

**"The Voice Community Representative Council"**

(Reg No. 097-943-NPO)

1534 Phumula Location

Vukuzakhe

Volksrust

2470

**ENQUIRIES: Thabiso Nene**

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Memorandum of grievances presented by the voice community representative council during the community March 26 July 2018, Centre for Environment right offices at Braamfontein.

**To:**

The Centre for Environmental Rights

Ms Melissa, Ms Suzanne, Mrs Catherine

**Re: Grievances about the participation of Centre for environmental Right**

The "Voice Community Representative Council" is a Non-Profit Organisation based out of Volksrust and represents the aspirations and voices of the majority of the communities in the Dr. Pixley Ka Isaka Seme Municipality in Mpumalanga.

The communities of Dr Pixley Ka Isaka Seme and that of Mkhondo are very deeply concerned with the stunts pulled by your organization (CER) and your coalition in opposing the upcoming development. What's even more concerning is that the opposition is brought in the name of the community and environment While the really agenda remains sole to condone the economical and racial inequality.

It can be observed that this development has been long coming since 2013 but due to lot of challenges coming from the white farmers and environmental NGO's like your organization Centre for Environmental Rights (CER) who have been very vocal and proactive in ensuring that this mine does not open. Despite all of this the developer Atha Africa and the community have been very persistent in calling for co-exist in both mining and environment. We believe the Yzermyn project will unlock the creation of job opportunities and business opportunities for the local people, which the tourism and the environmental sector have failed to create the much needed in our community over the past century.

It is for that reason that the community over the past years has petitioned number of MEC's and ministers raising their concern over the stunt of your organization CER and your anti-developmental tendencies.

There has been a legal battle stretching for over three years between the developer (Atha Africa) and self-proclaimed community rights groups presented by CER. Atha Africa has obtained multiple required permits for their Yzermyn project, currently are awaiting the decision of the local council on their zoning application based on municipal Spatial Planning and Land Use Regulations.

CER on behalf of its coalition members have been relentlessly hindering the proposed mine through multiple court cases, which had prompted our involvement as The Voice Community Representative Council and the broader community of Dr pixley ka Isaka Seme and Mkhondo to go up in arms against what we believe to be an injustice towards us as the direct affected parties of the proposed project in the name of environment.

Since the inception of this proposed development it has been a challenge after challenge, having the you (CER) taking Atha Africa Ventures to different courts and independent tribunals in your bid to stop the mining. However in your entire attempt in halting the development have dismally failed. However the NGO's are not throwing a towel in their evil agenda of ensuring that you continue condemning black lives to poverty by pulling all ill and antidox methods in ensuring that you stop the development indefinitely. Base on the series of article published and number of consultative meeting Atha Africa has shown interest in developing the mine. Something that you have failed dismal to consult and communicate to community the reason behindon your stunts of object the ATHA project despite numerous invitation from the community to come and explain. Instant you have turned to old appertheid tendencies of bringing retired journalist to come a write rubbish about community and its leader Thabiso Nene. We note with dismay the series of attack that have been published in series of newspapers with rubbish claims against our leader Thabiso Nene. Let the record show that we share the same views and sentiments as those of Thabiso Nene. It's funny the so called Journalist have never came to investigates all this allegation but rather rely on mere social media statement made by Thabiso Nene. We note this biased reporting that seek to make the communities bullies over Obas Malaan who have been for years behind the most Gruesome and brutal beating blacks for nothing. To be quite frank, we shall not be phased out by the recent attempt of your journalist who has been for years the reason behind your ill agenda. We will continue fighting till the bitter end. We as the community rather die fighting you in and out of courts than just to sit and wait to be slaughtered by poverty orchestrated by CER and coalition.

We also note with sad shame the claims made by your organisation to represent the community. We the community have never even met with single employee of your organisation or give you any instruction to present our interest in any tribunal or litigation processes. We the community of Dr Pixley ka Seme and Mkhondo reject your claims of representing the views of the community. This is backed by resolutions that were taken on the 29 June 2018 meeting which your organization was also invited but never came. The community meeting held was not the only platform used to reject CER but was just a reaffirmation to the long standing view that our community has hold over years of wanting nothing to do with CER Over the years.

The Voice notes the attack on Atha Africa Ventures as an attack on the community directly. It is for that reason that we held a consultative meeting on the 29<sup>th</sup> of June 2018 aimed at getting all the stake holders including the broader community in getting to the solutions surrounding this proposed development. However the CER and its 8 Civil NGO coalition members decided not to come to the meeting make it nearly impossible for settlement to be reached. It's for that reason that the community then resolved in instructing The Voice to write to the Water Tribunal that is scheduled to begin the 24 July to make formal presentation. CER and the coalition fail to participate in the EIA public participation but now are the ones leading the opposition. We feel there's a great abuse of power and bullying of its kind from this NGO's

We therefore make the following statements and demands:

1. Community gave "The Voice" an NPO full power of attorney to acts on its behalf and no any other organisation should do so.
2. Centre for Environment Right have base their objection to environmental issues. What you fail to disclose to the public is that in Loskop. There's an active open cast mine that is operated by Mr Mallan who is the Chariman of Mabola protected Environment committee. CER has never at any given Sunday tried to stop this most dangerous and violent mining to environment. What was even more puzzling is your silence to this kind of mining that has been happening in the Loskop farm which also falls under the protected area that has been causing noise. We strongly believe that CER and the coalition are just agents of killing competition for your friend "Mr Malaan". This notion is raised by the fact that Mr Malaan was getting R 80 000.00 plus

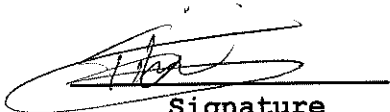
vat monthly and also getting turnover rent of R4.00/ton such payment should be made monthly. This is a clear indication that environment is not an issue when it comes to white owned mined as we have been reading in a series of newspaper articles where Atha Africa is always referred as an "Indian Company" that wants to kill the environment. This very xenophobic stunt are not welcome by our community as this might scare away prospective investors to develop the area. We the fore demand CER to respond to this double standards and show to us what they have done to mitigate the situation of the past years.

3. Just after the declaration that was given by MEC Phosatho place the area under protected status. The community and the Mabola Protected committee met for the first time to discuss and draft Environmental plan, Mr malaan made very offensive statement that upset the community. The statement "let us whites keep the land for you and your generations to come, you blacks don't know how to take care of the land" please request the minutes of that meeting as is was captured by Mpumalanga Tourism and Park Boards Agency. This really showed that the objection to this are purely based on stop black people from benefiting land. Malaan is the same man or went on an IOL publication and told them that "I told this Indian company during drilling that I don't want them here and would do anything to stop you from ever operating" months later then the declaration intent was gazetted. This was then perceived by the community as stunt by Mr Malaan and his white farmers to prevent the mining from ever starting. The community then objected to this act by petitioned the MEC with 9000 signatures. Please refer to attached.
4. The community rejects and fail to understand narrative of CER to be advocates of environment. This emanates from the fact that during one of the coalition WWF backed by CER on the 5<sup>th</sup> June 2017 hosted a save water campaign in the earmarked are for the development of mining. When the community came to this secret campaign which despite a number of enquiries of community, we were told that it was a private campaign, which we fail to understand how can such a significant campaign be kept a secret while even our community wants to save water and cares for the environment. During this campaign then the community organized itself to picket holding plug cards expressing their views. Be advice during this gathering a police force was organized by the community to ensure that this became the most peaceful gathering however the WWF & CER members did not hold the same views as our as they drove off when they saw the community getting of buses. During that locomotion some white male driving a Toyota fortune ran over Bheki Zwane with their and did not stop to check if the poor guy was ok. Despite the police instructing him to stop but he never did and till this day justice has not been served. We have made some several attempts

- to get you (CER) and its team to surrender the driver of that car who almost killed a black man but our attempts have fallen on deaf ears. It is for that reason that we believe this agenda of CER is Bogus, how could you care for environment while they fail to care for the Human Life? We therefore want you to surrender the culprit within the next 7 days to the authorities.
5. During the said day and event on number, this triggered a series of hateful remarks against black community of Dr pixley ka Seme. In a communication between MTPA official and some France graigen guy who refers to blacks of seme as "bunch of illiterate blacks disturbing their event" this matter is under litigation in the equality court of Volksrust magistrate. We will not rest till we get justice for that.
  6. During the EIA's consultative process of the Atha mine CER never bothered to be part of the process. It's only now that they are choosing to object after being invited by Malaan who vouch to stop the mining development at all cost. It is for that reason we believe they are just device to halt the mining development on behalf Malaan. We demand that you withdraw all objection brought by your organisation.
  7. We fail to understand who invited CER to come and stop this project as they don't have any offices in the area and reside in Cape Town? In the CER website their state that before they can take any case brought to them it must first meet some requirements. This gets to show that this development did not land its self to CER door step but rather was brought by someone.
  8. We the community fo Pixley Ka Seme local Municipality demand the CER and NGO's withdraw all cases it has against Atha Mine in court and on the independent tribunals.
  9. We demand that with immediate effect leave our place alone.
  10. We reject you as the urgent fighting on behalf of us as a community of Pixley and Mkhondo.
  11. We demand you stop your ill agenda against Thabiso Nene as you put his life in-danger to the environmental extremist and white farmers.
  12. We demand you leave our area as you have displayed nothing but biased and discrimination approach using skin colour you have never engage us as a community and you have displayed a white biase tendencies.
  13. We demand that with immediate effect you leave this mining development.
  14. **We reject your evil biased attack on Atha and yet you never said anything about Loskop.**
  15. **Stop**
  
  16. **We demand that the management of CER, The voice and that of Atha meet within the next 7 days to find a way of coexistence**

between environment and mining. Fails will result in us the community taking the matter to our own hands. We urge that all parties partake in this as it will help calm the situation that is getting out of hand. Community feel that this matter is entertained because it has to do with white farmers, and therefore refuses to be bullied in anyway.

Received by :

Name	Signature	Date
Handed by : THABISO NENE		26/07/2018
Name	Signature	Date

MR WANDILO

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