

National Coal Community Exchange – Newcastle 2017



Coal affected community members representing various NGOs and CBOS who were part of the national coal exchange.

Community based organisations representing mining affected areas in the Eastern Cape, KwaZulu Natal, Gauteng, Free State, Mpumalanga and Limpopo Provinces met in the heart of Midland's heart of KwaZulu Natal's coal mining areas of Newcastle, between **12 and 15 July 2017**.

Over a decade ago, the Newcastle community welcomed the Chelmsford and Buffalo coal mines in the hope of employment, which to this day remains a largely unfulfilled promise.

The objective of this community exchange was to share information and ideas, and to build solidarity amongst communities facing the same struggles. This was done through guided 'toxic tours' to the Normandien farm area affected by Chelmsford Coal Mine, Allen Farm affected by Buffalo coal mine and Ramaphosa village affected by Izimbiwa coal mine (Former Shanduka coal mine) . This exchange was supported by environmental justice non-governmental organisation groundWork (Friends of the Earth South Africa), and joined by our partner organization Earthlife Africa Johannesburg.

This statement has been constructed and agreed upon by the following community-based organizations present at the three-day national exchange:

- Amadiba Crisis Committee (ACC) – Xolobeni, Eastern Cape Province
- Highveld Environmental Justice Network (HEJN) – Highveld, Mpumalanga Province
- Sisonke Environmental Justice Network (SEJN) – Newcastle, KwaZulu-Natal Province
- Mfolozi community Environmental Justice Organization (MCEJO) – Fuleni, KwaZulu-Natal Province
- Mpukunyoni Community Property Association (MCPA) – Mtubatuba, KwaZulu-Natal
- Vaal Environmental Justice Alliance (VEJA) – Vaal, Gauteng and Free State Provinces
- Nthole Morwalo – Lephalale, Limpopo Province
- Marapong Community Forum (MCF) – Lephalale, Limpopo Province.

Normandien community - Newcastle

The following **observations** were made of the Normandien community by those present:

Lack of consultation with the community: The Chelmsford Coal Mine, management did not adequately meet with the community to discuss the impacts of the mine before operations began. The mine is refusing to recognize and engage with the community elected structure (Sisonke Environmental Justice Network - SEJN) to dealing with the mine impacts. The local government and traditional leadership must constantly consult with the local affected communities and resolve the impacts caused by the mine.

Lack of notification regarding the change of names of the mining companies: The coal mines constantly change their names without notifying the communities. This makes it difficult for the affected community to engage with the company concerned regarding the negative impact from the coal mines.

Graves exhumed without cultural respect: Chelmsford Coal Mine and Buffalo Coal Mine operations included the exhuming of graves belonging to community members, without consideration of individual family cultural practices. According to many African cultures, when ancestral bodies are moved, a ceremony must be performed. The companies ignored this process despite being informed of this by the community before the exhumation.

Loss of land: Chelmsford Coal Mine's activities have led to a loss of land. There has been a huge loss of land, the community is displaced and is left without land to sustain their livelihood. The Chelmsford Coal Mine relocates members of the community from their ancestral land without proper consultation or just compensation for the losses accrued during relocation. The majority of the community within the area used to support their families from livestock and small-scale subsistence farming. They also traded the above commodities for money, which they used for educating their children.

Lack of compensation to the family of the worker who died at the Chelmsford Coal Mine: Mr Kubheka was run over by a truck while on duty and the mine failed to pay compensation to his family. The mine did not even assist the family with funeral expenses and arrangements. And no criminal charges were pursued in the matter.

Cracked houses: Chelmsford Coal Mine and Buffalo Coal Mine have been the source of community members' houses cracking, with vibrations being felt from far away. There is no compensation made for the cracked houses caused by the blasting.

Rezoning of the agricultural and grazing areas: The municipality is rezoning the agricultural and grazing areas for the community to implement coal mining projects. This is all being done without proper consultation.

Mining rights granted in the lands claimed in terms land claims: The government and the municipality is granting mining rights in the land still under land claims. The mining rights should not be granted until such land claims have been settled.

Poor water quality and water scarcity: The coal mines have compromised both the quality and quantity of the water available for people. People are forced to use contaminated water and are exposed to potential water-borne diseases. The community cannot harvest rain water anymore in this drought-stricken area. Coal dust also pollutes the harvested water when it does rain. The community used to depend on wells for water, however, these have been fenced off to be used by the mine to

wash coal. The community now depends on water tanks provided for by the municipality; these arrive once a month, forcing this impoverished community to buy water.

Mining outside the Buffalo Coal Mine is a danger to the community and should stop until all households have been properly resettled.

Health at risk: Buffalo Coal Mine and Chelmsford Coal Mine produces a high level of dust. The air pollution together with the contaminated water places the health of community members at risk.

It must be noted that these observations made by the group are reflected in the daily reality of the community of Newcastle. People here feel helpless without the support of government or their local traditional council; as a result of losing their land and consequently their livelihood, they are becoming poorer. The mine blasting and the intimidation causes them to constantly live in fear for their lives.

Therefore, the following **recommendations** are made by those present, in solidarity with the people of Somkhele and Fuleni community:

1. The Department of Mineral Resources (DMR) and the Department of Environmental Affairs (DEA) should investigate environmental violations caused by Buffalo Coal Mine and Chelmsford Coal Mine and report the findings to communities.
2. The Amajuba District municipality and local municipality should consult with the all surrounding communities and work with the communities to stop the human rights violations caused by Buffalo Coal Mine and Chelmsford Coal Mine.
3. Buffalo Coal Mine and Chelmsford Coal Mine should consult with the surrounding communities in order to negotiate for fair and just compensation for the loss and damages suffered by the community from the mine. The mines should also agree to stop human rights violations of any form.
4. The District and Local municipality must stop rezoning agricultural areas, so the local community can continue to have a sustainable and healthy livelihood.
5. The government must provide access to clean and drinkable water to the communities as a matter of priority over the mines and industries, especially the Ramaphosa area relocated by Izimbiwa Coal Mine and the Normandien farm affected by Chelmsford Coal Mine.
6. The mines and government should do a health study in order to determine the impacts emissions and pollution have on the community. The mines should further be held accountable and be forced to comply with environmental regulations.
7. That the mines must pay for all the medical cost incurred by the people as a result of their operations
8. That a clear financial commitment must be made by the both mines to deal with contamination of water and to rehabilitate the land affected by the coal mines.
9. The communities in both mines must be consulted and all agreements and commitments must be in writing, with clear time frames. Communities must have copies of the agreement.
10. The mines must compensate people for the cracking houses caused the mine blasting, for the land grabbed by the mines and the municipality must hold the mining corporate accountable by closing them down, for failure to compensate the affected communities.
11. The land under land claims must not be allocated for coal mining or any new industrial development until such time that such claims are finalised.

12. The coal mines must notify affected communities of any name changes. The Local municipality must monitor the process and ensure that such notifications are done procedurally and efficiently.

13. Chelmsford Coal Mine and the Buffalo Coal Mine must not exhume graves without first consulting with family members, exhumation must consider and respect African cultural practices. Companies should pay the families for the rituals they are culturally expected to perform for exhumations.

14. The Department of Mineral Resources (DMR) must investigate the death of the Mr. Kubheka who was run over by a truck and died around 2014 in the Chelmsford Coal Mine site, while on duty. The mine must be held accountable and compensate Mr Kubheka's dependants and family for loss of support.