demanding compensation from gold mining corporations for ex-mineworkers suffering silicosis, it will go down the tubes if mine owners have to pay for acid mine drainage.

Times are tough for the mine owners. Times are tough for farmers. To save the economy, the workers should knuckle down to work and knuckle under to the authority of the rich. The economy can hardly afford farmworkers and their families except on starvation wages. It can ill afford garnisheed mineworkers contesting the terms of debt slavery. And it really can't afford the people it made sick – that's why it threw them away in the first place.

So it is clear: the economy cannot afford the people.

The report that told us that the farmers would go bust if they had to pay wages of R150 a day also told us that, even if farmworkers are paid R150 a day, they will not be able to put food on the table.

So it is clear: the people cannot afford the economy.

That looks like a clear choice: exchange the people or change the economy.

In other news – well, it's the same news really – Greenfly can report that the Finance Minister is there for the economy. The purpose of people is to feed its needs and then they'll be OK. Pravin Gordhan has just told us that we'll be just about OK if the economy grows at more than 5% – which figure he takes not from likelihood but from the National Development Plan. Nevertheless, it is a generous 2% discount on what he's said before: that we'll be OK if the economy grows at 7%.

So how are things going? Last year Pravin told us the economy would grow at 2.7% in 2012, 3.6% in 2013 and 4.2% in 2014. In this year's speech, he told us we came short in 2012. The economy grew only 2.5%. And 2013 doesn't look so good: expect 2.7%. But then we'll be up, up and away from 2014 with 3.5%. Not yet 5% but definitely in take off mode. Or at least, taxiing towards the runway.

So what are the bets? When he makes the budget speech next year will he still say 3.5% for 2014? Second bet. How long before we hit the fairy tale 5%? That's right. What happens in the fairy tale stays in the National Development Plan. And while we're there, we could also take a chance on climate change: what bets on reducing carbon emissions while burning more coal, oil and gas?

In other news – well, it's the same news really – Greenfly can report that Nersa (the national energy regulator) did not give Eskom the price hike it wanted. "Take half a hike," said one witty headline. Nersa insists it has its sums right and Eskom can keep the lights on with an 8% rise every year for the next five years. Eskom's application said it can't keep the lights on for less than a 16% hike every year – that's what they need to finish building Medupi and Kusile. So who's got their sums wrong?

Whether it's 8% or 16%, the big, energy-intensive industries say it's too much. They got the big base-load power stations they say they needed, but can't afford to pay what Eskom needs to build them. So there goes the economy down the tubes again. Unless someone else pays – the people perhaps. Or did they switch their lights out already?

Looking back to go forward

Three of the community organizations groundWork works with on air pollution and other related issues speak on the positive aspects of their work over the last year, as well as what they look forward to in 2013. groundWork's other community affiliates will be featured in upcoming newsletters.

South Durban Community Environmental Alliance

One of the South Durban Community Environmental Alliance's (SDCEA) major successes for the year 2012 was the massive protest action in which, in light of the battle with government on the dugout port and back of port developments that will affect the whole of south Durban, south Durban residents locked down the port.

The 'Port Lock Down' was conducted by over a thousand south Durban community members from a wide variety of areas. Although it was scorching hot, community members stood their ground and blocked the port entrance for four hours, forcing representatives of Transnet, the mayor's office and the municipality manager to come out and engage with outraged community members over their opposition to the port expansion.

The event also received major media coverage and positive feedback from all those present. The response from government was immediate. SDCEA was invited to a "managed process" a few days later by the chief protagonist in all of this, Minister of State Enterprises, Malusi Gigaba, who said there will be consultation to hear the people. It was clear, however, that his consultation is nothing more than a ticking off of a box because, immediately after he spoke, it was declared by a Transnet official that in 2020 ships will be coming into south Durban.

Present at a community based forward planning meeting in Clairwood was community activist Ashwin Desai who challenged Pravin Gordhan on government officials' corruption and his role as the Minister of Finance in curbing such issues. Gordhan acknowledged that high-level government officials were guilty of pocketing money but also said that the country's past has left behind a skewed economy and therefore urged community groups and organizations to look at all sides before completely ruling out this development and seeing it as bad.

This year, SDCEA will embark on ways to educate community members about who the BRICS are and what the official BRICS Summit being held in Durban in March means for ordinary people. SDCEA, with other organizations, will host a counter civil summit to the BRICS summit which will consist of academics and activists from around the world and will also attract media and therefore give us a chance to air our views on what the people really feel about BRICS. SDCEA, along with other interested and involved organizations, will host a mass protest action to highlight the concerns of the people at grassroots level.

We look forward to a good year of change in 2013!

Greater Middleburg Residents Association

Our plan for last year centred on Eskom – and for the Highveld this means Kusile – and the mining that is increasing in the area. The planned demonstration against Kusile in April did not continue as anticipated, but what was successful was that the interaction we had with different communities on energy and environmental justice. One can only plan to build up on that.

The second aspect of our plan was to build capacity at the local and regional level, and by any standards we have achieved a lot in this area, as most got to learn about tools in community monitoring and government monitoring. We had our own monitoring to develop our database and further equip us with the relevant facts to fight the high levels of pollution. This led to us beginning a process of mapping so that we could identify the problem areas in our local areas and begin to develop campaigns around specific sectors and industries. What we intend to achieve is to ensure that specific polluters comply with the law.

Lastly, access to information has improved and people can reconcile what is actually happening versus what has to be done. We also came to realise

that the damage that is done by mines is more than we had envisaged and, when we decided to look into a means of resisting, we had an opportunity to learn about the processes, such as Environmental Impact Assessments (EIAs) that mines have to go through before they can operate. To date, several activists have participated, although we look forward to better participation and submissions in the future. Last year we participated in several EIAs and think that our presence brought a different dimension, as most people usually attend only to raise concerns around labour or social plans.

We will develop strong media for publishing our stories. We managed to hold discussions with the local radio stations and initially had interviews scheduled on a continuous basis, but some could not sustain the process and we are working on getting that back on track. The most interesting part is that as much as there were hiccups along the way, we somehow managed to bring more communities on board and held public meetings throughout, thus introducing more activists to our struggle and widening our network. Looking into 2013, we hope we will revisit our plans and come out stronger than before!

Vaal Environmental Justice Alliance

This is the eighth year that the Vaal Environmental Justice Alliance (VEJA) has been operating. As small as we are, we still have many achievements we can share with you. We started holding our meetings under trees and when it was raining we used to go to the library, pretending to be a study group. Today we have our office, full time coordinator and administrator, air quality team coordinator and community monitoring school facilitator.

In 2012, VEJA, with the assistance of the Centre for Environmental Rights (CER), used the Promotion to Access of Information Act (PAIA) to get access to information from ArcelorMittal, Sasol, Natref, the Gauteng Department of Agriculture and Rural Development (GDARD), Anglo Coal and Omnia. Out of this exercise we managed to get Natref's water use licenses and Sasol released information as well as Anglo Coal. This is an achievement because these companies have never willingly shared information or allowed us to do site visits until VEJA and CER successfully used PAIA against them.

We have managed to train twenty youth from different organizations in an Air Quality workshop that was facilitated by the Department of Environmental Affairs (DEA) in Sasolburg. The purpose of the training was to make participants understand the National Air Quality Framework, environmental governance, planning and responsibility, and Atmospheric Emission Licences (AELs). On top of that, more than fifteen members of VEJA are participating in the Benchmarks Foundation monitoring school programme.

VEJA held a community workshop last year which was a success because, even with our little resources we managed to, in conjunction with Botle BaTlhaho Environmental Group, hold an Air Quality workshop with four local schools in Sebokeng to prepare them for the school debate campaigns that we want to launch this year. Last year, the water team worked hard to make sure that workshops were run for the National Water Resource strategy and also public participation workshop in Zamdela. VEJA played a key role in organizing the National Water Resource Strategy and has again received recognition from the Department of Water Affairs and has been asked to contribute by writing a chapter on public demand that will contribute to the final document of the National Water Resource Strategy.

This year, we have been questioning the *Basa Njengogo* (Basa) project within the Vaal Triangle. The companies failed to improve air quality because they believed Basa would reduce the emissions, while communities know they don't. The local government has abandoned this process. This year we want to take more indoor air samples to prove to government that using coal is not sustainable and Basa will never work, just as we have always said. Vaal Triangle has the biggest polluters, such as Sasol, ArcelorMittal and Lethabo, and this year we want to build a strong climate change campaign.

We want to congratulate groups such as groundWork, Earthlife Africa and Benchmarks Foundation, and individuals who have participated meaningfully in our campaigns, for their commitment towards building a sustainable environmental justice network in the Vaal Triangle.

In brief

Coughing baby ads target World Bank

People in Kosovo don't want the new power station that is funded by the World Bank (WB). Using the WB's own statistics and pointed public health advertisements, they are pushing forward in their battle against coal. A report, released in September 2012, contains the following alarming data about the impact that pollution has on the health of the people of Kosovo:

- 835 early deaths;
- 310 new cases of chronic bronchitis;
- 22,900 new cases of respiratory diseases among children (most often asthma);
- 11,600 emergency visits to country's hospitals.

To drive home the implications of the choice before the nation, a series of ads, adapted from those used by the American Lung Association and aired on national television, were run. They made clear that the coal-fired power station option was deadly, but that another path is possible. If the country's authorities, and the WB, tackled the problem of the 40% electricity loss from the grid, increased energy efficiency and deployed some renewable energy, a new coal plant would not be needed – and no-one would have to die.

WALHI activist beaten by police

At the end of January, a peaceful protest by farmers and environmental activists in Palembang, South Sumatera, was broken up by police, who beat and brutalised Anwar Sadat, director of the South Sumatera WALHI (Friends of the Earth, Indonesia). He, along with twenty-five others, was then arrested and charged with assault.

The protests were in resistance against proposals to build the world's biggest paper mill – a development that would turn what remains of South Sumatera's forests into pulp. In a demand to stop the violence against both the people and the forest, more than a thousand peasants had gathered in front of the local parliament.

Koongarra protected from uranium mine

Sometimes it is possible for a few people to make a big difference. Legislation introduced in February will permanently protect Koongarra, a special part of the Kakadu region in Australia, from the threat of uranium mining. This legislation has come about largely because of the tenacity and vision of Jeffrey Lee, the senior Djok traditional owner of Koongarra. He has taken his message against uranium mining on this land from the corridors of Canberra to the UNESCO headquarters in Paris. The legislations incorporates the threatened area into the Kakadu National Park.

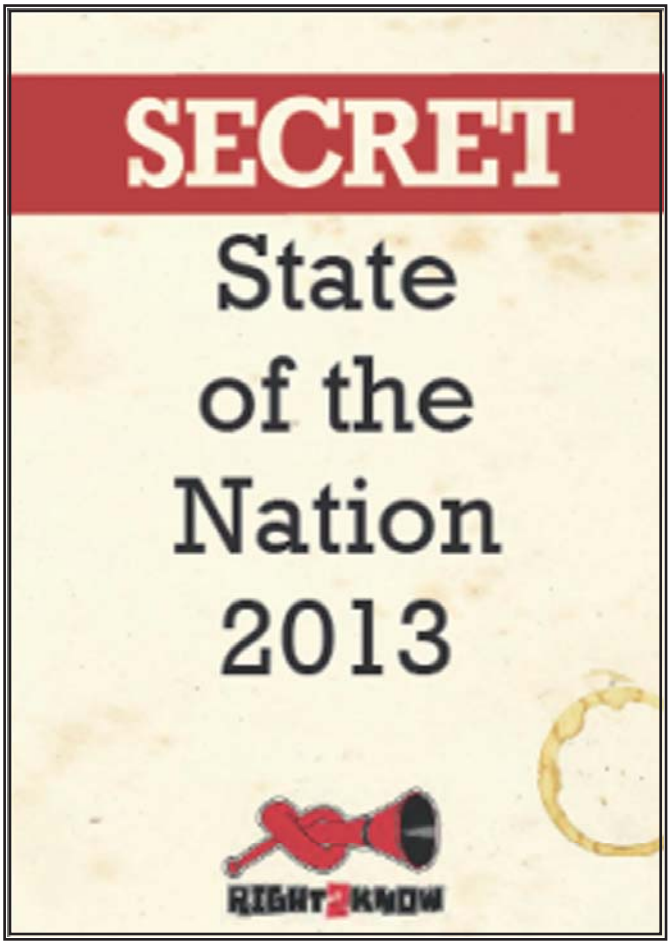
Mine dumps are a health risk

For much more than a century, mine dumps have been a feature of Johannesburg's landscape, and it would seem that the dust from these dumps has been a subject of contention for at least one hundred years. The first legislation to control mine dust appeared in 1912. Since then, various attempts have been made to contain the dust, with limited success.

When it became economically feasible to remine the dumps for their residual gold, uranium and sulphuric acid, the dumps began to be broken down, causing the surface of the dumps to become unstable and increasing the amount of dust blowing into nearby settlements. Respiratory disease began to spiral, as well as skin and eye irritations. In addition, especially during the dry months, the dust can be so thick in the air that it impairs visibility, and coats everything it comes into contact with.

While the people nearest the dumps are most obviously impacted, the very fine dust is blown much further – reportedly even being found in Tasmania. The dust contains carcinogenic agents and could result in kidney damage, genetic mutations and developmental defects in children.

Provided that it is managed properly, a proposed superdump could help to contain the problem,



On paper, it is true that South Africa has arguably one of the most progressive access-to-information regimes in the world, enshrined in the Constitution and given life through laws such as the Promotion of Access to Information Act (PAIA). However, the general experience on the ground – from civic organizations, social movements, and even well-funded research institutions – is that there is a great chasm between what is promised in law and what is achieved in practice.

The shortcomings in realising our 'right to know' is reflected in the report's findings that roughly two-thirds of requests for information in terms of PAIA are either refused outright or don't receive a response at all.

But more importantly, these shortcomings are deeply felt in the daily experiences of civic organizations that are seeking information from powerful institutions, in government and business alike. For example, potentially the most sought-after piece of information in South Africa today isn't the so-called 'spy tapes', nor is it some dense forensic report in a manila-envelope that reveals who got what kickbacks in some shady deal.

One of the biggest 'big-ticket' secrets in South Africa today has to be the long awaited land-audit that Rural Development and Land Reform Minister Gugile Nkwinti announced to be complete earlier this month – after delays that stretch back long before his time in office. A century after the 1913 Land Act, in the face of continued massive inequality in land ownership, many movements and organizations – not least of all rural unions representing farm workers – are looking to this report as the key to revealing the extent or lack of land reform.

If the Department of Rural Development and Land Reform does not make this audit publicly available, civil society organizations may have to resort to the burdensome process of a PAIA application to force the release of the audit. However, even if the Department were to respond to such a request within the legal deadline of thirty days, it's not at all certain that they would release the report. In the past, previous requests for information about the location and use of publicly owned land have been met with concerns that such information would present a security threat, as landless people identify vacant public land and occupy it.

Secrecy robs us all equally of the opportunity for real social justice. Some secrets might be necessary – the criminal justice system and the state-security cluster do indeed keep secrets that save lives. Likewise, many private businesses hold certain proprietary information that is critical to their commercial success.

However, far too much information is withheld from public view by individuals who fail to live up to the values enshrined in our Constitution.

This is an excerpt from an article, written by Alison Tilley, Nkwame Cedile & Murray Hunter and first published in The Weekend Argus, *02 March 2013.*