

AT THE MINE GATE

NOTHING ABOUT US WITHOUT US!!!



OCT/NOV ISSUE

Volume 1, Issue 04

Special Interest Articles:



Sinkholes hazards to residents, animals, and related water issues



Blast vibrations causes damages in homes near Bauba Platinum Mine



A year on and we still demand justice for the slain Fikile Ntshangase

Coordinator's Corner



By Mpho Nkawana

Comrade Pitlele has served the community of Merafong for the past 4 years with transparency, honesty, love, support, enthusiasm. He has been the task team coordinator until this year when the branch was officially launched and he became the branch coordinator. Before the elections he wanted to resign as task team coordinator in order to give other comrades chance because he knows one of the qualities of the best and true leader is to know when to step down and groom/ grow other future leaders.

However the joined task teams asked him not to resign and give task team time to learn how things are done, besides being MACUA coordinator comrade Pitlele has been member of ANC and a good leader of Ward 9. This year the community decided to elect him in becoming the councilor of Ward 9.

I thank cde for not being a selfless leader since I have joined MACUA I've really learnt a lot from him and have been in places I never thought I'll reach, he has taught me the spirit of Ubuntu Says Refiloe Mofokeng Wamua coordinator.

Even if Comrade Pitlele were to step down now and become the councilor I have no doubt that he'll step down without any hesitation not because he's no longer interested in the movement but because he always emphasized in the meetings that MACUA Wamua is not a political party and him stepping down does not mean he's no longer a member of MACUA but a veteran who we will always seek advices from says Sinah Setlhare MACUA member.

Personally for me I don't think there's anyone within the movement who is fit enough to take this position if Comrade Pitlele wins ANC elections. This will be the end of MACUA in Merafong because comrade Pitlele had his way of running this ship and leadership it's in his blood and he did everything about the book. Through his leadership undocumented kids can now go to school, Khutsong has Sibanye AET School and graduated attended training and received electrical kit/ tools, only locals/ mining hosts are employed at the mines and many more says Lebohlang Ramothwala MACUA member

Comrade Pitlele support for us as Artisanal miners of a high caliber I don't have words to explain because we are just ordinary people hustling in order to put bread on the table but his love for us was unconditional I remember on the time MACUA was distributing food parcels he made sure that all Artisanal miners received them. Moreover he asked Wamua to give our wife's sanitary packs and that when we noticed that this man is indeed a true leader. I know that even as ANC Ward councillor he will serve the community with the same Passion Says Thabo Rooinek the Artisanal miner.

I didn't understand what MACUA WAMUA was all about and I didn't get curious in asking because I was not interested as you were always having weekly meetings and you'll be singing and that's not just me hence I didn't join the movement. One day I was called because my children don't have documents so I came and listened at the presentation done by equal education law and they promised that our kids will go to school. The following week the Basotho Forum came and I was called by the same organization again(MACUA) and this time the presentation was more interesting because they were helping Basotho Nationals to go back and fix their passports so that they can be up-to-date and declare that they are now SA though the process it's long but worth it so as to come back this side again and do identity document. That was the time I realized that this movement is working and I thank Mr. Pitlele because he is the one who always called me and I do believe he'll continue doing the good work as ANC councilor says Doreen community member.

Letter from the editor:

On 22 October 2021, a wave of indignation and repudiation swept the country, condemning the incompetence police for dragging their feet in dealing with the brutal and cowardly assassination of Fikile Ntshangase, a South African environmental activist and community leader who inspired thousands of people through her work promoting the rights of the Somkhele people. Police continue dragging their feet amid a growing number of attacks against human rights defenders, particularly campaigners peacefully defending the environment, the right to land and the rights of indigenous peoples. This situation is not limited to Somkhele, but can be seen throughout the country.

This long list is being added to by an increasing number of countries that seem willing to put economic interests before those of people and territories. Reports from numerous organizations confirm a steady deterioration of the situation, highlighting the fact that South Africa has become the most dangerous region in the world for environmental activists. Various types of attack have been committed against campaigners and their organizations.

Despite the grim outlook, there are reasons to remain optimistic. Civil society has never looked so strong, organized and determined. International solidarity strengthened by the globalization of exchanges between people and organizations makes it possible to bring these struggles out of isolation, and demand accountability to ensure the effective implementation of human rights commitments.

In South Africa, the negotiation of a regional instrument on rights of access to information, participation, and justice will constitute a decisive step towards strengthening democracy and the rule of law but mining affected communities are still fighting for Free Prior and Informed Consent to be incorporated in the legislation. It is hoped that this instrument will reduce the environmental disputes that frequently descend into violence and attacks on environmental leaders, indigenous peoples and other local communities. It is also hoped that this instrument will be robust and legally binding, establishing specific effective mechanisms to provide protection to environmental human rights defenders.

We must not forget that these activists risk their safety to defend the environment on which we all depend for our health and wellbeing.

Your Editor



Bridging the Knowledge Gap with the Editor

The threat or opportunity of resource development often prompts a movement for the recognition of indigenous ownership and control of lands.

Land is a crucial issue for all. Everyone's lives depend on land in one way or another, for food, shelter, water, income, spirituality or culture. For some individuals, peoples and communities, land is intrinsically related to their identity and standard of living. On the other hand, while development is a legitimate objective for States and can contribute to the fulfilment of human rights – especially economic, social and cultural rights – development projects should be carried out following a human rights-based approach to development. Land issues, and more particularly large-scale land deals thus raise important economic, social, cultural and political questions. Although no international human rights instrument refers to a human right to land as such – with the exception of the right to land and territory of indigenous peoples –, land rights stand as a key human rights issue, as the fulfilment of many human rights may depend directly on land, including the rights to adequate housing, food, health, or to self-determination.

These human rights are then closely linked, for their fulfilment, to the conditions in which those individuals, peoples and communities benefit from access, occupation, enjoyment, ownership, use, control, and/or transfer of lands and its resources.

South African Human Rights Defenders has done outstanding work in terms of protection and documentation since its creation. I commend their work, which addresses a burning and growing issue in many countries around the globe, where land rights defenders have been subjected to a variety of obstacles and abuses because of their commitment to defend and protect human rights, from judicial harassment to arbitrary detention, from defamation to illegal surveillance, from threats to killings.

By Kagiso Sekgone

Sinkholes hazards to residents, animals, and the socio-economic challenges of the community

The chairperson of Mining Affected Communities United in Action (MACUA) Merafong Branch Mr. Ngaka Pitlele raised concerns regarding to the environment. His concerns are relating to the situation of sinkholes in Khutsong and he mentioned to the Herald that currently as MACUA the organization has been in engagement with Sibanye Gold mine regarding the formation of sinkholes. He also mentioned that according to their report the cause of the sinkhole event is related to the maintenance of infrastructure and was all caused by the municipal negligence. This means they have failed to follow the guidelines for development on dolomite and the mine is attending to it as a matter of urgency as they are requesting assistance from Council of Geoscience. Mr. Pitlele also requested clarity on the cause of frequent tremors in Khutsong and also additional information regarding the impact of seepage from slimes dams within the Wonderfontein spruit Catchment area on stability since the outflow of seepage from tailing which is significant. According to Sibanye Gold mine a survey on seismic tremors was conducted and the tremors experienced in Khutsong may be related to a number of causes including natural seismic events, blasting or may be mining related and to determine which cause in the Khutsong area would take investigation by relevant specialists. They also mentioned that mining is well known to induce seismicity in the vicinity of that mining operation and its effect decreases with distance from the mine. Such events while disturbing to the public are almost always on the lower end of the seismic scale and seldom lead to injury or structural damage but there is no known link between seismic events and dolomite instability. The mine concluded by mentioning that slimes dams are wet facilities created by the deposition of wet slimes in layers. As these layers dry out subsequent layers are created on top of each other until the design height is reached. They are designed and constructed under supervision of an engineer according to national standards to ensure that failure does not take place. Containment of leaks is thus a vital issue during operation of a slimes dam. Any leakage that does take place is always in the immediate vicinity of that structure and mines are required to contain it in that area. Such leaks are thus seldom significant and certainly do not extend far from slimes dam nor communal settlements and hence are not the cause of any dolomite instability. Sibanye –Stillwaters slimes dams are at least 15 KM from Khutsong and thus pose no risk of dolomite instability to Khutsong residents. "We are currently waiting for a report from the Council of Geo Tech Science who will inform us on the 2008 Geo Tech report relating to the formation of sinkholes and as MACUA we have since approached the mines to ask on how they can assist the municipality to rehabilitate these sinkholes as people's rights have been violated according to section 24 of the constitution because we are not living in a safe environment" He expressed. He concluded by mentioning that the current back filling of sinkholes with mine wasted rocks is not a relevant activity and does not comply with the law of closing up sinkholes according to the requirements of closing up a sinkhole. The MACUA environmental subcommittee has been engaging with the municipality regarding the sinkholes and they are still in process of communication.



Sinkholes hazards to residents, animals, and related water issues

By Mpho Nkawana

MACUA branch in Merafong specifically In Khutsong Batswaneng section sinkholes has always been a problem and it's stressful because no one knows when and where it's going to sink again more especially during winter when it's raining community members live in fear as the sinkholes grows. Imagine having to be moved from your house which you have lived in for the rest of your life only to be given a four roomed house at the flats where there is no peace of mind as it's noisy and everyone do everything at the time they want to and there's no space for extending even if you wanted to. This living conditions are not favoring our grannies as they are old for going up and down the steps and this relocation has caused many of them to have chronic illnesses as like heart disease, stroke and high blood.

MACUA has always been voice of the voiceless by fighting for this impacted families for them to get houses which equates to their houses before they were moved and to look how many family members each family have and not just give four roomed house.

Finally on the 29th of September 2021 the Premier David Makhura visited Khutsong and interested with some of the community members and a budget of 5 billion was given to Khutsong for the project of relocation. And Khutsong has been declared as disaster area after a follow up meeting with municipality district as a geological study commissioned by the municipality in 2000 shows that 90% of Khutsong Township is dolomitic land and there's urgent need to relocate people.

As MACUA Wamua we will make sure that this funds serve it's purpose as we all know how corrupt our government is and before all this money is being invested in the VBS by the Mayor like she did not so long claiming that she didn't know what to do with that money while they were people who are sinking seasonally and the impacts of this sinkholes to the infrastructure as there are now sewages everywhere and there's bad smell coming from there sinkholes as there are linking pipes and others use them as dumping sides and it's not even safe as none of these sinkholes has been fenced. Our animals and kids can fall in there and get injured, the cars have to use alternative roads and this impacts those who live in those roads as there are accident which happens and damage their fences, there's dust which comes inside the houses and potholes get bigger every day and no one is doing anything about that either the municipality or taxi association.



Blast vibrations causes damages in homes near Bauba Platinum Mine

By Tokelo Mahlakoane

Residents of Jibeng village in Limpopo Province Complain that since a mine started operating on their doorsteps six years ago, their houses have begun to crack. About 81 house in Jibeng are seriously damaged and the owners blame Bauba Platinum Mine.

"Every time there's a blasting at the mine, the houses shake so terribly that you get scared that they will collapse at any time" said one community member. He said that residents reported the matter to authorities in 2016 because the cracks were getting worse. He said the officials took photographs of the damaged houses and asked the owners to fill forms, but the residents had heard nothing since

Jibeng village is situated next to Bauba chrome mine along R37 Road, the mine operate on the farm moeijelijk 412 KS. The mine started to mine in the year of 2015.

The mine came to the tsibeng village and consult +-81 houses regarding the blasting the mine will cost. Firstly the mine and affected people agreed by saying, the mine will have to put notice of blasting so that the affected people can know the time and dates, so that the mine blast can take people in the tent to be safe. They did that for some few months.

The mine promised us that they are going to give us R1700-00 per month because our house cracks as the result of the blasting and because they will be taking us at our home. We started to receive the money somewhere the end of 2016 or the begging of 2017 then towards the year of 2019 we started not receiving money and when we approach the mine, they said they don't have money to pay us. So now what we are experiencing is that our houses are cracking. R1700-00 was nothing but we were doing something in our home.

The mine commits themselves that, they are going to build houses for those who have serious cracks and for those who have small cracks they will do patching them. They appointed two contractors but now I can tell that mine has built four (4) houses over that +-81 house. When we ask they said they don't have budget for building houses anymore, but what surprising is that the mine don't tell, when we should expect the money and building of houses.

We as affected people we really want to be relocated somewhere else not where we are now, because we are seeing death in our eyes. Now the mine no longer talking with we and we don't know what is back nor forth.

A year on we still demand justice for Fikile Ntshangase

Peaceful demonstrations were held on Friday, on 22 October followed by Memorial Lecture on the 23 October, in South Africa, amid heavy security, and in front of government officials across all mineral rich provinces in the country, to protest the murder of environmental activist Fikile Ntshangase. The organizers are calling for justice and an independent investigation, as well as the withdrawal of the concession granted to Tendele Coal Mine in Somkhele in the North of KwaZulu Natal, one of the projects Fikile was campaigning against.

Fikile Ntshangase, an Ophondweni indigenous leader, was murdered on 22 October 2020 after receiving threats and in spite of the precautionary measures ordered by the Mfolozi Community Environmental Justice Organization (MCEJO), as her fellow activist, Billy Mqondo, pointed out to **At The Mine Gate** during the memorial lecture at her homestead. Few days after the activist's murder, Billy and Ntobeko, another members of MCEJO, the group led by Fikile, were forced into hiding and received protection from South African Human Rights Defenders after receiving death threats.

These cases add to the long list of environmental defenders murdered around the country including those activists who died mysteriously after fighting the injustices within their communities. As pointed out in the South African-based organization's report, "disputes over the ownership, control and use of land was an underlying factor in killings of environmental and land defenders in nearly all documented cases since the killing of Bazooka Rhadebe. The rise in threats and killings related to extractive projects, it warns, was a particular issue in South Africa. Indeed, the murder of Fikile was linked to the Tendele Coal Mine, financed by Pitmin. Fikile had received many death threats during the campaign against the project. But the killings are only the corollary of a much wider intimidation campaign suffered by environmentalists. Protestors and activists are not only faced with criminalization but also are also the victims of attacks, including sexual violence.

In the case of Fikile, denounces Billy, the South African authorities showed no interest in ensuring the effectiveness of the measures supposed to protect her. Nor did they conduct the inquiries required to clear up the facts following her murder. All, according to Billy, because of the economic interests of the private firm and the government itself in the project.

"The state has no political will to solve the crime because vested interests are at stake. Our fellow comrade opposed the government's conduct, she stood up against all the interests in Tendele Mine's expansion, to which state representatives are strongly tied, having investments in them. We are calling for an independent investigation through the South African Police, but the state does not want to agree to it. Why? That is the big question," points out Billy.

Meshack Mbangula, MACUA National Coordinator, who travelled from Gauteng Province to take part in the memorial lecture, including a protest held by civil society organizations in front of the KwaMsane Police, is campaigning for an independent investigation to be conducted by the South African Police Services (SAPS) in KZN, to clarify the causes of Fikile's murder. He has no faith in the SAPS authorities' neutrality and believes they may try to bring the case to a false conclusion (hence his insistence on a special investigation).

In the meantime, civil society organizations will continue demanding justice as a symbol of the dangerous fight waged by Fikile Ntshangase and other environmentalists, in KwaZulu Natal, in the region and the rest of the country, against unscrupulous private interests and state authorities that look the other way.

"We continue to receive threats, because we are not giving up... Let's see what happens," commented Billy. "The people who murdered Comrade Fikile made a mistake. Fikile Ntshangase did not die, she multiplied," says Meshack.



Slain Fikile Ntshangase



MACUA National Coordinator Meshack Mbangula with Billy Mqondo and Sifiso Dladla



Members of MACUA KZN Branches



MACUA and WAMUA has called for a **National Day of Action to Demand the Right to Free Prior and Informed Consent (FPIC)** to be included in legislation governing the Mining Sector.

By MWAO

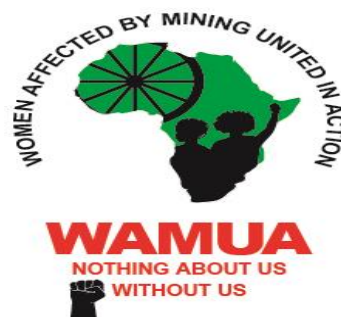
The call for the Minerals Petroleum Resources Development Act (MPRDA) to be amended to include FPIC principles to protect communities, comes after the Pretoria North High Court set aside governments Mining Charter as an instrument that can be used to hold mining companies to account for their lack of transformation in the sector.

The 22nd of October this year, will also **mark the first anniversary of the brutal and cowardly assassination of Fikile Ntshangase** in her home at Ophondweni, near Mtubatuba in Kwazulu Natal. The mine that she opposed and which ultimately cost her life, continues to mine and continues to foster divisions in the community which creates a climate of fear, in a reality in which the killers of Fikile Ntshangase have not been brought to book.

Communities from across South Africa had converge on various locations to voice their anger and determination to ensure that the mining sector is transformed from a source of looting for the elite to a vehicle for the empowerment of communities.

These appalling outcomes are enabled by the exclusion of communities from participating in decisions that directly affect them and in particular by the failure of current mining law (the Minerals Petroleum Resources Development Act [MPRD]) to recognise the right of particularly marginalised, oppressed and exploited communities, to Free Prior and Informed Consent.

Over 150 years of mining in South Africa has shown that it is marginalised mining affected communities, particularly women, who subsidise large-scale mining operations. This is often subsidised with their lives and the futures of their children, while receiving none of the benefits related to mining.



Street Address: 1st Floor, 62 Juta Street, Braamfontein, Johannesburg, 2000 PHONE:+27(0) 10 013 1271 E-MAIL:info@macua.org.za