



groundWork

Environmental justice action

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20 October 2022

Attention: Minister Naledi Pandor
National Assembly *Minister of International Relations and Cooperation*
Private Bag X152
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Copied by email to officials within The Department of International Relations and Cooperation (DIRCO):

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The President The Honourable Mr Cyril Ramaphosa glory@dpme.gov.za	The Minister of Police The Honourable General Bheki Cele GaehlerSMK@saps.gov.za
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The Chairperson of the South African Human Rights Commission Professor Bongani Christopher Majola c/o Advocate Tseliso Thipanye hpule@sahrc.org.za	

Trustees: Judy Bell (Chairman), Farid Esack, Richard Lyster, Angela Conway, Johan Riekert



Dear Dr Naledi Pandor

Re: KILLINGS OF ENVIRONMENTAL JUSTICE ACTIVISTS IN SOUTH AFRICA: A HUMAN RIGHTS CRISIS

We, as groundWork, an environmental justice organisation working across South Africa and Africa, are encouraged by your election as the South African representative and member of the Human Rights Council (HRC), a subsidiary body of the United Nations General Assembly. The core mandate of this unit is to work with governments to promote and protect human rights and ensure these rights are realised and enjoyed by all people across the world. We are also pleased to read that you highlighted human rights abuse in mining-affected communities, particularly its effects on women and children, in your campaign to secure this seat of responsibility for South Africa.

In light of the above, we are bringing to your attention a deplorable incident which occurred in October 2020 in the north of KwaZulu-Natal, in the Somkhele community, where activist MaFikile Ntshangase, was shot and killed, execution-style, by five men, in her home in front of her 13-year-old nephew – for having opposed the expansion of the Somkhele coal mine. This incident shook the entire community of Somkhele, the country, and the international community. Activists and community members in Somkhele and the surrounding areas are still living in fear. It is now two years since the murder of MaFikile and still the killers have not been arrested.

The incident is an act of gender-based violence towards a brave woman who fiercely protected the rights of her own community, and other communities, by opposing the human rights abuses perpetrated by a large mining corporate; abuses which undermine the rights of mining-affected communities, and their abilities, to enjoy a healthy environment.

In 2021, having realised that the government was not taking the incident and the safety of the community seriously, the community of Somkhele, supported by community organisations around the country, hosted a protest which called on the provincial Minister of Police to ensure that the killers are brought to book. Their action was a desperate outcry for the government to protect community people seeking to ensure their environmental rights in terms of section 24 of the South African Constitution. Yet no arrests have been made.

We have come to realise that cases relating to the murder of environmental justice activists are not taken seriously. The killers are not arrested; but community members are. Community members are arrested, or killed, simply for protecting their Constitutional rights.



To name but a few of the growing group of South Africa's murdered activists:

In 2016 Bazooka Hadebe, an activist opposing a proposed titanium mine in Xolobeni, in the Eastern Cape, was shot eight times, in his own house in front of his family, by two men posing as police officers. He was protecting his family's farming and grazing land which the proposed mine was set to take away from them, thus depriving them of their livelihoods. Bazooka's killers are still at large.

Abahlali BaseMjondo 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. The organisation has members in five provinces: the Eastern Cape, Western Cape, Mpumalanga, Gauteng and KZN.

Since 2012, [Global Witness](#) has been gathering data on the killings of land and environmental defenders. In that time, a grim picture has come into focus – with evidence suggesting that as the climate crisis intensifies, violence against those protecting their land and our planet remains persistent. Research has found that a total of 1,733 people have been killed over the past 10 years, that's one person killed every two days.

It is important to note that activists are agents of justice – they sacrifice their lives for the wellbeing of their fellow community members, while performing a responsibility which should be borne by the government – which has a Constitutional obligation to protect the rights of its citizens.

Prior to the murder of MaFikile Ntshangase, two critical reports were published warning of the challenges faced by communities affected by mining. The first, released by the South African Human Rights Commission in August 2018, reflected on discussions with mining affected communities and was published under the title: [National Hearing on the Underlying Socio-economic Challenges of Mining-affected Communities in South Africa](#). This was followed in 2019 when groundWork, together with Human Rights Watch, the Centre for Environmental Rights, and Earthjustice, published research on the impacts and fears of mining affected communities under the title: [We Know Our Lives are in Danger: Environment of Fear in South Africa's Mining-Affected Communities](#).

Minister, given your stated concern about human rights issues in South Africa, and being part of the government, what have you done? What role will you play to ensure that the perpetrators are arrested? And what are you planning to do, as a new member of the Human Rights Council, about the incidents we have highlighted here??



We request cogent evidence of your commitment to resolve this crisis, and transparent communications from your office to the NGOs and communities concerned, regarding these killings. Further, this letter requests a clear plan, in writing, that details how your office intends to address this emergency. We thank you in anticipation.

Yours sincerely

Robby Mokgalaka

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