

Centre for Environmental Rights

6 September 2018

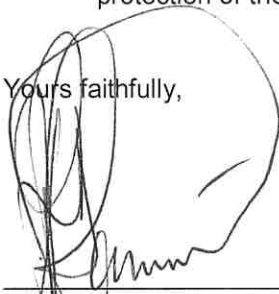
Transmitted by electronic mail to: rhugo@cer.org.za

Dear Robyn

Development Bank of Southern Africa // Thabametsi and Khanyisa coal fired power plants

- 1 We wish to convey to you that we commend the commitment and dedication of the Centre for Environmental Rights (**CER**) to the protection, enforcement and pursuit of environmental rights.
- 2 On 16 August 2018, the CER addressed correspondence to us in respect of the Thabametsi and Khanyisa coal fired power plants (**Proposed Transactions**) asking for "written reasons for any decisions to finance Thabametsi and/or Khanyisa" in terms of section 5 of the *Promotion of Administrative Justice Act, 2000 (PAJA)*.
- 3 Much as we would like to assist, you will appreciate that we are constrained by our confidential relationship with our clients. More importantly, we have been advised that we are not obliged in terms of PAJA to provide the reasons sought on the basis that any decision on our part to fund the Proposed Transactions does not constitute "administrative action" within the meaning of PAJA.
- 4 The DBSA is mandated to promote development and the DBSA stands by its vision to promote a prosperous, integrated and resource efficient region. We seek to implement sustainable development solutions to, amongst other things, improve quality of life and support economic growth.
- 5 For these reasons, we appreciate civil society's need to interrogate compliance with all matters regulatory. We believe that CER is in a position to provide a meaningful and significant contribution in informing and achieving a sustainable energy mix for the country going forward.
- 6 We accordingly welcome further engagement and collaboration with CER in the interests of the protection of the environment and a sustainable future for all citizens of the country.

Yours faithfully,



Patrick Dlamini
Chief Executive Officer