

AT THE MINE GATE

NOTHING ABOUT US WITHOUT US!!!



SEPTEMBER ISSUE

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Special Interest Articles:



In mineral rich provinces, mining is destroying cemeteries and faith: How Aganang Sephaku Mine has disrespected the community's cultural norms and infringed their constitutional rights.



Anger as a young woman is raped and hanged, leaving a child behind.

The High cost of energy in rural Limpopo: Household energy a burden for rural women.

Coordinator's Corner



In this activism instalment, we meet the women who lead mining struggles, we meet one of the women who lead the anti-mining resistance movement in the Lephalale region of Limpopo. For decades, these women have risked their lives to protect their homes and ways of life. To sustain their struggle over time, female leaders pass their knowledge to younger generations, who learn about the struggles of their elders through activism. Young and old are united as they protest the use of force against them, and as they dedicate their lives to educating communities affected by the injustices.

Fransina Nkosi is one of those women. Fransina Nkosi based in the rural area of Lephalale (Limpopo). A grandmother to Mapitso and Issa, she was born in Gauteng and raised by her grandparents who are both from the royal families. Fransina recalls; *"when I grew up my grandfather had two wives, so by month end I had to buy basic groceries for two families by myself without the use of a wheelbarrow and I had to walk 1km a return trip. I thought my grandfather hated me, but not knowing that she was building me physically and emotionally strong."* Fransina married at the early age of 16 and lost her grandparents at the age of 22. *"For me, it was a survival of the fittest:"* she says.

For 10 years Fransina found herself in an abusive relationship and she tried to commit suicide but failed. Drawing on her strength she took a decision to leave the relationship and start afresh. *"That's when I moved to Modimolle in 2008 and became a Community Liaison Officer for RDP's under Faranani Construction for a year"* she recalls. *"In 2009 moved to Lephalale looking for greener pastures, but unfortunately I was asked to use my body as a ticket to be employed in 2012"* she continues with a deep sense of pain.

In 2016, the Waterberg Women Advocacy Organization (WWAO) was born as a way of advocating for change. Fransina beams as she tells us that *"through WWAO we have managed to bring women of Steenbokban and Fanpan together with a purpose of advocating against Gender Based Violence and for greater Land Rights. By doing so I was elected to being a forum member of (Resgen) Boikarabelo Coal mine. Out of 12 members I volunteered to be the Secretary without qualifications. I was eager to learn. That's when I started to search for information and started to read about the Mining Charter, MPRDA, SLP and IDP"*.

Fransina joined MACUA and WAMUA in 2014 and became Provincial Coordinator, a position she still holds today. As an activist on the ground, Fransina advocates around Climate justice, Gender justice and she also works as a human rights defender to support rural and urban communities around Lephalale in their struggles against injustices and Inequality. **"I am proudly a Feminist and endeavor to create safe spaces and platforms for women and try to empower woman to know their rights. Being a member of MACUA and WAMUA, part of my daily activism duties includes making sure the movement is growing within Limpopo Province. We have developed few branches in Limpopo Province and held some protest marches with other mining affected communities across the province as well as nationally. I now believe that being an activist and standing up against social injustice and other issues we see isn't just about marching and protesting in the streets. It is about educating oneself and educating others around you. It's about supporting movements and policies you believe in through protesting, signing petitions and actively participating in drafting of those policies. Being an activist requires awareness, action and resistance."**

Letter from the editor:

Although we are over 300 days into 2021, it is never too late to start fresh and make a change in your lifestyle for the better. Even if you have already given into those old 2020 habits, continue to push yourself to renew and redirect your energy to achieve all of the plans and goals you made for yourself, your family and your community during this remaining days of the year.

If you are reading this, welcome to **At The Mine Gate Newsletter** and wishing you a happy Heritage Month. As Editor in Chief of this historical publication that was recently founded by MACUA WAMUA Media and Communication desk, I invite you again to fully indulge yourself and join our staff on a journey through time, history and culture as we celebrate and critique Heritage Month, our progress, and the experience we gained in our previous two issues. Heritage Month should not be treated as a passing holiday recognized only through trivial "soul food" dinners in dining halls and regurgitating the same tired facts. Celebrating and acknowledging the achievements of people from the African Diaspora from all over the world is a lifestyle that can only be demonstrated through the love and respect of Black people and our culture on a day-to-day basis.

The essence of Heritage Month inspires me to challenge myself as a Black Activist in South Africa to be excellent, intelligent and successful while combating white supremacy at every social and economic level. I challenge you find out what your own takeaway during this time of remembrance and celebration should be. What does Heritage Month bring out in you? How does Heritage Month make you feel as a Black person? Why? I challenge you to self-reflect and self-critique. We can all learn from the mistakes and successes of others, no matter their racial designation. Black history is South African history at the end of the day. Do not let the textbooks lie to you.

There are some people who have asked why there was a movement to establish **At The Mine Gate**, a publication for mining affected communities to tell their stories and voice their opinions about the exploitation from mining companies as well as poor service delivery from government and the world beyond it. But instead of providing those persons with a defence of why we should exist, I will respond with actions and words, I will respond with this.

Enjoy Your Reading
Gilbert Moela



Bridging the Knowledge Gap with the Editor

Mining Affected Community Rights and Extractive Resource Projects: negotiations over the policy and implementation of FPIC

Free, Prior, and Informed Consent (FPIC) is a key principle used by mining affected communities to reshape mining laws so that the interest of communities are protected. **This article explores the development of the principle of FPIC and the challenges that it presents to conventional forms of governance after the recent Mining Charter Court Case which seeks to swindle mining affected communities out of their benefits.** FPIC is a form of negotiated justice that aims to produce decisions through decentralized forms of engagement. With communities directly affected by mining.

With the recent Mining Charter Court case ruling in favour of mining companies and leaving communities out in the cold, protests by affected communities is set to increase in number and intensity.

The recent global commodity price boom (2020 - 2021) has seen a boom in new licenses and mining operations across South Africa. This trend to loot our mineral resources has not gone uncontested. Socio-environmental conflicts around extractive industries is set to increase, particularly between affected communities, states and corporations.

Communities, through the hard work of MACUA activists, are becoming more informed and are frequently challenging state-led development visions and contrasting them to their own visions of self-determined development.

The fight for justice in mining affected communities and the formation of organized communities across the country indicates that a major clash is looming in the sector. It is time for Mining Affected communities to Unite to oppose the grave injustices of the MPRDA

By Gilbert Moela

In mineral rich provinces, mining is destroying cemeteries and faith: How Aganang Sephaku has disrespected community's cultural norms and infringed their constitutional rights.

Throughout the mineral-rich land of Springbokban in the Northwest Province, they say, mining companies are damaging, destroying our burial sites and even denying communities access to the graveyards of their ancestors. Aganang Sephaku Mine, and their subsidiaries are accused of drilling under, mining over, or raining sulphurous and acidic emissions down on tombstones and graves across the region.

Martha Ndebele, a lifelong resident of Springbokban Village in the Northwest Province, knows her village better than she knows herself. She's seen friends and family buried there and has devoted countless hours to protecting her loved ones' resting places and the burial grounds that stand alongside them. So when Aganang Sephaku pulled up on their village and spotted a cement company drilling in the middle of what she says was a known, if unnamed, cemetery on Springbokban, she was livid — and determined to stop them.

Knowing how quickly surface-mining operations can scrape away any trace of an area's natural landscape, they immediately filed a formal complaint with the legislature. For several years, they waited anxiously for intervention. Until the case was withdrawn.

"We have been fighting with Sephaku to give us access to our graveyards. We went as far as the provincial legislature seeking assistance, until our case was thrown out. The case was eventually re-opened, but to date, there is no way forward. We did research with a consultant who then said to us that there needs to be an agreement between us and the mine as to whether the graveyards must be relocated. Sephaku has never notified us when they fence off our graveyards." Said Martha

Though the law requires them to provide access to cemetery visitors and researchers, the plots are often inaccessible, either due to remote locations or heavy mining activity around them. By the time families with limited access or those who have moved away return to visit their ancestors, they often find that the roads have been closed — or worse, that the cemetery and graves no longer exist.

"Our parents have stayed in Springbokban for decades, they were forcefully removed from the area during apartheid. When I got married our tittle deeds and proclamation were registered under Stiglingspan which is where Aganang Sephaku is operating. I am now confused because the title deed I have does not match with the title deeds they have." She lamented.



WAMUA members demonstrating outside court

Anger as a young woman is raped and hanged

The deteriorating law and order in Klerksdorp came into sharp focus after a young woman was raped and killed in Khuma Township just outside Klerksdorp. The Stilfontein police have arrested two suspects for raping a woman in Klerksdorp, Khuma Township. One of the men was known to the woman and is said to have once been in a relationship with her. All this happened during August which is celebrated annually in South Africa as Women's month. Palesa Maruping, a young woman from Khuma section, was found hanged in an RDP house in the Northwest Province. Palesa left behind a young daughter.

William Molapo, a family spokesperson, in his speech after the court appearance of the suspects, gave thanks to the Taxi Association and Forums from the community and indicated that he is very hopeful that the case will be a warning to all men out who continue perpetrating such acts against women. *"As a family we are trying our level best to look after the child as we have been and will always be her parents even when her mother was still alive."* he said.

Members of the public were searched as they entered the Stilfontein Magistrate Court, owing to the threat perception surrounding the two accused. A Group of WAMUA members together with other protesters began shouting slogans demanding harsh sentences for all the accused.

When the judge pronounced the postponement, the women were furious, whilst other could be heard sobbing in the court room. Family members of the deceased stood stunned on hearing that the case has been postponed for further investigation and wept as they also demanded harsh sentences for the two accused of her rape and murder.

"The incident has really shocked all of us. I don't know how women will be safe in this place. The incident has earned a bad name for this place. We have been part of the protest since the very beginning and have been tracking the case since it started. Our main demand is that the suspects must be charged and sentenced. We are just surprised why the police continue postponing the case as it has been postponed previously. Our police are failing us. As WAMUA Klerksdorp Branch we will continue supporting the victim's family until justice is served" lamented Mahadio, WAMUA Coordinator in Klerksdorp.



The High cost of energy in rural Limpopo: Household energy a burden for rural women.

By Francina Nkosi

Identifying high energy burdens in rural areas is an important step towards addressing rural energy affordably. Across the country, rural poverty and unemployment underscore the need for affordable energy. Approximately 41% of household in rural areas have income below R3500 which is below the poverty level for a family of four.

Even though people have electricity in their homes, this does not mean that life is easy for them. Due to frequent load shedding that happens every day and price increases of electricity and other of tariffs, it makes life difficult for unemployed women who depend on social grants as a means of income, to cook for their families using electricity.

Women living in the rural areas can't afford to cook using electricity and that's why everyday they collect firewood to ease their burden. *"I'm unemployed living with my six kids whom they depend on me as a bread winner, I can't afford to buy electricity everyday it is a must for me to collect firewood to minimize the cost. I only use electricity for lighting, don't have fridge and TV because I can't afford to buy them."* Said Rosina, a 39 year old mother from Steenbokban.

In South Africa, a country with deep levels of inequality in society, the critical issue of consumption patterns is often overlooked. Power tariffs are raised without giving much thought to variations in consumption and income patterns between rural and urban areas, A uniform increase across categories leads to an unfair burden on consumers like Rosina who are struggle daily to make ends meet.

It is heartbreaking to witness the daily struggles of women who have to move heaven and earth and suffer daily indignations to make sure that their families are fed.

It is by time that we as communities organize ourselves to reclaim our dignity and to ensure that we are no longer the easy targets that governments and companies can abuse at will.

It is time for us to Organise or Starve.

It is time for us to Mobilise Not Mourn.

Residents and farm owners tired of Aganang Sephaku Mine's empty promises.

A decade after mining began in his part of Springbokban, Thabang and over 100 villagers are still seeking financial recompense for the losses they say the industry has caused them. Their land is no longer productive, they argue, covered in rubble, soot, dust and waste sand from the mine, as groundwater levels recede and trucks pass by, dropping cement and debris.

It has been a long wait for the farmers, stretched by the mine's failure to provide reasons for why their payments are being delayed. The delay has dashed villagers' hopes of jobs and cash payments for their barren fields - echoing bitter experiences of what mining could bring to the community.

Thabang Ndebele a resident of Springbokban Kgapamadi Section explains how Sephaku has brainwashed community members into believing that they should accept R1500 per hectare for their Sunflower Farms.

"I thought we would benefit from mining but there have been only losses and uncertainty. My land is infertile now," said Setimela, recalling how he used to earn about R50, 000 a year from his family Sunflower business.

"We gave (them) this land and hoping we will get our freedom because we were always getting arrested whenever we enquire about the monies owed to us". "We are in the cement belt. They need our land and we should get something."

"My entire family worked on the farms, and now one among them has been offered a job. Many sit at home all day because they don't have farms to work on anymore. At least if they could have employed one family member from each household. They are giving us R16000 per annum which is far less to what we have been making per year. We even showed them evidence of how much we were making but they didn't want to listen to us" said Thabang.

"But then, the only money we are able to make is because of coal. There is no other work here," he said.

Just like Thabang Ntebele, Hendrik Tshabalala also a resident of Springbokban also explained how Sephaku has failed to advise their parents to get lawyers as the mine was represented by lawyers. *"We have tried for several times to approach Sephaku to solve the issues amicably, but our plea has fallen on deaf ears. It's very sad that the company that makes millions of rand per annum can't match the profit margins we have been making even in bad farming periods,"* said Hendrik

Sephaku has also agreed with farmers that there will be a dedicated month to pay their monies, but **the mine has been defaulting on all the promises** made with no consequences on their side. However, **when the community members raised their concerns, they were threatened with arrest and trespassing interdict.**

The Springbokban farm owners feel short-changed, as they believe their lives were much better before Aganang Sephaku came into their village.

The mining companies robbed them of the profits they were making from their agricultural land.

The community has vowed to continue seeking answers from Sephaku as well as the government to try to find a solution to this problem as they believe Aganang Sephaku is making more profit so for them not get paid is just an insult to the farm owners.

Springbokban has recently formed a MACUA branch and together with other communities across South Africa they are organizing for Justice.

Nothing About Us without Us.



Hedrick Tshabalala



Thabang Ntebele



Aganang Sephaku operating right on the agricultural land they refuse to compensate



Public outcry gathers momentum as a civil society organization under the banner of the Climate Justice Coalition, calls for the Minister of the Department of Mineral Resources and Energy to step down

By Gift Radebe

A coalition of civil society organization across the country showed up on the doorsteps of the Department of Mineral Resource and Energy demanding that the Minister of Mineral Resources and Energy step down amidst talk that the department has given a green light for 2,500 MW of nuclear plant power station to be built in South Africa. The Climate Justice Coalition are expressing shock over the decision saying it is suspicious to keep pushing nuclear instead of doing the obvious thing which is to pursue renewable energy.

The protest has seen community groups handing a memorandum to the National Department of Mineral Resources and Energy as well as the Regional Departments across the country. In handing over the memorandum, protesters lamented that protecting the environment is critical for everyone, but particularly for communities living in poverty. These communities are the ones who are directly impacted by the burden of development and environmental degradation that comes with it but are the last to see its benefits.

MACUA National Coordinator Meshack was among those who protested outside the national DMRE offices. *“Climate Change is accelerating with devastating impact on the poor and working class. This evident in rising food prices, crop failures and water shortages. We are calling for system change not climate change. We want the DMRE to be reformed in order for communities to survive. We have all been involved in building popular power, developing new strategies and forms of communal solidarity organizing around concrete issues in the everyday experience of affected communities”*. Said Meshack

All over the world the discourse of environmental justice is forging alliances locally and globally between north and south, and in linking the principles of social justice and ecological sustainability. What we see in South Africa is not unique. Many of the environmental justice struggles on the African continent are against the dispossession and toxic pollution involved in mining activities.



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