

Honourable SG Mantashe, MP
Minister of Mineral Resources and Energy
Pretoria

For the attention of: Ms Sibongile Malie
By email: representations@dmr.gov.za

21 February 2020

Dear Honourable Minister

**OBJECTIONS TO THE DRAFT UPSTREAM PETROLEUM RESOURCES
DEVELOPMENT BILL PUBLISHED FOR COMMENT ON 24 DECEMBER 2019
(NOTICE 1706 OF 2019, GOVERNMENT GAZETTE NO. 42931, 24 DECEMBER
2019)**

As groundWork and all listed organizations that stand in solidarity with this letter:

1. We say NO to ALL new fossil fuel developments including coal, oil, gas and petroleum and therefore reject the need for this Draft Upstream Petroleum Resources Bill (herein referred to as “The Bill”). Instead, The Bill should mandate a process for the closure of fossil fuel industries and a socially and environmentally just transition to renewable energy.
2. The Bill undermines important legislation such as the National Environmental Management Act and the South African Constitution.
3. South Africa must recognize the severity of the climate crisis act on its Paris Agreement commitment to limit global warming to less than 1.5°C. Fossil fuels are the largest source of greenhouse gases driving global warming, causing heatwaves, melting ice caps, sea level rise, extended droughts, runaway fires and more frequent and intense storms and floods. Since the carbon content of working coal mines and oil and gas wells is greater than the carbon budget for both 1.5 and 2°C, there should be no new investment in fossil fuels.
4. Poor people are most vulnerable to the impacts of climate change and most exposed to fossil fuel pollution, which kills millions of people every year.



5. ALL existing fossil fuel operations must be cleaned up. The 2020 International Energy Agency Report: *The Oil and Gas Industry in Energy Transitions*, acknowledges the oil and gas sector must urgently reduce its ecological impacts: “Minimizing emissions from core oil and gas operations should be a first order priority for all”.
6. Fossil fuel industries continue to pollute the air, water and land, affecting people’s health and destroying the land that people live on, as well as their livelihoods. This is evident in ALL communities living alongside fossil fuel industries, and the Highveld, Mpumalanga is a key example of this.
7. Fossil fuel industries are responsible for a high number of environmental incidents, including explosions, spills and emissions exceedances, all along the supply chain from extraction and production to transport and storage. Many incidents are fatal.
8. All fossil fuel facilities should have proper disaster management plans and people affected by incidents must be fully compensated by the state and/or the corporates responsible. Penalties for negligence and non-compliance with environmental laws must be binding.
9. Fossil fuel industries are declared national key points and heavily guarded barring access to land that was accessible to people, displacing livelihoods and providing the undemocratic framework of withholding critical information for people to understand the impacts on their lives and livelihoods.
10. Fracking must be prohibited as it will displace agricultural communities, block access to their lands and contaminate catchments. Fracking uses high volumes of clean water which is contaminated on its way back into the environment. Industry consumption is prioritized over people’s consumption and the environmental reserve.
11. Coastal and offshore operations are notoriously poorly regulated and will impact on coastal communities and ocean ecosystems with spills, leaks and dumping wastes at sea.
12. The beneficiaries are foreign investors and transnational corporations that extract high profits and routinely cheat on their taxes through profit shifting. Revenues paid to our governments are not ploughed back into affected communities and areas in which fossil fuel industries operate.
13. Public participation must be prioritized on the principle of free, prior and informed consent and the people’s right to say ‘no’ to any project. The Bill, however, restricts the time for authorization and appeal processes and so prevents meaningful community consultation.



14. Fossil fuel industries are notorious for abandoning their operations. South Africa's landscape is pitted with abandoned coal mines. The future dependent on fossil fuels is a damaged one.

End:-

Signatories

1. groundWork, Friends of the Earth, South Africa.
2. South Durban Community Environmental Alliance
3. Anti-Pollution Watchdogs
4. Coastal Links
5. Mayine Azanian Movement
6. Merebank Ratepayers Association
7. Wentworth Development Forum
8. Green Thumbs Society
9. KwaZulu Natal Subsistence Fishing Forum
10. Mtubatuba Community Environmental Justice Organisation
11. Ubunye Bamahostela
12. Inanda Ntuzuma KwaMashu Communities
13. Poor Flat Dwellers Movement
14. Newcastle Environmental Justice Alliance
15. Newcastle on Green Environment
16. Mfolozi Community Environmental Justice Organization
17. Khuthala Environmental Care Group
18. Highveld Environmental Justice Network
19. Vukani Environmental Movement
20. Vaal Environmental Justice Alliance
21. Cooperative and Policy Alternative Centre
22. South African Food Sovereignty Campaign
23. Zingela Ulwazi Trust
24. Environmental and Rural Solutions
25. Earthlife Africa (Cape Town)
26. Earthlife Africa (Johannesburg)
27. One Ocean Hub Research Team, Dept of Environmental and Geographical Science, University of Cape Town

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Avena Jacklin'.

groundWork
Avena Jacklin
Climate and Energy Justice Campaign Manager