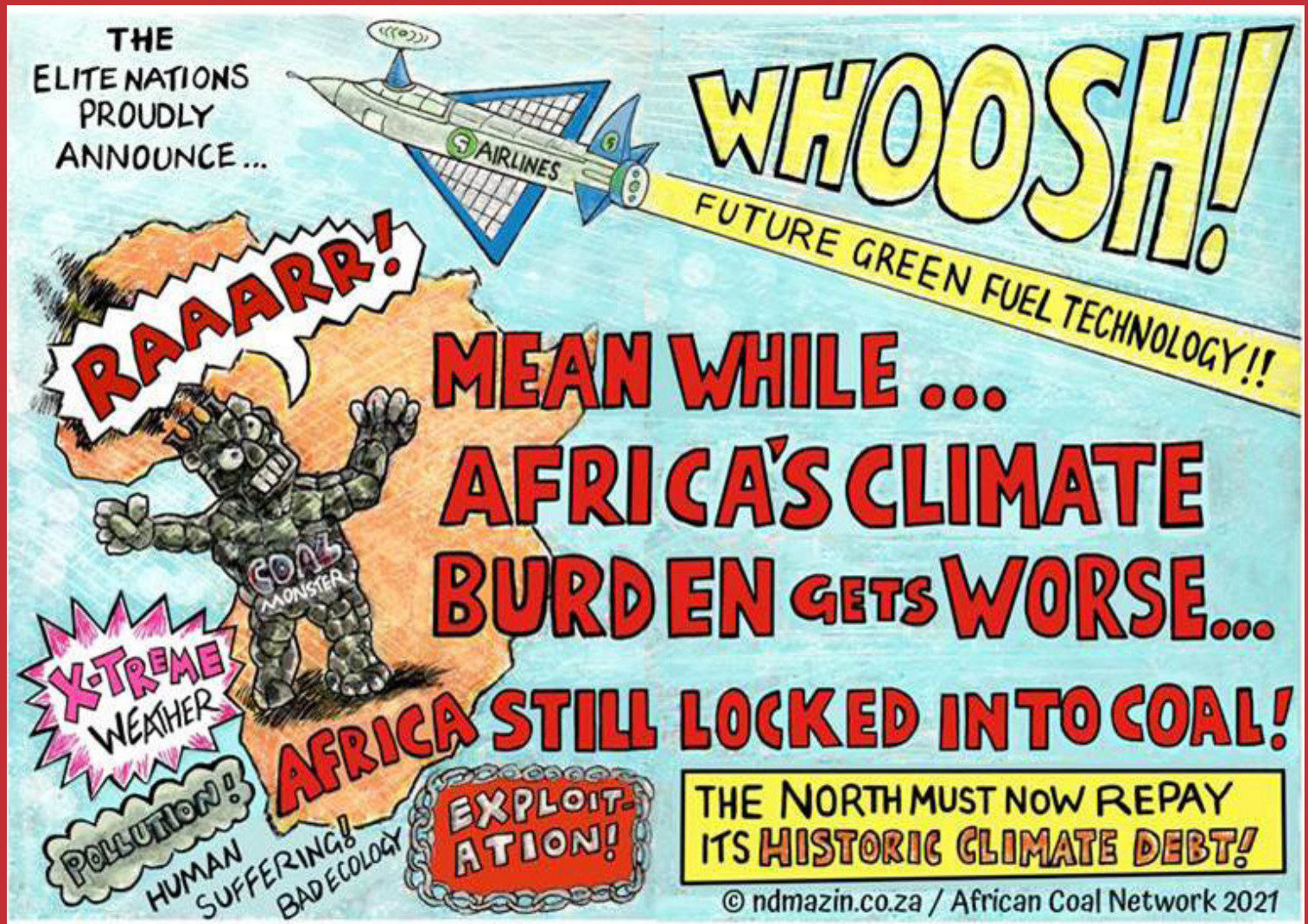


# GROUNDWORK



## COP27 AND AFRICA'S REALITY

Climate Debt and Loss & Damage

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*groundWork is a non-profit environmental justice 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 governance. groundWork places particular emphasis on assisting vulnerable and previously disadvantaged people who are most affected by environmental injustices. groundWork's current campaign areas are: Climate Justice and Energy, Coal, Waste and Environmental Health. These campaigns are supported by the Media, Information and Publications Campaign and the*

*Environmental Justice Education Campaign. groundWork is constituted as a trust. The Acting Chairperson of the Board of Trustees is Judy Bell. The other trustees are: Farid Esack, Patrick Kulati and Richard Lyster.*

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*groundWork is affiliated to the following international organizations: Health Care Without Harm; International POPs Elimination Network; Basel Action Network; Oilwatch International; Global Anti-Incineration Alliance; groundWork is the South African member of Friends of the Earth International*

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groundWork

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# From the Smoke Stack

by groundWork director, Bobby Peek



**A**s the year sped towards its end, my thoughts were churning about what to focus on in my last *Smokestack* of 2022. It has been a very difficult year for me personally, as well as within the world realm. I will start with the most difficult first.

At the end of December 2022, groundWork will say goodbye to Gill Addison, groundWork's Deputy Director in title, but in reality our co-director. Gill, when we sat together with Linda, pondering our futures after leaving the pioneering Environmental Justice Networking Forum, little did we realise that we would be 'pioneering' for a further 23 years.

In organisational development parlance, groundWork has always been in a pioneering phase, always trying new approaches while keeping a strong base and a focused centre. Gill, you were key to this. But now, after 23 years, there is no doubt that groundWork's pioneering days are over.

We will all miss you. Thank you for sharing your energy and self with so many of us, especially the young activists who came into groundWork with energy, and left us with purpose, largely because of you. Thank you for supporting me and making me a more confident activist. I am sorry that some of the bad habits just could not be broken. We will miss you.

However, we will most certainly not miss 2022. It was a brutal year. As we came out of the restrictions posed by Covid-19 everyone tried to cram 2020 and 2021 into one year, this year. A type of 3-for-1 year. We all look forward to a break over the southern summer, when we can be with our families and unwind. But knowing the reality of life, some industry will try, with the backing of government, to pull a fast one and get a dirty development approved over the holiday season.

This year groundWork fell into the trap of believing that we have to 'treble up' in 2022. 'Revenge travel' is a new phrase coined in 2022, as we planned one more trip on our agenda.

I want to thank all groundWorkers for the effort and energy they have put into this challenging year. I know it was not easy to navigate the demands made by our friends and foes.

But let us not just lament. The year has also brought exciting victories for our work. All 25 000MW of gas proposals are being challenged. And, after years of struggle, we celebrated a landmark judgment in the #DeadlyAir case: the High Court recognised that the poor air quality in South Africa's Mpumalanga Highveld region is a breach of the constitutional right of residents to an environment that is not harmful to their health and well-being. And, after three decades, ex-workers at Thor Chemicals, who imported mercurial toxic waste into South Africa for incineration purposes, finally made government listen to their experiences and set a process in motion to better understand worker justice demands.

On the environmental health front, we have developed a deeper relationship with the Public Health Association of South Africa, and we launched UnPoison, a civil society movement of concerned citizens, educational institutions and multi-sector organisations, all of whom are challenging agrichemical practices. We launched our new website, and we hosted our first environmental justice school after a two-year break, the result of Covid-19.

With these great steps forward came some hard reminders that we still have to challenge the system. Minister Creecy came back from CoP27 to defend big business. In an article in *Engineering News* she is reported to have "defended the participation of large emitters as part of the South African Pavilion at CoP27, where more than 50 events were hosted". Further, she talks about being able to reduce emissions only if you involve emitters. But here is the punch line: the minister argued, "And if you think this can be done without finance, then what you're saying is the South African taxpayers must foot the bill. So I think the intention of the pavilion is to give the big emitters the opportunity to meet global partners, to meet investors and to take forward their commitment to achieving net-zero by 2050."

I must say, I do love *Engineering News*. They do not hide the truth. Big business needs a bail out, and it is either foreign aid and climate finance money or



the tax payer who will bail them out, or both. What happened to Sasol's 147% increase in annual profits which they boldly announced in August? Why is this massive profit insufficient to deal with their just transition? Why must much-needed climate finance, meant to ensure future clean jobs, better settlements and improved health services for people, be diverted to Sasol? Because capital rules and they want the world to believe, by putting 'green' in front of any dirty money-making venture, that they are the Good Guys. If this were the 19<sup>th</sup> century, they probably would have launched the phrase 'green slavery'. After all, the slave trade was built on renewable energy, as ships sailed by wind power across the Atlantic with African people as their cargoes.

Reflecting further on CoP27, there is no doubt that the North was forced to recognise loss and damage. Well done to all those campaigners and community people who have pushed for this for decades. But, as we reflected in the last groundWork newsletter, will all this be just another mendacious plot by the North?

Friends of the Earth International, groundWork's mother body, warned that, "right now, it is an empty fund, and we have a huge challenge ahead to ensure that developed countries contribute to it, in line with justice and equity. We must not see a repeat of the abysmal performance of rich countries failing to provide the already inadequate \$100 billion a year promised over a decade ago."

I cannot help but repeat what Bareesh H. Chowdhury, of Friends of the Earth Bangladesh, said at the FoEI press briefing in Sharm El-Sheikh: "Deflections, Delays and Trying their very best to make sure it goes nowhere," when he reflected on the negotiations at CoP27.

Another process played itself out on the fringes of CoP27 – the Just Energy Transition-Investment Plan – which was kept from the public until the eleventh

hour. The Institute of Economic Justice warned that democracy is at question here: "Unfortunately, the full terms of these agreements have historically been shrouded in secrecy, and yet they have significant implications for the public energy system. This, in essence, compounds the South African government's failure to ensure that this is a meaningfully participatory democracy."

All I can say is a very British, "Hear hear!" It sounds like Medupi and Kusile 2.0. Oh, how we told you so; oh, how we are going down that path again. It is uncomfortable for those in power to hear what we are asking, but then that's their challenge, not ours.

At the same time that South Africa is trying to get money for the Just Energy Transition, the South African government is allowing TotalEnergies to continue with its gas exploration and exploitation of the tip of Africa. TotalEnergies spokesperson, Stéphanie Dezaunay, claims that they are positioning themselves "as a player in the evolution of the country's energy mix, as part of the necessary transition from coal to renewable energies and gas". They go on to claim that gas is cleaner than coal and that "access to energy, and in particular meeting the growing demand for electricity, is a major concern in South Africa". But when asked how much will be used for our domestic market and how much for export, TotalEnergies did not reply in time for the deadline, and as of the 24<sup>th</sup> of November the Department of Mineral Resources and Energy has not responded to questions from GroundUp.

As always, we were presented with a smorgasbord of contradictions across the landscape of South Africa in 2022.

So, I shout out to all those who made 2022 possible, and especially to all the community people who still put their faith in groundWork:

*A Luta Continua!* 🌀







**T**he United Nations Framework Convention on Climate Change (UNFCCC)'s Conference of the Parties (CoP) has failed the people of Africa and does not address the root causes of the climate crisis. The CoP space has been captured and is corrupted. Polluting corporations use the space to promote false solutions and expand their control over natural resources and people, while avoiding accountability and responsibility.

This year, groundWork, South Durban Community Environmental Alliance, Justica Ambiental, Friends of the Earth Africa, Womin, La Via Campesina and others organised and participated in the Africa Climate Justice Collective's second African People's Counter CoP (APCC) 2022. The collective comprises African civil society organisations representing women, peasant communities and African citizens. Together, we put together the APCC declaration and stood in solidarity with frontline communities across Africa, amplifying climate justice struggles to build a unified understanding and shared political action towards REAL solutions to the climate crisis.

The climate crisis is here, now, and it is intensifying. South Africa, and Africa, are warming much faster than the rest of the world. "Whereas the world on average has warmed roughly by 1 degree above pre-industrial times, in southern Africa the rate of warming is twice that," admits Minister Barbara Creecy of the South African National Department of Fisheries, Forestry and the Environment (DFFE).

According to the Intergovernmental Panel on Climate Change (IPCC), 45% of the world's population live in areas of high vulnerability and will be increasingly affected by floods, droughts and extreme weather. There is growing scientific evidence and acknowledgement by governments of the harms of climate change. Fossil-fuel-affected fenceline communities have mobilised for an open democracy and a just transition to a regenerative economy, through dialogue with workers, government and industry. Yet,

South Africa continues to be the biggest polluter in Africa, and its emissions are increasing.

South Africa is falling behind on its global and constitutional obligations to address climate change. While cleaner technologies and mechanisms are available and accessible, the political will to hold polluting industries such as Eskom and Sasol to account is lacking. Corporations and dirty industry lobbyists are expanding their operations through greenwashing, including exaggerated 'decarbonisation' plans, 'net zero' targets and false solutions such as carbon capture and storage (CCS), nature based solutions (NBS) and carbon trading, while continuing to weasel their way out of greenhouse gas (GHG) emissions targets. Funds and investments are misdirected into more polluting developments rather than cleaner technologies that benefit people and the environment. Climate finance timelines are pushed out, while commitments are not met and funding mechanisms such as the Just Energy Transition Investment Plan and reparations for loss and damage to the global south are blurred.

Within the next decade, significant ambition is needed to reduce GHG emissions, and in particular methane, to avoid the worst impacts of the climate crisis. Doing this requires a zero waste approach and commitment to phase out existing fossil fuels – including their dependent industries such as plastics, agrochemicals and explosives – and the halting of new fossil fuel investment as soon as possible. It requires that we refrain from locking-in new fossil fuel infrastructure.

Climate change disproportionately affects people of the global south, particularly the poor, women and the youth. Africans face further destruction and dispossession of their vital and basic resources, including land and water, through land grabbing from polluting extractive industries. Their ability to build climate resilience is negated through the destruction of ecosystems by polluting industries. The pandemic has shown that an already overburdened health system will need to be resilient to prepare for climate



groundWork's participation in CoP27 events			
Date	Venue	Topic	Panellist/speaker
10 Nov	WHO pavillion Climate Action Zone	Urgent action to strengthen climate change for all health professionals Healthy People, Healthy Planet: Transforming the Health Care Sector – UNFCCC Climate Champions Futures Lab.	Azeeza Rangunwala (speaker and panellist) Azeeza Rangunwala (speaker and panellist)
10-12 Nov	Zero Waste Hub	Zero Waste Hub Exhibition	Carissa Marncce
11 Nov	Press Conference Climate Justice Pavillion	50 by 2050 Initiative (GAIA) Petrochem Panel (GAIA)	Niven Reddy with Ubrei Joe (FoEA) Niven Reddy (speaker)
16 Nov	Blue Zone (Hybrid)	SSNC Social and Environmental Justice in the Energy Transition: Lessons Learnt from Africa	Avena Jacklin (speaker and panellist)
17 Nov		Methane Matters Methane in the Waste Sector	GAIA Mafoko Phomane (speaker and panellist)
18 Nov	Hybrid event	A Just Energy Transition for a healthy fossil free world	Azeeza Rangunwala (speaker and panellist)

change impacts. The structural and social determinants of health are threatened and health should be at the centre of a Just Transition. The ecological crisis created by imperial capitalism is intensifying through profit-driven extraction and burning of fossil fuels, unabated plastics production, and industrialised food systems that are dependent on toxic fertilisers and pesticides.

Carissa Marncce, Niven Reddy, Azeeza Rangunwala, Mafoko Phomane and Avena Jacklin from groundWork participated in health, waste, renewable energy and climate related CoP events, both in-person and virtually, by advocating for a just transition and REAL solutions to the climate crisis. 🌍





# ACN: How to assess the outcomes of CoP27



The African Coal Network

*Taking the fight for a just transition and climate justice beyond the rhetoric in conference rooms to the reality on our doorsteps*

## Background

The African Coal Network (the Network), with 55 members in 21 African countries, will review the outcomes of the 2022 United Nations Climate Change Conference (CoP27) based upon its position and demands for climate justice.

In 2022, the African Union and the political leadership on this continent is seen to be backpedalling from commitments to the 2015 Paris Agreement on Climate Change, in support of the fossil fuel industry, as stated in its position on Energy Access and Just Transition.

As civil society, represented through the Network, we raise our voices, despite past attempts to stifle our concerns. We will continue fighting for climate justice and progress towards a just transition. These fights will not be abandoned, despite an increasingly hostile environment created to dissuade any substantial

action and achievements on challenging fossil fuel extraction.

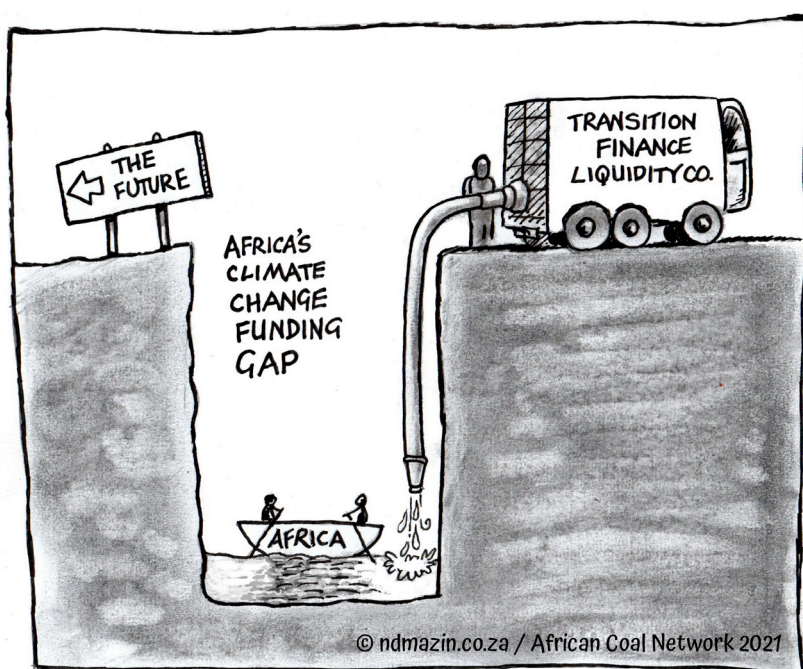
As key decision makers and the corporate elite – who have infiltrated what should be a democratic space and who are distant from those in struggle on the ground – spend their last few days in Sharm el-Sheikh, Egypt, we want to be clear: all fossil fuel expansion **MUST STOP NOW** and present developments must wind down as soon is feasible to ensure a just transition for those affected most by climate change and injustice.

## Attention to all African heads of state, ministers and representatives negotiating on behalf of their governments and constituted groups

On this 27<sup>th</sup> gathering of the United Nations Framework Convention on Climate Change, we call for a deep recognition of the present science and people's testimonies, and for upholding the founding principles of the international environment treaty – established to combat the dangerous human interference with the climate system.

We recognise that, as a global community, we are far from realising this aim. Yet, we remain hopeful that, because of our efforts and resistance on the ground, those responsible for the climate crisis will be moved to implement commitments to reduce toxic emissions that cause climate change. They cannot continue to ignore the commitments of the past.

The IPCC's Sixth Assessment Report on the impact of the climate crisis paints continually spiralling and widespread devastation, due to human-induced climate change. Strong recommendations from the report are urgent, and immediate and ambitious actions are required to address climate risks. The window for action is narrowing.

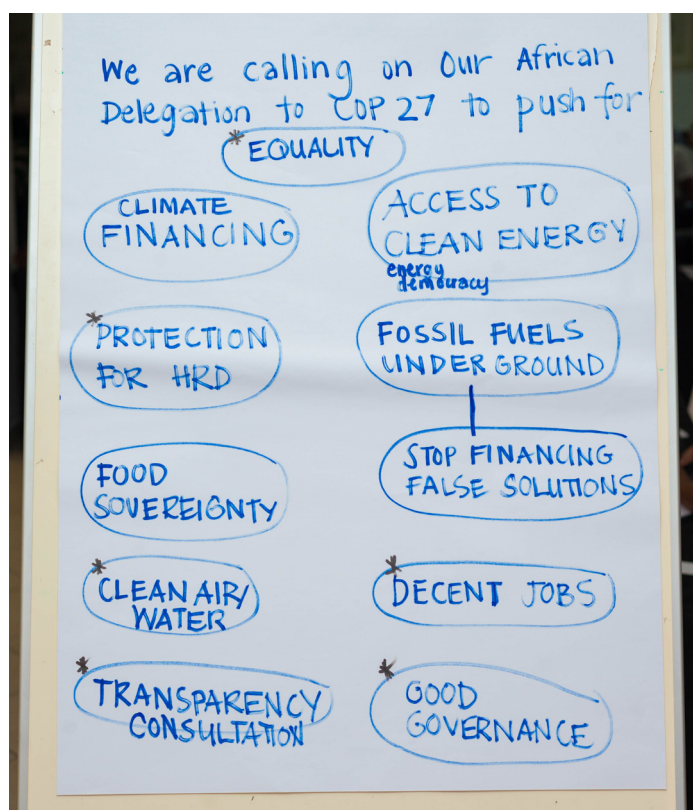


We are facing the impact of the climate crisis. Each day is an attempt to survive the extreme weather conditions, the displacements due to floods and cyclones, the destruction of homes, crops and herds, and the hunger due to droughts and destroyed food sources. At this moment, we are in solidarity with all communities in the Global South that endure the most suffering, despite contributing the least to the climate crisis.

In our minds, it is very clear that there is no future for oil, gas and coal – particularly not in the future world that we are trying to create, which is regenerative, democratic and respects all peoples on this planet. We must ensure that getting there is just, not just for the global community but for African people – especially those who go to bed each night without electricity or food.

As a collective, we are unwavering on the standpoint that any transition process discussed and negotiated needs to talk about justice, people's economies, improved community services and provisions to build resilience in the face of the climate challenge.

Further to this, we will view the outcomes from the strong national positions we collectively shared in September 2022.



Resolutions from the National Coal Exchange meeting in St Lucia, KwaZulu-Natal

Positions from our collective on what needs to be addressed:

### 1. Protecting human rights, democracy and free spaces:

Protection of community and NGO activists who resist the expansion of the fossil fuel industry is critical. Indeed, they are the people who are ensuring real climate action is taken: keeping fossil fuel in the ground. Allow them to participate freely and democratically in challenging the powerful who seek to continue the expansion of fossil fuels. **We want real freedom promised to us as we decolonise our lands.**

### 2. Consultation, hearing and acting:

Especially with youth, women, disabled, climate migrants, the LGBTQI+ community and affected communities. You cannot listen in the sanitised halls of the UNFCCC. Come to the places of struggle and hear those in struggle speak for themselves. It is here where people are most impacted. Democracy lives at a local level, not in distant elite spaces. **We need real democracy.**

### 3. War and violence:

The exploitation of fossil fuels from Mozambique to Nigeria, from Uganda to South Africa fuels wars and violence against the people of the land and the land itself. **We want peace.**

### 4. Energy mix:

The current energy mix across Africa is heavily in favour of fossil fuels and our leaders are pushing gas, which impacts on communities across the region, at the local level of extraction and production to those impacted upon by climate change. **We want renewable energy that serves African people first.**

### 5. Climate finance:

Africa needs meaningful and real finance for mitigation, adaptation and loss and damage. We are tired of promises and the lies of those Northern governments that have benefited from creating the present climate catastrophe. **We want real money based upon the climate debt that is owed to the South by the North and those who continue to exploit fossil fuels.**







**6. Destruction of food systems:** We note the abuse of agriculture, land and food systems as climate change destroys the African food systems and is devastating the livelihoods of the most vulnerable communities. The fossil fuel dependent food system is the antithesis of people's food systems controlled by the people who need food. **We fight for and demand food sovereignty.**

**7. Destruction of land:** Deforestation and the degradation of our ecosystems are too common. **We demand that our forests and ecosystems serve the people of Africa and are not used for trading by polluters.**

**8. Migration:** Climate-related environmental disasters have forced people to migrate, especially to urban centres, triggering resource conflicts, adaptation challenges and disputes with host communities over limited resources, coupled with significant changes in livelihoods, activities and traditional gender roles in communities. **We recognise that we are all African and we need**

**to develop systems that will accommodate and support those who are forced to migrate because of climate devastation.**

**9. Health:** From the fenceline of toxic fossil fuel extraction to industrial production sites, to the growing urban areas where African people are forced to live in poorly serviced spaces and poverty, people's health is impacted. **We call for health care systems that serve the poor as they deal with climate change impacts.**

It has become increasingly clear that the fossil fuels industry will stop at nothing to win the fight to delay a just transition and shift to cleaner energy production systems that serve people first.

Sadly, institutions such as the UNFCCC, which should be protecting the people on the 'front lines' of climate injustice and in particular African interests and sustainability, are aiding and abetting this continued exploitation, destruction of the environment and natural resources and the displacement of lives and livelihoods in the region.

You will be judged harshly. ☀





# Busting gas myths



*Press statement by the  
African Coal Network*

**G**as is not the future for Sub-Saharan Africa. It is neither a clean nor cheap alternative source of energy. Despite being lauded as a cleaner energy option, it is made up of methane (the second-most important (potent) greenhouse gas after carbon dioxide). Like coal and oil, it is a fossil fuel, and burning gas creates global warming and contributes to climate change.

The E3G Gas and Development Report states that gas is a leading contributor to increases in global emissions. Despite evidence of the negative impact of gas, low and middle-income countries are seduced by international public finance that encourages gas projects and pays little attention to renewable energy opportunities.

Supporters and funders of gas energy production have dominated the public sphere with claims that gas is a cleaner energy option, and an opportunity for significant economic development in countries in the region.

The African Coal Network counters this position as simply false prophesying and busts three commonly believed myths, as follows:

## **Gas is a cheap energy source**

A significant myth relating to gas is that it is a cheaper energy source with greater opportunities for leading economies out of the economic downturn than oil and coal. This is untrue. Often extracted for export, gas is expensive and a driver of higher global electricity costs (International Energy Agency). Further, gas requires high quantities of clean water from extraction to production and combustion. The strain exerted on water resources works against water conservation and necessary ecosystem strategies to build climate resilience. Renewable options remain the cheapest energy source at current costs and lower prices are projected in the future.

In addition, cases from across the continent, including the conflict and destruction in the Cabo

Delgado, Mozambique, and the Niger Delta, Nigeria, reveal the damage that has been done to communities and degraded environments, by the violent extractive nature of oil gas corporations. Gas exploration has resulted in many people paying the ultimate cost – community members and children have died – and thousands of people have been displaced due to the conflict, inequality and environmental crisis created by the gas industry.

## **Gas production creates jobs**

A general absence of data and information on the number of jobs supported by the African fossil fuels industry makes it difficult to estimate the number of jobs supported by gas production. The entire fossil fuels sector is estimated to employ less than 1% of Africa's workforce (UNCTAD). In addition, exploration and production often favour foreigners, due to the skills and expertise needed (K4D).

According to the senior manager of the Climate and Energy Justice Campaign at groundWork, Avena Jacklin, the renewable energy sector with local content prioritises local employment and creates more decent jobs for communities. A recent brief by the International Labour Organisation (ILO) affirmed a positive job creation effect from renewable energy, due to longer and more diverse supply chains, labour intensity, increased net profit margins and less hazardous working conditions.

## **Gas ensures a secure energy supply**

Africa experiences approximately 4 300 hours of sunshine, the greatest global average. Most parts of Africa have in excess of 2000 kWh (Solar Photovoltaics in Sub-Saharan Africa), making the continent favourable for solar energy production when compared with other regions.

Energy producers can better resolve Africa's energy requirements with the quick and efficient implementation of renewable energy that connects to existing grid infrastructure, and building additional infrastructure and storage capacity (Meridian Economics Report).





Gas is finite. Infinite resources such as the sun's radiation, wind and wave action are sustainable due to their ability to replenish naturally. Renewable energy provides greater opportunities for a secure supply of energy.

## Forging real pathways for the Global South

Dean Bhekumuzi Bhebhe, Campaigns Lead for Power Shift Africa, dismisses gas production as a real solution to the region's energy poverty. In most of Africa, the grid infrastructure to take power from large gas generators to the people does not exist. In contrast, renewable energy can be generated right where people are living and distributed through local mini-grids. The dash for gas is really motivated by one thing: increasing the profits of the fossil fuels industry. Bhebhe asserts that the Global South should adopt its own path and reject old ways of development, which have been largely extractive and exploitative, resulting in a dirty and sullied environment.

A collective of civil society organisations is pushing for clean energy and opposing the risk of locking fossil fuels into Africa's long-term energy mix (Don't Gas Africa) by advocating against the African Union's support for the fossil fuel industry to "play a crucial role in expanding modern energy access" (African Union). Increased gas investment risks locking countries into further dependency on fossil fuels, resulting in additional debt, substantial losses and environmental harm – hampering the advancement of the region's energy and development goals due to wasted expenditure.

## Leapfrogging to renewable energy

A move to renewable energies can create new jobs, provide energy for increased economic activity and development, and reduce emission levels in the region. Developing energy infrastructure in the region will come with substantial capital investment because large sectors of the population do not have any energy or power, or the start-up costs for renewable energy

capacity. Countries in the Global North installed their infrastructure when costs were high. However, solar and wind prices have reduced by 80% in the last decade.

Improvements and rapid scaling of technologies have resulted in better performance, storage capacity and materials and improved access and affordability. Additional opportunities for increased savings exist if African governments can leverage current fossil fuel subsidies to incentivise a shift to renewable energy. These can create a positive ripple effect by increasing the use of cleaner energy, increasing local production, stimulating local economies and encouraging circular economic policies, which will result in reusing, reducing, and redesigning material waste.

Africa is endowed with resources and well positioned to resolve its energy problems by investing in and utilising renewable energy. Increased communications and education will respond to current information gaps regarding the opportunity for cheaper and cleaner energy. Engaging and communicating with communities using their languages, with messages that resonate – such as job opportunities, health advantages and cost-saving – will contribute to increased uptake.

## Conclusion

As a result of rapid global change, the importance of resilient and just economies continue to be a high priority for developing countries. The general constraint of economic resources requires strategic thought and the allocation of public funds to build the backbone of an energy sector that is enabling, sustainable and equitable for countries in the Global South.

Gas is a hazardous and resource-heavy energy option. It is also expensive. Furthermore, it destroys lives and ecosystems and accelerates climate change. Countries in the region should forge pathways to capitalise on cost-optimal wind and solar energy, which will meet energy supply gaps, achieve a just transition and respond to climate change. 🌞





# Our lives are in danger

by Robby Mokgalaka

**g**roundWork and partner organisations wrote a letter to Dr Naledi Pandor, a newly elected member of the Human Rights Council at the United Nations, requesting her to intervene in the scourge of human rights abuse in South Africa, where the killing of activists is not being addressed and the government is failing to protect them. The letter was not addressed only to the office of the honourable Pandor, but was also copied to President Cyril Ramaphosa and Minister of Police Bheki Cele, and was also copied to the KZN Provincial Minister of Police.

In October 2020, immediately after Fikile Ntshangase was killed, groundWork sent a letter to President Cyril Ramaphosa, seeking his intervention in this matter, and his assurance that justice would be realised for the Ntshangase family and the many others who have been affected by the killing of Ntshangase, but there was response from the president.

On Thursday the 20<sup>th</sup> of October 2022, community formations and civil society organisations around the country gathered in Somkhele for the National Coal Exchange to share their struggle with one another and commemorate the death of Fikile Ntshangase in solidarity. The group focused their discussion on the Just Transition debate, which is a government-led process engaging with different community stakeholders. Their focus on the Just Transition was to understand the process better, share the knowledge with their respective communities and build their own demands in the Just Transition process.

A declaratory statement was made containing their demands to the government and industries in the context of a Just Transition. Each community expressed their input in the Just Transition discussion in terms of their community needs.

On Friday the 21<sup>st</sup> of October 2022, they staged a protest outside the KwaMsane Police Station in Mtubatuba, in northern KwaZulu-Natal. They were there to demand justice for Ntshangase and for meaningful progress into the investigation of her murder. They called upon the KZN police commissioner

to protect all environmental activists. Discord is brewing in other mining-affected communities, such as Newcastle, where activists continue to receive threats for opposing the Ikwezi coal mine.

The protest was well-attended by mining-affected communities. It peacefully proceeded towards the police station and the memorandum containing all concerns pertaining to safety and killing of the human rights activists was handed over. The SAPS was given until the 11<sup>th</sup> of November 2022 to respond.

It is already more than two years since Fikile Ntshangase was gunned down in October 2020 by four men, in her home, in front of her 13-year-old nephew, and her killers still have not been arrested. She was killed while opposing the expansion of the Somkhele coal mine, owned by Petmin (Pty) Ltd, and probably because of her steadfast opposition to this expansion.

Fikile Ntshangase was the deputy chairperson of the Mfolozi Community Environmental Justice Organisation (MCEJO), a community-based organisation representing the communities of Somkhele and Fuleni. The communities were negotiating to protect their environmental rights, which were being violated by the coal mining development. She was firmly against expansion of the coal mine on the basis that the community had been living on the land for many years and had enjoyed the benefits of food from their land when undisturbed. A few days before she died, Ntshangase had called her colleagues and informed them that she was aware that people wanted to silence her, permanently, and that she was afraid.

A similar attack occurred in March 2016, when Sikhosiphi 'Bazooka' Radebe (51) was gunned down and killed outside his home in the Lurholweni township in Bizana, in the Eastern Cape, in front of his teenage son. The murder allegedly was committed by two men dressed as officers of the South African Police Service (SAPS). Bazooka was the chairperson of the Amadiba Crisis Committee, a community-based organisation campaigning against the proposed titanium mine in





the area, by the Australian company MRC. To date no one has been arrested.

Abahlali BaseMjondolo is a community organisation dealing with land, housing and other social justice issues which affect shack dwellers throughout the country. The organisation has lost 24 of its members – shot and killed – since 2009. Only two of the twenty-four activists have received justice through the arrest and sentencing of the killers.

In March 2021, in Newcastle, people were protesting peacefully against the Ikwezi coal mine for its failure to address the negative impacts of its operations. Police officers shot at the peaceful protesters, beat them up, arrested them, and they were forced to spend three nights behind bars. That same month, the victims opened a case against the police officers, expecting them to be charged for assault with the intention to cause grievous bodily harm through the application of excessive force – but still, today, not one of the officers has been held accountable.

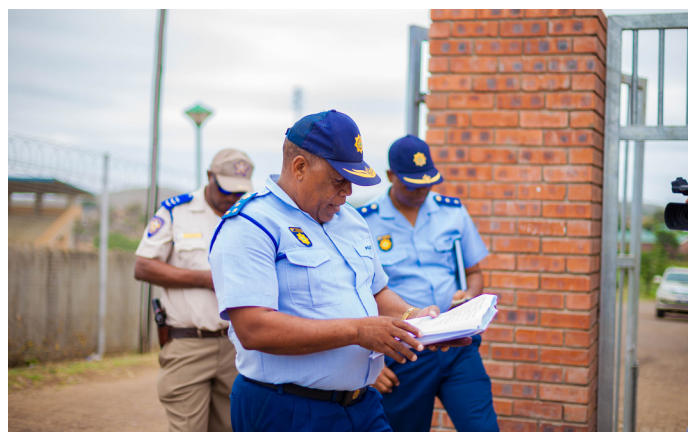
In 2018, a collaborative research project titled *We Know Our Lives are in Danger* was conducted in mining-affected communities in South Africa, by groundWork, Earthjustice, the Centre for Environmental Justice (CER) and Human Rights Watch (HRW). The research project was aimed at documenting the threats and intimidation directed at social justice activists. The outcome confirmed that activists were indeed receiving death threats and being intimidated simply for taking a stand against mining corporates. This research also established that, despite being aware that they had been targeted, activists remained resolute that they would die protecting their land, livelihoods and communities, rather than give in to the overbearing brutality of mining corporations.

These attacks on environmental activists and human rights defenders are a direct attack on our democracy and the constitution. The government of South Africa is failing to protect poor people who challenge corporate bullying. This is a clear indication that poor people have fewer rights than others, even under the same constitution.

The coal campaign is planning to amplify awareness through collaborative effort with other NGOs and to develop strategies to put pressure on the government to make the protection of human rights defenders a priority. 🌀



*Above: Activists and community members protesting outside the KwaMsane Police Station during the Fikile Ntshangase commemoration. Below Brigadier C.S. Cebekhulu receiving the memorandum on behalf of the provincial police commissioner. Credit Lunga Bhengu*



# UK Government's threats to human rights scrutinised at UN

By Alison Dilworth and Denis Fernando

**T**he UK government has embarked on an agenda of radical attacks on the right to protest and is threatening the Human Rights Act (HRA). The current Home Secretary, Suella Braverman, has stated that it is her 'dream' to enact deportation flights. This is further proof of a chilling direction of legislation that we have seen this year, with the UK government passing successive bills that advance authoritarian police powers whilst simultaneously attacking rights that protect protest, migrant communities and asylum seekers, accessible and fair elections and the rights of Gypsy, Roma and Traveller Communities.

Further legislation has now been tabled that further threatens protest rights, and a bill is due that would restrict ethical divestment, which could have impacts on fossil fuel divestment.

An overall threat to human rights takes the form of a so-called 'Bill of Rights', which is due imminently and which intends to repeal the HRA. This landmark legislation brought the European Convention on Human Rights into domestic law. It allows people to defend their human rights in both the domestic courts of the UK and the European Court of Human Rights. It also places certain obligations on the government and other public bodies to protect an individual's human rights, ensuring that people are treated with equality, dignity and respect. Furthermore, the HRA is the means by which the ECHR is enshrined as a cornerstone of the Belfast/Good Friday Agreement, which is central to the peace process in Northern Ireland. At a time of increasing uncertainty in the political landscape for Northern Ireland, destabilising the agreement could have serious implications.



*Above and next page: Hearings at the United Nations Human Rights Review. Images supplied.*





The international community has spoken out. Last month, the UK government faced its five-yearly examination of its human rights record at the UN. Every country that is a member of the UN has its human rights record publicly scrutinised under this process, called the Universal Periodic Review. It's an opportunity to look at all the human rights treaties a country has committed to and assess how they are doing.

FOE (England, Wales and Northern Ireland) and FOE Scotland, lobbied embassies, including the US, Ireland, Australia, Canada, Switzerland, Estonia, Mexico, Netherlands and others – including Ukraine, Kenya, Botswana and Namibia – in London, as well as their diplomatic missions in Geneva, explaining our concerns about the UK government and suggesting questions and recommendations could be made to scrutinise and improve the human rights picture here.

On the 10<sup>th</sup> of November, over 100 countries intervened in scrutiny of the UK government. The issues and failings they identified ranged from child hunger, housing and homelessness, to civil and political rights, including protest rights and surveillance. Issues around gender rights, institutional racism, discrimination against people with disabilities, trans rights, the rights of migrants and asylum seekers, to climate change, biodiversity and a healthy environment, were also raised.

It's a global critique. Greece highlighted the right to protest; Kenya, Mexico, Australia Ukraine and many others raised the threats to the Human Rights Act.

The UK government believes it is a leader and a pioneer on human rights and freedoms. Therefore, it has been excellent to see it face such scrutiny and that so many countries we lobbied have taken up our issues.

Our job now is to use those recommendations to increase pressure on the government, and to encourage MPs from all parties to keep these recommendations in mind when they challenge draconian legislation.

We know that the UK government and parliamentarians are susceptible to pressure from the international community. We have called on FoE's international groups to show solidarity with us by taking part in a visual stunt, questioning whether the UK's human rights will be laid to 'rest in peace' following such fundamental attacks as the removal of the Human Rights Act. This call chimes with the scrutiny at the UN.

This campaign has enabled us to demonstrate FOE's commitment to standing up for people and planet. Defending and protecting our increasingly threatened human rights is more important than ever. 🌍







# Mercury bans only skin deep

Tony Carnie



**T**o protect people and the environment from the well-documented toxic harms caused by mercury, more than 130 members of the Minamata Convention agreed to a global ban on the manufacture and trade of cosmetic products containing more than 1 part per million of mercury from January 2021.

South Africa banned the use of this brain-poisoning heavy metal in cosmetics more than 30 years ago. Yet, skin-lightening creams with very high levels of mercury and other dangerous substances are still sold openly across the country — not just in shops or from informal vendors, but also over the internet through e-trading platforms such as Facebook, eBay, Desertcart, Takealot or Gumtree.

Clearly, the global and domestic bans aren't working, exposing millions of South African women, men and children to a variety of significant health risks.

But with so many agencies and other roleplayers involved directly or indirectly in enforcing bans or monitoring illegal activities, who is to blame and what needs to be done?

To answer some of these questions, we went on an unusual shopping expedition just before Christmas, to see how easy it is to buy some of these skin-lightening products.

Based on previous research by the local environmental justice watchdog groundWork, we bought six different skin-lightening creams — one from a SpiceEE branch in Pandora Street, Phoenix; three from another SpiceEE branch in nearby Parthenon Street and two from W&G Makeup City at Durban China City in Springfield Park. All six products were made in Pakistan, according to the package markings.

Then we sent the samples to CSIR Analytical Services in Stellenbosch for laboratory tests. The results showed that all six samples contained mercury levels above 1 part per million (ppm) — with one sample containing over 29 000 ppm of mercury.

The full results are presented below:

Goree beauty cream with lycopene: 29,218 ppm

Golden Pearl beauty cream: 16,857 ppm

Goree Day and Night cream: 14,047 ppm

Faiza beauty cream: 5,890 ppm

Biocos beauty cream: 4,766 ppm

Noor Gold beauty cream: 82 ppm

Five of these six creams have also previously been tested at other laboratories in Greece and California and found to contain mercury levels varying between 9,000 ppm and 16,000 ppm.

We also sent questions to the national Department of Health about the apparent failures in regulation and the monitoring of domestic and imported skin-lightening creams.

The department was asked to explain why draft amendments to the Foodstuffs, Cosmetics and Disinfectants Act in December 2017 have still not been promulgated. The draft includes provisions to tighten up on the monitoring, control and sale of these products, but department spokesperson Foster Mohale has not responded to questions sent in December.

We also sent questions to the SA Health Products Regulatory Authority (Sahpra), an entity of the Department of Health tasked with regulating, monitoring, evaluating, investigating, inspecting and registering all health products.

“Why do the Sahpra and other sister agencies appear still to be failing to control the manufacture, distribution and use of skin-lightening creams containing illegal and harmful ingredients?”

Sahpra said: “There are sophisticated criminal networks operating on a global scale, not only locally. Sahpra coordinates with other law enforcement agencies in the prevention, detection and response to this challenge. Stakeholder cooperation and collaborative efforts are being strengthened in this regard.”

We also contacted the Customs and Excise division of SARS to find out what they do to monitor



and inspect consignments of illegal skin-lightening creams.

According to SARS, customs officers conduct scheduled and unscheduled search and detection operations at all 51 ports of entry.

What happens when dodgy shipments of skin-lightening creams are seized? Do SARS officials have the training and access to accredited laboratories at border posts to rapidly analyse these creams for mercury and other harmful substances?

The division says such products are handed over to the Department of Health for verification and eventual destruction, or “referred to the local Port Health Officers with the technical knowledge for assessment and a decision”.

To monitor e-commerce and online purchases of imported skin-lightening creams, the division says inspections are carried out at international mail centres, courier import companies, along with traveller luggage inspections, commercial and non-commercial cargo and container inspections and the use of scanners.

Despite the 1990 domestic ban on the sale and marketing of harmful skin-lightening products, it remains unclear what proportion of these products are still made in South Africa.

A research paper published by Durban dermatologist Prof Ncoza Dlova in 2012 suggests that significant volumes of illegal skin bleaching creams are still made locally. She said an investigation into the top 10 bestselling skin-lightening creams available in Durban indicated that 90% of creams sampled were found to contain banned or illegal compounds.

Nearly 60% were manufactured in South Africa and the rest were imported illegally from Taiwan, Italy and the UK. Nearly 40% of the analysed creams contained mercury as an active ingredient, 20% contained corticosteroids, 20% contained resorcinol and 10% contained a derivative of hydroquinone.

Hoping to get some answers about the domestic manufacture of skin-lightening creams, we contacted Adelia Pimental, executive director of the Cosmetic, Toiletry and Fragrance Association of South Africa (CTFA) an industry lobby group established in 1994.



*Credit: Unsplash - Engin Akhurt*

Pimental says there are many CTFA members that make skincare products, including some brands with “even skin” product ranges.

“The main function of these products is to even the natural tone of the skin, rather than lightening it *per se*, and there are many ingredients which provide that specific benefit which have a clinically proven safety profile for consumer use.”

We also asked the association if it was concerned about stricter regulations for labelling, advertising and composition of cosmetics proposed by the government in December 2017 and whether CTFA could throw any light on why there had been a lengthy delay in promulgating them?

“Despite the National Department of Health’s original intention of promulgating these regulations in 2017, this has not occurred to date. It is not for the CTFA to comment on the reasons for the delay in promulgation of the draft regulations, as this falls wholly under the ambit of National Department of Health.”

We also asked the association to comment on criticism by University of KwaZulu-Natal law student and researcher Nabeela Seedat about the self-regulatory nature of the CTFA. Seedat suggested in a recent dissertation that consumers were not able to access the association’s codes of practice or to lay complaints and suggested that the failure of the CTFA to regulate the industry was one of the reasons that stricter government regulation was necessary.

“Ms Seedat’s allegations are somewhat misguided, in that the CTFA was never intended to provide a forum for consumer complaints. Indeed, there are



many forums via which consumers may complain about any cosmetic product, including the Advertising Regulatory Board of South Africa, the Consumer Protection Act and the National Department of Health, depending upon the nature of the consumer complaint concerned. Furthermore, CTFA has been insisting for a long time for the cosmetics industry to be regulated, in order to protect consumers more. CTFA has been lobbying for the promulgation of the regulations for a very long time.”

Prof Dlova, who has been campaigning to raise public awareness about harmful skin lightening creams for several years, notes that South Africa’s borders remain “porous”.

“When one engages the relevant authorities in the relevant departments, they often have other priorities, or the interventions are not sustained or monitored. But I must say the Department of Health has been quite supportive in advocating against the abuse of such creams and there have been raids in some parts of the country.”

Another complication, she says, is that the distributors often change their product names after enforcement drives.

“I think the most important step is to educate consumers from a young age so that they are properly informed, because one can’t rely on government to regulate this problem when they have other pressing priorities. While some of the products are manufactured in other countries, I would say about 70% are manufactured right here in SA, and that is what our studies revealed.”

“The government also needs to be consistent in monitoring, conducting spot-checks and raids on the vendors. It has to be ongoing — not just once a year.”

Dlova also believes health workers have an important role to play in educating and discouraging patients from using these creams ... Most patients still don’t know that there are [harmful] side effects.”

## Responses from manufacturers and sellers

We were not able to reach SpiceEE owner Ali Osman for comment on the CSIR laboratory test results. His father, Ebrahim, initially asserted that “those creams have been discontinued” before remarking “I am

not the only one selling those creams ... If we were aware that it was illegal, do you think we would put it online?”

Asked if he knew that the sale of skin creams containing mercury had been banned since at least 1988, Osman senior said: “Not to my knowledge. I don’t know the content of these creams. My knowledge is limited to spices. How do they (creams) come into the country if they are illegal?”

We asked for a contact number for Ali Osman, but his father said: “He is not online or on the phone. He has taken a two-week vacation to the Berg.”

Nor were we able to contact W&G Makeup City on the cell phone number listed on the receipt and shopping bag.

Arslan Tariq, spokesperson for Goree Cosmetics in Lahore, Pakistan, asserted that the creams we tested must have been fake.

“As per our survey there are too much duplicate / copies of our Goree products In the market. As we do not operate directly in the SA market some people take advantage of that and by using our name they throw fake Goree products in the market in fact many of them are not even in our product range but they are selling under our name in South Africa.

“We are totally aware about it should be > 1ppm mercury and we assure you that we do obligate that. (Samples can be provided on demand). If you guys have any office in Pakistan you can take Goree cream from market here in Pakistan or tell us can send samples to you. So that you can be able to share the real picture even to our customers too.”

This is not the first time Goree has responded in this way to tests in other parts of the world which also show high levels of mercury in Goree brand products.

Noor Gold spokesperson Muhammad Kashif offered a similar response to our queries: “Our products are according to international quality standards. And does not contain hazards contents. But some people make copy of our products for making big profit.”

Golden Pearl, Biocos and Poonia Brothers (Faiza cream) did not respond to email queries. ☺

*This article has been cut down from a more comprehensive article, which is available here: <https://www.dailymaverick.co.za/article/2022-02-15-skin-lightening-whitewash-global-and-domestic-bans-of-cosmetics-containing-mercury-prove-to-be-skin-deep/>*







# PHASA: building back better

by Mafoko Phomane

**O**ur overarching objective as the Environmental Health Campaign is to ensure that the health community actively demonstrates that the global ecological crisis is a health crisis, and that the health community works with affected communities to promote environmental justice.

In September this year the public health community gathered in Durban where the Public Health Association of South Africa (PHASA) held its first in-person annual conference post the pandemic. PHASA is a South African national, voluntary, Section 21 Not for Profit Organisation. It was established in 2000 and is dedicated to promoting the health and well-being of all South Africans. Since its inception, the PHASA conference has provided a unique forum for all health professionals, in both public health and in academia, to develop mutually supportive networks. PHASA advocates for equitable access to the conditions necessary to achieve health for all, through access to effective health care. One of the objectives of the PHASA conference in 2022 was to explore building back public health resilience and what recovery should look like.

The 17<sup>th</sup> annual PHASA conference this year was attended by over 200 public health professionals, researchers, policymakers, academics, students, civil society activists and those interested in advancing the interests of health, healthcare and public health. groundWork, through its Environmental Health Campaign, is a member of PHASA and we are active in the Climate, Energy and Health Special Interest Group (SIG). Special Interest Groups are multidisciplinary groups of decision-makers and implementers, and SIGs (as they are referred to in short), provide a platform for membership interaction and the exchange of experiences regarding particular issues in health systems research.

Our main goal as the Climate, Energy and Health SIG is to bring together public health experts, climate modellers and experts from other relevant disciplines,

to understand the intersection of climate, energy and health in Southern Africa. The aim is to facilitate multi-disciplinary research and provide evidence for informed policy development and decision-making across the region.

The urgent crisis of climate change biodiversity loss and pollution catalysed the need for climate change to be featured prominently in this year's conference; in turn, this gave a strong impetus to our work in the Climate, Energy and Health Special public health Interest Group. Our presence at PHASA was further showcased by a groundWork exhibition stand, where we shared different focus areas of our work on climate change and health, Global Green and Healthy Hospitals (GGHH), Sustainable Procurement in Health (SHiPP), the Just Transition, and air pollution and environmental justice in general.

Through the PHASA Climate, Energy and Health Special Interest Group we hosted a workshop titled *Using the Media Effectively for Public Health Advocacy in Climate Change and Sustainability*. We were honoured to have Shweta Narayan, international climate and health campaigner from the global team at Health Care Without Harm (HCWH) travel from India to join us at the PHASA conference, and to participate in facilitating this workshop. We are pleased to report that we were successful in recruiting members for the Climate, Energy and Health SIG.

Our colleagues at the University of KwaZulu-Natal (UKZN) invited us to participate in a panel discussion on *Health Surveillance as a Tool for Tracking the Impact of Climate Change and Informing Preparedness*. We shared this platform with experts from the University of Cape Town (UCT) and the KwaZulu-Natal Department of Health.

Our greatest achievement was demonstrated by our participation in a plenary discussion on *Public Health preparedness in managing climate related disasters*. On this panel, our director Bobby Peek shared the stage with Dr Imtiaz Sooliman, founder of Gift of the Givers, who gave stark accounts of the





*Rico Euripidou in conversation with visitors at the groundWork stand during the PHASA conference in Durban.*

*Credit: groundWork*

lack of basic services for communities in the Eastern Cape. He spoke of extreme hunger, and the lack of water and health services being experienced by both adults and children, all brought about by drought and other climate disasters, which his organisation works tirelessly to alleviate.

Dr Sooliman urged health professionals to be visible in the frontline during disasters. He further reminded them of their oath of service above self. Bobby Peek also urged PHASA to encourage the National Department of health (NDoH) to have representation on the Presidential Climate Commission, as the NDoH is central in how we deliver the Bill of Rights.

This discussion came at a particularly opportune time, given the recent disastrous floods in Durban. We are indeed breaking new ground. These engagements positioned us to author a chapter on Climate Change

and Health in the *South African Health Review*, a peer reviewed journal published annually, which documents the evolution of South Africa's health system.

groundWork's presence at PHASA foregrounded the impacts of environmental issues on health and the urgency with which the public health community must actively participate to develop a climate-smart public health system. This system must draw on the principles of community-oriented primary care (COPC), an approach rooted in improving a community's health by using principles of public health, epidemiology, preventive medicine and primary care that has been shown to have positive health benefits for communities globally. And we should not forget the Alma Ata Declaration of 1978, which identified primary health care as key for attaining the goal of Health for All. 🌍

# Exploitative Extended Producer Responsibility Scheme



by Musa Chamane

**I**t is time for South Africa to have a levy on all packaging materials such as paper, plastics and cardboard, following the plastic bag levy that was introduced more than a decade ago. The levy was introduced as one of the strategies to reduce the amount of waste going to landfill. This is a concept that is used mostly in developed countries as a way of waste minimisation. Government has developed a number of laws and policies to try to minimise waste. It is government's challenge to manage waste that it did not create in the first place. The Extended Producer Responsibility Scheme (EPR) is a progressive tool for dealing with waste. Its aim is to make sure that the costs of poor waste management are not externalised to the poor and the environment.

In the past, South Africa introduced the plastic bag levy aimed especially at the supermarkets. This resulted in a decrease in the amount of plastic bags that were seen hanging off the trees and fences because bags were no longer freely available in supermarkets. The levy decreased the haphazard disposal of plastic bags. "Buyisa ebag" was the program, but it has had its fair share of challenges.

The Producer Responsibility Organisations (PROs) such as Petco, Nampak and Coca-Cola have collaborated to form POLYCO, an umbrella body for EPR packaging implementation. Year 2022 was year one of the scheme and year two begins in 2023.

The schemes that are in force are for packaging, lighting and electrical items, as well as e-waste. There are billions of Rand to be collected by these schemes. The money that will be collected here will be accounted for to government, because industries wanted to manage the money rather than it being managed through the treasury. There are monthly and quarterly reports to be sent to government as a way of reporting and checking on progress. The schemes will see a lot of waste diverted from landfills, which is what is required by the Waste Act 2008.

The industries, especially packaging industries, are offering a 15c/kg recycling fee to each waste

picker. The South African Waste Pickers Association (SAWPA) and African Reclaimers Association (ARO) have both rejected the 15c proposal. They are, however, still in negotiations and the counter-offer will be pronounced by both associations before end of 2022.

Currently, more than 6 000 waste pickers have been registered under the National Waste Picker Registration (NWPR) system, where all the waste pickers are registering to benefit from the proceeds of the levy, but what they earn will depend on each individual waste picker's monthly collection.

The associations are arguing over the historical debt because the existence of the recycling industry in South Africa has been solely dependent on the waste pickers' hard unpaid work. Waste pickers are arguing that they are being used by industry because what they are proposing is next to nothing, and it is an insult to the grassroots movements of waste pickers.

The industries are arguing that South Africa has more than 90 000 waste pickers and say it is impossible that they can pay more than 15c because that means they will require millions of Rand every month to go to waste pickers. There is also an argument by industry that they still have to build infrastructure for recycling purposes and the levy will have to fund that, according to the government EPR regulations. Negotiations between associations and industries are ongoing and hopefully consensus will soon be reached. The expected first payment to waste pickers should be at the end of November 2022 and we are crossing our fingers that those who are registered will finally get something.

This is huge progress in the struggle of waste pickers, a struggle that started 15 years ago when they were not recognised by government. Civil society, together with waste pickers, kept on pushing until their existence was understood and was embraced. The gain is not only for waste pickers; it is also for the citizens because South Africa will soon be counted amongst those that have high recycling rates globally. 🌱





# Reflection on year 2 of the Warwick Zero Waste Project

by Asiphile Khanyile



**C**urrently, the waste sector is the third largest contributor of greenhouse gas emissions after energy and agriculture. Hence the waste sector is gradually becoming more dynamic and favourable as efforts grow to ensure that it improves and, most importantly, plays a key role in climate change mitigation. Because of this, the journey of the Warwick Zero Warwick (WZW) project towards zero waste gets more interesting each year, especially in the manner in which the project grows and strengthens its networks. Hence, our work of year two focused on implementing some of the co-designed pilots, as well on hosting workshops with informal workers, especially on the nexus between waste and climate. Through the work done by the partners – groundWork (gW), Asiye eTafuleni (AeT) and the Urban Futures Centre (UFC) from the Durban University of Technology (DUT) – the WZW project achieved several milestones worth reflecting upon.

Our key efforts focused on the organic waste diversion pilot, where we collaborated with the eThekweni Municipality's Business Support (Markets), Parks (Durban Botanic Gardens) and DUT-Horticulture. The purpose of the pilot is to divert organic waste generated from both the Early Morning Market and Durban Botanic Gardens to become compost instead of going to the landfill.

Successfully, since the end of June 2022 when we started, the pilot is now in its fifth month, with some of the compost having been taken for experiments to compare it with other brands and do plant growth pot trials. Our intention is to demonstrate how low cost, low tech and context-specific frugal solutions can play a role in zero waste systems. Each month there more interested individuals wanting to join the work. Because of this, we have created the Durban Composting Network to learn and possibility form partnerships with some similar initiatives in and around Durban. Thus, now we are in the planning phases of what scale-up will look like in order to make this work sustainable and, most importantly, viable.

Another pilot on our radar and work is the David Webster Corner in the Early Morning Market. In this space we are trying to ensure that workspaces of informal traders and street vendors are dignified and safe. Through the project we have managed to install an outside urinal, close potholes and conduct research with the cooks to understand the flow of waste (especially Styrofoam packaging) generated in the space. Through the David Webster Corner pilot, we are in the process of demonstrating how and why it is important to consult and work with informal workers (and the public) around the needs of improving their working conditions, and foster for social protection.

Moreover, through the project Africa Zero Waste Hub we managed to partner with the South African Waste Pickers Association (SAWPA) and ETH Zürich to host an event at the Glenwood KZNSA Gallery on the 24<sup>th</sup> of August 2022, titled *Towards Zero-Waste: Working with Waste Pickers in Your Neighbourhood*. The purpose of the event was to: create awareness around waste and climate; debunk waste picker stigmatisation/



*Creative workshop with informal traders. Credit: groundWork*





negative perceptions; learn about separation at source; and show the importance of waste pickers in diverting waste away from landfills. The event also incorporated SAWPA's work and a live demonstration of separation at source in order to learn about what is recyclable and what is not.

As a result, we managed to organise 20 waste pickers who work in Mayville, Glenwood, Musgrave, Durban's Inner City and Pietermaritzburg, whilst over 50 community members attended the event. Subsequently, through the event, the project has established a relationship with the waste pickers from Mayville and is in the planning phases of assisting them to make their work safer and easier.

Finally, we hosted five creative sessions with six informal traders and creatives artists Vaughn Sadie and Kenneth Shandu between the 19<sup>th</sup> of October and the 1<sup>st</sup> of November 2022. The sessions were in place to build awareness around climate change through the lens of using creative imagery collected

by the informal traders in relation to their spaces (the Markets of Warwick).

During the last session, we were visited by Lefa Mononga (SAWPA: National Chairperson) in order to start facilitating learning exchanges between informal traders and waste pickers. As a result, we aim to train some of the traders to become zero waste champions for the project in order to have an open space where ideas and knowledge will be shared and for themselves to be in the position of being organised to have a voice, especially on waste-related issues amongst others in the Markets of Warwick.

In conclusion, the WZW Project demonstrates that, working together in partnerships, we are reaching a point of highlighting how zero waste can offer many interconnected solutions. With this in mind, I have seen how the WZW Project has become a platform to discuss and collaborate around zero waste initiatives, waste picker integration and foster social protection for informal workers. ☀



*Learning to make compost. Credit: groundWork*







# Farewell to Gill Addison

by Bobby Peek



**T**he year is 1995. I am deep in the environmental justice struggle in south Durban, challenging oil refineries and toxic dumpsites in our neighbourhood. David Fig, from one of South Africa's then leading NGOs, Group for Environmental Monitoring, calls me to consider a post with them. I am to fly up to Johannesburg. I receive an email from the organisation's Gillian Addison, with my flight details. The name remains at the back of my mind. I do not take the job. I return to Durban and end up working for the Environmental Justice Network Forum (EJNF).

Fast forward to 1997. After a month-long trip, I return to the office, and there is Gillian Addison, employed to support Chris Albertyn, the EJNF co-ordinator.

Gill and I quickly developed a deep friendship, as she took care of us all at EJNF despite her being

employed to support Chris directly. No job was too big for her, and no job too small.

In 1999, sadly and with much pain, many of us left EJNF, and in the run-up to that decision Gill, Linda Ambler and I sat around contemplating our future. It was not difficult to land on what we wanted to do. We wanted to help people on the ground directly. We wanted to be in the trenches of the struggle. We started groundWork. The rest is history, as they say.

Gill was and is a deeply political animal. For 23 years she has been the centre of groundWork. She has worked in the background, holding us together and making sure that we always remember that we are groundWorkers. Being a groundWorker means you can be bold in your actions, always

questioning power and always supporting those in the environmental justice struggle. While many of us are the face of groundWork – and through us the politics of groundWork are understood – that politics is always clear because of the political leadership Gill offers groundWork. Not many organisations here or globally are fortunate to have such an administrator and finance director.

Gill has been the glue and the energy that has given us the space and power to do what we have done over the past 23 years, and what we will continue doing.

A collection of photos, thoughts and recipes from staff, the groundWork board and friends is for Gill to have close to her. Food and sitting around a table are an important part of groundWork's being. We hope that this collection will bring Gill many good meals and times with friends around her table.

A Luta Continua

Gill, we will miss you!





# EJFUNDSA is launched

by Bobby Peek



**F**riends, EJFUNDSA Board Members, Grants Committee Members, fellow activists, and funders

Welcome to this Launch of the EJ Fund SA. We are thrilled that the EJ Fund is no longer just an idea, but an active player in the field of environmental social justice, and we are thrilled to see you here, to celebrate the launch of the EJ Fund, with us, today.

I am going to begin with a little story today. A personal story, which is at the core of my activism.

In 1995, the prevailing community environmental justice activism in south Durban erupted into robust, ramped up action. The trigger? The Engen oil refinery had the audacity, born of arrogance, to expand production at the oil refinery, *without* having installed pollution reduction equipment, and *without* having consulted the people living across the fenceline.

Our family house is six houses away from the refinery and we were thrown in at the deep end. We residents had no choice but to challenge this. We took to the streets, the boardrooms, the city hall, the media, the international world – we even met with Tata Madiba. We were in a post-apartheid South Africa, having to live with the same corporates that had benefited from apartheid and people's suffering, which were continuing to externalise their pollution. The corporates had not changed. They were still using apartheid and Madiba to continue their exploitation of people, and to accumulate profits at the expense of the health of workers and communities.

All hell broke loose. We challenged Engen fiercely, drawing on our long experience of resistance to apartheid. During the years that followed, we organised across residential boundaries and formed a united front against Engen, Shell and BP.

We were 'militant'. We were 'radical'. We refused to sit on any of the democratic government's committees, which were seeking to extend the life of environmental injustice. As a result, our organising was branded as non-constructive in a post-apartheid South Africa. The leadership and the corporates wanted everything in a new South Africa to be as

sacred as motherhood and apple pie. They did not want resistance.

Early in this battle we realised that we needed financial support to take this resistance to the next level. Funders responded by saying we were too radical and needed to be more constructive – and they were unable to support us.

Fast forward. Five years later I ran into Chet Tchozewski, a long-haired, anti-nuclear activist, who spoke to me about a small grant facility that he had established. This facility is known today as the Global Greengrants Fund. He proposed we consider working with the fund, getting it to support southern Africa, so that local community organisations could access support for their resistance and their hopes of building a new world.

Over the last 20-odd years, many struggles in South Africa and across our continent (and globally) have been supported by the fund. Many activist organisations in the room today have received grants from the fund. At the outset, the discussions were held about setting up an independent fund with an identity of its own. The principle behind this has always been to plant the idea and let it take on its own identity and shape. In the early 2000s this was just too soon. But we kept thinking about the idea, as we continued to support environmental justice activism through the Fund.

In 2016, at an Earthlife gathering, there was a call by activists for direct support for community organisations and resistance, and for funders to have a relationship with the people on the fenceline of struggles, and not only with NGOs. The Raith Foundation – represented by Dugan Fraser – was present in the room that day. He latched onto that call and not long afterwards many of us found ourselves in a room with the Raith Foundation. The NGO group included Earthlife Africa, groundWork, the Vaal Environmental Justice Alliance, the South Durban Community Environmental Alliance, the Centre for Environmental Rights, and a friend and someone who has guided many of us on our environmental justice journeys, Professor Emeritus at Wits University,



Jacklyn Cock. At the outset we agreed that we had to create a small grant mechanism rooted in the struggles on the fenceline.

Raith liked the idea and supported groundWork through the process of consultation and the establishment of a mechanism for a community-led fund.

I then met Lisa Chamberlain, we spoke about this, and the rest is history.

After engagements with activists, other small grant funds and funders, it was clear that a fund ‘by activists, for activists’ had to take shape. A fund that is embedded in a participatory grant-making model. This means that decisions about who is worthy of support are made by a group of activists from the environmental justice sector.

Twenty years ago this was a dream. Today it is a reality. The process was not rushed; we arrived here today by a process of careful debate and deliberation. And today we are launching the EJ Fund SA, fully confident that it is a fund ‘by activists, for activists’.

One of the things I have learned in my own environmental justice journey is that the age of movements of thousands of people on the street might be over. For me, movement building is about working with small ideas and small organisations and

supporting the idea: anyone can organise and make a change. For a movement to be a lasting process, we need a movement of small organisations and initiatives that are connected; that, by their local actions, will build a new governance in South Africa that will deliver a just transition.

Our government systems in South Africa are collapsing. Speak to the very people connecting themselves to the grid across the country, who are connecting their own sewers to the system, who are creating their own crèches to give young children love and a future, who are building their own bridges after floods have washed them away, who are growing their own food, who are part of the community health worker system.

This is about not waiting for government to deliver – but recognising that our democracy means we have to be *part* of governance and that the transition to a new society will not be just if we do not all work together. This must start at a local level and at a small level. Without this we will not achieve a just transition.

The EJFUNDSA wants to be part of the environmental justice movement, working with, and delivering a just transition for the millions of people in our own country who go to bed hungry, every day. 🌞



Board Chairperson Matome Kapa speaking on why the EJF exists. Credit: groundWork



# Thor Struggle Climaxes

by Musa Chamane



**T**hings at the notorious Thor Chemicals in Cato Ridge, outside Durban, have reached a boiling point. More than 100 workers were exposed to mercury when the chemicals plant was operational in the 90s. Thor Chemicals settled in South Africa because South Africa had weak environmental legislation. The plant claimed to be recycling mercury. The workers were constantly sick, and the company routinely screened for possible mercury poisoning. If a worker, after screening, showed high levels of mercury, he would be granted a couple of weeks paid leave. This was until three workers got sick and were hospitalised. Two died and one was left paralysed. The pressure by government and civil society mounted on the company.

Workers attest that they were handsomely paid in wages because they commanded respect wherever they were, especially in Thor Chemicals uniform, and they claim that they were paid better than some professional workers like teachers. The dark side, of which they were not aware, was that they were being killed. The poisoning became too much and in 1995 President Nelson Mandela commissioned the Davies Commission to deal with the Thor Chemicals issue. A number of civil society organisations have attempted to seek justice for Thor Chemicals ex-workers, along with the community, but it has been futile.

The plant remained, with more than 300 tons of mercury stored there for more than 25 years. It has since changed its name after compensating about half of the ex-workers. The ex-workers are still seeking justice from our government because it was the government that issued the operation licence to the plant that poisoned them.

groundWork has always followed the issues of Thor, together with ex-workers and the KwaXimba community. groundWork assisted the community by supporting a protest to the plant. The community wanted justice in making sure that the historical stockpiled mercury is moved away from their area because they are losing livestock as, according to studies done

by the University of Pretoria, the nearest Mngcweni River leading to Inanda Dam is polluted with mercury. The ex-workers need justice as they claim that they are no longer employable because they fail medical tests when they get potential employment.

Currently, the Department of Employment and Labour Compensation Fund has agreed to re-look the issue of ex-workers. The workers are more likely to get compensation from the South African Government. The clean-up is in progress and more than 50% of the mercury has been drummed and shipped to Switzerland. The Portfolio Committee on the Environment sympathised with communities when they presented their case to them back in 2021. The portfolio committee insisted that the clean-up and compensation are a must.

This victory is coming from different angles but it is satisfying that the issue of Thor Chemicals is nearing its real end. In 2023, the Department of Labour will hopefully start compensating the workers. The Department of Environmental Affairs intends to do a risk assessment of the area to check the extent of the damage that the mercury leakage has caused.

This is a struggle that came with so many lessons and it has proven that the power of the united community is very strong. 🌞



*Aggrieved former Thor Chemicals workers addressing representatives from Thor and the department of labour during a march in Cato Ridge. Credit Lunga Bhengu*





# Enoch plans the next debt crisis

by Greenfly

**F**inance minister Enoch Godongwana didn't say what he said. He was misquoted. He was misunderstood. He was taken out of context. What he didn't say, said the ministry next day, was that he would take on some of Eskom's debt only if it agrees to build more coal, gas and nuke plants.

Perhaps he also didn't say that these 'old technologies' provide reliable electricity. Or that he is not a coal dinosaur but South Africa needs more electricity now.

So, how long does it take to build a coal plant? Eskom started planning Medupi and Kusile in 2005. So, if it starts on Next Coal next year, then maybe it'll be up and running in 2043. That's pretty close to 'now'.

Except, of course, that M&K are not quite reliably up and running. What with explosions, fires, dodgy coal and bad design, what's up one week is down the next. Not even the chimney stacks can be relied on to be reliable.

So, allowing for snags in construction, 'now' is 2050 or close enough. Just in time for 'net-zero'. If Next Coal puts 30 million tonnes of carbon dioxide into the atmosphere every year, just like Medupi would do if only it worked, all they would need to pretend to be net-zero would be a billion or so trees on two and a half million hectares.

It is of course cheapest to grab a few million hectares from small farmers with customary rights and next to no political power. For a small consideration to a patriotic and anti-imperialist autocrat, the land can be got buckshee and never mind the people.

Nukes have a marvellous record of coming in on time and on budget. The French are the great champions of nuclear and built Koeberg for South Africa's apartheid government. Their latest project at home in Flamanville is just five times over budget, a decade late and still not switched on. Pretty much like M&K.

The Chinese are so much more reliable. Besides, we're all in BRICS together for a fine demonstration

of Southern elite solidarity and all together in BASIC for climate inaction. BRICS is Brazil, Russia, India, China and South Africa. BASIC is Brazil, South Africa, India and China.

The Chinese don't bother with too much complicated French failsafe safety stuff and throw up their nuke power stations just like that. Except that they don't. Like the rest, China's nuke projects come in over time, over cost and with fat government subsidies.

Eskom's Koeberg is getting a life extension which is – surprise – over time and over budget. It is getting six new steam generators from China. The reliable Chinese unfortunately dropped the last of these 360 tonne units on the factory floor. It is now to be delivered a bit late. Meanwhile, Eskom has made a hash of constructing storage for the old steam generators contaminated by radioactivity.

So, there's no sooner 'now' with nukes.

Which leaves gas. Cheaper and quicker to build. Three or four years say the project developers before they hit the ground and get snagged by the wag-'n-bietjie tree. Add a year. And then if you're doing a mega whopper 3 GW plant like Eskom plans in Richards Bay, add two more. And hope that the monster plant to turn 'liquified natural gas' (LNG), imported at minus 160° in cryogenic ships, back into ordinary un-natural fossil gas is ready when you are. And nothing goes up in flames in the meantime.

So, let's optimistically call it 2030 for the soonest 'now' on Godongwana's reliable list of technologies.

And hope that the price of gas is not on fire because a little man in Russia or America has thrown a geostrategic hissy fit. And never mind the climate as methane leaks all along the pipeline from wellhead gas turbine. And leaks ever more as it gets ever hotter.

All in all, a most excellent plan to ensure that Eskom is back in unpayable debt even sooner than 'now', that the load keeps shedding, and that we enter the burning 2030s with the assurance that we're on our way to hothouse earth. ☀





# Africa Coal Network Conference 2022 in pictures



by Tsepang Molefe

**T**he Africa Coal Network (ACN) works with 55 organisations in 21 African countries and is recognised in the region and beyond. It continues to strengthen and support various national

and grassroots coal struggles, bringing them together through various platforms. The ACN held its third annual conference in Durban, South Africa.













# Eleanor Roosevelt Prize for Global Human Rights Advancement



**W**ith the blessing of the Roosevelt family, CHR in 2018 established the annual Eleanor Roosevelt Prize for Global Human Rights Advancement to recognise persons and organisations having a positive, enduring, and global impact in advancing the principles set forth in the Universal Declaration of Human Rights, which Eleanor Roosevelt championed.

EarthRights International and Human Rights Watch will receive the 2022 Eleanor Roosevelt Award for Global Human Rights Advancement in a ceremony on December 8, held at the Roosevelt House Public Policy Institute at Hunter College.



## EARTHRIGHTS INTERNATIONAL

*“Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world.”*

*- Eleanor Roosevelt*

