



Centre for Environmental Rights

Advancing Environmental Rights in South Africa

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Dear Advocate Nogxina,

REQUEST FOR MEETING ON REVIEW OF MINERALS AND PETROLEUM RESOURCES DEVELOPMENT ACT

Over the past 18 months, the Centre for Environmental Rights, together with more than ten other non-government and civil society organisations and academic institutions, have been developing and implementing a civil society legal strategy to promote environmental compliance, transparency and accountability in mining in South Africa (see <http://cer.org.za/programmes/mining/>). This strategy has created a platform for civil society, community and non-government organisations for discussion on environmental law aspects of mining.

We understand from comments made by the Minister reported in the media that there currently is a review of the Minerals and Petroleum Resources Development Act, 2002 underway. While we understand that the review likely covers a wide range of issues, it is clear from the Minister's comments that environmental matters (particularly environmental impact assessments that form part of the licensing process for mines) are included in the scope of this legislative review. It also appears likely that the review will impact on the stalled Mineral and Petroleum Resources Development Amendment Act, 2008, which deals extensively with environmental aspects of mining.

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We appreciate that civil society will have an opportunity to submit comments on any draft legislation. However, we believe that, through our ongoing work with communities on the environmental impacts of mining, we and our partner NGOs and community organisations have developed expertise that may assist the Department in developing draft legislation that has more buy-in from civil society from an early stage. We therefore respectfully request the DMR to meet with a small delegation (say 5 representatives) from our strategy group to discuss environmental aspects of the legislative review.

Our strategy group meets in Johannesburg on 15-16 March 2011, and a meeting at this occasion would be appreciated. Otherwise we will travel to Pretoria for a meeting at a mutually convenient date.

We look forward to a positive reply.

Yours sincerely



Melissa Fourie
Executive Director