

ELA NEWSLETTER 1

4 January 2019

BILLS

Traditional and Khoi-San Leadership Bill, 2015 [B23C-2015] & [B23D-2015]

Protection, Promotion, Development and Management of Indigenous Knowledge Systems Bill, 2016 [B6C-2016] & [B6D-2016]

Customary Initiation Bill, 2018 [B7A-2018] & [B7B-2018]

LEGISLATION

NOTICES

State Attorney Act 56 of 1957 - GN R1429 in GG 42140 of 28 December 2018 - Establishment of Mpumalanga Branch Office of State Attorney

Petroleum Products Act 120 of 1977 - GN R1 in GG 42142 of 1 January 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1333 in GG 42079 of 4 December 2018 substituted with effect from 2 January 2019

Petroleum Products Act 120 of 1977 - GN R2 in GG 42142 of 1 January 2019 - Regulations in respect of petroleum products published in GN R1335 in GG 42079 of 4 December 2018 substituted with effect from 2 January 2019

Petroleum Products Act 120 of 1977 - GN R3 in GG 42142 of 1 January 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 2 January 2019

Public Finance Management Act 1 of 1999 – Gen Notice 817 in GG 42139 of 28 December 2018 - Rate of interest on government loans in terms of s. 80 (1) (a) and (b) prescribed with effect from 1 January 2019

PROVINCES

Limpopo

National Environmental Management: Biodiversity Act 10 of 2004 – PN 1 in *PG* 2966 of 4 January 2019 - Bioregions and bioregional plans for the Waterberg District Municipality and the Mopani District Municipality – available [here](#) and [here](#)

Gauteng

Constitution of the Republic of South Africa, 1996 Spatial Planning and Land Use Management Act 16 of 2013 and the City of Johannesburg Municipal Planning By-law, 2016 – LN 5 in *PG* 1 of 2 January 2019 - City of Johannesburg Metropolitan Municipality - City of Johannesburg Land Use Scheme, 2018, will come into operation on 1 February 2019

Northern Cape

Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013 - PN 146 in *PG* 2232 of 24 December 2018 - Dikgatlong Local Municipality - Approval of Land Use Scheme

Dikgatlong 147 Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013 – PN 146 in *PG* 2232 of 24 December 2018 - Phokwane Local Municipality - Approval of Land Use Scheme - Phokwane Integrated Zoning Scheme

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – LN 39 in *PG* 2232 of 24 December 2018 - Pixley Ka Seme District Municipality - Municipal Health Services By-law, 2018

PUBLICATIONS

International

Scott I *et al* “Environmental Law. Disrupted” 2019 [Environmental Law Reporter](#) 40(1)

McDougall Robert, Kristiansen Paul and Rader Romina “Small-scale urban agriculture results in high yields but requires judicious management of inputs to achieve sustainability” 2019 [PNAS](#) <https://doi.org/10.1073/pnas.1809707115>

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

General in rest of the world

- **Biodiversity**

[Science](#): Gronewold N “Japan quits global whaling body, will resume commercial hunt” 26 December 2018

[The Guardian](#): Smee B “Adani ‘conservation area’ for endangered finch sits on proposed Clive Palmer mine” 29 December 2018

[The Independent](#): Allen E “This was a good year for animal rights – here are 11 of the biggest wins” 30 December 2018

[The Guardian](#): Roy EA “What is the sea telling us?': Māori tribes fearful over whale strandings” 3 January 2019

- **Climate Change**

[Science](#): Voosen P “Rise of carbon dioxide–absorbing mountains in tropics may set thermostat for global climate” 28 December 2018

[The Guardian](#): Cox L “Vital ecosystems in tidal flats lost to development and rising sea levels” 28 December 2018

[The Conversation](#): Zerriffi Hisham “Want citizens to care about climate change? Write them a cheque” 20 December 2018

[The Guardian](#): Harvey F “'Momentum is growing': reasons to be hopeful about the environment in 2019” 2 January 2019

[The Guardian](#): Jones R “What is the energy price cap and how does it work?” 2 January 2019

[The Guardian](#): Holmes à Court Simon “In 2018 the Australian government chased its energy tail. Here's a more hopeful story” 2 January 2019

[The Guardian](#): Fuller G “Pollutionwatch: Scotland's first low emission zone begins in Glasgow” 3 January 2019

[The Guardian](#): Cox L “Woodside seeks approval for gas project near WA's Dampier marine reserves” 26 December 2018

[The Guardian](#): Vaughan A “Shell says it wants to double green energy investment” 26 December 2018

Institute for Carbon Removal Law & Policy: Speakers' [Bureau](#)

[The Guardian](#): Jones S “Solar, thermal... Spain's historic hotels go green” 30 September 2018

- **Local government**

ICLEI: “Partnerships for improved sustainability: A case study method applied to partnerships in the transport industry” ([Report](#) 2018)

- **Miscellaneous**

Sustainable Development Code: [website](#)

Environmental Protection [Network](#): “The Effects of a Government Shutdown at EPA” 22 December 2018

[The Independent](#): Bergman S “How 2018 turned environmentalism from a radical niche into a mainstream trend” 29 December 2018

[INECE](#): Baldwin G “Country Systems Reports on Policies and Regulatory Systems for Environmental Licensing and Enforcement in Latin America” 14 December 2018

Whistleblower Protection [Blog](#): Condon K “As Anti-Corruption Day Approaches, WJC Report Reminds Us of the Importance of Whistleblower Incentives” 7 December 2018

[News24](#): “Watch: The plastic revolution has taken to the skies with first single-use plastic free flight” 4 January 2019

[The Guardian](#): Laville S “Ditch cling film and switch to soap’: 10 easy ways to reduce your plastics use in 2019” 4 January 2019

[The Guardian](#): Smithers R “Plastic bottle deposit scheme in UK proving hit with shoppers” 2 January 2019

[The Jurist](#): Beres LR “Looking to the New Year: Nationalism, Patriotism and World Law” 1 January 2019

[The Jurist](#): Hassan T “Abuse of Judicial Process” [approval of dams] 25 December 2018

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa 2019 Conference: The Role of Integrated Environmental Management the Economic Revival of South Africa – Save the Date

Place: ATKV Klein Kariba, Bela-Bela Limpopo

Date: 21-23 August 2019

First Annual Integrated Coastal Management Lekgotla (ICMSA 2019) – Call for abstracts

The Department of Environmental Affairs is proud to announce the call for abstracts and posters for the First Annual ICM Lekgotla (ICMSA 2019) that will be taking place from the 6th February 2019 – 8th February 2019 in Cape Town, Western Cape (venue to be confirmed). Details on the ICM Lekgotla can be accessed through its [website](#).

Queries on the ICM Lekgotla should be directed via [email](#). For details on abstract and poster submission deadlines [click here](#).

WOSA 4 Conference

Dates: 25-27 January 2019

Venue: Drakensberg Gardens KZN

There is still time to [register for this event](#). Please visit our web site to find out more about our indigenous [orchids](#):

IMBEWU: Climate Change Law Workshop

Venue: IMBEWU’s offices, Rosebank, Johannesburg

Date: Tuesday 29 January 2019

Time: 08h30 to 16h30

Contact [Lulu](#) or see [website](#)

Webber Wentzel: Mining Indaba Cocktail function

Date: 5 February 2019 from 17:00

Venue: Our office – 15th Floor, Convention Tower, Heerengracht, Foreshore, Cape Town

Please join our annual Mining Indaba Cocktail Function for drinks (including local craft gins), networking and some of the most spectacular views the Mother City has to offer.

[RSVP here](#)

Webber Wentzel: Panel Discussion | Spotlight on Zimbabwe | Mining Indaba 2019

Join africapractice and Webber Wentzel at the 2019 Mining Indaba as we discuss policy options available to Zimbabwe's mining sector to attract quality investment and grow sustainably. With an ambitious reform agenda already underway, which includes part-privatisation of 17 state owned mining assets and incentives for new exploration investment, the sector is instrumental for Zimbabwe's economic recovery. Speaking on the panel will be some of the leading extractives sector experts from the World Bank, British Geological Society and Zimbabwe's mining sector.

An invitation including a full programme will be provided by 14 January 2019

For more information, please contact [B Devine](#)

LaRSSA 7th Annual Conference Conference 2019 Rehabilitation in Practice: Save the Date

Dates: 15-18 July 2019

Place: Magaliesburg/Cradle of Humankind

Humboldt Kolleg: Land – (in)justice – poverty

Dates: 5-7 September 2019

The place (most probably Pretoria) and venue will be given early in 2019.

The theme of the Kolleg will be Land – (in)justice – poverty, which should focus on the current South African land issue and debate. The papers could link two or three themes in their presentation. But most importantly, you should prepare a possible presentation from the viewpoint of your own specific subject field or discipline. We will build in some panel discussions into the programme, so that debate could take place. Depending on the number of presentations, you can prepare a paper with the length of 30 minutes (20 minutes presentation and 10 minutes discussion). We will also try to involve government (or other applicable) participants in the debate.

If you plan to do a presentation, provide us with a short abstract of 800-1000 words before 31 January 2019. We have to make a submission to AvH for possible funding. They need four months for the submission to be evaluated. Please indicate if you will attend the Kolleg just as a participant without making a formal presentation.

We plan to prepare an international book from this foreseen meeting, since the theme is highly relevant. Guideline for the presentation will be given in the new year.

Contact: [Dirk J Human](#)

Tel: +27 (0)12 420 3154/5

International

The coming paradigm: Governance without Government

Dates: 15-18 April 2019

Place: University of New England, Armidale, NSW, Australia

Closing date for abstracts: 31 January 2019

May also participate via web.

[Registration](#)

[Website](#)

Questions: [Ciprian Radavol](#) (61)0748 608 403

IUCN Academy of Environmental Law 17th Annual Colloquium 2019 – Call for Abstracts: Achieving the Sustainable Development Goals (SDGs): Law as Part of the Solution

Dates: 7–9 August 2019

Place: [Universiti](#) Teknologi MARA in Shah Alam, Selangor, Malaysia

[Website](#)

Early bird registration starts: 30 November 2018

Early bird registration ends: 1 March 2019

Regular rate starts: 2 March 2019

Regular rate ends: 15 July 2019

IUCN Committee meetings/ workshops: 4–6 August 2019

Colloquium Trip: 9–10 August 2019

Call for Abstracts and [submission](#)

More information will follow, particularly the Academy's new grant program will be forthcoming in January. So if you will need financial assistance to attend, get your abstracts in early.

Oxford Spring School in Ecological Economics 2019

Dates: 24-30 March 2019

Place: Oxford, Oxford University

Closing date: 15 January 2019

More [information](#)

4th Hamburg International Environmental Law Conference: Maritime Law

Date: 4-5 April 2019

Location: Hamburg, Germany

More [information](#)

Faculty of Law and Administration of the University of Warsaw, with the support of the Sustainability College Bruges (SCB): LLM in Energy, Environmental and Climate Change Law for the academic year 2019/2020

More [information](#)

NEWS

National

- **Climate Change and energy**

“The case for (coal and nuclear) megaprojects” [fin24](#) 31 December 2018

- **Mining**

“Industrial scale’ illegal gold looting costing South Africa R14bn a year – report” [News24](#) 30 December 2018

- **Local government**

Kings S “Enviro action plan for South Africa” [Mail&Guardian](#) 4 January 2019 (subscription/Newspaper needed)

Gosling M “Cape residents continue to save water — report” [The Guardian](#) 27 December 2018

International

- **Biodiversity**

Philips D “Jair Bolsonaro launches assault on Amazon rainforest protections” [The Guardian](#) 2 January 2019 - read also [The Jurist](#)

Cecco L “No North Atlantic right whales killed in Canadian waters in 2018” [The Guardian](#) 2 January 2019

Cecco L “Trudeau's environmental record on the line in Canada election year” [The Guardian](#) 2 January 2019

“Glue trap hunting method upheld in French court” [The Connexion](#) 4 January 2019

Stokstad E “Controversial European policy bans ships from throwing unwanted fish overboard” [Science](#) 4 January 2019

- **Climate Change and energy**

“Climate change takes toll on French oyster farmers” [News24](#) 31 December 2018

[The Jurist](#): Rundell A “EPA announces plan to ease restrictions on power plants” 31 December 2018

Perkins S “Leafcutter ant ‘compost piles’ produce potent greenhouse gases” [Science](#) 1 January 2019

- **Miscellaneous**

Wolden E “Trump administration to consider changes to Obama-era mercury rule” [The Guardian](#) 28 December 2018

“US quits UNESCO” [eTN](#) 1 January 2019

VACANCIES / OPPORTUNITIES / FUNDING ETC

National

Paralegal Assistant Johannesburg

More [information](#)

University of the Western Cape: Associate Professor: Private Law

Closing date: 31 January 2019

More [information](#)

International

ENB Writer Recruitment - Information and Requirements

The International Institute for Sustainable Development, Reporting Services Division (IISD RS), is looking for new writers for its team of freelance consultants (the “ENB Team”) who write and edit the *Earth Negotiations Bulletin* and IISD’s other conference reporting (ENB+) services. (For more information on these publications, visit [website](#), and to see the existing ENB Team, visit [here](#)).

Please note that these are not full-time positions and applicants should only apply if interested in freelance consulting work. Applicants will be asked how freelance consulting with IISD RS would fit into their other existing research and/or consulting work.

IISD is an international non-governmental organization. Qualified applicants from all countries are encouraged to apply. Successful applicants will be hired on a consulting basis for meetings held in locations all over the world. We do not require or provide work permits, work visas, or relocate consultants who are successful candidates for these freelance positions.

Because of the large number of applicants expected, only those who demonstrate that they meet all of the general and specific requirements will be considered. All applicants should submit a copy of their resume (Curriculum Vitae), together with a cover letter detailing how they meet each of the requirements. Both the CV and cover letter are used in the selection of candidates.

The deadline for applications is 1800 (6:00pm) GMT on Sunday, 20 January 2019.

More [information](#)

University of Antwerp, Faculty of Law and the Institute of Development policy (IOB): Research professor, Sustainable development and environmental justice

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 2

11 January 2019

BILLS

- **Before parliament:**

Carbon Tax Bill (B46 of 2018)

National Health Amendment Bill (B29 of 2018)

Aquaculture Development Bill (B22 of 2018)

National Environmental Management Laws Amendment Bill (B14 of 2017)

National Forests Amendment Bill (B11 of 2016)

Mineral and Petroleum Resources Development Amendment Bill (B27 – 2013)

- **Before the President:**

Marine Spatial Planning Bill (B9 of 2017)

Plant Improvement Bill (B8 of 2015)

Plant Breeders Rights Bill (B11 of 2015)

[Source: Imbewu December 2018 Sustainability Newsletter]

LEGISLATION

NOTICES

Diplomatic Immunities and Privileges Act 37 of 2001 - GN 4 in GG 42148 of 8 January 2019 - Notice of recognition of the Partnership for Action on Green Economy Ministerial Conference in South Africa for the purposes of granting of immunities and privileges

Broad-Based Black Economic Empowerment Act 53 of 2003 - GN 5 in GG 42152 of 11 January 2019 - Memorandum of Understanding between the Broad-Based Black Economic Empowerment Commission and the Department of Economic Development, Tourism and Environmental Affairs

PROVINCES

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 1 in PG 7964 of 8 January 2019 - Dr Kenneth Kaunda District Municipality - Intention to review the Spatial Development Framework (SDF), 2018/2019

CASES

International

Juliana v. United States No. 18-80176 ([9th Cir.](#) Dec. 26, 2018), No. 18-36082 (9th Cir. Jan. 7, 2019); No. 6:15-cv-01517 (D. Or.).

“On December 26, 2018, the Ninth Circuit Court of Appeals granted the federal government’s petition for permission to appeal an Oregon federal court’s decisions allowing constitutional climate change claims brought by a group of young people to proceed.”

Exxon Mobil Corp. v. Healey No. 18-311 ([U.S.](#) Jan. 7, 2019)

“The U.S. Supreme Court denied without comment Exxon Mobil Corporation’s (Exxon’s) petition for a writ of certiorari seeking review of the Massachusetts Supreme Judicial Court’s ruling that allowed the Massachusetts attorney general to proceed with a climate change-related investigation of Exxon’s marketing and sales of its products. Exxon argued that the Massachusetts court’s standard for personal jurisdiction violated due process.”

Verein KlimaSeniorinnen Schweiz v. Bundesrat / Union of Swiss Senior Women for Climate Protection v. Federal Department of the Environment, Transport, Energy and Communications No. A-2992/2017 ([TAF](#) Nov. 27, 2018)

“In 2016, a group of senior women, filed suit against the Swiss Government, alleging that the government had failed to uphold obligations under the Swiss Constitution and European Convention on Human Rights (ECHR) by not steering Switzerland onto an emissions reduction trajectory consistent with the goal of keeping global temperatures below 2°C above pre-industrial levels/ Specifically, petitioners alleged the government had violated articles 10 (right to life), 73 (sustainability principle), and 74 (precautionary principle) of the Swiss Constitution and by articles 2 and 8 of the European Convention on Human Rights. ... On November 27, 2018, the Swiss Federal Administrative Court dismissed the case on the basis that Swiss women over 75 years of age are not the only population affected by climate change impacts, echoing DETEC’s determination that the injury and remedy were not specialized to petitioners.”

Olivia Chernaik, a minor and resident of Lane County, Oregon; Lisa Chernaik, guardian of Olivia Chernaik; Kelsey Cascadia Rose Juliana, a minor and resident of Lane County, Oregon; and Catia Juliana, guardian of Kelsey Juliana v. Kate BROWN, in her official capacity as Governor of the State of Oregon; and State of Oregon Lane County Circuit Court 161109273; Court of Appeals of the State of Oregon [A159826](#) 9 January 2019

“Plaintiffs sued defendants the State of Oregon and Governor Kate Brown (collectively, the state) for declaratory and equitable relief related to the state’s alleged failure to take sufficient steps to protect the state’s public-trust resources from the effects of climate change.” [Court summary]

“The Oregon Court of Appeals earlier today rejected the claim that the Oregon public trust doctrine imposes ‘a fiduciary obligation on the state to take affirmative action to protect public-trust resources from the effects of climate change.’” [Source: Richard Lazarus Harvard University, Envlawprofessors list]

PUBLICATIONS

National

Venter Francois *Legal Research - Purpose, Planning and Publication* ([Juta](#) 2018)

Kameri-Mbote Patricia, Paterson Alexander, Ruppel Oliver C, Bello Orubebe Bibobra and Kam Yogo Emmanuel D (eds) *Law | Environment | Africa* ([Nomos Verlag](#) 2019)

Contributions from South Africans or chapters with a South African interest:

- Paterson Alexander “Law, environment, Africa: introducing the imperatives, parameters and trends” 21-31
- Rumble Olivia “Climate change legislative development on the African continent” 32-59
- Ashukem Jean-Claude “Public participation in environmental decision-making in Cameroon – myth or reality?” 348-364
- Kidd Michael “Pollution of water in South Africa by untreated sewage: addressing the governance issues” 402-415
- Mkhonza Amanda “Improving the legal protection of strategic water source areas: a South African perspective” 440-465
- Okukpon Irekpiton “Water security and environmental justice in Nigeria and South Africa: achievable concord or discordant alliance?” 546-570

International

Practical Action “Achieving Inclusive Energy Access at Scale” ([Briefing](#) Paper 2018)

Practical Action “Poor People Energy Outlook [Report](#)” (2018)

Leal-Arcas Rafael “Commentary on the Energy Charter Treaty” [SSRN](#) 21 December 2018 – for the book click [here](#)

Scanlan Melissa “Droughts, Floods, and Scarcity on a Climate-Disrupted Planet: Understanding the Legal Challenges and Opportunities for Groundwater Sustainability” 2019 37 [Va. Env'tl. L.J.](#) 1

Gerrard Michael B and Dernbach John C (ed) *Legal Pathways to Deep Decarbonization in the United States: Summary and Key Recommendations* (ELI Washington 2019) available for [download](#)

Payne C “Tragedy of the Commons as Conventional Wisdom in Sustainability Education” ([Working Paper](#) 2019)

2018 [Theoretical Inquiries in Law](#) 19(2) focuses on The Tragedy of the Commons at 50: Context, Precedents, and Afterlife

World Health Organisation “COP24 Special [Report](#) Health & Climate Change” (2018)

Tiegs Scott D *et al* “Global patterns and drivers of ecosystem functioning in rivers and riparian zones” 2019 [Science Advances](#) 5(1) DOI: 10.1126/sciadv.aav0486

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

[The Conversation](#): Masehela T “Managed bees versus wild bees? It’s not that simple in South Africa” 9 January 2019

[Mail & Guardian](#): Kings S “Our last gasp before we burn” 11 January 2019 [subscription or newspaper]

[The Conversation](#): Bouwman H “Why microbeads are such a threat and why they’re so hard to handle” 3 January 2019

Africa

[The Conversation](#): Bateman M “African countries should turn to lower risk solutions to fight fall armyworm” 9 January 2019

Rest of the world

- **Biodiversity**

[IISD](#) SDG Knowledge Hub: Thomson P “2019: The Year to End Harmful Fisheries Subsidies” 8 January 2019

Yale University Student [Podcasts](#): “When We Talk About Animals

[News24](#): Mowlana S “Watch: Sharks return to Thailand’s Maya Bay after closure - shows importance of conservation” 8 January 2019

[Science](#): Normile D “Why Japan’s exit from international whaling treaty may actually benefit whales” 10 January 2019

- **Climate Change and Energy**

[IISD](#) SDG Knowledge Hub: Birmpili T “The Kigali Amendment: The New Year’s Resolution We Must Not Break” 2 January 2019

[IISD](#) SDG Knowledge Hub: Leone F “Kigali Amendment Enters into Force, Bringing Promise of Reduced Global Warming” 8 January 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Looking towards Humanitarian Efforts, Climate Impacts and Adaptation in 2019” 8 January 2019

[Sabin Center](#) Climate law Blog: Burger M and Wentz J “‘The trial of the century’: A preview of how climate science could play out in the courtroom, courtesy of Juliana v. United States” 7 January 2019

[International Solar Energy Society](#) “Dispelling the Myths - Renewables in the Grid” Infographics to explain difficult concepts

[IISD](#) SDG Knowledge Hub: Mead L “WHO COP 24 Report: Health Benefits Outweigh Costs of Meeting Paris Agreement Goals” 10 January 2019

[The Guardian](#): Cecco L “Pipeline battle puts focus on Canada's disputed right to use indigenous land” 11 January 2019

[The Guardian](#): Filopova A “A frozen history of climate change – in pictures” 11 January 2019

[The Guardian](#): Vaughan A “Hitachi set to cancel plans for £16bn nuclear power station in Wales” 11 January 2019

- **Local government**

[The Guardian](#): Vaughan A “Dutch eco initiative halves energy bills in first UK homes” 7 January 2019

[The Guardian](#): Smithers R “‘Fine to flush’ label for wet wipes to aid fight against fatbergs” 11 January 2019

- **Miscellaneous**

[The Conversation](#): Soule F “How to negotiate infrastructure deals with China: four things African governments need to get right” 3 January 2019

[Muckrock](#): Kick R “Breaking down the Department of the Interior’s proposed changes to FOIA” 7 January 2019 – click [here](#) for the proposed amendments

[IISD](#) SDG Knowledge Hub: Wagner L “GEF Council Adopts First Work Program for New GEF-7 Replenishment” 8 January 2019

[IISD](#) SDG Knowledge Hub: Paul D “SIWI Launches Online Course on Addressing the Global Water Crisis” 8 January 2019

[The Conversation](#): Kilian P “Phosphorus: 350 years after its discovery, this vital element is running out” 9 January 2019

[Los Angeles Times](#): Wara MW “There's a quick way to help prevent wildfires: Shut off the power grid” 10 December 2019

[The Conversation](#): Jaffe C “Virginia’s uranium mining battle flips traditional views of federal and state power” 11 January 2019

[The Conversation](#): Maass B “Why more people in Africa should farm guinea pigs for food” 10 January 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

NWU: Centre for Environmental Management Short Courses

- **CEM-07.2.1 Introduction to green economy for South Africa (12 week on-line course)**
Commencement date: 4 February 2019
- **CEM-01.1.1 The fundamentals of environmental management**
Dates: 4 - 8 March 2019
- **CEM-02.1.1 Environmental law**
Dates: 11 - 15 March 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

IMBEWU: Climate Change Law Workshop

Venue: IMBEWU's offices, Rosebank, Johannesburg

Date: Tuesday 29 January 2019

Time: 08h30 to 16h30

Contact [Lulu](#) or see [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**
Dates: 12-14 February 2019
Place: Cape Town
- **Water Governance in South Africa**
Dates: 12-14 March 2019
Place: Pretoria
- **Waste Governance in South Africa**

More [information](#)

[Registration](#) closes 2 weeks before course start date

IAIAsa 2019 Conference: The Role of Integrated Environmental Management the Economic Revival of South Africa – Save the Date

Place: ATKV Klein Kariba, Bela-Bela Limpopo

Date: 21-23 August 2019

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Queries on the ICM Lekgotla should be directed via [email](#). For details on abstract and poster submission deadlines [click here](#).

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Abstracts](#) accepted till 31 January 2019

[Registration](#)

The coming paradigm: Governance without Government

Dates: 15-18 April 2019

Place: University of New England, Armidale, NSW, Australia

Closing date for abstracts: 31 January 2019

May also participate via web.

[Registration](#)

[Website](#)

Questions: [Ciprian Radavol](#) (61)0748 608 403

IUCN Academy of Environmental Law 17th Annual Colloquium 2019 – Call for Abstracts: Achieving the Sustainable Development Goals (SDGs): Law as Part of the Solution

Dates: 7–9 August 2019

Place: [Universiti](#) Teknologi MARA in Shah Alam, Selangor, Malaysia

[Website](#)

Early bird registration starts: 30 November 2018

Early bird registration ends: 1 March 2019

Regular rate starts: 2 March 2019

Regular rate ends: 15 July 2019

IUCN Committee meetings/ workshops: 4–6 August 2019

Colloquium Trip: 9–10 August 2019

Call for Abstracts and [submission](#)

More information will follow, particularly the Academy's new grant program will be forthcoming in January. So if you will need financial assistance to attend, get your abstracts in early.

Free Online Course on Green Rights around the globe

Commenced: 9 January 2019

The course will use a unique collection of in-depth video interviews with leading environmental lawyers and defenders around the world—available via [The Green Interview website](#)—as a springboard to explore the legal, moral and social issues surrounding the global environmental rights movement. Available live online and [for archived viewing](#) at your leisure, the course is offered through Cape Breton University in a free [“curiosity” version](#).

The course meets every Wednesday at 12:30-2:00 pm Eastern time for twelve weeks, starting January 9. It is taught by Dr. Cameron at Cape Breton University in Nova Scotia, Canada, with frequent guest appearances.

The course integrates law and journalism in a highly innovative way, using the personal stories of remarkable environmental lawyers to bring issues of human rights, rights of Nature, public interest lawyering and environmental activism to life in a highly relatable way. Issues and stories to be covered include the history and theory of green rights; holding governments to account (including the

Mendoza case in Argentina and the Urgenda case in the Netherlands); holding industry to account (the Chevron/Ecuador saga), the lives and deaths of environmental defenders; parties, standing and novel legal theories (including atmospheric trust litigation and rights of future generations); wild law and the rights of Nature; the law of Ecocide; and indigenous laws of nature.

The Commonwealth Legal Education Association: First Call for Papers: Challenges and Opportunities for Commonwealth Legal Education

Dates: 4-5 April 2019

Place: Lusaka, Zambia

[Website](#)

The Commonwealth Legal Education Association invites law teachers and practitioners from around the Commonwealth and other Common law jurisdictions to submit abstracts of papers (of not more than 500 words) for this conference. Abstracts should be submitted by 31st January 2019 via [EasyChair](#) (indicating which author(s) will attend to deliver the paper at the conference).

Acceptances will be intimated within three weeks of receipt subject to the availability of spaces within the conference programme. If you have any difficulties with, or queries over, submission please email to Prof [McQuoid-Mason](#) or [O Malata](#).

Conference Registration

To register for the conference, email Prof [McQuoid-Mason](#) and you will be provided with a booking form and payment details.

Stockholm International Water Institute (SIWI): Online course (MOOC) on Water: Addressing the Global Water Crisis

Commence: 14 January – 7 April 2019

Enrol [here](#)

More [information](#)

IEA WEBINAR: Bioenergy forecasts for heat, power and transport 2018-23

Date: 17 January 2019

Time: 15:00-16:00 CET / 9:00-10:00 EST

[Renewables 2018](#) provides detailed renewable energy analysis and forecasts (2018-23) for the electricity, heat and transport sectors. Modern bioenergy accounts for half of global renewable energy consumption yet its role in decarbonising the global energy system is not widely recognised. For this reason Renewables 2018 includes a special focus on bioenergy.

Join our upcoming webinar to learn more about IEA's special focus on modern bioenergy, where its current contribution to energy demand and prospects for growth until 2023 in heat, electricity and transport will be presented. During the webinar, you will have the chance to ask questions.

[Registration](#)

Call for Papers of the 2019 International Energy Workshop

Place: Paris, France

Dates: 3-5 June 2019

The 38th edition of the International Energy Workshop (IEW) will be hosted by the [International Energy Agency](#). The [IEW](#) is a leading conference for the international energy modelling community. In a world of environmental and economic constraints, energy modelling is an increasingly important tool for

addressing the complexity of energy planning and policy making. The IEW provides a venue for scholars and researchers to compare quantitative energy projections, to understand the reasons for diverging views of future energy developments, and to observe new trends in global energy supply and demand. Researchers and practitioners from countries around the world are invited to submit original papers with new and innovative results on scientific, technical and practical experience on the economics of energy and climate systems. As is customary for the IEW, papers should be quantitative and rigorous.

Deadline for [submission](#): February 1st, 2019

More [information](#)

Please find all the details on the IEW website ().

New Joint Nordic Master Programme in Environmental Law

As the need for experts in Environmental Law is increasing, The University of Eastern Finland Law School and Centre of Climate Change, Energy and Environmental Law (CCEEL), together with the Law Faculties of the Uppsala and Tromsø Universities, have launched a new Joint Master Programme in Environmental Law (NOMPEL).

The two-year full-time Master's programme will focus on two substantive areas: natural resources management, and climate change and energy law.

The students will physically study in three Nordic countries: first at Uppsala University in Sweden, then University of Eastern Finland in Joensuu and then at UIT the Arctic University of Norway in Tromsø. The program provides financial support for the students enabling them to travel between the three universities. The start-up is in the autumn semester of 2019, and the deadline for submission is January 15, 2019.

The Master's degree programme is administrated through the Uppsala University. For more information regarding the programme, admission requirements and the admission process, see the program [web page](#):

School of Oriental and African Studies London University: Online qualifications in Development, Environment and Policy

At the Centre for Development, Environment and Policy we offer a range of online and distance learning programmes designed to give you the theoretical expertise and tools needed to analyse, discuss and examine the critical issues facing the world today. Taught by influential, world-leading experts, SOAS academics are focussed on regional politics, economics, international studies, environmental change and development.

Explore our online programmes starting April 2019:

[MSc Climate Change and Development](#)

[MSc Global Corporations and Policy](#)

[MSc Global Energy and Climate Policy](#)

[MSc Sustainable Development](#)

These flexible programmes are ideally suited to candidates looking to gain a postgraduate qualification that fits around existing personal and professional commitments.

[Find out more and apply](#)

NEWS

National

- **Biodiversity**

Maphanga C “NGO warns of looming disaster of globally endangered vultures” [News24](#) 8 January 2019

- **Climate Change and energy**

Steyn L “Jeff Radebe is determined to boot out Necsa board” [BusinessLive](#) 9 January 2019 [Source: Legalbrief 10 January 2019]

- **Local government**

Litigation: Minister seeks interdict against Tshwane over sewage

“The Minister of Water and Sanitation has gone to the Gauteng High Court (Pretoria) to interdict the City of Tshwane from allowing raw or partially-treated sewage to be discharged from four wastewater treatment works around the city, says a Cape Times report. The department expressed concern that water – allegedly contaminated – posed a risk to residents, animals and agricultural activities in the capital. A department official said in court papers: ‘The failure of the respondent (the city) to keep the wastewater treatment and processing machinery operational has a direct negative impact on the function of the city’s sewer systems.’ It affected drinking and irrigation water quality, posing a health risk to humans and livestock, he said. The city conceded there were problems, but said it was trying its best to address these; budget constraints and vandalising of equipment made its task difficult. These problems had been in the making for the past eight years, the city said. It also questioned the rush by the department, over the festive season, to obtain an urgent interdict. Simon Sithole, of the city’s legal department, noted there were ongoing problems and as soon as one problem was fixed, another arose. Problems included theft of equipment and electric cables, as well as load shedding. Sithole said the ‘urgent court’ was not the forum to address these issues, as AfriForum had launched a similar application against the city, to be heard on 7 February. Judge Dawie Fourie removed the matter from the roll before the court recess on technical grounds.”

Full Cape Times report (subscription needed) *Legalbrief* 7 January 2019

Environmental: Public to be involved in Bo-Kaap heritage overlay

“The public-participation process to get a heritage protection overlay for the Bo-Kaap in Cape Town will start on 18 January. ‘The community will be notified by notices, registered post, pamphlets and posters and a sector hearing session as well as discussions at the sub-council. It must be borne in mind that the suggested overlay and the guiding documents have already been formulated. The current process is to update the public comment,’ the City’s Mayoral Committee member Marian Niewoudt said. A Cape Argus report notes in December, the Mayoral Committee resolved to support the designation of the Bo-Kaap as a Heritage Protection Overlay Zone, and made the recommendation that council approve a public-participation process for the proposal at its council meeting. Talks to have Bo-Kaap declared a heritage site escalated last year after residents took part in protests and barred developers

from entering the area. At the heart of the matter is the issue surrounding housing as developers buy up property in order to redesign the Bo-Kaap into a trendy urban area. Secretary for the Bo-Kaap Civic and Ratepayers Association Jackie Poking said that the leadership of Bo-Kaap is calling for both the area to have a protection overlay with it to be declared a national heritage site. 'We have seen in the past that the city can still approve building plans and that is why we are in support for the two,' Poking said."

Full Cape Argus report (subscription needed) *Legalbrief* 8 January 2019

Environmental: Rights of those living in polluted township impaired

"Residents of Extension 6 Cosmo City Township – nestling between the Northgate Shopping Centre in Northriding and the Lanseria International Airport north-west of Johannesburg – have had to put up with a collapsed sewage drainage system since mid-2018. 'The road infrastructure where it burst (the corner of Republic and Central Africa roads, Extension 6 Cosmo City) has collapsed to irreparable proportions. The stench is unbearable from afar. Residents of Cosmo City live with faeces gaping from this manhole.' Human and fundamental rights activist Advocate Mahlodi Sam Muofhe points out that this is totally unacceptable and unconstitutional. In a commentary in The Sunday Independent, he notes that the township as a whole is showing signs of having been under-designed (from the beginning). 'It is systematically degenerating with water seepages springing up everywhere.' He adds residents' rights to adequate health – where children walk daily in the middle of excrement to and from school – are being 'flagrantly' flouted. 'How do these kids and their parents enjoy their rights under the Constitution in a degraded, polluted environment with a collapsed infrastructure?' Muofhe points out that we pride ourselves in having a socio-economic developmental Constitution. 'Our National Development Plan Vision 2030 visualises all South Africans, irrespective of skin colour skin, creed and gender, living in a SA in conditions which allow the flowering of our youth. We thus must ensure that we maintain our infrastructure and the environment.'"

Full analysis in The Sunday Independent (subscription needed) *Legalbrief* 9 January 2019

- **Mining**

"Tensions rise again as Mantashe attempts to visit Xolobeni community" [The Citizen](#) 8 January 2019

- **Miscellaneous**

Smith C "SA running out of time to implement green economy – minister" [Fin24](#) 10 January 2019

Chambers D "31 homes destroyed, 28 damaged, as Overberg counts cost of massive fires" [TimesLive](#) 12 January 2019

International

- **Climate Change and energy**

Mindock C “US Supreme Court rejects Exxon challenge to climate change lawsuit that could reveal 40 years of documents” [The Independent](#) 8 January 2019 [Source: Legalbrief Environmental 8 January 2019]

Kendra P-L “Ocean Warming is Accelerating Faster than thought, New Research Finds” [New York Times](#) 10 January 2019

Bell B “Fiat Chrysler to pay settlement for cheating emission tests” [The Jurist](#) 10 January 2019

Brown T “Fourth Circuit says South Carolina lacks standing to sue over termination of nuclear processing facility” [The Jurist](#) 9 January 2019

Slobe E “Pennsylvania governor signs greenhouse gas executive order” [The Jurist](#) 8 January 2019

Chan N “Supreme Court refuses to hear Exxon appeal on climate change investigation probe” [The Jurist](#) 7 January 2019

Cox L “Australia had third-warmest year on record in 2018” [The Guardian](#) 10 January 2019

Holden E “Carbon emissions up as Trump agenda rolls back climate change work” [The Guardian](#) 8 January 2019

- **Mining**

“Rutsiro: Three suspected illegal miners arrested” [The New Times](#) 8 January 2019 [Source: Legalbrief 9 January 2019]

Laville S “Minister urged to drop new coal-mining plans in Northumberland” [The Guardian](#) 10 January 2019

- **Miscellaneous**

Yeld J “Owner of west coast beach house ordered to pay fine, as seven-year saga drags on” [BusinessLive](#) 7 January 2019 [Source: Legalbrief 8 January 2019]

“Nigeria Lost \$2.8 Billion to 'Oil-Related Crimes' in 2018 – UN” [Premium Times](#) 8 January 2019 [Source: Legalbrief Forensic 10 January 2019]

Criminal: Keen interest in SA man’s terror case

“A battle for access to Mozambique's offshore gas fields is believed to be behind efforts have South African maritime businessman Andre Hanekom arrested on terrorism charges. A Mail & Guardian Online report notes that he and Tanzanian nationals Chafim Mussa and Adamu Yanhgue are accused of supporting a jihadist group that wanted to create an independent state in the gas-rich Cabo Delgado region. Hanekom, who owns a slipway and maritime logistics company in the Cabo Delgado, was arrested in August last year after policemen forced him off the road. He was shot in the arm and stomach and briefly hospitalised. The Sunday Times reports that the officers initially claimed they were holding

him for his own safety after rescuing him from kidnappers linked to Ahlu Sunnah Wa-Jama which allegedly wants Cabo Delgado to be a separatist state. Despite being granted bail on 9 October, Hanekom has still not been released. He is due to appear in court again this week. Hanekom and his two business partners secured lucrative contracts with multinational energy companies vying for access to the gas fields. ... The report notes that international exploration companies are scrambling over gas fields in the region which has been gripped by violence over the past two years. According to *AFP*, more than 100 people have been murdered since 2017 and villages, police stations and mosques have been destroyed.”

Full Sunday Times report (subscription needed)

Full Mail & Guardian [Online report](#) Legalbrief Forensic 10 January 2019

Chan N “Iowa judge finds undercover farm investigations law violates First Amendment” [The Jurist](#) 10 January 2019

Slobe E “Supreme Court hears arguments related to Native American hunting rights and copyrights” [The Jurist](#) 9 January 2019

Shi XL “Federal appeals court denies Flint's immunity in water crisis lawsuit” [The Jurist](#) 7 January 2019

Wrong JC “Joshua Tree national park announces closure after trees destroyed amid shutdown” [The Guardian](#) 10 January 2019

Marshall C “Ella Kissi-Debrah 'pollution' death: Backing for new inquest” [BBC News](#) 11 January 2019

VACANCIES / OPPORTUNITIES / FUNDING ETC

National

University of the Western Cape: Associate Professor: Private Law

Closing date: 31 January 2019

More [information](#)

University of the Western Cape: Lecturer Private Law

Closing date: 31 January 2019

More [information](#)

University of the Western Cape: Associate Professor: Criminal Justice and Procedure

Closing date: 31 January 2019

More [information](#)

Berea Occupational Training College: Lecturer in Law & Taxation

Where: Durban, KwaZulu-Natal

More [information](#)

Konrad Adenauer Stiftung: Project Coordinator

The Konrad-Adenauer-Stiftung (KAS) in South Africa is seeking to immediately employ a full day Project Coordinator to be based in the Cape Town office.

Responsibilities and duties

- Organising conferences, seminars and all other events indicated by the Resident Representative and taking care of all necessary administrative documentation
- Liaise with key stakeholders of the KAS country programme South Africa
- Notetaking during meetings, preparing agendas, including drafting and distributing correspondence
- Monitoring the political and institutional developments in South Africa with a special emphasis on parliamentary affairs
- Drafting context analysis, reports and researching relevant literature for the implementation of the programme
- Organising travel arrangements, including transport and accommodation
- Other ad-hoc tasks as and when required

Requirements

- A Master's degree in a subject relevant to the work (e.g. international relations, law, political or social sciences, economics)
- Proficient knowledge of the political system and current affairs in South Africa
- Experience working with senior officials
- Discretion in managing confidential information
- Excellent administrative, organisational, event management as well as highly proficient communication skills with strong attention to details
- An aptitude to work autonomously and as part of a team taking responsibility for fulfilling tasks within a given time frame
- Excellent problem solving skills and a high level of motivation
- An ability to multi-task and run projects simultaneously
- Proficient knowledge of Microsoft Office and capability to learn how to apply IT software quickly
- A flexible approach to out of office working hours and official trips
- A strong commitment to the general mission of the Konrad-Adenauer-Stiftung
- A South African work permit

Application

Please submit your complete application including a CV and a motivational letter before January 24, 2019 to Michaela.Braun@kas.de. Unfortunately we are not able to acknowledge the receipt of applications.

Members of the Environmental Law Association may subscribe to

[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 3

18 January 2019

POLICY

“South Africa’s Low Emission Development [Strategy](#) 2050” Open for comment until 31 January 2019 – more [information](#) [Source: IAIAsa News 2018/2019 | 16 January 2019]

LEGISLATION

NOTICES

Occupational Health and Safety Act 85 of 1993 - GN R12 in GG 42163 of 18 January 2019 - Notice of withdrawal of certificates (without expiry dates) issued to training providers

National Health Act 61 of 2003 - GN 11 in GG 42162 of 18 January 2019 - Code of Conduct for Inspectors in terms of regulation 10(2) of the Procedural Regulations Pertaining to the Functioning of the Office of Health Standards Compliance and Handling of Complaints by the Ombud

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 8 in PG 4170 of 14 January 2019 - Kouga Local Municipality: Declaration of a local state of drought disaster as published under LAN 277 in PG 4160 of 12 December 2018 extended for a further month

KwaZulu-Natal

National Environmental Management: Protected Areas Act 57 of 2003 Gen Notice 1 in PG 2035 of 17 January 2019 - Notice of clarification of Nature Reserve Boundaries and confirmation of the continuation of the Ezemvelo KZN Wildlife as the Assigned Management Authority

Western Cape

Disaster Management Act 57 of 2002 - LAN 57497 in PG 8028 of 11 January 2019 - Saldanha Bay Local Municipality - Extension of the declaration of a local state of drought disaster for one month from 30 December 2018 to 30 January 2019

CASES

National

Cape Gate (Pty) Ltd and Others v Eskom Holdings SOC Ltd and Others (27317/2018) [2018] [ZAGPJHC](#) 599 (8 November 2018)

“[1] The 2nd respondent local authority (“*Emfuleni*”) owes the 1st respondent (“*Eskom*”) more than R1billion for electricity consumption charges, and neglects to pay the Eskom bill for on-going consumption. Eskom now wishes to interrupt the supply of bulk electricity to it. The applicants are manufacturers (the 8th applicant a casino operator) in the municipal area of Emfuleni. Emfuleni reticulates the electricity that it receives in bulk from Eskom to consumers such as the applicants. If Eskom were to interrupt bulk supply to Emfuleni, consumers [paid up customers] will be forced to shut down.”

“Civil Procedure - Interim interdict - Nature of - Requirements - As an interim interdict is not a right but a remedy, a prerequisite for the relief is a right thereto.

Constitutional and Administrative Law - Co-operative governance - Section 41(1)(h) of the Constitution exhorts all spheres of government and all organs of State within each sphere to cooperate with one another in mutual trust and good faith by, inter alia, avoiding legal proceedings against one another - Section 41(4) giving court the power to refer a dispute back to the organs of State involved where it finds that the organs of State had not made every reasonable effort to settle the dispute by means of the available mechanisms and procedure.” [provided by Anél du Plessis]

International

Mineral County et al vs Lyon County et al Case No 75917 Supreme Court of the State of Nevada; On Certification from the US Court of Appeals for the Ninth Circuit Case No 15-16342 – [Brief Amicus Curiae](#) of Natural Defense Council, Sierra Club, Western Resource Advocates, National Wildlife Federation and Nevada Wildlife Federation in Support of Appellants

“*Amici* urge Court to recognize that appropriative water rights and the public trust doctrine each represent well-established Nevada legal doctrines that deserve recognition and reaffirmation. It would be contrary to longstanding precedent to follow one doctrine and disregard the other. Instead the Court should uphold both doctrines and harmonize them by reaffirming the existence of private rights to the use of water in Nevada while also recognizing that these rights are held subject to the public trust.”

PUBLICATIONS

National

Mostert Hanri and Heyns Anri "Three Mining Charters and a Draft: How the Politics and Rhetoric of Development in the South African Mining Sector are Keeping Communities in Poverty" 2008 [Law and Development Review](#) 11(2)

Kameri-Mbote Patricia, Paterson Alexander, Ruppel Oliver C, Bello Orubebe Bibobra and Kam Yogo Emmanuel D (eds) *Law | Environment | Africa* (Nomos Verlag 2019) Please note that you can download this book referred to in last week's Newsletter for free at this [link](#)

Thomson G, Penrith M-L, Atkinson SJ and Osofsky SA "Guidelines on Commodity-Based Trade Approaches for Managing Foot and Mouth Disease Risk in Beef in Southern Africa" 3rd edition ([AHEAD](#) 2018) [Source: AHEAD Update- January / February / March 2019]

Jakes AF *et al* "A Fence Runs Through It: A Call for Greater Attention to the Influence of Fences on Wildlife and Ecosystems" 2018 *Biological Conservation* <https://doi.org/10.1016/j.biocon.2018.09.026>

International

Christina Voigt Zen Makuch (eds) *Courts and the Environment* ([Edward Elgar](#) 2019) [Ebook](#) available at affordable price

Global Commission on the Geopolitics of Energy Transformation "A new world: The geopolitics of energy transformation" ([Report](#) 2018)

"Women as Environmental Stewards: The Experience of the SGP" ([Report](#) GEF Small Grants Programme 2018)

Call for Contributions: Research Handbook on Human Rights Law and the Environment in Africa: An edited volume to be published by Palgrave MacMillan (Edward Elgar Publishing)

This authoritative Research Handbook will present, for the first time, a comprehensive and rigorous overview of the salient content and major developments in human rights law and the environment in Africa. The book will explore the core concepts and principles, theory and practice, accountability mechanisms and key challenges to human rights law in Africa in the era of global environmental change, and thus extend the frontier of understanding in this fundamental area. The Research Handbook will build on previous knowledge on African human rights law and the environment, divulging concerns on redressing environmental and human rights protection issues in the context of economic growth and sustainable development. It will offer unique insight into the development, domestication and implementation challenges relating to human rights law and environmental governance in Africa. Readers will gain a discerning insight into the nuances of human rights law and environmental regulation in Africa from this extensive review. This necessary exploration of human rights law and the environment from an African perspective will be an indispensable reference point for academics and advanced students of international human

rights and environmental law in particular and international law in general. Practitioners will also find the work both informative and important. Chapters are solicited from experts and scholars of human rights and environmental laws with particular emphasis on most recent developments. Contributions should focus on but not limited to:

- International, regional and national efforts in the spheres of normative, legislative and judicial development in order to better appreciate and address the relationship between human rights and the environment in Africa;
- Regional, Sub-regional and National Human Rights Tribunals and the adjudication of environmental cases in Africa: Achievements, Challenges and Prospects;
- Perspectives on the link between human rights obligations and environmental protection including issues related to international cooperation of States in respect to global environmental harms (such as climate change-related harms) and other key areas of environmental policy such as biodiversity, ecosystem services and desertification;
- Relevant national, regional and international lessons and good practices, including examples of how human rights have been integrated in the design and implementation of environmental and sustainable development policies and measures;
- The interface of climate change, migration and human rights law in Africa: the legal-theoretical gaps or other insights; and
- The human rights impacts of development projects, environmental disasters and of the responses thereto; and recommendations for future areas of work in developing the legal and policy framework for human rights and environmental protection in Africa.

Chapters should also include short author(s) bio, affiliation and contact details. Interested authors should submit an abstract by 15 March 2019. Decisions on abstracts will be communicated on rolling basis. Draft chapters (6000-10000 words) of accepted abstracts are expected by 30 May 2019. Please email abstracts and/ or questions to the editors, Professor Ademola Oluborode [Jegede](#), or Michael [Addaney](#).

Craig Robin Kundis "Water Quality Law in the US and EU: A Comparison of the Clean Water Act and Water Framework Directive," 2018 23 [EuropeNow](#) (Dec)

Craig Robin Kundis "California Climate Change Lawsuits: Can the Courts Help with Sea-Level Rise, and Who Knew What When?" 2018 3(2) *Asia-Pacific Journal of Ocean Law & Policy* 306-310 DOI: <https://doi.org/10.1163/24519391-00302008>

Craig Robin Kundis "Drought and Public Necessity: Can a Common-Law "Stick" Increase Flexibility in Western Water Law?" 2018 6 *Texas A&M Law Review* 78-105 (

Craig Robin Kundis "Sea-Level Rise, Storm Surge, and Public Health," in Michael Burger & Justin Gundlach, *Climate Change, Public Health, and the Law* 204-240 ([Cambridge University Press](#) 2018)

“Towards Decarbonising Transport 2018 – A Stocktake on Sectoral Ambition in the G20” ([Report](#) Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the Renewable Energy Policy Network for the 21st Century (REN21) and Agora Verkehrswende 2018) - see also [webinar](#) on 22 January 2019

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

[SAMESG](#): “South African Guidelines for the Reporting of Environmental, Social and Governance Parameters” [Source: IAIAsa News 2018/2019 | 16 January 2019]

[GroundUp](#): Ryan C “Coal miner community shows the beautiful side of SA” 18 January 2019

Rest of the world

- **Biodiversity**

[Science](#): Morton CC “Coffee crisis? 60% of wild species could go extinct, some within decades” 18 January 2019

[Science](#): Moskovits D “The contiguous United States just lost its last wild caribou” 17 January 2019

[Science](#): Stokstad E “Is the fishing industry leaving enough food for Antarctica's top predators?” 15 January 2019

[AHEAD](#): KAZA TFCA Animal Health Sub-Working Group – publications, materials, conference proceedings on this topic available here [Source: AHEAD Update- January / February / March 2019]

[The Guardian](#): Carrington D “Insect collapse: ‘We are destroying our life support systems’” 15 January 2019

Climate Change and Energy

[TEDxUCLWomen](#): Khan Tessa “The Next Frontier in the Fight against Climate Change” 18 January 2019

[Science](#): Fox A “East Antarctica's ice is melting at an unexpectedly rapid clip, new study suggests” 14 January 2019

[Desmog](#): Dermansky J “Isle de Jean Charles Tribe Turns Down Funds to Relocate First US ‘Climate Refugees’ as Louisiana Buys Land Anyway” 11 January 2019

[The Guardian](#): Carrington D “Nuclear power can be green – but at a price” 18 January 2019

[The Independent](#): Gabbatiss J “Giant wind turbines with blades length of football pitch launched” 19 January 2019

[News24](#): “Climate change already hurting human health, review shows” 18 January 2019

- **Local government**

[The Guardian](#): Perkins T “Flint water crisis: hope for justice as top Democrat vows to review investigation” 18 January 2019

[The Guardian](#): Amati M and Rickard L “More trees are the answer to cool down our cities” 18 January 2019

[The Guardian](#): Fuller G “Pollutionwatch: transport's true cost to the environment” 17 January 2019

- **Miscellaneous**

[The Guardian](#): Betancourt S “The Great Boston Molasses Flood: why the strange disaster matters today” 13 January 2019

[Inquirer.net](#): Doyo CP “‘Battle for Manila Bay’ began 20 years ago” 17 January 2019

[Yale Journal on Regulation](#): Funk W “Fallout from Lucia - The Unconstitutionality of the Environmental Appeals Board and Interior Board of Land Appeals” 18 January 2019

[Science](#): Reese A “Scientists sue to protect Utah monument-and fossils that could rewrite Earth's history” 17 January 2019

[The Conversation](#): Pullanikkatil D “How harvesting natural products can help rural people beat poverty” 15 January 2019

[The Conversation](#): Ejeta G “How investment in irrigation is paying off for Ethiopia’s economy” 17 January 2019

[The Conversation](#): Cohen M and Leroy F “Why we shouldn’t all be vegan” 16 January 2019

[The Conversation](#): Milledge D and Bunce J “Ganges: sewers could be making water quality of India’s great river worse” 16 January 2019

[SDG Knowledge Hub](#): Wagner L “SAICM Launches Project on Best Practices for Chemical Policy Issues of Concern” 17 January 2019

[SDG Knowledge Hub](#): Risse N “Report Examines Legal Foundations of a Global Pact for the Environment” 17 January 2019

[SDG Knowledge Hub](#): Benson Wahlén C “UNECA Clock Tracks Country Progress on Extreme Poverty” 17 January 2019 – Find the Africa Poverty Clock [here](#)

[IAIA OAIA](#) (Ontario Association for Impact Assessment): Proceedings from the conference “Planning & Protecting Water Resources: Emerging Issues, Approaches and Technologies” are now available. Presentations address emerging water-related issues that are changing the way EA is practiced in Ontario and elsewhere, and how EA practitioners are tackling these issues through innovative approaches or new technologies and tools to help protect water resources.

[The Jurist](#): Crane DM “Take Care That the Laws be faithfully Executed – A Manufactured National Emergency” 16 January 2019

[News24](#): “Responsible consumption and production: Why less is better” 19 January 2019

[News24](#): “Green groups question big industry's plastic clean-up plan” 18 January 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Western Cape Regional Event: The Year in Review: A reflection on relevant case law in Environmental Law during 2018

Venue: Bowmans (22 Bree Street)

Date: Monday 11 February 2019

Time: 17h30 – 20h00

RSVP: [Kate Handley](#) / [Tendai Bonga](#)

Flyer attached to [email](#)

Administrative Justice Association of South Africa (AdJASA) 2019 conference: Administrative justice in and beyond the courts

Dates: 5 to 6 March 2019

Venue: Foxwood House, Houghton, Johannesburg

Please send abstracts of 300 words to [Geo Quinot](#) by no later than 17 February 2019. Abstracts will be made available prior to the conference on the AdJASA [website](#), but please note that there is no requirement to submit completed papers before the conference.

More information contact [Geo Quinot](#) or [Cora Hoexter](#)

DEA Stakeholder Engagement on Environmental Impact Assessment sector 2019

- **Northern Cape: Kimberley**

Date: 23 January 2019

Place: Savoy Hotel, 19 De Beers Road Kimberley

Please find attached the [Kimberley Agenda](#)

- **Western Cape: George**

Date: 30 January 2019

Place: Chilli and Chive, Pine Lodge C/O Madiba Drive and Knysna Road, George

- **Western Cape: Cape Town**

Date: 31 January 2019

Place: Millerton Library 81 Pienaar Road

Anyone interested contact fscheepers@environment.gov.za

IMBEWU: Climate Change Law Workshop

Venue: IMBEWU's offices, Rosebank, Johannesburg

Date: Tuesday 29 January 2019

Time: 08h30 to 16h30

Contact [Lulu](#) or see [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-07.2.1 Introduction to green economy for South Africa (12 week on-line course)**
Commencement date: 4 February 2019
- **CEM-01.1.1 The fundamentals of environmental management**
Dates: 4 - 8 March 2019
- **CEM-02.1.1 Environmental law**
Dates: 11 - 15 March 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

National Planning Commission: North West Stakeholder Engagement: Pathways to a Just Transition

Date: 12 March 2019

Time: 08:30-16:00

Venue: To be confirmed

[RSVP](#)

The dialogue process seeks to tackle the country's triple challenges of poverty, inequality and unemployment in an environmentally sustainable and just manner. This event builds on recent and current discussions that have taken place around the country on the Just Transition to a low carbon future. You are being invited to contribute your expertise and experience to advance the debate by drawing on the current socio-economic scenarios to develop pathways that ensure a just and sustainable future for South Africa.

Webber Wentzel: Mining Indaba Panel Discussion on Spotlight on Zimbabwe

Date: 4 February 2019

Time: 15h00 for 15h30 to 17h00, followed by refreshments and light snacks.

Location: Webber Wentzel's Office, 15th Floor, Convention Tower, Heerengracht, Foreshore, Cape Town (adjacent to the Cape Town International Convention Centre)

Please RSVP by Wednesday, 30 January 2019

For more information, please contact [B Devine](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**
Dates: 12-14 February 2019
Place: Cape Town
- **Water Governance in South Africa**
Dates: 12-14 March 2019
Place: Pretoria
- **Waste Governance in South Africa**

More [information](#)

[Registration](#) closes 2 weeks before course start date

School of Business Short Course: Finance, Contracts and Risk Mitigation for Private Power Investment in Africa

Dates: 11 - 15 March 2019

More [information](#) or email the [Director](#)

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

LaRSSA 2019 Conference: Call for Abstracts open

Dates: 5 - 18 July 2019

Place: Magaliesburg/Cradle of Humankind

Closing date for abstracts: 28 February 2019

Submission of abstracts [here](#)

More information contact Theresa at [0814846833](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Abstracts](#) accepted till 31 January 2019

[Registration](#)

Sustainability College Bruges: Summer Course: EU Sustainability Policy

Date: 1-12 July 2019

Place: Bruges, Belgium

Closing date: 15 June 2019

More [information](#)

Columbia University's Earth Institute conference: At What Point Managed Retreat? Resilience Building in the Coastal Zone

Dates: 19-21 June 2019

Closing date for abstracts: 1 February 2019

More information

2019 Mexico Conference on Earth System Governance: Urgent Transformations and Earth System Governance: Towards Sustainability and Justice

Place: Oaxaca, Mexico

Dates: 6 – 8 November 2019

Deadline for paper abstracts: 1 March 2019

Notification of acceptance: 5 April 2019

Full papers due: 15 October 2019

More information available on the conference [website](#)

Free Webinar: EFEX Energy Future Exchange webinar: Sustainable Baseload Energy for Remote Communities

Date: 31 January 2019

Time 12pm

[Registration](#)

113th ASIL Annual Meeting (American Society of International Law): International Law as an Instrument

Dates: 27-30 March

Place: Washington

More [information](#)

37th Public Interest Environmental Law Conference (PIELC)

Dates 28 February to 3 March 2019

Place: Eugene, Oregon, USA

Website: <http://pielc.org/>

Lewis & Clark/new distance learning LLM

We hope your 2019 and spring semester are off to a great start. Lewis & Clark is excited to announce we are planning to offer a new distance learning option for our LLM degree in Environmental, Natural Resources, and Energy Law (*ABA acquiescence is pending*). We have seen an increasing demand for flexibility in education and are pleased to be able to offer this distance option. The distance option will be in addition to our long-established in person LLM program. We plan to begin offering the new program in fall of 2019.

The distance learning courses will be taught by the same terrific faculty who teach our current classes. Classes we plan to offer include Environmental Law, Hazardous Waste (Craig Johnston), Energy Law, Climate Change (Melissa Powers), Wildlife Law, Natural Resources Law & Science (Dan Rohlf), Public Lands (Michael Blumm), and international offerings (Chris Wold and Erica Lyman). We will also offer a selection of specialty courses over the summers as well as Administrative Law.

Interested students can visit [our website](#) to learn more or feel free to have them contact [J Weis](#)

NEWS

National

- **Biodiversity**

Eight years for cycad poacher

A cycad poacher Sam Homela (36) – who stole more than R1m worth of endangered cycads from farms across the Eastern Cape – has been sentenced to eight years in jail. The Herald reports Homela was sentenced to a R100 000 fine or three years' imprisonment and a further eight years direct imprisonment for being involved in five cycad-related poachings in the province between January 2015 and March 2016. This after he pleaded guilty. Homela was convicted in the Port Elizabeth Regional Court on five charges of theft and five of violating the Nature Conservation Ordinance. In total, all five cases saw about 90 cycads uprooted – with a total street value of more than R1m. Authorities suspect that Homela – who at the time was believed to be running an international cycad smuggling ring – was selling rare cycads to overseas buyers.

Full report in The Herald (subscription needed) Legalbrief 17 January 2019

- **Climate Change and energy**

Ryan C “Eskom is sinking the economy in the name of greening it, claims Forum” [Moneyweb](#) 15 January 2019

Environmental: Long-term energy plan by next month – Radebe

Energy Minister Jeff Radebe has announced that SA is aiming to finalise a long-term plan for the country's energy mix next month, and once that is done it will launch another round of renewable energy deals, says a report on the Polity site. ‘We are aiming for February,’ Radebe said when asked when the Integrated Resource Plan would be completed. ‘Straight away after that we will launch more renewable energy contracts,’ he added. However, a **Daily Maverick** report notes the Department of Energy is still incorporating the responses to the Draft IRP 2018 arising from the public participation process for an updated IRP 2018. To date, the department has not published or released any of the comments – or even a summary of the comments – arising from the public process. The updated IRP 2018 is expected to be completed by the end of January 2019, but this is not where the IRP promulgation process ends. Radebe himself made a commitment to subject the IRP 2018 to a Nedlac consultation process before finalisation, as was done for IRP 2010-2030. Full report on Polity [site](#) / Full report on the Daily Maverick site Legalbrief 17 January 2019

Omarjee L “Eskom cannot offload the cost of its problems on consumers – energy regulator” [fin24](#) 16 January 2019

- **Local government**

Ryan C “Taps run dry in Bethal for non-payment of Rand Water bill” [GroundUp](#) 18 January 2019

“In response to Herman Mashaba on Joburg's state of cleanliness” [News24](#) 20 January 2019

- **Mining**

“South African rand slips after dismal mining data” [Reuters](#) 15 January 2019

“Xolobeni tense as Mantashe announces independent survey to decide on mine” [The Citizen](#) 16 January 2019

Bennie A “Mining will not bring jobs to Xolobeni” [Daily Maverick](#) 15 January 2019 [Source: Legalbrief 17 January 2019]

Hendricks A “Kumba Iron Ore demolishes Dingleton hostel” [GroundUp](#) 16 January 2019

- **Miscellaneous**

Pheto B “Campaigners lobby for independent and transparent water regulator” [TimesLive](#) 17 January 2019 [Source: Legalbrief 18 January 2019]

General: SIU to investigate Umgeni Water corruption claims

“President Cyril Ramaphosa has ordered a high level Special Investigating Unit (SIU) probe into the affairs of Umgeni Water, related to allegations of corruption, fruitless and wasteful expenditure over the past 18 months, says a report in **The Mercury**. Presidential spokesperson Khusela Diko said the President had authorised a proclamation giving the SIU authority to investigate ‘allegations of unauthorised, irregular, fruitless and wasteful expenditure and loss incurred by the Umgeni board or the state’. Ramaphosa authorised the proclamation on 16 January, the full details of which are expected to be published in the next *Government Gazette*. Umgeni Water corporate stakeholder manager Shami Harichunder said the utility would co-operate fully with the investigation.” Full report in *The Mercury* (subscription needed) Legalbrief 18 January 2019

Legislation: Fertilisers, Farm Feeds, Remedies Act to be ‘split’

“The ‘fertilisers component’ of the 1947 Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act is being prioritised in a review process that will see the statute ‘split’ into three new pieces of legislation. Announcing this yesterday at a gathering of service delivery forum stakeholders in Somerset West, Agriculture, Forestry and Fisheries Minister Zenzeni Zokwana said consultation workshops are expected to begin ‘shortly’. The Minister used the event to express his appreciation of the ‘robust discussions’ reported to have taken place at last year’s farm killings and stock theft summit in Pretoria, when commitments were made across a broad spectrum of stakeholders to ‘curb’ the ‘brutal’ attacks concerned.”

Read full report in Legalbrief Policy Watch; Legalbrief 17 January 2019

International

- **Climate Change and energy**

Slobe E “Nuclear Energy Innovation and Modernization Act signed into law” [USA] [The Jurist](#) 17 January 2019

Abraham J “Our oceans broke heat records in 2018 and the consequences are catastrophic” [The Guardian](#) 16 January 2019

Zhou N “‘It’s like hell here’: Australia bakes as record temperatures nudge 50C” [The Guardian](#) 19 January 2019

Holden E “North American glaciers melting much faster than 10 years ago – study” [The Guardian](#) 19 January 2019

Busby E “Mexico pipeline explosion kills at least 71 people” [The Independent](#) 19 January 2019

- **Mining**

Litigation: Hearing to determine trial venue for Zambian mining case

“Lawyers for Vedanta Resources have told Britain’s Supreme Court that a case raised against the mining company by nearly 2 000 Zambian villagers should be heard in Zambia, not London. Business Day reports that India-listed Vedanta, which delisted from London in 2018 but retains a legal base in Britain, is appealing against a lower court ruling that a case in which villagers claimed their land was polluted by a Vedanta operation could be heard in the UK. In

2017, London's Court of Appeal had found that 1 826 Zambian citizens living in the Copperbelt region had the right to sue Vedanta in the British courts. Vedanta is challenging this. The two-day hearing will be watched by other multinational companies with a base in London and facing legal challenges about their operations abroad from local residents. Britain's highest court is not expected to deliver a judgment for several weeks."

Full BusinessLIVE report (subscription needed) Legalbrief 18 January 2019

- **Miscellaneous**

Thompson C "Alabama judge voids state law protecting Confederate monuments" [The Jurist](#) 16 January 2019

Harvey F "'Stop treating seas as a sewer,' MPs urge in bid for protection treaty" [The Guardian](#) 17 January 2019

VACANCIES / OPPORTUNITIES / FUNDING ETC

National

Candidate Attorney (Polokwane)

Available immediately

More [information](#)

Candidate Attorney Pretoria

More [information](#)

Department of Local Government - Western Cape: Post 01/50: Deputy Director: Specialised Support Ref No: LG 2018-57 (X2)

Closing date: 28 January 2019

More [information](#)

Office of the Premier: State Law Advisor: Western Cape: POST 01/61: State Law Advisor: Legal Governance Ref No: DOTP 2018-137

Closing date: 28 January 2019

More [information](#)

University of Pretoria: Department of Mercantile Law Lecturer / Senior Lecturer / Associate Professor / Professor (Four posts)

Closing date: 28 February 2019

More [information](#)

Provincial Administration: Limpopo Office of the Premier: Post 02/145: Legal Services Ref NO: OTP/023

Closing date: 1 February 2019 16:30

More [information](#)

Department of Justice and Constitutional Development

- Post 02/18 : Director: Legal Learning Ref No: 19/01/JC
- Post 02/20 : Lecture: Law Ref No: 19/03/JC
- Post 02/23 : Assistant State Attorney, (Lp3-Lp4) Ref No: 19/05/CLO

Closing date: 11 February 2019

More [information](#)

Senior Lecturer / Facilitator: Policing and Law Enforcement

Place: Wellington Western Cape

Closing date: 21 January 2019

More [information](#)

International

Canada Research Chair (Tier 2) in Innovation, Law and Society: York University, Osgoode Hall Law School

Closing date: 1 February 2019

More [information](#)

Professor of Organization and Governance: Hertie School of Governance, Berlin

Closing date: 20 January 2019

More [information](#)

Faculty Positions in Public Policy: The Hong Kong University of Science and Technology

Applicants should have a relevant PhD degree, preferably with at least 2 years of post-doctoral experience in relevant fields, such as public policy, economics, political science, etc. We especially welcome applicants in the following three research areas: (i) science and technology (innovation) policy; (ii) social and urban policy; and (iii) environmental, energy, and sustainability policy.

More [information](#)

Two University Lectureships in Public Policy: University of Cambridge, Department of Politics and International Studies

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 4

25 January 2019

LEGISLATION

NOTICES

Rules Board for Courts of Law Act 107 of 1985 - GN R61 in GG 42186 of 25 January 2019 - Rules regulating the conduct of proceedings of the several provincial and local divisions of the High Court of South Africa amended with effect from 11 March 2019

National Environmental Management: Protected Areas Act 57 of 2003 - Proc 3 in GG 42185 of 25 January 2019 - Declaration of land to be part of the Table Mountain National Park

National Environmental Management: Waste Act 59 of 2008 - GN 22 in GG 42175 of 21 January 2019 - Regulations for the Control of Import or Export of Waste, 2017 published with effect from a date to be proclaimed

PROVINCES

North West

Constitution of the Republic of South Africa, 1996 and National Environmental Management: Waste Act 59 of 2008 - LAN 4 in PG 7968 of 22 January 2019 - Naledi Local Municipality: Waste Management By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 5 in PG 7968 of 22 January 2019 - Naledi Local Municipality: Advertising Sign By-law

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 3 in PG 2036 of 24 January 2019 - Ray Nkonyeni Local Municipality - Cemeteries and Crematoria By-law, 2018

Limpopo

Constitution of the Republic of South Africa, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 3 in PG 2968 of 25 January 2019 - Elias Motsoaledi Local Municipality - Invitation for public participation on the Draft Review Municipal Spatial Development Framework

National Environmental Management: Protected Areas Act 57 of 2003 - PN 4 in PG 2968 of 25 January 2019 - Waterberg District Municipality - Declaration of respective land parcels as a protected environment - Nungu Protected Environment and the farms Smitsfontein and Koedoesfontein to be part thereof

National Environmental Management: Protected Areas Act 57 of 2003 - PN 4 in PG 2968 of 25 January 2019 - Waterberg District Municipality - Declaration of respective land parcels as a protected environment - Nungu Protected Environment and the farms Zoeleegte and Rooihoogete to be part thereof

Mpumalanga

National Environmental Management: Protected Areas Act 57 of 2003 - PN 11 in PG 3005 of 25 January 2019 - Withdrawal of intention to exclude an area as part of an existing Mabola Protected Environment as published under PN 127 in PG 2975 of 12 October 2018

PUBLICATIONS

International

Ruppel OC and Kam Yogo ED *Environmental law and policy in Cameroon – Towards making Africa the tree of life | Droit et politique de l'environnement au Cameroun – Afin de faire de l'Afrique l'arbre de vie* (ISBN 978-3-8487-5260-7 / eISBN 978-3-8452-9436-0 Nomos 2018)

Nolon Blanchard Jennie “The Integrating Water Efficiency into Land Use Planning Guidebook” ([Report](#) Pace Law 2019)

Busecke JJM and Abertnathey RP “Ocean mesoscale mixing linked to climate variability” 2019 [Science Advances](#) 5(1) DOI:10.1126/sciadv.aav5014

World Economic Forum “Global Risks [Report](#) 2018” (2019)

UN and ELC (Washington) “Environmental Law of Rule” ([Report](#) 2019)

Andersen Stephen O *et al* “Defining the Legal and Policy Framework to Stop the Dumping of Environmentally Harmful Products” 2018 [Duke Environmental Law & Policy Forum](#) 29(1)

Shen Yayun & Faure Michael “Smart Instrument Mixes to Promote Green Building” ” 2018 [Duke Environmental Law & Policy Forum](#) 29(1)

Haites Erik “Experience with Carbon Taxes and Greenhouse Gas Emissions Trading Systems” 2018 [Duke Environmental Law & Policy Forum](#) 29(1)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

Engineering News: Creamer T “Beyond Mining” (25-31 January 2019) 8

Africa

[The Conversation](#): Bradlow D “World Bank president: list of reforms African states should be demanding” 21 January 2019

[IOL](#): Bouillon S “Nigeria: Africa’s top oil producer, world’s extreme poverty capital” 25 January 2019

[IOL](#): Frykberg M “Africa’s position as the world’s hottest oil and gas frontier to be entrenched this year” 22 January 2019

Rest of the world

- **Biodiversity**

[Science](#): Learn JR “Killer whales are moving northward into Pacific Arctic, possibly spelling trouble for local mammals” 25 January 2019

[Science](#): Kupferschmidt K “This bat species may be the source of the Ebola epidemic that killed more than 11,000 people in West Africa” 24 January 2019

[Science](#): Normile D “Massive fish die-off sparks outcry in Australia” 22 January 2019

[The Guardian](#): “Davos 2019: David Attenborough warns of damage humans can do ‘without even noticing’ – video” 22 January 2019

[The Guardian](#): “Toxic legacy: what to do with Britain’s nuclear waste – Science Weekly podcast” 25 January 2019

[The Jurist](#): Slobe E “PG&E argues wildfire prevention court order would cost up to \$150 billion” [US] 24 January 2019

- **Climate Change and Energy**

[The Washington Post](#): Coglianese Cary and Nevitt Mark “Actually, the United States already has a carbon tax” 23 January 2019

[Science](#): Escobar H “Brazil’s new president has scientists worried. Here’s why” 22 January 2019

[IISD](#) SDG Knowledge Hub: Asin E “The Time for ‘Reflection’ Is Up: Calling on the EU to Craft an Effective Plan to Achieve the SDGs” 24 January 2019

[The Jurist](#): Hsu J “Nuclear Regulatory Commission adopts watered down nuclear plant safety regulations” [US] 25 January 2019

[The Jurist](#): Slobe E “Iraq Federal Supreme Court rules portions of National Oil Company law unconstitutional” 24 January 2019

- **Mining**

[Extractives Baraza](#): “Miners try to move away from Fossil Fuels — Report” 23 January 2019

- **Miscellaneous**

[The Environmental Citizen](#): “Reasonable Expectations of Government” 22 January 2019

[Science](#): Plautz J “As legal pot farms expand, so do air pollution worries” 24 January 2019

[IISD](#) SDG Knowledge Hub: Fishman A “Oceans and Decarbonization” 24 January 2019

Engineering News: Liedtke S “Salty Dilemma: UN warns of rising levels of chemical-laden brine as more desalination plants are built” (25-31 January 2019) 14

[The Jurist](#): DeLorenzo T “OSHA eliminates electronic filing of workplace incident reports, citing privacy concerns” [US] 25 January 2019

[The Guardian](#): Davies A *et al* “When the river runs dry: the Australian towns facing heatwave and drought” 25 January 2019

[The Guardian](#): Henriques-Gomes L “Australia extreme heatwave: power outages in Melbourne amid 'load shedding' – as it happened” 25 January 2019

[News24](#): “WATCH: Space junk - Approximately 23 000 space objects are in orbit but just 1900 are active satellites” 24 January 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Western Cape Regional Event: The Year in Review: A reflection on relevant case law in Environmental Law during 2018

Venue: Bowmans (22 Bree Street)

Date: Monday 11 February 2019

Time: 17h30 – 20h00

RSVP: [Kate Handley](#) / [Tendai Bonga](#)

Flyer attached to [email](#)

IMBEWU: Climate Change Law Workshop

Venue: IMBEWU's offices, Rosebank, Johannesburg

Date: Tuesday 29 January 2019

Time: 08h30 to 16h30

Contact [Lulu](#) or see [website](#)

Webber Wentzel: Mining Indaba Panel Discussion on Spotlight on Zimbabwe

Date: 4 February 2019

Time: 15h00 for 15h30 to 17h00, followed by refreshments and light snacks.

Location: Webber Wentzel's Office, 15th Floor, Convention Tower, Heerengracht, Foreshore, Cape Town (adjacent to the Cape Town International Convention Centre)

Please RSVP by Wednesday, 30 January 2019

For more information, please contact [B Devine](#)

DEA Stakeholder Engagement on Environmental Impact Assessment sector 2019

- **Northern Cape: Kimberley**

Date: 23 January 2019

Place: Savoy Hotel, 19 De Beers Road Kimberley

Please find attached the [Kimberley Agenda](#)

- **Western Cape: George**

Date: 30 January 2019

Place: Chilli and Chive, Pine Lodge C/O Madiba Drive and Knysna Road, George

- **Western Cape: Cape Town**

Date: 31 January 2019

Place: Millerton Library 81 Pienaar Road

Anyone interested contact fscheepers@environment.gov.za

NWU: Centre for Environmental Management Short Courses

- **CEM-07.2.1 Introduction to green economy for South Africa (12 week on-line course)**

Commencement date: 4 February 2019

- **CEM-01.1.1 The fundamentals of environmental management**

Dates: 4 - 8 March 2019

- **CEM-02.1.1 Environmental law**

Dates: 11 - 15 March 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

National Planning Commission: North West Stakeholder Engagement: Pathways to a Just Transition

Date: 12 March 2019

Time: 08:30-16:00

Venue: To be confirmed

[RSVP](#)

The dialogue process seeks to tackle the country's triple challenges of poverty, inequality and unemployment in an environmentally sustainable and just manner. This event builds on recent and current discussions that have taken place around the country on the Just Transition to a low carbon future. You are being invited to contribute your expertise and experience to advance the debate by drawing on the current socio-economic scenarios to develop pathways that ensure a just and sustainable future for South Africa.

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**
Dates: 12-14 February 2019
Place: Cape Town
- **Water Governance in South Africa**
Dates: 12-14 March 2019
Place: Pretoria
- **Water Governance in South Africa**
Dates: 7-9 May 2019
Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

Natural Justice: Rooibos Restitution – film screening

Date: 31 January 2019

Place: Baxter Theatre Cape Town

Time: 20:00

Tickets: R150 – can be bought from [Webtickets](#)

If you cannot attend but would like to donate anyway, you can do so via [GivenGain](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Abstracts](#) accepted till 31 January 2019

[Registration](#)

Sustainability College Bruges: Summer Course: EU Sustainability Policy

Date: 1-12 July 2019

Place: Bruges, Belgium

Closing date: 15 June 2019

More [information](#)

Invitation to Ocean Geoengineering Roundtable: Live or Livestream

What: Roundtable discussion launching a new report from the Center for International Governance Innovation (CIGI) on ocean geoengineering

Date: Tuesday, February 5th, 2019 from 10:00 am to 12:00 pm EST

Time: 10:00 am to 12:00 pm EST

Where: Johns Hopkins School of Advanced International Studies

Event [Registration](#) or Livestream [Registration](#)

NEWS

National

Watts J “Cod stocks on course to crash if ocean warming continues” [The Guardian](#) 25 January 2019

Carrington D “‘Worrying’ rise in global CO2 forecast for 2019” [The Guardian](#) 25 January 2019

Carrington D “UK has biggest fossil fuel subsidies in the EU, finds commission” [The Guardian](#) 25 January 2019

Vaughan A “British taxpayers face £24bn bill for tax relief to oil and gas firms” [The Guardian](#) 25 January 2019

Holden E “US off track to reach climate goals as oil and gas production expand” [The Guardian](#) 24 January 2019

Vaughan A “Pollution at fracking protest site rises despite lack of fracking” [The Guardian](#) 22 January 2019

Kings S “Maiza vs time: The race to feed SA” *Mail & Guardian* (25-31 January 2019) 15

International

“Unlikely star at Davos: Meet the teen climate crusader Greta Thunberg” [News24](#) 25 January 2019

Philips D “Brazil dam collapse: seven bodies found and hundreds missing” [The Guardian](#) 26 January 2019

“Tokyo admits design change in cards for Henoko due to seafloor” [Asahi Shimbun](#) 21 January 2019

Kings S “‘Sleepwalking into a catastrophe’” [Mail & Guardian](#) (25-31 January 2019) 11

Martin W “Europe’s mightiest river is drying up, most likely causing a recession in Germany. Yes, really” [News24](#) 23 January 2019

“Hong Kong failing to tackle wildlife smuggling epidemic – study” [News24](#) 23 January 2019

New UN Report finds dramatic growth globally in laws aimed at protecting environment, while citing widespread failure to enforce as greatest environmental threat

NAIROBI—, 24 January 2019 – The first ever global assessment of environmental rule of law finds weak enforcement to be a global trend that is exacerbating environmental threats, despite prolific growth in environmental laws and agencies worldwide over the last four decades.

[The UN Environment report](#) found that despite a 38-fold increase in environmental laws put in place since 1972, failure to fully implement and enforce these laws is one of the greatest challenges to mitigating climate change, reducing pollution and preventing widespread species and habitat loss. While there are still gaps in many of the laws, the substantial growth of environmental

laws has been dramatic. The report is being released as climate experts and political and economic leaders seek to address dire [findings](#) released in October by the United Nations' Intergovernmental Panel on Climate Change, which urged rapid action to transform the global economy at a speed and scale that has "no documented historic precedent."

Luscombe R "Florida: Republican 'green governor' seeks to reverse predecessor's legacy" [The Guardian](#) 23 January 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

International

University of Dundee ISSR Global Scholar Programme New in 2019

At the University of Dundee a new initiative has just been announced to enable overseas scholars to visit the University (www.dundee.ac.uk) and work with colleagues there. The timescale is fairly tight this year – the visit must be before the end of.

The Institute for Social Sciences Research (ISSR) at the University of Dundee is a collaboration between the Schools of Social Science and Education & Social Work to foster cross disciplinary research across our five research themes: Health and Wellbeing; Social Justice and Social Change; Governance, Policy and Regulation; Environment; and Innovation in Methods and Data Analytics.

Key ISSR initiatives include an annual ISSR forum, a seminar series, Interdisciplinary Incubator Grants, writing space & retreats. A next step is to increase our external engagement in order to enrich the research environment and interact with critical thinkers and rising social scientists from across the globe.

To this end, we will fund up to five Global Scholars in 2019, each related to one or more of the above research themes. Successful applicants will be expected to engage with academics in Dundee on internationally significant interdisciplinary research, scholarly collaboration, and networking activities. They will be expected to be present in Dundee for up to three months, between April and July 2019. We encourage applications from established senior or mid-career academics, but also from early career researchers able to evidence exciting research trajectories. One post will be specifically reserved for an early-career researcher. We also actively encourage applicants from anywhere in the world.

A modest budget will be available to each scholar towards travel and accommodation and they will be offered work space within the school.

Scholars are expected to provide a proposal of work with Dundee staff (and beyond). Expected outcomes could include:

Writing joint publication(s)

Application for research funding

Developing interdisciplinary connections across the Schools/university

Providing a master class to PhD students

Giving at least one seminar around the theme of their research collaboration, if possible as part of the ISSR forum held in late-June, or by separate arrangement

Applying:

Prospective applicants should apply to this [email](#) by 4pm on 28th February 2019.

The application should include:

- A short proposal outlining the nature of the collaboration and work to be undertaken (max. 2 sides A4, font size 12point).
- A *curriculum vitae*, including a list of publications
- Two supporting statements. One of the supporting statements must be from the member of University of Dundee staff with whom the applicant wishes to collaborate.
- Applicants should ask their referees to send references directly to the ISSR Co-[Directors](#)
- Referees should comment on the nature and quality of the research proposal, as well as on the academic standing of the applicant.

The selection of Global Scholars will be made by the ISSR steering group and successful applicants will be notified by 15th March 2019.

Commonwealth Split-site Scholarships (for low and middle income countries)

Closing date: 18 February 2019

More [information](#)

Mauritius-Africa Scholarship: 2019

Bachelor's, Master's and PhD scholarships in Mauritius

Deadline for short course applications: 31 January 2019 (March intake) OR 25 March 2019 (August intake)

More [information](#)

Next Einstein Forum: 2019 NEF Fellows Programme: Africa Post-doctoral – scientists, engineering etc

A select programme that recognises and provides opportunities for Africa's best young scientists and technologists

Deadline for scholarship applications: 27 January 2019

More [information](#)

Chinese Government Scholarship: 2019

Bachelor's, Master's, PhD and Research scholarships in China

Deadline for scholarship applications: 15 March 2019

More [information](#)

Russian Government Scholarship: 2019

Bachelor's, Master's and PhD scholarships in Russia

Deadline for scholarship applications: 27 February 2019

More [information](#)

French Embassy Scholarship: 2019

Master's and PhD scholarships in France, taught in English

Full and partial funding is available

Deadline for scholarship applications: 15 March 2019

More [information](#)

Members of the Environmental Law Association may subscribe to
[Legalbrief Environmental](#)
and the
[South African Journal of Environmental Law and Policy](#).
Discount available for ELA members.

ELA NEWSLETTER 5

1 February 2019

LEGISLATION

BILLS

National Environmental Management Laws Amendment Bill, 2017 [B14D-2017]

Draft Local Government Municipal Systems Amendment Bill, 2019 - GN 106 in GG 42213 of 1 February 2019 - notice of intention to introduce and explanatory summary

NOTICES

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN 68 in GG 42203 of 1 February 2019 - Proposed amendment to the regulations relating to the tariffs for the registration of fertilizers, farm feeds, agricultural remedies, stock remedies, sterilizing plants and pest control operators, appeals and imports – for comment

Animal Diseases Act 35 of 1984 - GN 67 in GG 42203 of 1 February 2019 - Animal Diseases Regulations amended regarding control measures relating to foot and mouth disease in certain areas

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R4 in GG 42204 of 1 February 2019 - Referral of matters to existing special investigating unit and special tribunal in respect of the affairs of Umgeni Water

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R5 in GG 42204 of 1 February 2019 - Referral of matters to existing special investigating unit and special tribunal in respect of the affairs of the Ekurhuleni Metropolitan Municipality published in Proc R28 in GG 41915 of 21 September 2018 amended

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R6 in GG 42204 of 1 February 2019 - Referral of matters to existing special investigating unit in respect of the affairs of the Gauteng Provincial Department of Health published in Proc R23 in GG 41000 of 24 July 2017 amended

National Water Act 36 of 1998 - GN 95 in GG 42203 of 1 February 2019 - Caledon Modder Subsystem - Limiting the use of water in terms of para. 6 (1) of Schedule 3 to the Act for urban and irrigation purposes

National Water Act 36 of 1998 - GN 96 in GG 42203 of 1 February 2019 - Limpopo Provincial Operations - Limiting of the use of water in terms of para. 6 (1) of Schedule 3 to the Act for irrigation, urban, industrial and mining purposes from the Polokwane Water Supply System and the Mutshedzi, Nzhelele, Nwanedi and Luphephe, Albasini, Middle Letaba, Nsami, Modjadji, Tzaneen, Doorndraai and Glen Alpine Sub-System/Dams

National Environmental Management Act 107 of 1998 – Gen Notice 56 in GG 42203 of 1 February 2019 - 3rd Edition Environmental Implementation Plan (EIP) 2015–2020 published in GenN 728 in GG 42053 of 23 November 2018 replaced

Natural Scientific Professions Act 27 of 2003 - BN 5 in GG 42203 of 1 February 2019 - South African Council for Natural Scientific Professions (SACNASP): Fee structure for 2019/20 published and all Board Notices regarding fee structure retracted with effect from 1 April 2019

National Environmental Management: Protected Areas Act 57 of 2003 - GNs 69 & 70 in GG 42203 of 1 February 2019 - Notice of intention to de-proclaim the Nyl Valey Nature Reserve as a Nature Reserve - for comment

National Environmental Management: Air Quality Act 39 of 2004 - GN 71 in GG 42203 of 1 February 2019 - National Greenhouse Gas Emissions Reporting Regulations, 2016: Notice of procedure to be followed by Category A data providers for registration and reporting as a Category A data provider

Standards Act 8 of 2000 – Gen Notice 55 in GG 42203 of 1 February 2019

- Draft Standards – for comment
 - SANS 2320 Ed 1: Dried abalone – comment by 21 February 2019
 - SANS 54325 Ed 1: Protective clothing against chemicals – comment by 22 March 2019
- New Standards
 - SANS 17021-2:2010 Ed 1: Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 2: Competence requirements for auditing and certification of environmental management systems
 - SANS 17021-3:2019 Ed 1: Conformity assessment – Requirements for bodies providing audit and certification of management systems – Part 3: Competence requirements for auditing and certification of quality management systems
- Amended Standards
 - SANS 10012:2019 Ed 4.1: The use of light metals in hazardous locations at mines – Consolidated edition incorporating amendment No. 1.

PROVINCES

Western Cape

Disaster Management Act 57 of 2002 - LAN 57518 in PG 8031 of 25 January 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of disaster as a result of a devastating fire in the Imizamo-Yethu informal settlement situated in Hout Bay for a further month from 1 February 2019 until 28 February 2019

Disaster Management Act 57 of 2002 - LAN 57519 in PG 8031 of 25 January 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of drought disaster for a further month from 29 January 2019 to 28 February 2019

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 57535 in PG 8033 of 29 January 2019 - City of Cape Town Metropolitan Municipality - Recreational Water-Use By-law published and By-law relating to the use and control of the Rietvlei water area (Milnerton Municipality) published under PN 912 of 2 September 1977 and PN 279 of 1984; By-law relating to the control and use of vleis and boating thereon (Cape Town Municipality) published under PN 16 of 11 January 1980, PN 806 of 1985, PN 846 of 1985, PN 586 of 1986, PN 148 of 1993 and PN 182 of 1993; and By-law relating to fishing and swimming in municipal dams (Durbanville Municipality) published under PN 1023 of 1977 repealed

Mpumalanga

Spatial Planning and Land Use Management Act 16 of 2013 - PN 13 in PG 3008 of 1 February 2019 - Proposed Provincial Spatial Development Framework – for comment

CASES

International

Orphan Well Association v. Grant Thornton Ltd 2019 [SCC](#) 5 Delivered 29 January 2019

Court [Summary](#): “Redwater was an Alberta oil and gas company. It owned over a hundred wells, pipelines, and facilities when it went bankrupt in 2015. ... The Constitution also gives provinces power to make laws in specific areas. These include natural resources and property rights. Using these powers, Alberta passed laws saying oil and gas companies need a licence to operate. As part of the licence, companies have to “abandon” wells, pipelines, and facilities when they are done. This means permanently taking these structures down. They also have to “reclaim” the land (by cleaning it up). Companies can’t transfer licences without permission from the Alberta Energy Regulator. They won’t get it if they haven’t met their responsibilities. Most of Redwater’s wells were dry when it went bankrupt. Dismantling the sites and restoring the land would have cost millions of dollars more than they were worth. To avoid paying these costs, the trustee decided not to take responsibility for (basically, to disown) the useless wells and sites. It

said it was allowed to do this under the BIA. It wanted to sell the productive sites to pay people Redwater owed money to. The Regulator said that this wasn't allowed under the BIA or provincial law. It ordered the trustee to dismantle the disowned sites. The trustee said that even if the Regulator was right, the provincial abandonment orders were provable claims under the BIA. This meant the money would first go to pay people Redwater owed. The problem was that the federal and provincial laws seemed to contradict each other. When laws are applied, they sometimes overlap. This happens even when governments stick to their own areas under the Constitution. It often comes up in bankruptcy cases. Where a valid provincial law conflicts with a valid federal law, the federal law will normally apply—as far as the conflict goes. (Federal and provincial laws should be understood as being in harmony, where possible.) In constitutional law, this is known as the “doctrine of paramountcy.”

There were two main legal issues. The first was whether the BIA said the trustee could simply walk away from sites it didn't take responsibility for. The second was whether the provincial orders to remove structures from the land were provable claims under the BIA. If they were, that would mean the payment order set up in the BIA applied. Only money left at the end—if there was any—could be used to pay for taking the sites down. ... The majority at the Supreme Court said the trustee couldn't walk away from the disowned sites. It said the BIA was meant to protect trustees from having to pay for a bankrupt estate's environmental claims with their *own* money.”

Koujo v Minister of Mines and Energy and Others 2018 (4) NR 1097 (HC) [Namibia]

“Administrative law - Administrative action—Review—Where functionary not acting in terms of administrative law and its enabling legislation—Such constituting ground for review—Error in system of ministry resulting in incorrect decision being made—Decision-making process flawed—Decision set aside on review—Constitution of Namibia, art 18.

Mines and minerals - Mining claims—Cancellation of claims—Minerals (Prospecting and Mining) Act 33 of 1992, s 44 read with s 55—Mining commissioner clearly repository of power to cancel mining claims, not minister—Decision of minister to cancel applicant's mining claims irregular and invalid and to be set aside.

Mines and minerals - Mining claims—Granting of—Claims granted on basis of inaccurate coordinates supplied to ministry by applicant for claims—Such resulting in ministry not detecting that claims in same area previously granted to another applicant and resulting in error in ministry's system—Decision-making process in granting of claims flawed—Decision to grant claims set aside—Minerals (Prospecting and Mining) Act 33 of 1992, s 125.”

PUBLICATIONS

National

Department of Environmental Affairs “National Environmental Compliance & Enforcement Report 2017-18” ([Report](#) 2018)

Du Plessis Willemien and Pienaar Juanita “Illegal Mining: The Continued Struggle for Mineral Resources, Communities and the Environment” in Rautenbach Christa (ed) *In the Shade of an African Baobab Tom Bennett’s Legacy* ([Juta](#) 2018)

Menski Werner “African Legal Realism and Risk Assessment of Irrationality through Deliberate Silencing of African Voices and Perspectives” in Rautenbach Christa (ed) *In the Shade of an African Baobab Tom Bennett’s Legacy* ([Juta](#) 2018)

Griffiths Anne “Negotiating Space and Place in Relation to Land: A View from Kweneng Land Board, Botswana” in Rautenbach Christa (ed) *In the Shade of an African Baobab Tom Bennett’s Legacy* ([Juta](#) 2018)

International

Light SE “The Law of the Corporation as Environmental Law” 2019 [Stanford Law Review](#) 71(1)

Cuthbert MO “Global patterns and dynamics of climate–groundwater interactions” 2019 9 [Nature Climate Change](#) 137–141

Jacobs WB et al “Legal options for municipal climate adaptation in South Boston” (Report)

Greetham Stephen H “Water Planning, Tribal Voices, and Creative Approaches: Seeking New Paths Through Tribal-State Water Conflict by Collaboration on State Water Planning Efforts” 2018 [Natural Resources Journal](#) 58(1)

Samandari Atieno Mboya “Human Rights and the Global Climate Change Regime” 2018 [Natural Resources Journal](#) 58(1)

Mboya, Atieno “Vulnerability and the Climate Change Regime” 2018 [UCLA Journal of Environmental Law & Policy](#) 36(1)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

[The Conversation](#): Mahed G “How we can “bank” water underground for use later on” 27 January 2019

[The Conversation](#): Manderson L “How global warming is adding to the health risks of poor people” 27 January 2019

[University of Stathclyde](#): One Ocean Hub

“The aim is to predict, harness and share equitably environmental, socioeconomic and cultural benefits from ocean conservation and sustainable use. The Hub will also identify hidden trade-offs between more easily monetized fishing or mining activities and less-understood values of the ocean's deep cultural role, function in the carbon cycle, and potential in medical innovation.

The Hub specifically addresses the challenges and opportunities of South Africa, Namibia, Ghana, Fiji and Solomon Islands, and will share knowledge at regional (South Pacific, Africa and Caribbean) and international levels.”

[The Conversation](#): Williams S and Swanepoel L “How a South African industrial site is providing a safe haven for wild cats” 30 January 2019

[Mail & Guardian](#): Kings S “SA’s water debt grows by R8-million every 24 hours” 1 February 2019 [subscription or newspaper needed]

[GroundUp](#): Knoetze D “Is Zandvliet poisoning Capetonians?” 1 February 2019

[News24](#): Gosling M “Could alien tree clearing near dams be Cape Town's solution to saving water?” 31 January 2019

Africa

[Youtube](#): LEDS Global Partnership “Clean, reliable power for Africa: The potential for mini-grids” (19 December 2018)

[The Conversation](#): Ellis R, Culham A and Zulu D “We revealed the value of Zambia’s wild yam. Why it matters” 30 January 2019

[The Conversation](#): “Africa: Capturing Carbon to Fight Climate Change Is Dividing Environmentalists” 31 January 2019

AllAfrica: “Namibia: Endangered Penguins Dying Near Lüderitz” 31 January 2019

Rest of the world

- **Biodiversity**

[The Conversation](#): Walker RT “Amazon deforestation, already rising, may spike under Bolsonaro” 28 January 2019

[The Conversation](#): Carver S “Five maps that reveal the world’s remaining wilderness”

[The Guardian](#): “The UK's nature in crisis - in pictures” 31 January 2019

[The Guardian](#): “The destructive Tasmanian bushfires 2019 - in pictures” 1 February 2019

[The Guardian](#): Smee B “Great Barrier Reef legal challenge aims to stop killing of sharks” 31 January 2019

[The Independent](#): Gabbatiss J “Endangered UK plants brought back from brink by driving tractor over them” 2 February 2019

[The Independent](#): Gabbatiss J “‘Alarming’ numbers of endangered turtles being stranded on beaches as oceans warm” 1 February 2019

[The Independent](#): Gabbatiss J “Climate change pushing eels in Europe towards extinction, study shows” 31 January 2019

[News24](#): Attenborough David “Feature Documentary: Death of the oceans?” 31 January 2019

[News24](#): Attenborough David “Feature Documentary: How many can live on Earth?” 30 January 2019

[News24](#): Mowlana S “WATCH: 4 Protected oases amid the arid desert and skyscraper plains of the UAE” 30 January 2019

[Science](#): McLaughlin K “Exploding demand for cashmere wool is ruining Mongolia’s grasslands” 30 January 2019

[Science](#): Fox A “‘This is shocking.’ An undersea plague is obliterating a key ocean species” 30 January 2019

[Science](#): Rochmyaningsih D “Is tourism endangering these giant lizards?” 29 January 2019

- **Climate Change and Energy**

[IISD](#) SDG Knowledge Hub: Antonich B “Institutional Finance Update: Climate Finance Flows on the Rise, but Improved Data Needed to Track Progress on Mitigation and Adaptation Pathways” 29 January 2019

[IISD](#) SDG Knowledge Hub: Tsioumani E “Africa Should Build on Traditional Knowledge to Achieve Climate Goals, Expert Argues” 29 January 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNSC Debates Climate Change Impact on Peace, Security and Development” 31 January 2019

[IISD](#) SDG Knowledge Hub: Jackson C “IIASA Study Explores Link between Climate, Conflict and Forced Migration” 31 January 2019

[IISD](#) SDG Knowledge Hub: Jackson C “UN-Habitat Addresses Climate Vulnerabilities of Informal Settlements” 31 January 2019

[The Jurist](#): Sinden A “Cap-and-Trade Could Fill Gaps in Governor Wolf’s Climate Change Executive Order” 30 January 2019

[The Guardian](#): Wallace-Welsch D “‘The devastation of human life is in view’: what a burning world tells us about climate change” 2 February 2019

[The Guardian](#): Watts J “Is deep freeze the latest sign climate change is accelerating?” 2 February 2019

[The Guardian](#): Cox L and Watts J “Australia’s extreme heat is sign of things to come, scientists warn” 1 February 2019

[The Guardian](#): Vaughan A “BP to explain how business chimes with Paris climate deal” 1 February 2019

[The Guardian](#): Canon G and Jacobs B “Trump picks climate change skeptic for EPA science board – as it happened” 1 February 2019

[The Guardian](#): Remeikis A “Queensland warns Coalition's energy law could force privatisations” 31 January 2019

[The Guardian](#): Ison N “What happened to our electricity system in the heat? Coal and gas plants failed” 30 January 2019

[The Guardian](#): Vaughan A “Discovery of biggest UK gasfield in a decade raises industry hopes” 30 January 2019

[The Independent](#): Gabbatiss J “Massive cavity opening in Antarctic glacier is ‘disturbing’ sign of climate change, says Nasa” 1 February 2019

[The Independent](#): Gabbatiss J “Arctic summers at hottest temperatures for 115,000 years, study reveals” 28 January 2019

[The Independent](#): Gabbatiss J “Extreme weather triggers surge in ‘food shocks’ over past half century” 28 January 2019

[News24](#): “Feature Documentary: Global weirding” 30 January 2019

[News24](#): “Watch: Climate change forces killer whales further north to feed” 28 January 2019

[Science](#): Perkins S “Scubalike technology could suck carbon dioxide from smokestacks” 31 January 2019

[Science](#): Cornwall W “Ocean heat waves like the Pacific’s deadly ‘Blob’ could become the new normal” 31 January 2019

[Science](#): Voosen P “At many river deltas, scientists are missing a major source of sea level rise” 30 January 2019

- **Mining**

[The Guardian](#): “Brazil: shocking new video captures moment of deadly dam collapse” 1 February 2019

- **Miscellaneous**

[IISD](#) ENB: Intergovernmental Meeting on the Sixth Global Environmental Outlook 21-24 January 2019 – Nairobi Kenya

[IISD](#) ENB: Third Forum of Ministers and Environment Authorities of Asia Pacific 23-25 January 2019 Singapore

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “International Disaster Database: 61.7 Million Impacted by Disasters in 2018” 29 January 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “European Chemicals Agency Recommends Microplastics Restriction” 31 January 2019

[IISD](#) SDG Knowledge Hub: Risse N “Stakeholders Launch Assessment Report of 2018 SDG National Reviews” 31 January 2019

[IISD](#) ENB: Seventeenth Session of the Committee for the Review of the Implementation of the Convention to the UN Convention to Combat Desertification 28-30 January 2019 | Georgetown, Guyana

[The Guardian](#): Laville S “Boom in cruise holidays intensifies concern over ‘emissions dodging’” 1 February 2019

[The Guardian](#): Milman O “European colonization of Americas killed so many it cooled Earth's climate” 30 January 2019

[The Guardian](#): Carrington D “Officials warn of putrefying piles of rubbish after no-deal Brexit” 1 February 2019

[The Guardian](#): Fuller G “Pollutionwatch: how air quality alerts can help drive change” 31 January 2019

[The Independent](#): Gabbatiss J “EU moves to ban microplastics equivalent to ‘six times Great Pacific Garbage Patch’ each year” 31 January 2019

[The Independent](#): Gabbatiss J “Major fashion outlets failing to reduce environmental and social impact, MPs say” 31 January 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Western Cape Regional Event: The Year in Review: A reflection on relevant case law in Environmental Law during 2018

Venue: Bowmans (22 Bree Street)

Date: Monday 11 February 2019

Time: 17h30 – 20h00

RSVP: [Kate Handley](#) / [Tendai Bonga](#)

Flyer attached to [email](#)

Webber Wentzel: Mining Indaba Panel Discussion on Spotlight on Zimbabwe

Date: 4 February 2019

Time: 15h00 for 15h30 to 17h00, followed by refreshments and light snacks.

Location: Webber Wentzel's Office, 15th Floor, Convention Tower, Heerengracht, Foreshore, Cape Town (adjacent to the Cape Town International Convention Centre)

Please RSVP by Wednesday, 30 January 2019

For more information, please contact [B Devine](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-01.1.1 The fundamentals of environmental management**

Dates: 4 - 8 March 2019

- **CEM-02.1.1 Environmental law**

Dates: 11 - 15 March 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

National Planning Commission: North West Stakeholder Engagement: Pathways to a Just Transition

Date: 12 March 2019

Time: 08:30-16:00

Venue: To be confirmed

[RSVP](#)

The dialogue process seeks to tackle the country's triple challenges of poverty, inequality and unemployment in an environmentally sustainable and just manner. This event builds on recent and current discussions that have taken place around the country on the Just Transition to a low carbon future. You are being invited to contribute your expertise and experience to advance the debate by drawing on the current socio-economic scenarios to develop pathways that ensure a just and sustainable future for South Africa.

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 12-14 February 2019

Place: Cape Town

- **Water Governance in South Africa**

Dates: 12-14 March 2019

Place: Pretoria

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie](#)

[Murcott](#)

General [website](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

IRENA webinar: long-term energy scenarios and the clean energy transition

Date: 7 February 2019

Time: 16:30-17:30 CET / 10:30-11:30 EST

Long-term energy scenarios are a key tool that allow to assess the complexities of the energy system. However, their use for policy making is often met with concerns around the reliability to capture characteristics of the clean energy transition. IRENA's [Clean Energy Ministerial campaign on Long-term energy](#)

[scenarios](#) (CEM LTES) seeks to shed light on good practices for scenario use and improvement.

Join our upcoming webinar to learn more about good practices in the use and improvement of long-term energy scenarios. This session's presenters are: Canada's Natural Resources, National Energy Board and Environment & Climate Change. During the webinar, you will have the chance to ask questions.

[Register](#)

Energy Policy Research Conference: Energy Decision-Making in Times of Disruptive Change

Dates: 29 September - 1 October 2019

Place: Boise State University, Idaho, USA

[Abstracts](#): 31 March 2019

More [information](#)

INECE Compliance Conversations: Developing Compliance Models for Off-Grid Wastewater Treatment and Reuse Systems

Dates: 15 February 2019 and 1 March 2019

Time: 9:30am (GMT -4)

More [information](#)

[Registration](#)

NEWS

National

- **Biodiversity**

Bierman L "Endangered Heuningnes Redfin found in Overberg" [SABC News](#) 20 January 2019 [Legalbrief Environmental 38 January 2019]

Naidoo S "Limpopo plans multi-million rand marula hub" [Moneyweb](#) 23 January 2019 [Legalbrief Environmental 38 January 2019]

Ritchie G "Who's to blame for dying flamingos?" [Mail & Guardian](#) 31 January 2019

Dold D "Thai court dismisses case against poaching kingpin" [Mail & Guardian](#) 30 January 2019

Savides M "Another fire burning on Table Mountain" [TimesLive](#) 1 February 2019

"Two foreigners held as police find R5m abalone in Cape Town house" [TimesLive](#) 2 February 2019

"South Africa: Two Poaching Attempts Foiled in KZN" [AllAfrica](#) 1 February 2019

- **Local government**

Local government: MTN masts broke Durban by-laws – activist

"MTN has allegedly broken by-laws and posed a potential health risk to residents, with more than 120 masts planted in greater Durban, according to the Durban Anti Cellmast Alliance. Spokesperson Nicki Moore reportedly told the Sunday Tribune the city signed a 'hush' masts deal with MTN in 2015, but a High Court application compelled the city to provide the group with a copy of

the contract. The alliance lodged a court application in August, which was granted in December. According to the contract, reportedly seen by the Sunday Tribune, the municipality had received R5 000 a month for every mast MTN erected within its boundaries since September 2015. Moore said that the contract did not reflect an end-date, where masts should be posted, and the number. The masts were also not fitted with cameras, for the benefit of the city's police service, as agreed, said Moore. 'There are 123 masts across the city and many do not comply with the spatial planning regulations.' Moore said the masts were a blatant contravention of all the city's by-laws and health and safety regulations. Jacqui O'Sullivan, MTN'S corporate affairs executive, said it had more than 100 installed camera poles of which 57 required application for permission and retroactive approvals, after they were found to be non-compliant with city's spatial planning regulations. She confirmed that MTN made the monthly payments to the city. A Durban spokesperson said he could not comment as the matter was still to be heard in court."

Full Sunday Tribune report (subscription needed) Legalbrief 28 January 2019

Charles N "Bo-Kaap to wait up to two years for heritage status" [IOL](#) 23 January 2019 [Legalbrief 24 January 2019]

- **Climate change and energy**

Ntsaluba G "Carbon tax is coming, and corporates aren't prepared" [The Citizen](#) 26 January 2019 [Legalbrief 28 January 2019]

"UKZN says 'new models of governance' needed to fight climate change" [IOL](#) 21 January 2019 [Legalbrief Environmental 38 January 2019]

Carnie T "Business coming on board, says top UN climate change official" [Daily Maverick](#) 21 January 2019 [Legalbrief Environmental 38 January 2019]

Rebello A "Part of the answer to surviving climate change may be South Africa's wetlands" [News24](#) 2 February 2019

Yelland C and Lilley R "Nedbank withdraws funding for new coal IPPs" [News24](#) 30 January 2019

Njini F "SA plants smallest maize area since worst drought" [News24](#) 29 January 2019

- **Mining**

Mabuza E "Victory for environmentalists in battle over coal mine in Mpumalanga" [TimesLive](#) 22 January 2019 [Legalbrief Environmental 38 January 2019]

Rakabe E "Xolobeni digs in its heels against miners' habitual profiteering" [BusinessLive](#) 23 January 2019

Steyn L "Mining industry must act to get rid of its bad reputation, Gwede Mantashe says" [BusinessLive](#) 31 January 2019 [Legalbrief 1 February 2019]

"New blow for would-be Mpumalanga coal miner" [GroundUp](#) 29 January 2019

“MEC will not exclude properties from Mabola: Protected Environment remains intact” [Centre for Environmental Rights](#) 29 January 2019

Smith C “A pretty good year for mining - but not in SA” [fin24](#) 2 February 2019

- **Miscellaneous**

“Department of Environmental Affairs releases 2017/18 National Environmental Compliance and Enforcement Report” DEA [website](#) 23 January 2019 [Legalbrief Environmental 38 January 2019]

Broughton T “Supreme Court clears multibillion-rand tyre recycling project Redisa of corruption charges” [BusinessLive](#) 29 January 2019 [Legalbrief Forensic 31 January 2019]

Secombe A “Eskom's proposed price hikes could leave SA with just one gold mine” [BusinessLive](#) 31 January 2019

Policy: Independent water regulator already on cards – Minister

“Water and Sanitation Minister Gugile Nkwinti’s ‘five-pillar turnaround strategy’ includes establishing a ‘national water resources and services regulator’, as announced in his 2018/19 budget vote speech. According to a [media statement](#) confirming this yesterday, ‘the entire water sector’ is firmly behind the strategy – including civil society organisations, whose ‘meaningful input’ is always welcome. The Minister appeared to be taking a swipe at the Organisation Undoing Tax Abuse and Water Shortage SA.”

Read full report Policy Brief Legalbrief 24 January 2019

International

- **Biodiversity**

Steinmetz JT “German parliament discuss the future of Selous, the largest wildlife park in Africa” [eTN](#) 28 January 2019

“Tanzania: Charcoal-Making Threatens Forests” [AllAfrica](#) 1 February 2019

- **Climate change and energy**

Slobe E “Canada Supreme Court orders cleanup of bankrupt gas company's abandoned wells” [The Jurist](#) 1 February 2019

Chan N “UN rights expert voices concern over US oil sanctions on Venezuela” [The Jurist](#) 31 January 2019

Offutt L “New Mexico governor orders regulations to combat climate change” [The Jurist](#) 30 January 2019

“Severe Drought in Africa Threatens to Drive New HIV Infections” [AllAfrica](#) 30 January 2019

- **Mining**

Koltonowski A “UN rights experts call for probe into Brazil's deadly dam collapse” [The Jurist](#) 30 January 2019

- **Miscellaneous**

Eminent Environmental Lawyer arrested in Cameroon

Professor Maurice Kamto, a prominent and respected Cameroonian jurist, former president of the UN International Law Commission, was arrested on 28 January 2019 in Douala.

A pioneer in the promotion of environmental law in the African continent, Professor Maurice Kamto published in 1996 the first authoritative French book entitled: *Droit de l'environnement en Afrique*.

The International Center for Comparative Environmental Law ([CIDCE](#)), which has repeatedly benefited from the scientific contributions of Professor Maurice Kamto for numerous publications and conferences on environmental law, called for his immediate release and full respect of all his rights. [Prof. Michel PRIEUR, President of CIDCE] See also the [New York Times](#) in this regard

Eckerd P “Pompeo announces suspension of US-Russia Intermediate Range Nuclear Forces Treaty” [The Jurist](#) 1 February 2019

“Toxic smog forces Bangkok to close hundreds of schools” [The Guardian](#) 30 January 2019

“New Water Resources Law Stirs Heated Debate in Tanzania” [AllAfrica](#) 1 February 2019

“Nigeria, Others Urged to Reject World Bank Water Scheme” [AllAfrica](#) 1 February 2019

“Sharks drawn to warm waters by Israeli coastal power plant” [News24](#) 31 January 2019

Normile D “Water mismanagement triggered ecological disaster in Australian rivers, panel concludes” [Science Weekly](#) 31 January 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Rhodes University: Law Lecturer

More [information](#)

Closing date: 4 February 2019 14:00

University of Pretoria: Department of Public Law: 2 lecturer positions

More [information](#)

Closing date: 15 March 2019

International

University of Strathclyde - School of Law: One Oceans Hub: Responsible Research and Innovation Fellow (183623)

Closing date: 6 February 2019

More [information](#)

University of Waikato Pro Vice-Chancellor

We are seeking an exceptional leader for our newly formed Division of Arts, Law, Psychology and Social Sciences.

The Pro Vice-Chancellor (PVC) is the senior academic and strategic leader of the Division, responsible for shaping its intellectual, professional and operational culture and direction and for the effective creation and stewardship of its resources. The PVC places paramount importance on the interests and reputation of the University as a whole, promoting these through leadership of the Division. There is specific responsibility to lead academic programme development and marketing initiatives that will increase student numbers, advance the quality of teaching and research in the Division, ensure the appointment and development of outstanding staff and ensure collaboration with key stakeholders.

The Division brings together the Schools of Arts, Psychology and Social Sciences, Te Piringa - Faculty of Law and the National Institute of Demographic and Economic Analysis. Together in 2018 they had 2,702 equivalent fulltime students (including 391 postgraduate students and 240 international students), 231 academic staff and 53 professional and support staff.

The significance of the role is demonstrated by the appointee being a member of the University's executive leadership group and reporting to the Vice-Chancellor.

Job Qualifications: To succeed in this role you will need a PhD or equivalent in a relevant field, a personal record of academic distinction and achievement in one of the disciplinary areas of the Division and a proven track record of successful academic leadership. Demonstrated ability to articulate a vision, lead change in a complex environment and develop innovative strategies is essential together with large scale budget management experience and excellent interpersonal and communication skills.

The capacity to provide leadership that respects the diversity of approaches in different academic disciplines, the ability to represent the interests of the Division while contributing to University-wide leadership and a commitment to the highest levels of quality in all activities are key attributes.

The appointment will be for a fixed term of five years.

The position will remain open until filled. Vacancy number: 380029

Applications/Further Information: For more information, including the role description and person specification, and to apply visit [here](#)

New scholarship available for Sustainable Urban Development postgraduate courses, Oxford University

The Department for Continuing Education at the University of Oxford is pleased to announce a scholarship for applicants who are applying to the part-time MSc or DPhil programmes in Sustainable Urban Development or Evidence-Based Health Care. The Oxford-McCall MacBain Graduate Scholarship is only tenable at Kellogg College.

The scholarship covers course fees and provides a study support grant. Awards are made for the full duration of fee liability for the agreed course. The McCall MacBain Foundation (MMF) was founded in 2007 and since then has been committed to improving the welfare of humanity through focused grants in education, health and the environment. Initially the MMF operated on a regional-based approach, with a strategy to develop and encourage best practices and policies in multiple areas related to improving the human condition, with a strong

emphasis on improving maternal health, adult literacy, and reducing risks associated with climate change.

Application deadline: Friday 1 March 2019, 12 noon (GMT).

Further [information](#)

Full Professorship of Public International Law and International Human Rights Protection and

University of Münster, Faculty of Law

More [information](#)

W3-Professorship for International Public Law and International Human Rights Protection (preferred successor Prof. Dr. Bernd Holznagel)

University of Münster, Faculty of Law

More [information](#)

Research Associate in the field of climate economics and governance

Universität Hamburg, Department of Socioeconomics, Professorship in Environmental Economics

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 6

8 February 2019

LEGISLATION

BILLS

Local Government: Municipal Systems Amendment Bill, 2019 [B2-2019]

Draft Judicial Matters Amendment Bill, 2018 published for comment

NOTICES

Petroleum Products Act 120 of 1977 - GN R109 in GG 42214 of 5 February 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 6 February 2019

Petroleum Products Act 120 of 1977 - GN R110 in GG 42214 of 5 February 2019 - Regulations in respect of petroleum products published in GN R2 in GG 42142 of 1 January 2019 substituted with effect from 6 February 2019

Petroleum Products Act 120 of 1977 - GN R111 in GG 42214 of 5 February 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1 in GG 42142 of 1 January 2019 substituted with effect from 6 February 2019

Public Service Act, 1994 - Proclamation 103 of 1994 - GN 125 in GG 42223 of 8 February 2019 - Public Service Amendment Regulations, 2016

National Railway Safety Regulator Act 16 of 2002 - GN 118 in GG 42217 of 8 February 2019 - Railway Safety Regulator: Proposed determination regarding category and type of notifiable railway occurrences to be managed in the Operator's safety management system - for comment

National Railway Safety Regulator Act 16 of 2002 - GN 119 in GG 42217 of 8 February 2019 - Proposed determination of safety permit fees - for comment

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013; Western Cape Land Use Planning Act 3 of 2014; and Land Use Planning By-law, 2015 - LAN 57553 in PG 8035 of 1 February 2019 - Langeberg Local Municipality - Proposed amendment of the Municipal Spatial Development Framework (MSDF) – for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 57562 in PG 8038 of 8 February 2019 - Stellenbosch Local Municipality - Air Quality By-law

Disaster Management Act 57 of 2002 - LAN 57558 in PG 8042 of 8 February 2019 - Saldanha Bay Local Municipality - Extension of the declaration of a local state of drought disaster for one month from 30 January 2019 to 28 February 2019

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 57557 in PG 8042 of 8 February 2019 - George Local Municipality - Property By-law, 2019

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 4 in PG 2040 of 7 February 2019 - City of uMhlathuze Local Municipality - Proposed amendments to the Spatial Planning and Land Use Management By-law, 2017 – for comment

North West

Constitution of the Republic of South Africa, 1966, Local Government: Municipal Systems Act 32 of 2000 - LAN 28 in PG 7974 of 5 February 2019 - City of Matlosana Local Municipality - Billboards and the Display of Advertisements in Public Places By-law

CASES

International

Gloucester Resources Limited v Minister for Planning [2019] [NSWLEC 7](#)

“APPEAL – open cut coal mine – impacts on existing, approved and likely preferred uses of land in the vicinity – high visual impact – negative social impacts – impacts of the mine on climate change – economic and public benefits of the mine and other land uses – impacts and costs of mine outweigh benefits of mine – development consent refused”

PUBLICATIONS

National

Muller G “To fell or not to fell: The impact of NEMBA on the rights and obligations of a usufructuary” 2018 *THRHR* 529-542

Brickhill J “Forum: Public interest litigation in South Africa” 2018 *Advocate* 31(3)

“Mining, Energy & Infrastructure – feature” 2019 [Without Prejudice](#) 19(1)

International

Chigwate TC *Provincial and Local Government Reform in Zimbabwe An analysis of the Law, Policy and Practice* ([Juta](#) Cape Town 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

[The Conversation](#): Mantel S and Januchowski-Hartley S “What we learned when our map of southern Africa’s rivers went viral” 3 February 2019

[The Conversation](#): Leonard L “Communities, mining corporations and corruption in South Africa” 7 February 2019

[The Conversation](#): Kock A “Are sharks being attacked by killer whales off Cape Town’s coast?” 4 February 2019

[Mail&Guardian](#): Kings S “Colonisation drove Little Ice Age” 8 February 2019

Africa

[The Conversation](#): Suza W “I fight anti-GMO fears in Africa to combat hunger” 7 February 2019

Rest of the world

- **Biodiversity**

[The Guardian](#): Carrington D “Why are insects in decline, and can we do anything about it?” 10 February 2019

- **Climate Change and Energy**

[IISD](#) SDG Knowledge Hub: Antonich D “Investment in Renewable Energy is Clean, but in Transmission and Distribution Technologies not Necessarily” 7 February 2019

[IISD](#) SDG Knowledge Hub: Mead L “Online Portal Increases Transparency of UNDP-supported, GCF-financed Projects” 7 February 2019

- **Local Government**

[The Conversation](#): Datta A “Indian women from the outskirts of Delhi are taking selfies to claim their right to the city” 1 February 2019

- **Mining**

Henriques-Gomes L “Tasmania's lakes among most contaminated in the world”
[The Guardian](#) 8 February 2019

- **Miscellaneous**

[IISD](#): 30th UN Water Meeting 31 January – 1 February 2019, Rome Italy

[IISD](#) SDG Knowledge Hub: Paul D “UNU-INWEH Report Highlights Importance of Groundwater in SDGs” 7 February 2019

[EOS](#): Albrecht T and Hudson A “Being Persuasive: Lessons from Lawyers That All Scientists Need” 4 February 2019

[Science](#): Gilbert N “Worrisome nonstick chemicals are common in U.S. drinking water, federal study suggests” 8 February 2019

[The Guardian](#): Tapper J “Farming on rooftops and in tunnels, city farms lead food revolution” 10 February 2019

[The Guardian](#): Morton A and Smee B “Floods, fire and drought: Australia, a country in the grip of extreme weather bingo” 9 February 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday 8 April 2019

Time: 18h00 – 19h30

RSVP: to follow

ELA North West Regional Event: Prof Benjamin Richardson

Venue: Warburtons, Rosebank, Johannesburg

Date: 25 March 2019

Time and RSVP: to follow

ELA Student and Annual Conference: Book the Date

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

IAIAsa Gauteng Branch: SAHRA workshop for EAPs & Heritage practitioners

Date: 26 February 2019

Place: TBC

NWU: Centre for Environmental Management Short Courses

- **CEM-01.1.1 The fundamentals of environmental management**
Dates: 4 - 8 March 2019
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Date: 18 - 19 March 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

National Planning Commission: North West Stakeholder Engagement: Pathways to a Just Transition

Date: 12 March 2019

Time: 08:30-16:00

Venue: To be confirmed

[RSVP](#)

The dialogue process seeks to tackle the country's triple challenges of poverty, inequality and unemployment in an environmentally sustainable and just manner. This event builds on recent and current discussions that have taken place around the country on the Just Transition to a low carbon future. You are being invited to contribute your expertise and experience to advance the debate by drawing on the current socio-economic scenarios to develop pathways that ensure a just and sustainable future for South Africa.

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**
Dates: 12-14 March 2019
Early bird registration: Friday 8 February 2019 – last day for registration
Monday 25 February 2019
Place: Pretoria
- **Water Governance in South Africa**
Dates: 7-9 May 2019
Early bird registration: Friday 29 March 2019 – last day for registration
Tuesday 16 April 2019
Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

OECD Green Talks: LIVE webinar | Materials use to 2060: Economic drivers and environmental consequences

Date: 18 February 2019

Time: 17:00 CET (Paris time)

Duration: 1 hour (Presentation of 20-30 minutes followed by Q&A).

The world's consumption of raw materials is set to nearly double by 2060 as the global economy expands and living standards rise, placing twice the pressure on the environment than we are seeing today. What economic mechanisms drive material use and how will this affect the environment? Learn more about projections for materials use to 2060, the links with climate change and the policy implications for the circular economy and recycling. The talk will highlight findings from the recently published OECD report: [Global Material Resources Outlook to 2060](#).

[Register to hook into the livestream.](#)

Find out more about the ENV Green Talks LIVE series and watch video recordings of past webinars [here](#)

NEWS

National

- **Climate change and energy**

"Total discovers goldmine of gas off southern coast of South Africa" [AFP](#) 7 February 2019 – read also [Mail&Guardian](#) report

"Losing climate change race a 'disaster for Africa,' UN says" [News24](#) 10 February 2019

- **Mining**

"Nationalism a symptom of trust deficit in mining, analysts warn" [News24](#) 10 February 2019

Smith C "Policy, political innuendo can make SA coal unattractive to investors – Exxaro exec" [fin24](#) 10 February 2019

Omarjee L "'We want our voice on the table' - Alternative Mining Indaba" [fin24](#) 9 February 2019

Yeld J "West Coast mining company fined a 'pittance'" [GroundUp](#) 6 February 2019

- **Miscellaneous**

Environmental: ArcelorMittal makes provision for emissions fines

“ArcelorMittal SA (Amsa) is making provision for criminal prosecution and a possible fine of R15m for environmental offences in its latest financial statements, Die Burger reports. Amsa chief executive Kobus Verster says the company faces prosecution on three counts for gas emissions in Vanderbijlpark. He said Amsa had experienced ‘challenges’ at that plant and is negotiating with the prosecuting authority. Amsa budgeted R105m for the next financial year to mitigate environmental impacts. It is more than double the previous budget of R41m, notes the report.”

Full report in Die Burger (subscription needed) Source: Legalbrief

International

- **Mining**

Hannam P “We won’: Landmark climate ruling as NSW court rejects coal mine” [Sydney Morning Herald](#) 8 February 2019 – more [information](#)

- **Miscellaneous**

Steinmetz JT “Dangerous air quality in Bangkok: Tourism Industry is concerned” [eTN](#) 6 February 2019

“New Zealand wildfires set to worsen as thousands flee” [The Guardian](#) 10 February 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of the Free State: Department of Mercantile Law: Position 2664: Senior Lecturer / Associate Professor / Professor (2 positions) and Academic Head of Department

Closing date: 15 February 2019

More [information](#)

University of the Free State: Office of the Dean: Internship

Closing date: 15 February 2019

More [information](#)

Varsity College: Programme Manager: School of Law – Sandton Campus

Closing date: 15 February 2019

More [information](#)

International

Utrecht University: Postdoc Position in Global Sustainability Governance

Closing date: 1 March 2019

More [information](#)

PhD scholarships in Cross-Cultural and Regional Studies University of Copenhagen, Denmark

Closing date: 25 February 2019

More [information](#)

GGGI Country Representative – Papua New Guinea

Deadline 15 February 2019

More [information](#)

GGGI Senior Officer – Pacific NDC Implementation - Fiji

Deadline 19 February 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 7

15 February 2019

POLICY

Department of Transport “Green Transport [Strategy](#) for South Africa: (2018-2050)”

LEGISLATION

BILLS

Draft Feeds and Pet Food Bill, 2019 – Gen Notice 70 in GG 42230 of 15 February 2019 - for comment

NOTICES

Performing Animals Protection Act 24 of 1935 - GN 130 in GG 42230 of 15 February 2019 - Performing Animals Protection Regulations, 2016 amended

Plant Breeders' Rights Act 15 of 1976 - GN 132 in GG 42230 of 15 February 2019 - Regulations relating to plant breeders' rights amended with effect from 1 April 2019

Plant Breeders' Rights Act 15 of 1976 - GN 133 in GG 42230 of 15 February 2019 - Receipt of applications for plant breeders' rights

Genetically Modified Organisms Act 15 of 1997 - GN 131 in GG 42230 of 15 February 2019 - Regulations amended with effect from 1 April 2019

Competition Act 89 of 1998 - GN 126 in GG 42224 of 12 February 2019 - Abalone Farmers Association of South Africa (AFASA): Grant of conditional exemption for six months

PROVINCES

Eastern Cape

Nature and Environmental Conservation Ordinance 19 of 1974 and Problem Animal Control Ordinance 26 of 1957 - Proc 1 in PG 4184 of 11 February 2019 - Determination of hunting season, daily bag limits and hunting by the use of prohibited hunting methods, 2019

Nature Conservation Act 10 of 1987 (Ciskei) - Proc 1 in *PG 4184* of 11 February 2019 - Hunting Seasons: Former Ciskei and Transkei

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - ON 1 in *PG 4184* of 11 February 2019 – OR Tambo District Municipality - Coastal Management Programme – for comment

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - ON 2 in *PG 4184* of 11 February 2019 - Kouga Local Municipality - Seekoei Estuarine Management Plan – for comment

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - ON 3 in *PG 4184* of 11 February 2019 - Amathole District Municipality - Coastal Management Programme – for comment

Constitution of the Republic of South Africa, 1996 and Local Government Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality - Cemeteries By-law

Constitution of the Republic of South Africa, 1996 and Local Government Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality – Fire Safety By-law

Constitution of the Republic of South Africa, 1996 and Local Government Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality - By-law Relating to Dilapidated Buildings and Unsightly and Objectionable Structures

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality - By-law relating to Impoundment of Animals

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality - By-law Relating to the Prevention of Public Nuisances and Nuisances Arising from the Keeping of Animals

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality – Public Amenities By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality – Solid Waste Disposal By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 31 in *PG 4184* of 11 February 2019 - Raymond Mhlaba Local Municipality – Street Trading By-law

Gauteng

Constitution of the Republic of South Africa, 1996, Spatial Planning and Land Use Management Act 16 of 2013 and Local Government: Municipal Systems Act 32 of 2000 - LAN 197 in PG 46 of 13 February 2019 - Midvaal Local Municipality - Spatial Planning and Land Use Management By-law - confirmation of its implementation

Free State

Disaster Management Act 57 of 2002 - Proc 29 in PG 126 of 15 February 2019 - Tokologo Local Municipality - Declaration of a local state of drought disaster

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - MN 5 in PG 2041 of 14 February 2019 - uMkhanyakude Local Municipality - Appointment of members to the Municipal Planning Tribunal

Limpopo

Limpopo Tourism Act 4 of 2018 – Gen Notice 23 in PG 2973 of 15 February 2019

Limpopo Tourism Act 4 of 2018 – Proc 7 in PG 2973 of 15 February 2019 - commences 1 March 2019

Local Government Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - Proc 8 in PG 2973 of 15 February 2019 - Bela-Bela Local Municipality - Spatial Development Framework (SDF) (2019) – notice of adoption

CASES

National

Aquila Steel (S Africa) (Pty) Ltd v Minister of Mineral Resources and Others [2018] ZACC 5

Summary: Mining - Minerals and Energy - Application for Prospecting Right - Application for Mining Right - Non Compliance with Requirements - Duplicate Grants - Substitution of Mining Right

International

Chernaik et al v Brown Case No CA No. [A159826](#) Court of Appeals of the State of Oregon Delivered 9 January 2019

“Plaintiffs sued defendants the State of Oregon and Governor Kate Brown (collective, the state) for declaratory and equitable relief related to the state’s alleged failure to take sufficient steps to protect the state’s public-trust resources from the effects of climate change.” The court found that “We can find no source under the Oregon conception of the public-trust

doctrine for imposing fiduciary duties on the state to affirmatively act to protect public-trust resources from the effects of climate change.”

PUBLICATIONS

National

Dugard J *et al Dugard's International Law: A South African Perspective* 5th edition ([Juta](#) Cape Town 2019)

International

Yoonhee Ha and Bryne J “The rise and fall of green growth: Korea's energy sector experiment and its lessons for sustainable energy policy” 2019 [Wiley Interdisciplinary Reviews: Energy and Environment](#) 2-16 DOI: 10.1002/wene.335

Leal-Arcas R “Energy decentralization in the European Union” 2019 [Georgetown Environmental Law Review](#) 32(1)

Nolon Blanchard J “Integrating water efficiency into land use planning in the interior West: A Guidebook for local planners” ([Pace Law School](#) and Western Resource 2018)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[The Journalist](#): Vollenhoven S “Rooibos Roots and the search for justice” 29 January 2019

[The Conversation](#): Ingram DJ “400,000 African pangolins are hunted for meat every year – why it’s time to act” 14 February 2019

- **Climate Change and energy**

[Mail&Guardian](#): “Editorial: Oil find a mixed blessing” 8 February 2019

[Business Report](#): Faku D “SA gas industry needs new legislation” 12 February 2019 [Legalbrief Forensic 14 February 2019]

[Daily Maverick](#): Bloom K “South Africa’s offshore gas strike – it’s all good, right?” 12 February 2019

[The Conversation](#): Scholes R and Crompton R “What a major offshore gas find means for South Africa’s energy future” 13 February 2019

[Mail&Guardian](#): Kings S “Age of environmental breakdown” 15 February 2019

[The Conversation](#): Crompton R “Explainer: why South Africa’s energy generator is in so much trouble” 10 February 2019

- **Local government**

[GroundUp](#): Kretzmann S “City fails to publish water quality tests for two years” 11 February 2019

[Mail&Guardian](#): Kings S “Your recycling isn’t being recycled” 15 February 2019 [prescription or newspaper needed]

REN21 is producing the first edition of a new report series: *Renewables in Cities Global Status Report*

The aim is to better understand the role cities play in advancing the energy transition. This work is being done in cooperation with various city networks and REN21’s renewable energy expert community. We invite you to be part of this collaborative effort to create data-based evidence on the role cities and local action play in advancing the global energy transition. Learn how to contribute to this key tool to advance the energy transition in cities – click [here](#)

- **Mining**

[GroundUp](#): Mutandiro K “The men who make a living from an old gold mine dump” 14 February 2019

[GroundUp](#): Yeld J “Mantashe inspects West Coast mine ahead of its expansion plans” 12 February 2019

[BusinessLive](#): Mukhovha Itumeleng “Mining rights cannot undermine security of informal landholders” 14 February 2019 [Legalbrief 15 February 2019]

- **Miscellaneous**

[GroundUp](#): Kretzmann S “Nasty chemicals are accumulating on Cape Town’s coasts” 12 February 2019

Africa

[The Conversation](#): Weyl O “Lake Malawi is home to unique fish species. Nearly 10% are endangered” 13 February 2019

[IISD](#) SDG Knowledge Hub: Jackson C “UNDP, FAO, Italy Launch Center to Accelerate Climate Action, Sustainable Development in Africa” 12 February 2019

[Natural Justice](#): Abiud Onyach “Lamu Coal Plant ESIA Appeal Case Concluded: Submission Highlights” 14 February 2019

[The Conversation](#): Fiala N “Why poor storage and handling are to blame for Uganda’s poor quality seed” 14 February 2019

[The Conversation](#): McCartney M and Kleinschroth F “Dams can mimic the free flow of rivers, but risks must be managed” 12 February 2019

[IISD](#) SDG Knowledge Hub: Paul D “GWP Promotes IWRM, “Water Integrity” in West Africa” 12 February 2019

Rest of the world

- **Biodiversity**

[IISD](#) SDG Knowledge Hub: Dickens C *et al* “National-level Targets, Indicators and Benchmarks for Management of Natural Resources to Achieve the Sustainable Development Goals” 14 February 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén “FAO Report Analyzes Options for SDG Indicator on Fisheries’ Contribution to GDP” 14 February 2019

[The Conversation](#): Laurance B “Climate change is killing off Earth’s little creatures” 12 February 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “IPBES [Previews](#) 2019 Global Assessment Report on Biodiversity” 12 February 2019

[IISD](#) SDG Knowledge Hub: Benson Wahén C “[UNEP Report](#) Analyzes Frameworks, Legislation on Legal and Illegal Trade in Wildlife, Forest Products” 12 February 2019

[The Guardian](#): “To avoid environmental catastrophe, everything must change” 13 February 2019

[The Independent](#): Cockburn H “Hundreds of endangered animals at risk of extinction as authorities fail to crack down on wildlife trade” 14 February 2019

[News24](#): “Watch: Australian leaders warned to act now to save koalas” 15 February 2019

[Science Advances](#): Fox A “It can take a decade for species endangered by wildlife trade to get protection” 14 February 2019

- **Climate Change and Energy**

[IISD](#) SDG Knowledge Hub: Kosolapova E “NAP Global Network Focusing on NAP Process at Country Level, Meeting Paris Agreement Goals 14 February 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Expanding Carbon Pricing and Ensuring Environmental Integrity” 12 February 2019

[The Guardian](#): Laville S, Noor P and Walker A “‘It is our future’: children call time on climate inaction in UK” 15 February 2019

[The Guardian](#): Freedland W “We failed the young on climate change – now we must listen to them” 15 February 2019

[The Guardian](#): Helmore E “Solar energy sector lost 8,000 jobs in US last year, but future looks bright – report” 12 February 2019

- **Local Government**

[Coopverde](#): “Valencian Government Promotes Cooperatives” 13 February 2019

[ICLEI](#): “CDP and ICLEI: Introducing streamlined climate reporting” 11 February 2019

[ICLEI](#): “City of Münster, Germany Advancing sustainable development: the role of public transport” December 2018

[The Conversation](#): Coimbra Carvalho H “Venomous yellow scorpions are moving into Brazil’s big cities – and the infestation may be unstoppable” 11 February 2019

[The Guardian](#): Hare B “Australia won’t meet the Paris targets despite what recent research claims” 12 February 2019

[News24](#): “WATCH: ‘We saved our town from your Western plastic rubbish’” 15 February 2019

[Science](#): Perkins S “Here’s how your city’s climate will change by 2080, if you’re in Canada or the United States” 12 February 2019

- **Mining**

[Extractives Baraza](#): “Concerns over oil spills as exploration gathers pace” 13 February 2019

[Extractives Baraza](#): “Somalia opens offshore licensing round” 13 February 2019

[The Guardian](#): Bennett M “Toxic black snow covers Siberian coalmining region” 15 February 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Paul D “IMF Estimates Spending Needed to Make Progress on SDG Implementation” 14 February 2019

[The Conversation](#): Pavelsky TM “Satellites reveal a new view of Earth’s water from space” 13 February 2019

[The Conversation](#): Archer M “We’ve discovered the world’s largest drum – and it’s in space” 12 February 2019

[INECE](#): “Country Systems Reports on Policies and Regulatory Systems for Environmental Licensing and Enforcement in Latin America” 12 February 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “[UNDP Report](#) Identifies Factors that Contribute to Successful Water and Ocean Governance Projects” 12 February 2019

[IISD](#) SDG Knowledge Hub: Paul D “FAO Provides Guidance on Environmental Flows as a Measure of Water Stress” 12 February 2019 – find the Report [here](#)

[The Independent](#): Gabbatiss J “Plastic bringing waves of alien crabs and fish to shores around the world, scientists warn” 15 February 2019

[Science Advances](#): Voosen P “Radar reveals a second potential impact crater under Greenland’s ice” 12 February 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

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Date: Wednesday 8 April 2019

Time: 18h00 – 19h30

RSVP: to follow

ELA North West Regional Event: “Can Beauty Save Nature? New Thinking on Aesthetics and Environmental Law in South Africa”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: Warburtons, Parkwood, Johannesburg (walking distance from Rosebank Gautrain station)

Date: 25 March 2019

Time: 14:00

[RSVP](#) compulsory but no registration fee

Enquiries: [Angela van der Berg](#) or [Germarié Viljoen](#)

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More information will follow.

IAIAsa Gauteng Branch: SAHRA workshop for EAPs & Heritage practitioners

Date: 26 February 2019

Place: TBC

Sustainable Development in the Urban Age | International Conference at the NWU

Co-organised by the Konrad-Adenauer Foundation, the NWU (Chair: Cities, Law and Environmental Sustainability) and the FU Berlin

Dates: 7-8 March 2019

Place: Potchefstroom

No registration fee but [registration](#) necessary

For more information contact [Rieëtte Venter](#)

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General [website](#)

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Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration
Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

6th QUILTBAG Seminar and Film Screening: Safe Spaces: 1st Call for Papers

Date: Monday 12 August 2019

Time: 09:00 –15:00

Venue: Dr Miriam Makeba Auditorium, UNISA Muckleneuck Campus

Physical spaces can have a direct influence on the mental and emotional well-being of individuals. Spaces are locations – whether public or private, functional or recreational – that include, (but are not limited to), rooms, open terrains, vehicles and corridors.

Anyone can feel threatened in a particular space for any number of reasons. Yet, the greater LGBTI+ community has been particularly vulnerable to discrimination in many/most of these spaces. This has led to the emergence of so- called “gaybourhoods” – gentrified neighbourhoods that feature clubs, bars and restaurants specifically for the LGBTI+ community. While “gaybourhoods” and other such spaces provide some refuge against physical and verbal abuse, they do not protect individuals against discrimination when negotiating hostile shared spaces on a daily basis. Simply using public transport and public restrooms, walking in the street, sitting down to lunch, using social media or working alongside one’s co-workers may be a threatening experience for the LGBTI+ individual or group.

A safe space is not only a physical place free of harm – both corporeal and verbal – but it is also an environment free of bias. It is a space in which bodies and minds are not threatened or exposed to prejudice. The QUILTBAG project invites abstracts for papers reflecting on/exploring the concept of “Safe Spaces”. Papers may consider safe spaces from the following perspectives (though these are by no means exhaustive):

- film/TV/communication industry (including social media)

- •graphic novels/fine arts/music/literature
- •law/finance
- •language/linguistics
- •activism
- •personal testimonies

Kindly send abstracts of no more than 200 words, along with personal details, to [Dr Terrence Carney](#).

Please submit abstracts by 30 March 2019.

Duration of papers: 20 minutes.

This half-day seminar will be followed by the QUILTBAG film screening, which will be held at the Dr Miriam Makeba Auditorium, UNISA, on Tuesday, 13 August 2019.

Perspectives on Land Expropriation: Elevating the Debate

Juta and Company cordially invites you to attend the Free Juta Talking Points panel discussion.

Date: Thursday 21 February 2019

Time: 18h00 - 20h30

Venue: Future Space, International Arbitration Centre, 96 Rivonia Road, Sandton

Secure your seat with [Ingrid Hartog](#) by Monday 18th February.

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

Sabin Colloquium on Innovative Environmental Law Scholarship

Place: Columbia Law School, New York, New York

Dates: 16-17 May 2019

This 7th Annual Sabin Colloquium will allow junior environmental law scholars to present early-stage work and receive constructive feedback from a panel of senior scholars and from each other.

Eligible applicants are pre-tenure professors, fellows, visiting assistant professors, and other junior scholars in similar academic positions. Papers on environmental law, energy law, natural resources law or water law are eligible. No junior scholar may participate in the Colloquium more than twice.

The panel will select the proposals for discussion based on the degree of innovation they exhibit, the extent to which they point toward practical solutions to environmental problems, and whether, based on the scholarly and analytical quality of the proposals, they are likely to lead to high-quality work products.

To enter, please submit a cover letter, an outline or concept paper of 5 -15 double-spaced pages, and a C.V. to sabincolloquium@law.columbia.edu by March 1. If an article has already been drafted, please just submit a summary of no more than 15 pages. Footnotes are not expected. Articles that have already been accepted for publication are not eligible. This event is for early-stage work that can still be significantly shaped by the discussion at the Colloquium.

Authors of selected papers will be notified by March 30. All Colloquium participants will be expected to participate in the full program (the afternoon and evening of May 16, and all day on May 17) and to read and comment on each others' proposals. The domestic travel costs of all participants will be reimbursed. However, in the interest of minimizing the program's carbon footprint, an option of participating via video link will also be provided.

FSU Environmental, Energy and Land Use Law presentation by Tara Righetti on "The Reluctant Environmental Agency"

Date: Wednesday, 20 February 2019

Time: 12:30 pm ET for a presentation by Professor Tara Righetti,

Her lecture will be available to view via [livestream](#).

Professor Righetti is an Associate Professor at the University of Wyoming College of Law. Her research focuses on legal issues related to oil and gas regulation, land use, contracts, and energy development. Prior to joining the faculty at the University of Wyoming College of Law, Professor Righetti served as CEO and general counsel of a privately owned upstream oil and gas company. We gratefully acknowledge the support of the Rocky Mountain Mineral Law Foundation in assisting us with this visit.

IKEM 16th Annual Summer Academy: Call for applications: Social innovation in the energy transition

Dates: 15-19 July 2019

Place: Berlin, Germany

The Summer Academy admits 30 participants with academic and professional experience in the field. The program is rooted in policy as key driver of change, and offers a diverse and interdisciplinary perspective considering societal, technological and regulatory/economic elements. This interdisciplinary approach will be reflected in the selection of participants. Places are limited, we suggest to not wait too long to apply.

[Complete registration](#) before April 1, 2019 for an early-bird reduction of 10%. You can find an outline of the program below and more detailed information on our website.

- [Full program](#)
- [Registration](#)
- [General information](#)

4th International Conference on Energy Production and Management - The Quest for Sustainable Energy

Dates: 2 - 4 December 2019

Place: Kuala Lumpur, Malaysia

Conference [website](#)

International Renewable Energy Conference, IRENEC 2019 – Call for papers

Dates: 24-26 April 2019

Place: Istanbul, Turkey

More [information](#)

NEWS

National

- **Biodiversity**

“Fewer rhinos poached, more poachers caught and convicted in 2018” *TimesLive* 12 February 2019

Seleka N “Father and two sons fined for abalone poaching, racketeering in plea deal” [News24](#) 15 February 2019

- **Climate change and energy**

Paton C “Pravin Gordhan seeks new deal for old IPPs” [BusinessLive](#) 15 February 2019 [Legalbrief 15 February “2019]

“Court orders government to disclose records on coal power plants” [CER](#) 7 February 2019

“Is oil as valuable as South Africans believe?” [IOL](#) 16 February 2019

- **Mining**

“Toxic city: The cost of gold mining in South Africa” [News24](#) 11 February 2019

Labour: Gupta's Shiva Uranium resumes retrenchments

“Another Gupta-owned company, Shiva Uranium, has resumed retrenching its workforce amid attempts to rescue the ailing mining firm, says a Cape Argus report. Shiva Uranium’s business rescue practitioners Chris Monyela and Juanito Damons announced that Shiva Gold in Hartebeesteen, North West, had been placed under care and maintenance and the process of retrenching employees had started. They said an agreement to retrench employees had been signed. At Shiva Coal in Brakfontein, Mpumalanga, there is ongoing production, with overheads being taken care of by the mining contractor. National Union of Mineworkers Matlosana regional secretary Masibulele Naki said the process of retrenching the remaining workforce had started, with Shiva Uranium employees undergoing medical examinations that would confirm they were employable in the industry and elsewhere. He said workers should not only be paid retrenchment packages but the salaries Shiva Uranium stopped paying them last year. By November, the employees were owed about R8.2m at Shiva Gold while outstanding salaries stood at almost R2m at Shiva Coal. Naki said before the initial round of retrenchments Shiva Uranium had a workforce of around 600.”

Full Cape Argus report (subscription needed) [Legalbrief 14 February 2019]

International

- **Biodiversity**

McCurry J “Taiji dolphin hunt: activists to launch unprecedented legal challenge” [The Guardian](#) 13 February 2019 [Legalbrief 13 February 2019]

“Hong Kong customs seize rhino horn worth R14m en route from Joburg to Vietnam” [News24](#) 15 February 2019

Lombard Steyn L “Zambia will cull hippo despite global backlash” [News24](#) 15 February 2019

McCarthy Holliday E “Senate approves over 1.3 million acres for conservation lands, rivers, national monuments” [The Jurist](#) 13 February 2019

- **Climate change and energy**

Vaughan A “Renewable energy will be world's main power source by 2040, says BP” [The Guardian](#) 14 February 2019

Murphy K “Coalition shelves 'big stick' energy bill to avoid anti-coal amendment” [The Guardian](#) 14 February 2019

Slobe E “Kentucky Senate passes net-metering bill impacting home solar compensation” [The Jurist](#) 14 February 2019

Slobe E “Nuclear Regulatory Commission terminates construction authorization for mixed oxide fuel fabrication facility” [The Jurist](#) 13 February 2019

- **In the courts**

“Written arguments has been submitted at the Penal Chamber of the Supreme Court of Ecuador in a penal case regarding the illegal transportation of 6226 sharks through the Galapagos Marine Reserve, which is a shark sanctuary and a World Heritage site, designated by UNESCO.

The arguments are entirely founded upon the constitutional recognition of rights to Nature, and requests the Court to reason its decision on rights of Nature. This, because, wildlife delicts are codified by the Ecuadorian Penal Code as delicts against nature. CEDENMA, an Ecuadorian NGO acted as petitioner.

This is the first time in the history of the Supreme Court that rights of nature are raised in the context of a penal case, by civil society. We did so by applying article 71 of the Ecuadorian Constitution, which provides for any person to request rights of nature enforcement to any authority.

The case had a first verdict in 2017 and an appeal in 2018. The captain and crew went to jail (captain still is in jail). Since February 2018, the case is at the Supreme Court (National Court) on *cassation*, to review appeal's verdict on the legal status of vessel (whether it should be kept or returned to owner) as well as liability over environmental damage.” [Hugo Echeverría Envlawprofessors]

DeLorenzo T “Federal appeals court allows construction of border barriers over environmental groups' objections” [The Jurist](#) 12 February 2019

Nambiar V “India environment tribunal dismisses review petition against lake pollution order” [The Jurist](#) 11 February 2019

- **Mining**

“Brazil dam disaster: police arrest eight employees of mining company” [The Guardian](#) 15 February 2019

“Fracking firm Cuadrilla loses planning appeal for second UK site” [The Guardian](#) 12 February 2019

Laville S “Oil firm aims to extend Dorset coast drilling despite marine life risk” [The Guardian](#) 14 February 2019

Chan N “EPA reaches settlement with Antero fracking company over Clean Water Act violations” [The Jurist](#) 11 February 2019

- **Miscellaneous**

“Russia’s northern region declares state of emergency over polar bear invasion” [eTN](#) 11 February 2019

Eilperin J and Eilperin J “The Senate just passed the decade’s biggest public lands package. Here’s what’s in it” [The Washington Post](#) 13 February 2019

“Dust storms blanket NSW and ACT as air quality reaches hazardous levels” [The Guardian](#) 13 February 2019

Sundier S “EPA releases action plan to address drinking water contamination” [The Jurist](#) 15 February 2019

Gilbert N “EPA blasted for failing to set drinking water limits for ‘forever chemicals’” [Science Advances](#) 14 February 2019

Zubizarreta T “House members reintroduce bill to make electronic court records free to public” [The Jurist](#) 14 February 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

UKZN: Law Clinic Attorney and Lecturer

Closing date: 19 February 2019

More [information](#)

South African Research Chair in Property Law: Post-doctoral fellowship (1): 2019

The South African Research Chair in Property Law has one (1) post-doctoral fellowship in Property Law available for 2019. The postdoctoral fellowship amount is R 250 000 for the period.

Requirements:

A doctoral degree (LLD or PhD or similar degree) in Property Law or a property related field of research.

The successful candidate may not hold any other full-time or part-time job at the same time as the bursary and may not undertake any other work for remuneration.

Full details available from [Mrs King](#)

Send an application letter and supporting materials to [Mrs A King](#) at on or before 22 February 2019.

University of KwaZulu-Natal: Professor/ Associate Professor / Senior Lecturer / Lecturer (3 Posts)

Closing date: 10 March 2019

More [information](#)

Corporate Governance Law Lecturer required

Helen Wilson [Recruitment](#)

Closing date 14 March 2019

International

Pace Law LLM Graduate Fellowships - 2019-2020

Pace Law is offering 3 LLM Graduate Fellowships, starting in August 2019. Fellows receive a full scholarship to earn their LLM in Environmental Law as well as a modest stipend for working 20 hours/week for the Environmental Law Program or one of our Centers. Please see the links below and forward to any of your students or recent grads who may be interested. I am happy to answer any questions you (or your students) may have.

Pace Law Environmental [LLM Grad Fellow](#)

Pace Law [Global LLM Grad Fellow](#)

Pace Law [EASE LLM Grad Fellow](#)

**Universität Hamburg, Business, Economics and Social Science (WISO):
Research Associate in the field of global climate governance**

Closing date: 24 February 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 7

22 February 2019

LEGISLATION

BILLS

Traditional Leadership and Governance Framework Amendment Bill, 2017 [B8C-2017] & [B8D-2017]

National Health Laboratory Service Amendment Bill, 2017 [B15C-2017] & [B15D-2017]

Public Investment Corporation Amendment Bill, 2019 [B4-2019]

Public Audit Excess Fee Bill, 2019 [B7-2019]

Draft Independent System and Market Operator Bill, 2019 – Gen Notice 87 in GG 42237 of 20 February 2019 - notice of intention to introduce private member's bill and explanatory summary - for comment

NOTICES

Promotion of Access to Information Act 2 of 2000 – Gen Notice 88 in GG 42240 of 22 February 2019 - Description submitted in terms of s. 15 (1) by the Limpopo Department of Public Works, Roads and Infrastructure

Animal Identification Act 6 of 2002 - GN 179 in GG 42240 of 22 February 2019 - Regulations amended

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa 1996 and Local Government: Municipal Systems Act 32 of 2000 - Spatial Planning and Land Use Management By-law - PN 40 in PG 4188 of 18 February 2019 - Dr Beyers Naude Local Municipality - Appointment of members to the Municipal Planning Tribunal

Western Cape

National Heritage Resources Act 25 of 1999 - PN 14 in *PG* 8045 of 15 February 2019 - Heritage Western Cape - Declaration of a Provincial Heritage Site - The Rex Trueform Factory Complex in Salt River, Cape Town

Free State

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 132 in *PG* 129 of 22 February 2019 - Moqhaka Local Municipality - Draft Standing Rules and Orders By-law, 2019 and draft Land Use Planning Amendment By-Law, 2019 - for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 132 in *PG* 129 of 22 February 2019 - Moqhaka Local Municipality - Municipal Land Use Planning By-law as published under PN 134 in *PG* 124 of 27 November 2015 amended

Disaster Management Act 57 of 2002 - PN 133 in *PG* 130 of 22 February 2019 - Xhariep, Lejweleputswa, Fezile and Thabo Mofutsanyane District Municipalities - Declaration of a provincial state of drought disaster

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 8 in *PG* 2046 of 21 February 2019 - Ray Nkonyeni Local Municipality - Waste Management By-laws

Limpopo

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - Proc 8 in *PG* 2975 of 22 February 2019 - Bela-Bela Local Municipality – Notice of adoption of the Spatial Development Framework (SDF) (2019)

National Environmental Management: Protected Areas Act 57 of 2003 - PN 21 in *PG* 2975 of 22 February 2019 - Intention to declare respective land parcels as a nature reserve: Nungu Nature Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 22 in *PG* 2975 of 22 February 2019 - Sekhukhune District Municipality - Declaration of respective land parcels as protected environment: De Hoop Dam Nature Reserve

North West

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 21 in *PG* 7983 of 19 February 2019 - Ngaka Modiri

Molema District Municipality - Notice for comment on the intention to review and amend the Spatial Development Framework, 2005/2006 - for comment

CASES

National

Trustees of the Simcha Trust v Da Cruz and Others; City of Cape Town v Da Cruz and Others [2018] (CCT 125/18 and CCT 128/18) ZACC 8

National Building Regulations and Building Standards Act – disqualifying factors – legitimate expectations test.

International

Clean Air Council et al v United States of America et al Case No Civ [No 17-4977](#)
United States District Court of the Eastern District of Pennsylvania

“The Clean Air Council and two minors ask me to declare that the United States of America, the President, the Secretaries of Energy and the Interior as well as the Departments themselves, and the Environmental Protection Agency and its Administrator have violated and will violate Plaintiffs’ rights by considering amendments to environmental laws, by ‘rolling back’ environmental regulations, and by making related personnel and budget changes. (doc Nos 1, 16). Plaintiffs thus effectively ask me to supervise any actions the President and his appointees take that might touch on the “environment” (id). Defendants have moved to dismiss. Because I have neither the authority nor the inclination to assume control of the Executive Branch I will grant Defendants’ motion.”

North American Butterfly Association v Kirstjen M Nielsen et al Civil Case No. 17-2651 (RJL) United States [District Court](#) for the District of Columbia Delivered 14 February 2019

“The North American Butterfly Association (NABA - plaintiff), a non-profit organization devoted to butterflies and butterfly habitat conservation, brought this action against the Department of Homeland Security [and others]. NABA seeks declaratory and injunctive relief based on alleged constitutional and statutory violations arising from defendants’ border wall preparation and law enforcement activities at NABA’s National Butterfly Center, which is located near the United States-Mexiko border in South Texas ... motions to dismiss are granted.” The court found, amongst others, that President Trump’s Executive Order No. 13767 trumped all other laws. Remark on the case: “The judge is Richard J. Leon, a George W. Bush appointee. The opinion notes that the Dept. of Homeland Security showed up one day with heavy equipment and began digging, building roads and destroying trees on the Center's property. The Center sued, claiming violation of NEPA, the ESA, the Fourth and Fifth Amendments.

Judge Leon rejected all of the claims and found that as per Trump's executive order no. 13676 of January 25, 2017, and a determination under sec. 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended in 2018, the DHS Secretary can waive the requirements of the ESA, NEPA and the APA, which, was done in this case.

Accordingly, those claims were dismissed.” [Itzhak Kornfeld EnvLawProf Listserve]

Nayda Alvarez v Donald Trump Case No. 19-cv-404 United States [District Court](#) for the District of Columbia

“1. This action seeks declaratory and injunctive relief with respect to President Donald Trump’s declaration of a national emergency, issued on February 15, 2019 (the Declaration), the invocation of emergency powers stemming from that declaration, the resulting agency actions taken or directed to be taken in the exercise of those claimed emergency powers, and the expenditure of funds to construct a border wall in the absence of the constitutionally required appropriations and statutory authorization for such expenditures. Rather than responding to an emergency requiring immediate action, the Declaration seeks to address a long-running disagreement between the President and Congress about whether to build a wall along the southwestern border and Congress’s refusal to appropriate funds for that purpose. However, under our Constitution, built on the principle of separation of powers, a disagreement between the President and Congress about how to spend money does not constitute an emergency authorizing unilateral executive action. The Declaration and the planned expenditure of Department of Defense funds for construction of the wall exceed President Trump’s authority under the National Emergencies Act, other statutes invoked by the President as authority to fund the wall, and the Constitution. The invocation of emergency powers and exercise of those powers, and the diversion of funds to build a wall, are thus contrary to law.”

PUBLICATIONS

International

Human Rights Special Rapporteur “Issue of human rights obligations to the enjoyment of a safe clean, healthy and sustainable environment” [A/HRC/40/55](#) 8 January 2019 at the 40th Session at the UN Human Rights Council

Vandenbergh, Michael P and Raker, Ben “Private Governance and the New Private Advocacy” 2017 32 [Natural Resources & Environment Journal](#) 45-49

“Policy pathways for the energy transition in Europe and selected European countries” ([Horizon 2020](#) project MUSTEC and the Swiss Competence Center for Energy Research (SCCER) 2019)

Leal-Arcas Rafael “Towards energy democratization,” 2019 [Colorado Natural Resources, Energy, and Environmental Law Review](#) Vol 31

Del Río P, Kiefer CP and Caldés N “Potential Obstacles to the Use of Cooperation Mechanisms for CSP in the Future” (MUSTEC [Policy Brief](#) December 2018)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[IISD](#) Knowledge Hub: Benson Wahlén “Infrastructure Development Likely to be “Devastating” for Wildlife, Ecological Integrity, Report Finds” 21 February 2019 – find the Report [here](#)

- **Climate Change and energy**

[The Conversation](#): Godinho C and Hermanus L “South Africa takes important next steps to solving its power crisis” 21 February 2019

- **Local government**

[IISD](#) Knowledge Hub: Ledaba AM “Cities Address Local Solutions to Climate Change, Food Security” 19 February 2019

- **Mining**

[GroundUp](#): “Stats SA’s confusing mining employment statistics” 21 February 2019

[GroundUp](#): Wicomb W “Expropriation Bill: it’s rural black people who are most at risk” 21 February 2019

[GroundUp](#): Yeld J “Controversy follows colourful Australian mining magnate” 19 February 2019

[GroundUp](#): Mutandiro K “Farmers, miners and immigrants battle for land at old Vlakfontein mine” 19 February 2019

[GroundUp](#): Ryan C “Lawlessness at Gupta mines was behind deadly tragedy” 18 February 2019

- **Miscellaneous**

[Science](#): Nordling L: “A new law was supposed to protect South Africans' privacy. It may block important research instead” 20 February 2019

Africa

[The Conversation](#): Harvey R “Technology is useful, but drones alone won’t save Africa’s elephants” 18 February 2019

[AllAfrica](#): “Botswana May Lift Ban on Hunting Elephants & Other Big Game” 22 February 2019

[AllAfrica](#): “Tanzania: Why Jailing of Ivory Kingpins Matters” 21 February 2019

[Extractives Baraza](#): “Sector challenges push miners to the edge amid exit threats” 20 February 2019

[The Conversation](#): Tomori O “Why Nigeria is battling to control disease outbreaks like Lassa fever” 21 February 2019

Rest of the world

- **Biodiversity**

[The Conversation](#): Reynolds S “What happens to the natural world if all the insects disappear?” 18 February 2019

[Science](#): Stokstad E “The world’s largest bee vanished decades ago. Now, scientists have spotted it again” 21 February 2019

[American Constitution Society](#): Kibel P “Protecting Natural Resources through State Law: Two Examples from California” 29 January 2019

[Science](#): Stokstad E “Germany’s wolves are on the rise thanks to a surprising ally: the military” 15 February 2019

[The Guardian](#): Wall S “The battle to save Lapland: 'First, they took the religion. Now they want to build a railroad'” 23 February 2019

[The Guardian](#): Barkham P “Naturalists concerned for early-emerging spring species in UK” 22 February 2019

[The Guardian](#): Gill M “We’ve had an apocalyptic warning: now will we care about biodiversity?” 22 February 2019

[The Guardian](#): Watts J “World’s food supply under 'severe threat' from loss of biodiversity” 21 February 2019

[The Independent](#): Gabbatiss J “Iceland announces plan to kill over 2,000 whales within next five years” 21 February 2019

[The Independent](#): Cockburn H “Bramble Cay melomys: Rodent declared first mammal made extinct by human-made climate change” 20 February 2019

- **Climate Change and Energy**

[IISD](#) SDG Knowledge Hub: Leone F “Nine Coalitions to Craft Transformative Outcomes from Climate Summit” 19 February 2019

[IISD](#) SDG Knowledge Hub: Mead L “WHO Report Highlights Knowledge Gaps in Climate and Health Research” 19 February 2019

[Podcast](#): Verchick R “CPR’s Connect the Dots: Verchick interviewing Rachel Rye Butler of Greenpeace USA about the “Pipeline Wars.” Click for more [information](#)

[The Conversation](#): Stafford R and Jones PJS “Climate change: obsession with plastic pollution distracts attention from bigger environmental challenges” 21 February 2019

[Science](#): Cho A “Smaller, safer, cheaper: One company aims to reinvent the nuclear reactor and save a warming planet” 21 February 2019

[The Guardian](#): Rankin J “Greta Thunberg tells EU: your climate targets need doubling” 21 February 2019 – see video [here](#)

[The Guardian](#): Neslen A “Climate change 'cause of most under-reported humanitarian crises” 21 February 2019

[The Independent](#): Daragahi B “From the US to the Netherlands, military leaders are speaking up on climate change” 21 February 2019

[The Independent](#): Cockburn H “Kites and drones used to harness wind power could revolutionise renewable energy” 20 February 2019

[The Independent](#): Gabbatiss J “Massive restoration of world’s forests would cancel out a decade of CO2 emissions, analysis suggests” 19 February 2019

- **Local Government**

[The Guardian](#): Shah K “Al Gore admits US poverty 'shocking' – but warns climate crisis will make things worse” 22 February 2019

- **Mining**

[Biz Community](#): Rapson G and Kilne K “What NEMLA IV could mean for mine closures” 11 February 2019 [Legalbrief Environmental 19 February 2019]

[Science](#): Scholes S “Researchers spy signs of slavery from space” 19 February 2019

- **Miscellaneous**

[The Hill](#): Mintz JA “It's official: Trump's policies deter EPA staff from enforcing the law” 16 February 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Food, Nutrition and Genetic Resources” 19 February 2019

[Natural Justice](#): Githaiga C “Indigenous Peoples and Local Communities will lose out if not engaged in deliberations on the UN Global Pact on the Environment; and so will everyone else” 15 February 2019

[The Conversation](#): Patel O “Pasha 7: Why it’s important to stop food wastage” 19 February 2019

[Science](#): Scarfuto J “Want to get a politician to listen to science? Here’s some advice” 17 February 2019

[The Guardian](#): McGraw D “Fighting pollution: Toledo residents want personhood status for Lake Erie” 19 February 2019

[The Guardian](#): Sample I “Plastics reach remote pristine environments, scientists say” 17 February 2019

[The Independent](#): Mathews-King A “Drug pollution in rivers reaching damaging levels for animals and ecosystems, scientists warn” 22 February 2019

[The Independent](#): Dalton J “Fund more lab-grown meat to fight climate change, experts tell EU leaders” 19 February 2019

[The Independent](#): Cockburn H “Lab grown meat could cause more environmental damage than the real thing, scientists warn” 19 February 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday 8 April 2019

Time: 18h00 – 19h30

RSVP: to follow

ELA North West Regional Event: “Can Beauty Save Nature? New Thinking on Aesthetics and Environmental Law in South Africa”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: Warburtons, Parkwood, Johannesburg (walking distance from Rosebank Gautrain station)

Date: 25 March 2019

Time: 14:00

[RSVP](#) compulsory but no registration fee

Enquiries: [Angela van der Berg](#) or [Germarié Viljoen](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

IAIAsa Gauteng Branch: SAHRA workshop for EAPs & Heritage practitioners

Date: 26 February 2019

Place: TBC

NWU: Centre for Environmental Management Short Courses

- **CEM-01.1.1 The fundamentals of environmental management**
Dates: 4 - 8 March 2019
- **CEM-02.1.1 Environmental law**
Dates: 11 - 15 March 2019
- **CEM-03.7.2 Occupational health and safety management system migration**
Date: 18 - 19 March 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Imbewu: Mine Closure & Recent Case Law Workshop

Date: 9 April 2019

Time: 08:30-16:30

[Registration](#)

For more information contact [Lulu](#) / 011 214 0660 or consult the [website](#)

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 12-14 March 2019

Early bird registration: Friday 8 February 2019 – last day for registration
Monday 25 February 2019

Place: Pretoria

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration
Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

11th Annual Private Law and Social Justice Conference

Place: Nelson Mandela Bay

Dates: 19-20 August 2019

Details about the call for papers, as well as the registration details may be found on our [Department of Private Law Website](#) or [email](#)

SAJEI 9th International Organization on Judicial Training (IOJT) conference: Judicial Training: A Key to the Successful Transformation of the Judiciary

Venue: Cape Town

Dates: 22-26 September 2019.

For detailed information, visit the [website](#). The theme of the Conference is “.”

Key topics include Environmental law

Legal Academics are kindly requested to indicate the possibility of presenting and the proposed topic on or before 15 March 2019 to [Ms Poso Mogale](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

Apply now for an online degree in Energy and Climate Policy: School of Oriental and African Studies, London

At SOAS, we recognise the need for informed professionals with the interdisciplinary skills and understanding to tackle the challenges of the 21st Century. We are unique in the range of online qualifications we offer, which not only delivers teaching in the areas of sustainable development, poverty reduction, the global economy and climate policy, but are also tools for development for the future.

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[MSc Sustainable Development](#)

Applications close - March 2019

Find the programme that fits around your personal and professional commitments

For more information, register for a [webinar](#) or [visit our website](#)

10th Annual Colloquium on Environmental Scholarship

Date: Saturday, September 21, 2019

This Colloquium offers environmental law scholars the opportunity to present their works-in-progress, get feedback from their colleagues, and meet and interact with those who are also teaching and researching in areas related to environmental and natural resources law, or any related specialty areas. It starts with a social gathering on Friday evening and ends with an outdoor adventure on Sunday morning. In between, explore new ideas with your colleagues and enjoy live music with dinner on Saturday night. There will also be editors from the *Vermont Journal of Environmental Law* at the event so you can discuss publication options.

Look for a message from me in a few weeks calling for abstracts. For more information about this event, visit the [website](#)

IV Tarragona International Environmental Law Colloquium (TIEC): New Trends in Environmental Litigation: Issues of Theory and Practice

Place: Tarragona (Spain)

Dates: 27-28 June 2019.

[Call](#) for abstracts

No registration fee

2^o CEDAT Mediterranean Courses on Environmental Justice 2019

Venue: Tarragona (Spain)

Dates: 25 June 2019 - 03 July 2019

Tuition fee to be paid

[Website](#) for more information

WISIONS Webinar: Open Source Technology & Energy Access

How can open source technologies accelerate energy access for people off the grid?

Tuesday, 26 February 2019

Time: 11am-12.15pm CET (Brussels / Berlin)

Register: <https://bit.ly/2SnkuCc>

INECE Discussion Series: Using Whistleblower Laws to Promote Environmental Enforcement

Tuesday, February 26, 2019

Time: 10:00 am (GMT -4)

Washington DC (and via Webinar)

Please join INECE, the National Whistleblower Center, and ELI for our upcoming webinar on U.S. whistleblower provisions and their transnational applications for the enforcement of environmental law.

Please [register here](#) to attend this event. The webinar is open to the public, but please register in advance to attend. Materials from this INECE-NWC presentation will be made available after the webinar to anyone who registers for the event, even if they are not able to attend at the time of the webinar.

Carbon Capture webinar

Date: 14 March 2019

Time: 14:00 CET (UTC-4)

The Clean Energy Ministerial Carbon Capture, Utilization and Storage Initiative hosts a webinar on “Progressing CCUS in the UK and accelerating CCUS globally”.

Find more information at this [link](#).

NEWS

National

- **Biodiversity**

Conservation: Sanbi pays R4.1m to protect indigenous vegetation

“The SA National Biodiversity Institute (Sanbi) has provided funding amounting to R4.1m to the provincial Department of Environmental Affairs and Development Planning to combat the illegal clearing of indigenous vegetation in the Cape Winelands District Municipality. According to a Cape Times report, Local Government, Environmental Affairs and Development Planning MEC Anton Bredell welcomed the support and said indigenous vegetation was under serious threat in some areas of the province due to illegal clearing. ‘Environmental damage is lasting and often irreversible. Not only for our sake, but also for the sake of future generations, it is important to protect and manage our natural heritage.’ Alleged offenders who conducted such activities were liable to be issued with a compliance notice or arrested in serious cases, he said. Botanist and specialised law enforcement officer Phil McLean said: ‘The unique indigenous vegetation in this area provides a number of economic opportunities and sustainable livelihood for locals and business.’ However, he added that ‘illegal clearing of indigenous vegetation, over-consumption of water and pollution severely compromise the ecosystem’. The project is managed by Nithzaam

Albertyn, a regional manager, whose specialised law enforcement officers will assist in the operations of the project. The manager is in the process of recruiting graduate interns for the purpose of assistance to the team and training in environmental law enforcement proficiency.”

Full Cape Times report (subscription needed) [Legalbrief Environmental 19 February 2019]

- **Climate change and energy**

“The sustainability challenge affects us all. Climate change is real. The steps being undertaken by Eskom will allow us to expand renewable energy, and the carbon tax will come into effect 1 June 2019.” [Min T Mboweni – Budget speech 20 February 2019]

“New Carbon Tax gets roasted by AA, Cosatu” [News24](#) 21 February 2019

- **Local government**

Climate Change: SA to join WWF's One Planet City Challenge

“The WWF has launched the One Planet City Challenge 2019, asking cities to show how they aim to deliver on the Paris Agreement by limiting their climate impact. According to a Cape Times report, the organisation said the new assessment framework for the One Planet City Challenge will be based on data from the UN climate panel – the IPCC – and participating cities will be asked to compare their current emissions with the emission reductions needed to reach the target of limiting global warming to below 1.5°C. ‘By joining WWF’s One Planet City Challenge, local authorities receive a professional assessment of their current performance and advice about the most effective steps they can take to limit global warming,’ said Louise Scholtz, WWF SA’s Urban Future programme manager. The WWF said the challenge concluded in 2020, with an international expert jury nominating the winners in each participating country. From those cities, the jury will choose a global winner – with the most compatible action plan to limit warming to 1.5°C. South African cities that have participated in the One Planet City Challenge (previously known as the Earth Hour Challenge) are eThekweni (2018 national winner), Cape Town (global winner 2014) and Tshwane (twice a national winner). During the 2018 competition, eThekweni was deemed to be the strongest competitor in SA for its ‘well-rounded focus’ on energy consumption targets and actions, as well as for expanding its mobility offering.”

Full Cape Times report (subscription needed) [Legalbrief Environmental 21 February 2019]

Nowicki L “Waste pickers must be integrated into the formal waste management sector, says researcher” [GroundUp](#) 22 February 2019

- **Mining**

Ryan C “Forget cigarette smuggling. The big money is in stealing coal” [fin24](#) 23 February 2019

“Glencore pledges to limit coal production” [Mail & Guardian](#) 20 February 2019

- **Miscellaneous**

Phakgadi P “Sasol intentionally polluted the Vaal River, SAHRC inquiry hears” [News24](#) 21 February 2019 [Legalbrief 22 February 2019]

Kings S “Pollution kills as power plants fail” [Mail & Guardian](#) 22 February 2019 (subscription or newspaper)

Alfreds D “SA will have to produce 50% more food by 2050 or face crisis — WWF report” [Mail & Guardian](#) 20 February 2019

“R240m cash injection to fix polluted Vaal River, but it still isn't enough” [News24](#) 20 February 2019

International

- **Biodiversity**

“Watch: Wild cats, boas are obstacles in Mexican president's oil refinery race” [News24](#) 23 February 2019

“Northern Red Sea coral reefs may survive a hot, grim future” [News24](#) 22 February 2019

“Giant tortoise believed extinct for 100 years found in Galápagos” [The Guardian](#) 21 February 2019

- **Climate change and energy**

Walman S “Retired physicist leading new Trump effort to question climate threat to security” [Science](#) 21 February 2019

Hood M “These climate activists want you to give up hope” [Mail & Guardian](#) 21 February 2019

- **In the courts**

“SCOTUS rejects appeal of Lake Michigan public access case” [Indiana Lawyer](#) 19 February 2019

- **Local Government**

Milman O “‘Moment of reckoning’: US cities burn recyclables after China bans imports” [The Guardian](#) 21 February 2019

- **Mining**

Hill D “Colombian tribe calls for action on alleged effects of UK oil firm” [The Guardian](#) 22 February 2019

McCowan M and Martin L “China coal imports: ‘no basis’ to claims there is a ban, minister says” [The Guardian](#) 22 February 2019

Cox L “Glencore pressured to withdraw from new coalmines to prove climate change commitment” [The Guardian](#) 21 February 2019

- **Miscellaneous**

Stevenson M “Mexico to close infamous island penal colony, region’s last” [*The Washington Post*](#) 18 February 2019

LeMoult C “Boston's EPA Office is Shrinking, and Employees are Speaking Out” [*WBGH News*](#) 15 February 2019

McGowan M “NSW government 'suppressed' report showing carcinogen risk in stadium demolition” [*The Guardian*](#) 20 February 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Varsity College Sandton: Lecturer (Independent Contractor): Law

Closing date: 1 March 2019

More [information](#)

University of Pretoria: Departmental Administrator A – Law Clinic

Closing date: 6 March 2019

More [information](#)

Members of the Environmental Law Association may subscribe to
[*Legalbrief Environmental*](#)
and the
[*South African Journal of Environmental Law and Policy*](#).
Discount available for ELA members.

ELA NEWSLETTER 9

1 March 2019

LEGISLATION

BILLS

National Environmental Management Laws Amendment Bill [B14D-2017](#) / [B14C-2017](#)

Carbon Tax Bill [B46B-2018](#) / [B46A-2018](#)

Local Government: Municipal Structures Amendment Bill [B19A-2018](#)

NOTICES

Plant Improvement Act 53 of 1976 – GN 253 in GG 42258 of 1 March 2019 – Amendment of Regulations: Establishments, varieties, plants and propagating material

Natural Scientific Professions Act 27 of 2003 – BN 25 253 in GG 42258 of 1 March 2019 - South African Council for Natural Scientific Professions - Fees

Statistics South Africa – Gen Not 108 in GG 42258 of 1 March 2019 - Consumer Price Index (CPI): January 2019

Standards Act 8 of 2008 – Gen Not 110 in GG 42258 of 1 March 2019 –Draft Standards - for comment: SANS 1137 Ed 2 Standard test method for collection and measurement of dustfall (settleable particulate matter); SANS 306-4 Ed 1 Fire extinguishing installations and equipment on premises Part 4: Specification for carbon dioxide systems; SANS 10105-1 Ed 4 The use and control of fire-fighting equipment Part 1: Portable and wheeled (mobile) fire extinguishers; SANS 10160-3 Ed 2.1 Basis of structural design and actions for buildings and industrial structures Part 3: Wind actions.

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 – LN 48 in PG 4199 of 1 March 2019 – Koega Municipality - due to the prevailing drought conditions extend the Declaration of Local State of Disaster as published in the Provincial Gazette No. 4170 of 14 January 2019 for a further month

Disaster Management Act 57 of 2002 – LN 42 in *PG* 4194 Sarah Baartman Municipality – Declaration of Local State of Disaster due to drought and water shortages

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – MN 16 in *PG* 2052 of 28 February 2019 - Msunduzi Municipality - Wayleave Bylaws

Constitution of the Republic of South Africa, 1996 – PN 29 in [*PG* 2051](#) of 28 February 2019 - Kwazulu-Natal Planning Norms and Standards Committee - Climate Change and Energy Efficiency in Land Use Management - Draft 2 Consultation Paper – February 2019

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – MN 12 in *PG* 2051 of 28 February 2019 - Ray Nkonyeni Local Municipality - By-Law relating to Stormwater

Limpopo

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PN 26 in *PG* 2979 of 1 March 2019 – Lephalale Local Municipality - Parks and Public Places By-Law

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Proc 8 in *PG* 2975 of 22 February 2019 – Bela-Bela - Bela-Bela Municipal Spatial Development Framework (SDF) (2019)

Constitution of the Republic of South Africa, 1996 - PN 20 in *PG* 2975 of 22 February 2019 – Limpopo Adjustment Appropriation Gazettes for Transfers to Agricultural Co-operatives and Human Settlements Development Grant Transfers to Mining Towns Municipalities and Housing Development Agency (HAD) 2018/19 financial year

National Environmental Management: Protected Areas Act 57 of 2003 – PN 21 in *PG* 2975 of 22 February 2019 – intention to declare Nungu as Nature Reserve as per attached farm schedules – for comment

National Environmental Management: Protected Areas Act 57 of 2003 – PN 22 in *PG* 2975 of 22 February 2019 – intention to declare respective land parcels, as listed in the attached schedules, as a Protected Environment in Sekhukhune District – for comment

CASES

National

Maledu and Others v Itereleng Bakgatla Mineral Resources (Pty) Ltd and Another 2019 (2) SA 1 (CC)

Land - Informal land rights—Deprivation—Right of informal land right holders to be consulted—Interim Protection of Informal Land Rights Act 31 of 1996, s 2.

Minerals and petroleum - Mining and prospecting rights—Associated rights—Access to land—Disputes between holders of mining and prospecting rights, and owners or holders of informal rights in land—Mandatory to exhaust dispute-resolution mechanism of MPRDA before mining may commence—Mineral and Petroleum Resources Development Act 28 of 2002, s 54(7)(a)

Du Toit and Others v Provincial Minister of Environmental Affairs and Development Planning, Western Cape and Others 2019 (1) SACR 311 (WCC)

Search and seizure - Search—What constitutes—Law-enforcement official shining light into vehicle revealing two hunting rifles—Items would have been easily visible in daytime—No search carried out.

Black Eagle Project Roodekrans v MEC: Department of Agriculture, Conservation and Environment, Gauteng Provincial Department and Others (6085/07) [2019] [ZAGPJHC](#) 23 (28 February 2019)

“[1] The applicant (Black Eagle) seeks, *inter alia*, to review and set aside two decisions of the first respondent (the MEC): the first being one wherein he dismisses an appeal of Black Eagle against a decision taken on 28 August 2006 by the second respondent (the HOD) to authorise the development of Phases 2 and 5 and parts of Phases 3 and 4 of a proposed residential estate (known as the Sugarbush Estate) on a piece of land in the Mogale Municipal District (the land) (the appeal decision); and the second being one taken on 27 March 2015 wherein he overturned a decision of the HOD who refused an application for an amendment to the development (the amendment decision). Ancillary to this relief it also seeks an order for the costs of this application. The application is brought in terms of certain provisions of s 6(2) of the *Promotion of Administrative Justice Act, 3 of 2000* (PAJA).

[2] The land is to be developed by the third respondent (Landev). Landev applied on 14 September 2004 in terms of regulation 2(c) of Government Notice R1183 (read with section 22 of the Environment Conservation Act, 73 of 1989 (the ECA)), for authorisation to establish a residential estate on land, which at the time was designated as “*undetermined or agricultural*” (the authorisation application). In support of its application it filed a “*Plan of Study for Scoping*” (the Plan) with the Department.

[3] Black Eagle is a section 21 company incorporated in terms of the Companies Act, 71 of 2008. Black Eagle has two main aims and objectives: to educate the public about a pair of black eagles that reside in the Walter Sisulu National Botanical Gardens (the Botanical Gardens) and to take all the necessary steps to protect, conserve and maintain raptors and their environment. Located at some distance from the Botanical

Gardens is the Cradle of Humankind World Heritage Site (the Cradle). The Cradle is of particular importance to the history of human existence on this planet. Together with the black eagles there are two hundred and twenty (220) species of birdlife that reside there as well as a number of reptiles and small mammals. There are over six hundred (600) species of plant life that grow there.”

Mining Forum of South Africa and Another v Minister of Mineral Resources and Others (M43/2018) [2019] [ZANWHC](#) 8 (28 February 2019)

“[10] Lonmin, the Western and Eastern Platinum are holders of various mining right licences as defined in Section 5 of the Mineral and Petroleum Resources Development Act, (the MPRDA) which licences were issued by the Department. These entities will cumulatively be referred to as Lonmin.

[11] The MPRDA prescribes that a holder of a mining right must amongst others, submit a Labour and Social Plan which is in line with the objectives of the MPRDA, and behoves the holder of mining rights to contribute towards the socio economic development of the areas within which they are operating.

[12] ... The audit revealed that Lonmin failed to meet its targets in respect of, amongst others, the Human Resources Development Programme and that Lonmin was behind schedule with regard to the implementation of the Local Economic Development Programme. ...

[14] Lonmin conceded that it had not fully complied with its Social and Labour Plan, the reasons being amongst others, that it experienced a ‘steep decline on financial results’ occasioned by the ‘slump in commodity prices and increased costs and the protracted strike actions which adversely impacted on its total revenue.’”

Somai v National Minister: Department of Energy and Others (7690/2017) [2019] [ZAKZPHC](#) 5 (22 February 2019)

“[1] The applicant, who describes himself as a ‘historically disadvantaged South African as defined (HDSA)’ owns the immovable property situate at 61/63 Illings Road, Ladysmith (hereinafter referred to as ‘the site’). The site was previously used as a service station from which petroleum products were retailed. It was however decommissioned well before the time that the applicant acquired the site.

[2] In 2013 the applicant applied for a site and retail licence to sell petroleum products from the site. That application apparently went astray. Fresh applications were subsequently made on 16 July 2014.

[3] Such applications are made in terms of the provisions of the Petroleum Products Act 120 of 1977 and the regulations promulgated pursuant thereto (hereinafter referred to as ‘the Act’).” The argument was that the Petroleum Controller did not take BBEEE considerations into account when allocating the authorisation.

International

Drewes Farm Paternership v City of Toledo, Ohio Case no 3:19-cv-00434-JZ In The United States District Court For The Northern District Of Ohio Western Division – [plaintiff arguments](#) filed 27 February 2019

“1. The City of Toledo has amended its Charter to add the “Lake Erie Bill of Rights” (“LEBOR”). 2. LEBOR is unconstitutional and unlawful. Its unlawful nature has been publicly recognized by members of the Lucas County Board of Elections, members of the Toledo City Council, and legal experts. Courts have routinely invalidated similar governmental overreaches across the country, including many backed by some of the same groups behind LEBOR. Despite this, a member of the Toledo City Council and proponents of LEBOR have publicly stated that LEBOR was enacted to send a message.” Read more [here](#)

PUBLICATIONS

International

Kass M “Presidentially Appointed Environmental Agency Saboteurs” 2019 87 [UMKC L. Rev.](#) 697

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[Mail & Guardian](#): Kings S “Climate change claims its first mammal extinction” 1 March 2019

- **Climate Change and energy**

[The Conversation](#): Cock J “South Africa must end its coal habit. But it’s at odds about when and how” 27 February 2019

- **Local government**

[The Conversation](#): Knight J “Cape Town has a plan to manage its water. But there are big gaps” 27 February 2019

- **Mining**

[Daily Maverick](#): Overy N “St Lucia, Xolobeni and the problem of wilderness” 1 March 2019

Africa

- **Biodiversity**

[The Conversation](#): Harvey R “New survey raises concerns about elephant poaching in Botswana” 26 February 2019

- **Climate change and energy**

[Business Insider](#): Burroughs C “This London firm just crowdfunded the most ever for an African solar project” 1 March 2019

[The Conversation](#): Giannini A “How pollution and greenhouse gases affect the climate in the Sahel” 24 February 2019

- **Local government**

[The Conversation](#): Asadullah MN and Savoia A “How Africa can catch up with the world in the fight against poverty” 26 February 2019

[The Conversation](#): Davila F *et al* “Connecting food waste and sanitation services can help African farmers” 27 February 2019

- **Mining**

[Extractives Baraza](#): “Relief for Tanzania's artisanal miners” 27 February 2019

[Extractives Baraza](#): “Aramco eyes LNG deals in next gas strategy” 27 February 2019

- **Miscellaneous**

[The Conversation](#): Dessu S “The Grand Ethiopian Renaissance Dam is the new reality. Why a deal must be done” 25 February 2019

[The Conversation](#): Rebelo L “Earth observation data offers hope for Africa’s wetlands” 27 February 2019

[IISD](#) SDG Knowledge Hub: Paul D “UNEP Reports Progress on Integrated Environment and Health Policies” 26 February 2019 – find report [here](#)

Rest of the world

- **Biodiversity**

[The Independent](#): Gabbatiss J “Balloons pose biggest risk of death for seabirds eating plastic, scientists say” 1 March 2019

[The Independent](#): Gabbatiss J “Soaring ocean temperatures have already cut the world’s fish stocks by nearly 5%” 1 March 2019

[Science](#): Stokstad E “Warming oceans are hurting seafood supply—and things are getting worse” 28 February 2019

[Science](#): Law Y-H “This amazing blue tarantula is a new spider species—but did researchers break the law when they studied it?” 27 February 2019

[Science](#): Wright AJ “In Colombia, biodiversity researchers seek relief from regulatory red tape” 25 February 2019

[Great Lakes Law Blog](#): “Voters Approve Lake Erie Bill of Rights, Polluters Challenge it in Court” 26 February 2019

[LawPod](#): Rights of Communities, Rights of Nature: a new conversation on law and ecology with Dr Peter Doran, QUB Law, and Thomas Linzey and Mari Margil,

Community Environmental Legal Defense Fund, United States (Episode 37) 24 January 2019

[IISD](#) SDG Knowledge Hub: Wasonga B “International Day of Forests: Forests’ Role in Achieving the 2030 Agenda for Sustainable Development” 26 February 2019

[IISD](#) SDG Knowledge Hub: Jubbé-Duval B “Fair&Precious: The Collective Label for Legal and Eco-certified African Timber” 26 February 2019

[IISD](#) SDG Knowledge Hub: Jungcurt S “FAO Report Sounds Alarm on Decline of Biodiversity for Food and Agriculture” 26 February 2019

[IISD](#) SDG Knowledge Hub: Jungcurt S “CGRFA Launches Assessment on Biodiversity for Food and Agriculture, Advances Work on Aquatic Species” 26 February 2019 – find the report [here](#)

- **Climate Change and Energy**

American University, Washington: Institute for Carbon Removal Law & Policy [website](#)

“The Institute for Carbon Removal Law and Policy is a research center dedicated to assessing the social, legal, ethical, and political implications of carbon removal technologies and practices.”

[Business Insider](#): Mosher D “If India and Pakistan have a 'limited' nuclear war, scientists say it could wreck Earth's climate and trigger global famine” 1 March 2019

[The Independent](#): Knight R “Half of British drivers in favour of clean air zones, survey claims” 1 March 2019

[The Independent](#): Cockburn H “What is the impact of hot winter weather and is climate change playing a role?” 27 February 2019

[The Independent](#): Doyle A “Only one-in-a-million chance global warming is not manmade, scientists say” 27 February 2019

[Science](#): Cho A “Department of Energy moves forward with controversial test reactor” 28 February 2019

[Science](#): Waldman S “Physicist leading Trump’s ‘adversarial’ climate review also led group touting carbon emissions” 28 February 2019

[Science](#): Service RF “New way to turn carbon dioxide into coal could ‘rewind the emissions clock’” 26 February 2019

[Science](#): Voosen P “A world without clouds? Hardly clear, climate scientists say” 26 February 2019

[Science](#): Walman S “White House recruits researchers for ‘adversarial’ climate science review” 25 February 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “Regional Climate Weeks to Build Momentum Towards UN Climate Summit” 28 February 2019

[Yes!](#): Korten F “After 40 Years of Government Inaction on Climate, Have We Finally Turned a Corner?” 22 February 2019

[IISD](#) SDG Knowledge Hub: Mead L “HFLD Nations Call for Climate Finance for Forests” 26 February 2019

- **Local Government**

[City & State New York](#): Constantinides C and Bratspies R “Rikers Island should get green infrastructure” 27 February 2019

[IISD](#) SDG Knowledge Hub: Paul D “World Bank Evaluates Container-based Sanitation to Reach Unserved Populations” 26 February 2019

[IISD](#) SDG Knowledge Hub: Paul D “World Bank Finds Efficiency and Quality of Spending Key to Sustainable Infrastructure” 26 February 2019 – find report [here](#)

[IISD](#) SDG Knowledge Hub: Paul D “UNEP Highlights Funding Needs for Water Quality Monitoring” 26 February 2019

- **Mining**

[IISD](#) SDG Knowledge Hub: Mwangi W “International Resource Panel Proposes New [Governance Framework](#) for Extractive Sector” 26 February 2019

- **Miscellaneous**

[IISD](#) ENB: International Seabed Authority - 25 February - 1 March 2019 | Headquarters of the International Seabed Authority, Kingston, Jamaica

[IISD](#) ENB: Seventeenth Session of the Commission on Genetic Resources for Food and Agriculture - 18-22 February 2019 | FAO Headquarters, Rome, Italy

[The Guardian](#): Beaumont D “Shock rise in global measles outbreaks 'disastrous' for children, UN warns” 1 March 2019

[The Guardian](#): Thompson H “Rivers of waste: Pakistan's recyclers go out on patrol – in pictures” 27 February 2019

[The Independent](#): Mathews-King A “Humanity producing potentially harmful chemicals faster than they can test their effects, experts warn” 27 February 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Transitioning to a Circular Economy, Sustainable Consumption and Production” 28 February 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Spain Establishes Sustainable Development Council” 28 February 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “WWF Guide Shares Practical Options for Businesses to Achieve ‘No Plastic in Nature’” 28 February 2019 - see also [website](#)

[IISD](#) SDG Knowledge Hub: Jackson C “[Report](#) Recommends Lifecycle Approach to Addressing Impacts of Plastic on Human Health” 28 February 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “UNEA-4 to Review Roadmap Towards Pollution-free Planet” 26 February 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Details Innovative Solutions for SCP, Environmental Challenges” 26 February 2019 – find report [here](#)

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Reports on Progress on Preventing and Reducing Air Pollution in Advance of UNEA-4” 26 February 2019 – find report [here](#)

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNEP Report Finds Positive Trend towards Marine Litter Reduction” 26 February 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNEP Shares Options for Continued Work on Marine Litter and Microplastics in Advance of UNEA-4” 26 February 2019

[IISD](#) SDG Knowledge Hub: Mwangi M “UNEP Outlines Integrated Actions to Tackle Soil Pollution in Preparation for UNEA-4” 26 February 2019 – find report [here](#)

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday 8 April 2019

Time: 18h00 – 19h30

RSVP: to follow

ELA North West Regional Event: “Can Beauty Save Nature? New Thinking on Aesthetics and Environmental Law in South Africa”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: Warburtons, Parkwood, Johannesburg (walking distance from Rosebank Gautrain station)

Date: 25 March 2019

Time: 14:00

[RSVP](#) compulsory but no registration fee – see also invitation attached to email

Enquiries: [Angela van der Berg](#) or [Germarié Viljoen](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Imbewu: Mine Closure & Recent Case Law Workshop

Date: 9 April 2019

Time: 08:30-16:30

[Registration](#)

For more information contact [Lulu](#) / 011 214 0660 or consult the [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.1 Environmental law**
Dates: 11 - 15 March 2019
- **CEM-03.7.2 Occupational health and safety management system migration**
Date: 18 - 19 March 2019
- **CEM-02.1.6 Environmental law - biodiversity conservation management**
Dates: 1- 5 April 2019
- **CEM-03.1.1 Environmental management system**
Dates: 1-5 April 2019
- **CEM-02.2.1 Occupational health and safety law**
Dates: 9-11 April 2019
- **CEM-02.1.1a Environmental law (Introduction)**
Dates: 15-17 April 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**
Dates: 7-9 May 2019
Early bird registration: Friday 29 March 2019 – last day for registration
Tuesday 16 April 2019
Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

11th Annual Private Law and Social Justice Conference

Place: Nelson Mandela Bay

Dates: 19-20 August 019

Details about the call for papers, as well as the registration details may be found on our [Department of Private Law Website](#) or [email](#)

SAJEI 9th International Organization on Judicial Training (IOJT) conference: Judicial Training: A Key to the Successful Transformation of the Judiciary

Venue: Cape Town

Dates: 22-26 September 2019.

For detailed information, visit the [website](#). The theme of the Conference is “.”

Key topics include Environmental law

Legal Academics are kindly requested to indicate the possibility of presenting and the proposed topic on or before 15 March 2019 to [Ms Poso Mogale](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

LaRSSA 2019 Conference Rehabilitation in Practice

[Call for Abstracts](#) submission deadline extended to 15 March 2019.

Additional information, contact [Theresa](#) or phone 0814846833

International

**Juris Diversitas 6th General Conference: Law, Roots & Space
(also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)**

Dates: 15- 17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

IV Tarragona International Environmental Law Colloquium (TIEC): New Trends in Environmental Litigation: Issues of Theory and Practice

Place: Tarragona (Spain)

Dates: 27-28 June 2019.

[Call](#) for abstracts

No registration fee

2^o CEDAT Mediterranean Courses on Environmental Justice 2019

Venue: Tarragona (Spain)

Dates: 25 June 2019 - 03 July 2019

Tuition fee to be paid

[Website](#) for more information

20th Global Conference on Environmental Taxation

Place: Limassol, Cyprus

Dates: 25-28 September 2019

Deadline for [abstracts](#): 31 March 2019

More [information](#)

IUCN Academy of Environmental Law Conference: Malaysia

Deadline for abstracts extended to 31 March 2019

FSU Environmental, Energy & Land Use Law -- Professor Bruce Huber on Negative Value Property

Content: About land with more liabilities than benefits

Date: Wednesday 6 March 2019

Time: 12:30 pm ET

Connect [here](#)

NEWS

National

- **Climate change and energy**

“Historic Supreme Court Win: World Bank Group is not above the Law” [Earthrights International](#) 27 February 2019

- **Local government**

“Working towards a clean SA” [SANews](#) 28 February 2019

Ngqakamba S “Drought-ridden Makhanda declared a state of disaster” [News24](#) 1 March 2019

- **Mining**

Dludla S “Why did Glencore surrender its Optimum mine to Guptas?” [IOL](#) 27 February 2019

“Zinc mine to change the face of the Northern Cape” [SANews](#) 28 February 2019

General: Richtersveld legal dispute continues

“Rural Development Department officials have claimed that their efforts to put the Richtersveld Communal Property Association (CPA) under administration have been stifled by state attorneys. A Cape Argus report says the department appeared before Parliament’s Select Committee on Communications and Public Enterprise. In 2007, the Land Claims Court awarded the Richtersveld community land and mining rights – expropriated by the state – including the diamond-rich area controlled by state-run diamond miner Alexkor. Under a settlement agreement with the state, the assets were consolidated in a community trust structure for the CPA. Rural Development’s Khutso Moeketsi said: ‘What we are struggling with is the State Attorney in Kimberley. The Office of the Premier is not assisting us; we requested them to approach the court to appoint an administrator, but they are now simply giving us legal opinion.’”

Full Cape Argus report (subscription needed) [Legalbrief 1 March 2019]

- **Miscellaneous**

Singh K “KZN water supply looks promising, but conservation is a must – Umgeni Water” [News24](#) 1 March 2019

Afreds D “Ramaphosa to launch 'Good Green Deeds' to tackle environmental protection” [News24](#) 28 February 2019

Damba-Hendrik N “Tsomo’s mystery water tankers” [GroundUp](#) 1 March 2019

Yeld J “Damning report on Eskom air pollution” [GroundUp](#) 28 February 2019

Kretzman S “Wastewater audit missing as countrywide water shortage looms” [GroundUp](#) 25 February 2019

Barber M “Pakistan to lodge UN complaint against India for ‘eco-terrorism’” [The Jurist](#) 1 March 2019

Patel AD “Rule of law: Security issues undermine SA’s global status” [Mail & Guardian](#) 28 February 2019 [Legalbrief 1 March 2019]

International

- **Biodiversity**

“Zimbabwe court refuses to drop charges against 7 Chinese caught with rhino horns” [News24](#) 1 March 2019

Harvey F “Plastics 'leading to reproductive problems for wildlife’” [The Guardian](#) 27 February 2019

Njero A “Kenya: Mt Kenya Fire Leaves Trail of Destruction” [allAfrica](#) 28 February 2019

“Namibia: Bird Flu Continues to Wipe Out Penguins” [allAfrica](#) 28 February 2019

Kapama F “Tanzania: Jail of 'Queen of Ivory' Boost for Antipoaching Crusade” [allAfrica](#) 27 February 2019

Mkanyika L “Kenya: Law Required to Hand Tsavo Park to Taita Taveta, PS Says” [allAfrica](#) 26 February 2019

- **Climate change and energy**

Boffey D “‘Bike country No 1': Dutch go electric in record numbers” [The Guardian](#) 1 March 2019

Carrington D “Youth climate strikers: 'We are going to change the fate of humanity’” [The Guardian](#) 1 March 2019

Murphy K “Australia's annual emissions continue to rise, driven by LNG production” [The Guardian](#) 28 February 2019

Murphy K “Coalition launches push for hydrogen power in energy policy reboot” [The Guardian](#) 28 February 2019

Smith K “Cyprus: likely gas field find raises prospect of tension with Turkey” [The Guardian](#) 25 February 2019

Cockburn H “Wildfires burn across UK amid highest winter temperatures ever recorded” [The Independent](#) 28 February 2019

Cockburn H “UK weather: Warmest winter day on record as temperatures reach 21.2C, says Met Office” [The Independent](#) 27 February 2019

James L “US weather: 'Ice tsunami' encases house in New York” [The Independent](#) 2 March 2019

Slobe E “Utah legislature passes pro-nuclear energy resolution” [The Jurist](#) 28 February 2019

Institute for carbon removal law and policy: [Website](#) with publications on this topic

- **Local Government**

“Nigeria: Millions Lack Access to Clean Water” [allAfrica](#) 2 March 2019

“Tanzania: Protect Water Sources, Isles VP Urges Legislators” [allAfrica](#) 1 March 2019

“Zimbabwe: All Set for National Clean-Up” [allAfrica](#) 1 March 2019

“Rwanda: New Project to Deliver Piped Water to 1.5 Million Rural Residents” [allAfrica](#) 1 March 2019

Sarpong R “Ghana: Government to Achieve Water for All – Minister” [allAfrica](#) 28 February 2019

Wandera D “Uganda: Poor Garbage Disposal Haunts Town Dwellers” [allAfrica](#) 28 February 2019

Tantoh M “Africa Poised to Tackle Hygiene and Sanitation” [allAfrica](#) 26 February 2019

“Eritrea: Southern Region - 79 Percent of Residents Have Access to Clean Water” [allAfrica](#) 26 February 2019

“Nessel's office reviews potential conflict in Flint water civil cases” [Detroit News](#) 27 February 2019

- **Mining**

Chapman B “Shell faces fresh criminal charges over scandal-plagued \$1.3bn Nigerian oil deal” [The Independent](#) 1 March 2019

- **Miscellaneous**

“Zambia, Zimbabwe cut Kariba Dam power generation” [IOL](#) 26 February 2019

Watts J “Chinese dam project in Guinea could kill up to 1,500 chimpanzees” [The Guardian](#) 28 February 2019

Callan A “Supreme Court hears arguments on giant World War I cross on public property” [The Jurist](#) 27 February 2019

Winkels L “Toledo voters approve legal rights for Lake Erie” [The Jurist](#) 27 February 2019

Sundier S “US House passes resolution to terminate national emergency declaration” [The Jurist](#) 27 February 2019

Shilongo A “Southern Africa: SADC Wary of Drought Driven Conflicts” [allAfrica](#) 28 February 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

North-West University – Faculty of Law – Junior Lecturer

Potchefstroom Campus

Closing date: 15 March 2019

More [information](#)

North-West University – Faculty of Law – Associate Professor/Professor

Mahikeng Campus

Closing date: 15 March 2019

More [information](#)

North-West University – Faculty of Law – Associate Professor/Professor/Senior lecturer (3x positions)

Potchefstroom Campus

Closing date: 15 March 2019

More [information](#)

North-West University – Legal practitioner

Closing date: 22 March 2019

More [information](#)

North-West University – Legal advisor

Closing date: 22 March 2019

More [information](#)

International

[Lecturer in Criminology, Law & Society](#)

University of California, Irvine, School of Social Ecology - Criminology, Law & Society

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 10

8 March 2019

LEGISLATION

The Government Gazette website was down over the weekend – a supplement will be sent with additional notices during the week of 11 March 2019

BILLS

National Health Amendment Bill, 2019 [\[B8-2019\]](#)

Critical Infrastructure Protection Bill [\[B22D-2017\]](#) [\[B22C-2017\]](#)

NOTICES

Agricultural Pests Act 36 of 1983 - GN R275 in GG 42260 of 1 March 2019 - Control Measures amended

Agricultural Pests Act 36 of 1983 - GN R276 in GG 42260 of 1 March 2019 - Regulations amended

Occupational Diseases in Mines and Works Act 78 of 1973 – GN 248 in GG 42253 of 26 February 2019 - Increase of pension benefits

National Environmental Management Act 107 of 1998 - GN 243 in GG 42247 of 25 February 2019 - Notice of intention to appoint a high-level panel of experts for the review of policies, legislation and practices on matters related to the management, breeding, hunting, trade and handling of elephant, lion, leopard and rhinoceros

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 – GN 302 in GG 42286 of 8 March 2019 - Regulations: Stock remedies – for comment

Agricultural Product Standards Act: Regulations 119 of 1990 – GN 300 in GG 42286 of 8 March 2019 - Appeal procedures: Amendment – for comment

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 123 in GG 42286 of 8 March 2019 - Intention to withdraw portions of land declared as part of Karoo National Park – for [comment](#)

Skills Development Act 97 of 1998 – GN 375 in GG 42290 of 7 March 2019 - National Skills Development Plan (NSDP) promulgation

Petroleum Products Act 120 of 1977 – GN R293 in GG 42278 of 5 March 2019 - Regulations: Single maximum retail price of illuminating paraffin

Petroleum Products Act 120 of 1977 – GN R295 in GG 42278 of 5 March 2019 - Maximum retail price for liquefied petroleum gas

South African Weather Service Act 8 of 2001 – GN R297 in GG 42283 of 5 March 2019 - Regulations: Fees for provision of aviation meteorological services – for comment

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 – GN 291 in GG 42275 of 4 March 2019 - Draft Feeds and Pet Food Bill – for comment

PROVINCES

Could not access Provincial Gazettes. Supplement will be sent during week of 11 March.

Western Cape

Local Government: Municipal Systems Act 32 of 2000 - LAN 57592 in PG 8046 of 22 February 2019 - Beaufort West Local Municipality - By-law on Municipal Land Use Planning

National Environmental Management: Protected Areas Act 57 of 2003 - PN 15 in PG 8047 of 22 February 2019 - Declaration of a nature reserve - Witkliprug Nature Reserve

Disaster Management Act 57 of 2002 - LAN 57606 in PG 8047 of 22 February 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of drought disaster for a further month from 1 March 2019 to 31 March 2019

Disaster Management Act 57 of 2002 - LAN 57607 in PG 8047 of 22 February 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of disaster as a result of a devastating fire in the Imizamo-Yethu informal settlement situated in Hout Bay for a further month from 1 March 2019 until 31 March 2019

CASES

International

National Parks Conservation Association v Todd T Semonite, Lieutenant General et al Case No 18-5179 decided 1 March 2019 United States Court of Appeals for the District of Columbia Circuit

After a long-running legal battle here in Virginia, the DC Circuit ruled on Friday that the Army Corps had to prepare an EIS on the construction of Dominion Energy's high voltage transmission towers across the James River. The towers are 3.5 miles from Jamestown and are clearly visible from another historic site on the James, Carters Grove plantation. The Army Corp's EA was upheld by the district court.

There's just one problem: Dominion completed the towers in January and the transmission lines are now operational.

Stephenson v Secretary of State for Housing and Communities and Local Government [2019] [EWHC 519](#) (Admin) (06 March 2019)

1. The Claimant brings this claim on behalf of an organisation known as Talk Fracking. She does so as a supporter of that organisation's objectives. Talk Fracking is involved in campaigning on the dangers it considers the fracking industry poses to the environment, and also operates as a means of hosting a forum for informed debate on fracking and unconventional energy extraction. The nature of the technique involved in fracking, or hydraulic fracturing, is well known: for those unfamiliar with that technology it is described in paragraphs 8 and 9 of *Preston New Road Action v Secretary of State for Communities and Local Governments* [2017] [EWHC 808](#); [2017] [Env LR 33](#). Talk Fracking has been active in relation to these issues for around five years.

2. By this application for judicial review the Claimant seeks to challenge the adoption by the Defendant of paragraph 209(a) of the National Planning Policy Framework ... on 24th July 2018. Under the heading 'Oil, gas and coal exploration and extraction', paragraph 209(a) provides as follows:

'209. Minerals planning authorities should:

a) recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction.'

PUBLICATIONS

International

Bird Studies Canada (BSC) "Wind Energy Bird and Bat Monitoring Database Summary of the Findings from Post-construction Monitoring Reports Bird Studies Canada, Canadian Wind Energy Association, Environment and Climate Change Canada and Ontario Ministry of Natural Resources and Forestry 2018" ([Report 2019 Canada](#))

New journal: [Earth System Governance](#)

Open-access journal for all those interested in the study of institutions, political processes and governance mechanisms related to environmental change, earth system transformations and the quest for global sustainability. "Earth System Governance" is open to scholars from all disciplines, empirical fields, and theoretical and methodological approaches.

Soman A *et al* "India's Energy Transition: The Impact of the Goods and Services Tax on Solar Photovoltaic and Coal Power Costs" (IISD [Policy Brief](#) March 2019)

Lefcheck Jonathan S "Tropical fish diversity enhances coral reef functioning across multiple scales" [Science Advances](#) 5(3) DOI: 10.1126/sciadv.aav6420

Rozendaal DMA *et al* "Biodiversity recovery of Neotropical secondary forests" [Science Advances](#) 5(3) DOI: 10.1126/sciadv.aau3114

Ryan JC *et al* "Greenland Ice Sheet surface melt amplified by snowline migration and bare ice exposure" [Science Advances](#) 5(3) DOI: 10.1126/sciadv.aav3738

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[The Conversation](#): Roos Eduard "Why warthogs are useful in figuring out how bovine TB spreads"

- **Climate Change and energy**

[The Conversation](#): Kalaba Mmatlou How droughts "will affect South Africa's broader economy" 6 March 2019

[Daily Maverick](#): Merten M "Necsa's financial fissures required dealing with the hangover of Zuma's nuclear push" 6 March 2019

- **Local government**

[The Conversation](#): Reboredo R and Brill F "What a failed Johannesburg project tells us about mega cities in Africa"

[IOL](#): Buccus M "Demands by the poor in Durban are not flimsy, they are misunderstood" 10 March 2019

- **Mining**

[LARC](#): Claassens A "Xolobeni community being coerced into giving up land rights" 1 March 2019 [Legalbrief 8 March 2019]

[Daily Maverick](#): Fabricius P "Mining: Squeezing the goose that lays the golden eggs" 7 March 2019

- **Miscellaneous**

[Groundup](#): Brits E “South Africa’s KAT has begun prowling the universe” 5 March 2019

Africa

- **Biodiversity**

[Science](#): Vogel G “Humans are wiping out chimpanzee cultures” 7 March 2019

[Science](#): Pennisi E “How a ‘landscape of fear’ transformed the ecosystem of this African wildlife park” 7 March 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Mead L “Ethiopia’s NAP Seeks to Integrate Adaptation into Long-term Development” 7 March 2019

- **Mining**

[The Conversation](#): Rossi CR “Kenya and Somalia row over offshore rights is rooted in the carve up of Africa” 4 March 2019

- **Miscellaneous**

[The Conversation](#): Henry MC, McCarty J and Maingi J “Why Mount Kenya is burning and what can be done to stop the fires” 5 March 2019

Rest of the world

- **Biodiversity**

[IISD](#) SDG Knowledge Hub: Tsioumani E “World Wildlife Day Celebrates Life Below Water” 7 March 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM | UNGA Proclaims UN Decade on Ecosystem Restoration” 7 March 2019

[The Guardian](#): Alexander I “The five: back-from-the-brink species once thought extinct” 10 March 2019

- **Climate Change and Energy**

[IISD](#) SDG Knowledge Hub: Jackson C “Pacific Summit Discusses Climate Resilience through Community Awareness” 7 March 2019

Climate Score Card: [Report](#) 2019

[The Guardian](#): McCurry J “Eight years after Fukushima, what has made evacuees come home?” 10 March 2019

[The Guardian](#): Holden E “A lot at stake’: indigenous and minorities sidelined on climate change fight” 10 March 2019

[The Guardian](#): Bergman MM “They chose us because we were rural and poor’: when environmental racism and climate change collide” 8 March 2019

[The Conversation](#): Carvallo A and Ditz J “Venezuela’s economic collapse is laid bare when you look at how little energy the country is consuming” 6 March 2019

Podcast: Drilled

“Drilled investigates the propaganda campaign of the century — the creation of climate denial. Reporter Amy Westervelt conducted research for more than a year, tracking down documents and former oil company employees and scientists to uncover how the industry’s influence campaigns worked.”

[Science](#): Fox A “Rain is melting Greenland’s ice, even in winter, raising fears about sea level rise” 7 March 2019

- **Local Government**

[IISD](#) SDG Knowledge Hub: Sharma S “Circular Economy Model for E-Waste Management Sector: Innovation by E-Waste Exchange, India” 7 March 2019

[CPR Blog](#): Flores D “New Report: Socially Vulnerable Communities Face Increasing Risks from Toxic Floodwaters in Virginia” 6 March 2019

- **Mining**

[IISD](#) SDG Knowledge Hub: Jackson C “GEF Launches Programme to Reduce Mercury Use in Artisanal Gold Mining” 7 March 2019

[Daily Maverick](#): Cohen T “Barrick vs Newmont The world’s biggest gold corporations locked in a giant hostile takeover battle – with a distinct South African flavour” 7 March 2019

- **Miscellaneous**

[IISD](#): TEEBAgriFood Global Symposium 2019 25-27 February 2019 | Nairobi, Kenya

[IISD](#) SDG Knowledge Hub: Lobos Alva I and Rueff H “Latin America Experts Identify Three Priorities for Supporting SDG Progress in the Region” 7 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Publishes 2018 Global Mercury [Assessment](#)” 7 March 2019

[IISD](#) SDG Knowledge Hub: Leone F “UNEP Reports on Strengthening and Upgrading Process Since 2012” 7 March 2019

[IISD](#) SDG Knowledge Hub: Leone F “UNEP Outlines Ways for Environment Assembly to Contribute to HLPF” 7 March 2019 – find report [here](#)

[IISD](#) SDG Knowledge Hub: Jackson C “UNEP Releases Global Chemicals Outlook Summary for Policymakers” 7 March 2019 – find report [here](#)

[IISD](#) ENB: 4th Meeting of the Open-Ended Committee of Permanent Representatives to UN Environment Programme (UNEP) and 4th Session of the UN Environment Assembly - 4-8 March and 11-15 March 2019 | UNEP headquarters, Nairobi, Kenya

[IISD](#) ENB: 2nd Global Session UN Science-Policy-Business Forum on the Environment 8-10 March 2019 | UN Environment Programme (UNEP) Headquarters, Nairobi, Kenya

[The Guardian](#): McGreal C “How America’s food giants swallowed the family farms” 9 March 2019

[The Guardian](#): Cox D “The Roundup row: is the world’s most popular weedkiller carcinogenic?” 9 March 2019

[The Jurist](#): Chan N “UN rights expert finds air pollution kills 6 million annually” 4 March 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday 3 April 2019

Time: 18h00 – 19h30

RSVP: Prof Alexander [Paterson](#)

ELA North West Regional Event: “Can Beauty Save Nature? New Thinking on Aesthetics and Environmental Law in South Africa”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: Warburtons, Parkwood, Johannesburg (walking distance from Rosebank Gautrain station)

Date: 25 March 2019

Time: 14:00

[RSVP](#) compulsory but no registration fee invitation attached to previous emails

Enquiries: [Angela van der Berg](#) or [Germarié Viljoen](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Imbewu: Mine Closure & Recent Case Law Workshop

Date: 9 April 2019

Time: 08:30-16:30

[Registration](#)

For more information contact [Lulu](#) / 011 214 0660 or consult the [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

NWU: Centre for Environmental Management Short Courses

- **CEM-03.7.2 Occupational health and safety management system migration**
Date: 18 - 19 March 2019
- **CEM-02.1.6 Environmental law - biodiversity conservation management**
Dates: 1- 5 April 2019
- **CEM-03.1.1 Environmental management system**
Dates: 1-5 April 2019
- **CEM-02.2.1 Occupational health and safety law**
Dates: 9-11 April 2019
- **CEM-02.1.1a Environmental law (Introduction)**
Dates: 15-17 April 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator [Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15-17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

IV Tarragona International Environmental Law Colloquium (TIEC): New Trends in Environmental Litigation: Issues of Theory and Practice

Place: Tarragona (Spain)

Dates: 27-28 June 2019.

[Call](#) for abstracts

No registration fee

2^o CEDAT Mediterranean Courses on Environmental Justice 2019

Venue: Tarragona (Spain)

Dates: 25 June 2019 - 03 July 2019

Tuition fee to be paid

[Website](#) for more information

IUCN Academy of Environmental Law Conference: Malaysia

Deadline for abstracts extended to 31 March 2019

NEWS

National

- **Biodiversity**

Phakathi B “Fishing companies call for ‘sensible’ rights allocation” *BusinessLive* 7 March 2019 [Legalbrief 8 March 2019]

- **Climate change and energy**

McPherson SL “You can't solve SA's energy crisis with half the team” [fin24](#) 10 March 2019

Gosling M “Climate kids march for climate action” [News24](#) 7 March 2019

- **Local government**

“Over 2000 responses received in #BoKaap heritage protection proposal” *IOL* 7 March 2019 [Legalbrief 8 March 2019]

“Ramaphosa to launch Good Green Deeds programme” [IOL](#) 6 March 2019

Maromo J “Ramaphosa calls on SA to emulate Rwanda and stop littering” [IOL](#) 8 March 2019

Visser M “Squatting on the margins – farmworkers find themselves in housing policy No Man’s Land” [Daily Maverick](#) 8 March 2019

- **Miscellaneous**

General: Removal of Mhlathuze Water CEO cost R22m

“The newly-appointed board of Mhlathuze Water has told Parliament the removal of former chief executive Sibusiso Makhanya, suspended on full pay for the past three years, has cost the entity R22m. The Mercury reports the board appeared before Parliament’s Water & Sanitation Committee to present its annual report for the 2017/2018 financial year. Mhlathuze Water chairperson Thabi Shange said: ‘There have been court cases and over three years the cost, including the interim chief executive’s salary and legal costs, is R22m.’ Makhanya was placed on suspension by the previous board of Mhlathuze Water after a forensic investigation made findings of impropriety and tender irregularities against him. The board and Makhanya have been involved in a series of court battles, until the board in January took a decision to axe him following ‘further allegations of misconduct relating to impropriety, maladministration and tender irregularities’. The entity racked up R265m in irregular expenditure and R25m in fruitless and wasteful spending. Despite these challenges, the board told the committee that its surplus for the year had increased by 22%. The entity also received a qualified audit opinion for the current financial year.”

Full report in The Mercury (subscription needed) Legalbrief 8 March 2019

Kings S “Bedrock of food security destroyed” [Mail & Guardian](#) 8 March 2019 [subscription or newspaper needed to read]

International

- **Biodiversity**

“Cameroonian villagers assess damage done by stampeding elephants” [News24](#) 9 March 2019

“Climate change forces Arctic animals to shift feeding habits – study” [News24](#) 7 March 2019

Burke J “Ranger killed weeks after reopening of Virunga national park” [The Guardian](#) 8 March 2019

Milman O “Red wolf: the struggle to save one of the rarest animals on Earth” [The Guardian](#) 7 March 2019

- **Climate change and energy**

Mathews MK “U.S. Senate Republicans hold rare climate hearing, and more might be coming” [Science](#) 6 March 2019

“Watch: Inkjet printed solar panels could revolutionise green energy” [News24](#) 9 March 2019

Murphy K “Coalition’s climate policy reboot won’t do much for emissions, investor group warns” [The Guardian](#) 8 March 2019

Murphy K “Emissions safeguard switch will relax controls on big polluters, Greens say” [The Guardian](#) 7 March 2019

Cox C “Western Australia environment watchdog plans tougher curbs on emissions” [The Guardian](#) 7 March 2019

Davies R “Norway’s \$1tn wealth fund to divest from oil and gas exploration” [The Guardian](#) 8 March 2019

Giordano C “Hunterston B: Video reveals cracks in Scottish nuclear reactor” [The Independent](#) 9 March 2019

Gabbatiss J “Renewable energy to replace fossil fuels as UK’s main power source for first time in history, government says” [The Independent](#) 7 March 2019

Cockburn H “Climate change to expose half of world’s population to disease-spreading mosquitoes by 2050, study finds” [The Independent](#) 6 March 2019

- **Local Government**

Wall S “‘Rubbish police’ check bin bags to drive up recycling rates” [The Guardian](#) 10 March 2019

Chan N “UN expert condemns human rights leaders for failure to address housing crisis” [The Jurist](#) 4 March 2019

- **Mining**

Knaus C “Revealed: Glencore bankrolled covert campaign to prop up coal” [The Guardian](#) 7 March 2019

Gabbatiss J “Government fracking policy declared unlawful by High Court” [The Independent](#) 7 March 2019 – also read [The Jurist](#) report

- **Miscellaneous**

Crous M “Some good news! The Earth is actually getting greener thanks to these two countries” [News24](#) 9 March 2019

“Watch: Scientists begin exploring Indian Ocean depths in Seychelles” [News24](#) 9 March 2019

“Green groups sound environment alarm over Brexit” [News24](#) 8 March 2019

Berger S “UN: North Korea food production 'lowest for a decade'” [Mail & Guardian](#) 6 March 2019

Carrington D “Microplastic pollution revealed ‘absolutely everywhere’ by new research” [The Guardian](#) 7 March 2019

Ainge Roy E “‘Their birthright is being lost’: New Zealanders fret over polluted rivers” [The Guardian](#) 4 March 2019

Gabbatiss J “Britain’s iconic lakes and rivers polluted with plastic, study reveals” [The Independent](#) 7 March 2019

Zubizarreta T “Supreme Court declines to decide if historic preservation funds may be used for religious buildings” [The Jurist](#) 4 March 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

North-West University – Faculty of Law – Junior Lecturer

Potchefstroom Campus

Closing date: 15 March 2019

More [information](#)

North-West University – Faculty of Law – Associate Professor/Professor

Mahikeng Campus

Closing date: 15 March 2019

More [information](#)

North-West University – Faculty of Law – Associate Professor/Professor/Senior lecturer (3x positions)

Potchefstroom Campus

Closing date: 15 March 2019

More [information](#)

North-West University – Legal practitioner

Closing date: 22 March 2019

More [information](#)

North-West University – Legal advisor

Closing date: 22 March 2019

More [information](#)

Provincial Administration Directorate: Legal Services: Gauteng: Post 08/90: Senior Legal Administration Officer (OSD MR6) Ref No: REFS/003630
More [information](#)
Closing date: 15 March 2019

University of Limpopo: Research Professor
More [information](#)
Closing date: 22 March 2019

University of Limpopo: Senior Lecturer/ Lecturer: Department of Jurisprudence, Legal Pluralism, Criminal Law and Procedure (One post)
More [information](#)
Closing date: 22 March 2019

University of Limpopo: Department of Mercantile and Labour Law Full-Professor/ Associate Professor
More [information](#)
Closing date: 22 March 2019

University of Limpopo: Department of Jurisprudence, Legal Pluralism, Criminal Law and Procedure Senior Lecturer
More [information](#)
Closing date: 22 March 2019

University of Limpopo: Department of Public and Environmental Law Lecturer
More [information](#)
Closing date: 22 March 2019

University of the Free State: Faculty Law Department Mercantile Law: Senior Lecturer / Associate Professor / Professor (2 positions) and Academic Head of Department Job ID: 2700
More [information](#)
Closing date: 15 March 2019

University of Pretoria: Faculty of Law: Department of Public Law: Lecturer (Two Posts)
More information
Closing date: 15 March 2019

Pearson: Law Lecturer
Closing date: 13 March 2019
More [information](#)

KwaZulu Natal Province Directorate: Health Programmes: Post 09/160: Assistant Director: Environmental Health Practitioner Ref No: EHD2019/03/01
Closing date: 22 March 2019
More [information](#)

Eastern Cape Province: Department of Transport: Environmental Compliance Officer (Grade A) Ref No: DOT07/03/2019 (1 Year Contract) Grahamstown

Closing date: 22 March 2019 14:00

More [information](#)

International

Interesting opportunity for students: Call for Applications: Future Law Fellowship 2019

Closing date: 16 March 2019

No funding available

More [information](#)

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[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 10

8 March 2019

Supplement

Additional legislation

LEGISLATION

ACTS

Courts of Law Amendment Act 7 of 2017 - Proc R12 in GG 42297 of 11 March 2019 – section 14 commenced 11 March 2019 and section 23A is inserted into Superior Courts Act 10 of 2013

NOTICES

Petroleum Products Act 120 of 1977 – GN R294 in GG 42278 of 5 March 2019 - Regulations in respect of petroleum products published in GN R110 in GG 42214 of 5 February 2019 substituted with effect from 6 March 2019

PROVINCES

Gauteng

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 385 in PG 68 of 4 March 2019 - Lesedi Local Municipality - Intention to declare a protected environment: Devon Protected Environment - for comment

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 386 in PG 68 of 4 March 2019 - Midvaal Local Municipality - Intention to declare a nature reserve and a protected environment - Klipkraal Nature Reserve and Klipkraal Protected Environment - for comment

Kwazulu-Natal

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - PN 33 in PG 2054 of 7 March 2019 - Alfred Duma Local Municipality - Replacement of the Chairperson of the Municipal Planning Tribunal

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-Law, 2013 - MN 18 in PG 2054 of 7 March 2019 - Mkhambathini Local Municipality - Draft Spatial Development Framework (SDF) – for comment

Limpopo

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - PN 26 in PG 2979 of 1 March 2019 - Lephalale Local Municipality - Municipal Parks and public spaces By-law

Mpumalanga

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-Law, 2016 - LAN 8 in PG 3023 of 8 March 2019 - Mkhondo Local Municipality - Draft Spatial Development Framework (SDF) – for public participation

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-Law, 2016 - LAN 9 in PG 3023 of 8 March 2019 - Mkhondo Local Municipality - Draft Land Use Scheme – for public participation

Western Cape

National Heritage Resources Act 25 of 1999 - PN 17 in PG 8049 of 22 February 2019 - Heritage Forms

National Environmental Management: Protected Areas Act 57 of 2003 - PN 22 in PG 8055 of 1 March 2019 - Notice of intention to declare nature reserve: Ganze Craal Nature Reserve - for comment

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, City of Cape Town Water By-law, 2010: City of Cape Town Metropolitan Municipality – LAN 57631 in PG 8055 of 1 March 2019 - Level 3 water restrictions to allow for various relaxations published with effect from 1 March 2019

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Discount available for ELA members.

ELA NEWSLETTER 11

15 March 2019

POLICY

Economic Development Department - National Social Economy [Draft Green Paper](#) - 25 February 2019 – for comment [Legalbrief 13 March 2019]

LEGISLATION

BILLS

Traditional Courts Bill, 2017 [B1A-2017] & [B1B-2017]

Science and Technology Laws Amendment Bill, 2018 [B42A-2018] & [B42B-2018]

ACTS

Courts of Law Amendment Act 7 of 2017 – Proc R12 in GG 42297 of 11 March 2019 - as the date on which section 14 – comes into operation on 11 March 2019

NOTICES

National Heritage Resources Act 25 of 1999 - GN 380 in GG 42304 of 15 March 2019 - South African Heritage Resources Agency: Declaration of the grave of Reverend Zaccheus Richard Mahabane, situated in the Seeisoville Cemetery in Maokeng, Kroonstad, Free State as a National Heritage Site

Promotion of Access to Information Act 2 of 2000 - PN 248 in PG 78 of 13 March 2019 - Gauteng Department of Economic Development: Section 14 manual

Promotion of Access to Information Act 2 of 2000 - GG 42307 of 14 March 2019 - KwaZulu-Natal Department of Agriculture and Rural Development: Section 14 manual amended

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - GN 382 in GG 42304 of 15 March 2019 - Coastal Waters Discharge Permit Regulations, 2019

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - GN 404 in GG 42310 of 15 March 2019 - Draft South African Water Quality

Guidelines for Coastal Marine Waters - Natural Environment and Mariculture Use
– for comment

PROVINCES

Western Cape

Constitution of the Republic South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013; Western Cape Land Use Planning Act 3 of 2014 and Stellenbosch Land Use Planning By-law - LAN 57637 in *PG* 8060 of 8 March 2019 - Stellenbosch Local Municipality - draft Spatial Development Framework (MSDF) – for comment

Western Cape Special Economic Development Infrastructure Company Bill [B 3-2019] - PN 32 in *PG* 8061 of 12 March 2019 - memorandum on the objects of the Bill - for comment

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - LAN 57660 in *PG* 8062 of 15 March 2019 - Cederberg Local Municipality - By-law on Municipal Land Use Planning

Constitution of the Republic of South Africa, 1996 - LAN 57661 in *PG* 8063 of 15 March 2019 - Knysna Local Municipality - Electricity Supply By-law

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 57663 in *PG* 8064 of 15 March 2019 - Bergrivier Local Municipality - Notice of adoption of the Municipal Spatial Development Framework (MSDF) 2019-2024

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 51 in *PG* 4204 of 11 March 2019 - Joe Gqabi District Municipality - Municipal Health Services By-law, 2018

Disaster Management Act 57 of 2002 - LAN 53 in *PG* 4207 of 14 March 2019 - Kouga Local Municipality - Declaration of a local state of drought disaster as published under PN 48 in *PG* 4199 of 1 March 2019 extended for a further month

Kwazulu-Natal

National Environmental Management: Protected Areas Act 57 of 2003 - PN 35 in *PG* 2056 of 14 March 2019 - : Notice of intention to declare a nature reserve: Zimanga Private Game Reserve - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 36 in *PG* 2056 of 14 March 2019 - Notice of intention to declare a nature reserve: Roelton Nature Reserve - for comment

Promotion of Access to Information Act 2 of 2000 - MN 19 in *PG* 2056 of 14 March 2019 - King Cetshwayo District Municipality - Manual on the functions of and index to records held

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - MN 20 in PG 2056 of 14 March 2019 - Mkhambathini Local Municipality - draft Spatial Development Framework (SDF) – for comment

Mpumalanga

Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-Law, 2016 - LAN 8 in PG 3025 of 15 March 2019 - Mkhondo Local Municipality - draft Spatial Development Framework (SDF) – for public participation

Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-Law, 2016 - LAN 9 in PG 3025 of 15 March 2019 - Mkhondo Local Municipality - the draft Land Use Scheme – for comment

CASES

International

Brief of Amicus Curiae Law Professors in Support of Plaintiffs-Appellees' Answering Brief in Juliana v. U.S.(9thCir., On Appeal from the U.S. Dist. Ct. Ore., No. 6:15-cv-01517-AA) available [here](#)

PUBLICATIONS

National

Koti Madoda “Mining collision with tranquillity” 2019 [Without Prejudice](#) 19(40)

Jegede Ademola Oluborode “Climate change in the work of the African Commission on Human and People’s Rights” 2017 *Speculum Iuris* 135-150

Jegede Ademola Oluborode “A realist Africa in the polemics of climate change and ‘carbon free’ economy” 2018 *African Renaissance* December Special Issue 99-139

Jegede Ademola Oluborode “Africa versus Climate Change Loss and Damages: Exploring AU Regional Channels for Influencing National Policy” 2018 *Journal of African Foreign Affairs* 207-226

International

Perera Nipunika and Garside Ben “Bridging the gap: how inclusive finance boosts access to off-grid energy” ([IIED Briefing](#) February 2019)

UNEP “Frontiers 2018/19 Emerging Issues of Environmental Concern 2018/19” ([Report](#) February 2019)

Food and Agriculture Organization of the United Nations (FAO) “The State of the World’s Biodiversity for Food and Agriculture” ([Report](#) February 2019)

UNEP “Environmental Rule of Law: First Global Report” ([Report](#) January 2019)

OECD "Global Materials Outlook to 2060: Economic Drivers and Environmental Consequences" ([Report](#) February 2019)

Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) "The Assessment Report on Land Degradation and Restoration" ([Report](#) February 2019)

International Institute for Environment and Development (IIED) "No Hidden Catch: Mainstreaming values of small-scale fisheries in national accounts" ([Report](#) 2019)

World Business Council for Sustainable Development (WBCSD) and the Social and Human Capital Coalition "Social and Human Capital Protocol" ([Guidelines](#) 2019)

Ezcurra E *et al* "A natural experiment reveals the impact of hydroelectric dams on the estuaries of tropical rivers" [Science Advances](#) 5(3) 13 March 2019: Vol. 5, no. 3, DOI: 10.1126/sciadv.aau9875

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Mining**

[The Conversation](#): Bam W and De Bruyne K "Beneficiation is touted as a silver bullet. Why it might not be" 12 March 2019

Africa

- **Biodiversity**

[Reuters](#): Taylor L "Cutting everything in sight: Ugandans vow to curb rampant deforestation" 12 March 2019 [provided by Urmila Soni]

[IOL](#): De Waal L "Killing elephants is not a wise way to win votes" 15 March 2019

[The Conversation](#): Njiru J and Aura C "Cage farming can protect Lake Victoria's fish. But regulations need tightening" 12 March 2019

[The Conversation](#): Williams S "The why, what and where of the world's black leopards" 8 March 2019

[Science](#): Yee A "These odd, scaled mammals are the most poached in the world—and they could go extinct" 13 March 2019

- **Climate change and energy**

[The Conversation](#): Martinez-Cesena EA *et al* "How data collected from mobile phones can help electricity planning" 13 March 2019

- **Local government**

[The Conversation](#): Patel O "Pasha 10: Managing diseases in African cities" 12 March 2019

- **Mining**

[Extractives Baraza](#): “Court stops compulsory acquisition of land for oil exploration” [Kenya] 13 March 2019

[Extractives Baraza](#): “Tanzania relaxes protectionist regulations in mining sector” 13 March 2019

[Extractives Baraza](#): African Union promotes sustainable mining in members” 13 March 2019

- **Miscellaneous**

[The Conversation](#): Turianskyi Y “African peer review: progress is being made, but there are problems” 12 March 2019

[The Conversation](#): Lee H “Ethiopia needs to improve production of its “golden crop” Teff. Here’s how’ 10 March 2019

Rest of the world

- **Biodiversity and culture**

[The Conversation](#): Allan J *et al* “Guns, snares and bulldozers: new map reveals hotspots for harm to wildlife” 12 March 2019

[Place](#): Chandran R “Visible or invisible? That's the question for land data” 15 March 2019

[The Jurist](#): Kilbert K “Lake Erie Bill of Rights: Legally Flawed But Nonetheless Important” 14 March 2019

[The Jurist](#): Borges M “Trump signs wide-ranging public lands bill” 14 March 2019

[Science](#): Fox A “Waterfall-chasing scientists uncover rare, self-forming cascades” 13 March 2019

- **Climate Change and Energy**

[Extractives Baraza](#): “Shell says it can be world's top power producer and profit” 13 March 2019

[Extractives Baraza](#): “When paying \$1 for a coal power plant is still paying too much” 13 March 2019

[IISD](#) SDG Knowledge Hub: Risse N “Experts and Officials Discuss Ways to Achieve Zero Carbon Emissions” 12 March 2019

[IISD](#) SDG Knowledge Hub: Schulz A “Green Growth is at the Heart of Efforts to Achieve Gender Equality and Women’s Empowerment While Delivering on the SDGs and the Paris Agreement” 12 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UN Official Outlines Elements of Inclusive, Sustainable Transitions” 12 March 2019

[The Independent](#): Doherty E “Trolleybuses are one of the UK’s best chances to deal with the climate emergency” 14 March 2019

[The Independent](#): Gabbatiss J “Ice ages triggered by massive collisions at Earth’s equator, study reveals” 15 March 2019

[The Independent](#): Moore “Is VW facing a shakedown from America’s SEC over emissions scandal?” 15 March 2019 – also read [The Jurist](#)

[The Guardian](#): “Sharp rise in Arctic temperatures now inevitable – UN” 13 March 2019

[The Guardian](#): Cherry C “The Age of Stupid revisited: what’s changed on climate change? – video” 15 March 2019

[The Guardian](#): Fuller G “Pollutionwatch: China shows how political will can take on air pollution” 14 March 2019

[Science](#): Service RF “New fuel cell could help fix the renewable energy storage problem” 12 March 2019

- **Mining**

[Science](#): Voosen P “Bus-size robot set to vacuum up valuable metals from the deep sea” 14 March 2019

- **Local Government**

[IISD](#) SDG Knowledge Hub: Risse N “SDSN Issues Guide to Help Cities Implement the SDGs” 12 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Report Highlights Beijing’s Air Pollution Control Efforts as “Model for Other Cities” 14 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “ECOSOC Publishes New Strategic Orientation of UN-Habitat for 2020-2025” 14 March 2019

[Place](#): Arsenault C “Green paradise or data-stealing dystopia? Toronto smart city sparks debate” 11 March 2019

[Place](#): Bacchi U “New driveway? Home improvements lead AI to hidden gentrification” 13 March 2019

- **Miscellaneous**

Vermont Law School Environmental Law Center and Vermont Journal of Environmental Law podcasts” [Hothouse Earth](#)

[RealClear](#) Policy: Krakoff S and Anderson R “Trump’s National Monument Mischiefs” 13 March 2019

IISD [SDG](#) Knowledge Hub: “Green Growth is at the Heart of Efforts to Achieve Gender Equality and Women’s Empowerment While Delivering on the SDGs and the Paris Agreement” 8 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “WWF Urges Accountability Across Value Chain to Solve Plastic Crisis” 12 March 2019 – find report [here](#)

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNEP, Japan Announce Marine Litter Initiative” 12 March 2019

[IISD](#) SDG Knowledge Hub: Jackson C “Minamata Convention Reaches 105 Ratifications” 12 March 2019

[IISD](#) SDG Knowledge Hub: Jackson C “UNEP Updates on Progress on Lead Paint and Waste Lead-acid Batteries” 12 March 2019

[IISD](#) SDG Knowledge Hub: Jackson C “SAICM OEWG3 Submission Highlights Pathways for Global Governance of Chemicals and Waste” 14 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UN Secretariat Reports on Indigenous Issues and 2030 Agenda” 12 March 2019

[Natural Justice](#): Martens C “Statement: Through UNEA resolution, states can show their support for Women Environmental Rights Defenders” 13 March 2019

[IISD](#) ENB: Second Global Session of the UN Science-Policy-Business Forum on the Environment 8-10 March 2019 Nairobi Kenya

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Report Finds ‘Generation Less’ is Ready to Drive Sustainability as Consumers, Job-seekers” 14 March 2019

[Place](#): Chandran R “Drones to undertake India's 'biggest' land survey exercise” 14 March 2019

[The Independent](#): Gabbatiss J “The environment is in trouble, but there are solutions out there” 14 March 2019

[The Guardian](#): Watts J “Concrete: the most destructive material on Earth – podcast” 15 March 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday **3 April 2019**

Time: 18h00 – 19h30

RSVP: Prof Alexander [Paterson](#)

ELA North West Regional Event: “Can Beauty Save Nature? New Thinking on Aesthetics and Environmental Law in South Africa”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: Warburtons, Parkwood, Johannesburg (walking distance from Rosebank Gautrain station)

Date: 25 March 2019

Time: 14:00

Registration closed

Enquiries: [Angela van der Berg](#) or [Germarié Viljoen](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Imbewu: Mine Closure & Recent Case Law Workshop

Date: 9 April 2019

Time: 08:30-16:30

[Registration](#)

For more information contact [Lulu](#) / 011 214 0660 or consult the [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.6 Environmental law - biodiversity conservation management**

Dates: 1- 5 April 2019

- **CEM-03.1.1 Environmental management system**

Dates: 1-5 April 2019

- **CEM-02.2.1 Occupational health and safety law**

Dates: 9-11 April 2019

- **CEM-02.1.1a Environmental law (Introduction)**

Dates: 15-17 April 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator

[Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie](#)

[Murcott](#)

General [website](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15-17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

IV Tarragona International Environmental Law Colloquium (TIEC): New Trends in Environmental Litigation: Issues of Theory and Practice

Place: Tarragona (Spain)

Dates: 27-28 June 2019.

[Call](#) for abstracts

No registration fee

2^o CEDAT Mediterranean Courses on Environmental Justice 2019

Venue: Tarragona (Spain)

Dates: 25 June 2019 - 03 July 2019

Tuition fee to be paid

[Website](#) for more information

IUCN Academy of Environmental Law Conference: Malaysia

Deadline for abstracts extended to 31 March 2019

Copenhagen Centre on Energy Efficiency Webinar: Carbon Reduction and Energy Efficiency in the Water and Wastewater sector

Date: 20 March 2019

Time: 13:30 CET

[Registration](#)

Vermont Law School tenth annual Colloquium on Environmental Scholarship

Date: 21 September 2019

If you are interested in presenting a paper at the Colloquium, please submit a working title and abstract of 200-300 words, using the online form [here](#) no later than 15 May 2019.

Further Colloquium details regarding the schedule, events, lodging, and transportation are posted [here](#)

For more information on the Colloquium, or if you need assistance uploading your abstract, please contact [Courtney Collins](#) or at [\(802\) 831-1371](#).

Texas A&M Law - 6th Annual Water Lecture Series

On March 25 & 26, the [Natural Resources Systems program](#) at Texas A&M University School of Law, in conjunction with its co-sponsors, will host its [6th Annual Water Lecture Series speaker program](#). This year, we are delighted to host two distinguished lecturers: [Ambassador \(ret.\) Ram Aviram](#) of Israel, and [Dr. Francesco Sindico](#) of the University of Strathclyde in Scotland. Both will be presenting on transboundary water governance issues: Amb. Aviram will discuss transboundary water disputes and options for resolutions in international policy and diplomatic terms; Dr. Sindico will present on international law applicable to such disputes; both will draw on their experiences and research relating to cross-border freshwater resources. The program will be podcasted and available soon after on our [Annual Water Lecture Series YouTube channel](#).

Watch Live: 24th Annual Wallace Stegner Symposium Recreation Challenges on Public Lands

Dates: 21 and 22 February 2019

More [information](#)

The videos will also be available on the website 2-3 weeks after the Symposium.

Conference on Harmonisation of Environmental and Energy Law

Dates: 28-29 March 2019

Place: Hasselt University, Campus Hasselt, Martelarenlaan 42, 3500 Hasselt

More [information](#)

NEWS

National

- **Climate change and energy**

Energy: Mystery of strategic fuel sale takes another twist

“The mystery of SA’s illegally sold strategic fuel stocks deepened yesterday when officials of the Strategic Fuel Fund (SFF) and its parent company, the Central Energy Fund (CEF), told MPs that the state could suffer further losses as some of the oil sold was ‘unpumpable’, notes a Business Day report. The buyers, who have paid \$280m for the crude oil, would need the government to buy an additional 1.2m barrels at prevailing prices to make good on the transaction, should the stocks be confirmed as rightfully theirs by a court. The SFF sold SA’s entire strategic fuel stock of 10m barrels in December 2017 – well below the prevailing market price and without requisite permission – claiming it was a ‘stock rotation’. The forensic investigation into who was responsible and who benefited from the deal has dragged on for several years and is still not complete, notes the report. Officials of the SFF, CEF and its subsidiaries briefed Parliament’s Energy Committee yesterday when they faced a barrage of questions and criticism about the state of the companies and the ongoing failures of the board and management to answer critical questions. During the discussion it emerged that of the 10m barrels sold, 1.2m could not be pumped out of the tanks. Acting chair of the SFF Neville Mompoti, who was appointed in December 2017, explained: ‘In a nutshell, things were done in haste. We oversold the product. We sold what we could not deliver.’”

Full [Business Day](#) report [Legalbrief Forensic 14 March 2019]

General: Mokonyane key to proposed wind farm

“The Watson family, whose links to Minister Nomvula Mokonyane were exposed during explosive testimony at the Zondo commission on state capture, want to build a controversial wind farm in the Eastern Cape. And the Minister on whose decision their plans depend is ... Mokonyane. In a TimesLIVE analysis, John Yeld notes that Mokonyane has a history of a direct relationship with the eldest of the four brothers, Gavin Watson, and also, at the very least, a tangential relationship with two of the younger brothers, Ronald (Ronnie) and Valence, and Valence’s son Jared. ‘The Inyanda-Roodeplaat Wind Energy Facility is a wind farm project that they want to build on the top of a mountain in an area of critical biodiversity and environmental sensitivity about some 50km northwest of Port Elizabeth. The 187.2MW project is being developed by Inyanda Energy Projects (Pty) Ltd, a company established in July 2012. Three of its four active directors are Ronnie, Valence and Jared Watson. (The fourth director is Tandy Ronell Snead.) The properties where Inyanda wants to construct the wind farm are owned by Laidback Investments (Pty) Ltd and O’Feh Investments (Pty) Ltd, both companies represented by director Ronnie Watson. The plan is for 47 turbines, each 85m high and with 130m diameter blades, on top of the Groot Winterhoek mountain ridge at an altitude of about 1 000m. The farm would be situated on 21

parcels of land totalling about 12 200ha, between three portions of Groendal Nature Reserve.' Yeld notes that the project proposal drew strong objections from, among others, the Eastern Cape Parks & Tourism Agency, the Eastern Cape's Department of Economic Development, Environment & Tourism, BirdLife SA, Wilderness Foundation Africa, and the Elands River Conservancy. However, the wind farm received the environmental go-ahead from the Department of Environmental Affairs in April last year."

Full Daily Dispatch report (subscription needed) [Legalbrief Forensic 14 March 2019]

Yeld J "The minister, the gifts, the Watsons and the wind farm" [GroundUp](#) 13 March 2019

Ensor L "Mantashe proposes sovereign wealth fund following Total gas find" [BusinessLive](#) 13 March 2019 [Legalbrief 14 March 2019]

Ensor L "Airlines plead for exemption from carbon tax" [BusinessLive](#) 12 March 2019 [Legalbrief 13 March 2019]

Hendricks A, Postman Z and Binda M "South African youths march for action against climate change" [GroundUp](#) 15 March 2019

"GOOD supports SA youth's call to acknowledge climate emergency" [Mail & Guardian](#) 15 March 2019

Schreiber Y "Emissions squeeze sparks electric surge for Volkswagen" [Mail & Guardian](#) 12 March 2019

- **Local government**

Clark C and Swingler S "JHB waste pickers face routine harassment" [GroundUp](#) 12 March 2019

Kings S "This is why we don't have water" [Mail & Guardian](#) 14 March 2019 [subscription/newspaper]

- **Miscellaneous**

Phakathi B "Plastics body calls on government to ring-fence bag levy" [BusinessLive](#) 13 March 2019 [Legalbrief 14 March 2019]

Ban Ki-Moon "Failure to govern geoengineering could destabilise peace and security" [Mail & Guardian](#) 12 March 2019

"Deputy Minister Thomson launches Gugulethu Environmental Awareness and Sustainability Initiative" *DEA Website* 15 March 2019

International

- **Biodiversity**

Barkham P "Wildlife campaigners take legal action against 'pest' bird killings" [The Guardian](#) 15 March 2019

Watts J "Resource extraction responsible for half world's carbon emissions" [The Guardian](#) 12 March 2019

“Sage grouse saga: Trump opens habitat to drilling as activists condemn plan’ [The Guardian](#) 15 March 2019

- **Climate change and energy**

Busby E “Climate strike: Punish children who skip school to protest about environment, says headteachers' union leader - Students across the UK have been walking out of school to protest over climate change” [IOL](#) 15 March 2019

Glenza J “Climate strike: US students walk out of classes as part of global protest – live” [The Guardian](#) 15 March 2019

Cambero FA “Fresh iceberg ruptures in Patagonia raise alarm about global warming’ [The Guardian](#) 13 March 2019

- **Local Government**

Kiesnoski K “These 10 cities could lose \$34 billion-plus in housing to coastal floods by 2050” [CNBC](#) 14 March 2019

- **Mining**

Cox L and Evershed N “Coal seam gas: NSW communities in limbo due to expired licences” [The Guardian](#) 14 March 2019

Tobias J “US official reveals Atlantic drilling plan while hailing Trump’s ability to distract public” [The Guardian](#) 14 March 2019

- **Miscellaneous**

“Kenyan High Court Adjourns Hearing on Controversial EMCA Amendments” [Natural Justice](#) 14 March 2019

McCurry J “Fukushima grapples with toxic soil that no one wants” [The Guardian](#) 11 March 2019

“On Friday 8 March 2019, delegates at the fourth Open-Ended Committee of Permanent Representatives (OECPR-4) sought to complete negotiations on all draft resolutions and forward clean text for adoption at the fourth session of the UN Environment Assembly (UNEA-4). The closing plenary in the evening agreed to forward eight draft resolutions and decisions to UNEA-4, and mandated the five working groups to continue in open-ended discussions over the weekend on the remaining 21 drafts. Negotiations continued over Saturday and Sunday, agreeing on further drafts.” [IISD ENB 11 March 2019] Find the draft resolutions and more information [here](#)

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of KwaZulu-Natal School of Law: Professor/ Associate Professor / Senior Lecturer / Lecturer (3 Posts) – Re-advertisement

Closing date: 24 March 2019

More [information](#)

University of Pretoria: Lecturer/Senior lecturer: Law of Evidence

Closing date: 29 March 2019

More [information](#)

Varsity College School of Law Sandton Campus

Closing date: 22 March 2019

More [information](#)

Law Librarian

More [information](#)

Registrar: Educor

Closing date: 14 March 2019

More [information](#)

National Academic Administrator: Educor

Closing date: 14 March 2019

More [information](#)

**Gauteng Provincial Department: Post 10/82: Environmental Officer
Specialised Production Ref No: Refs/003746**

Closing date: 29 March 2019

More [information](#)

International

**ISNAD-Africa: Call for Applications: Mentoring for Research Programme
(2019 Cohort)**

The International Support Network for African Development (ISNAD-Africa) invites applications from graduate (master's and doctoral) students in universities across all African countries for the 2019 Cohort of its Mentoring for Research Programme.

ISNAD-Africa is youth-led initiative committed to raising global and multi-stakeholder support for clean energy transition and climate resilience in Africa through a multidisciplinary network of various stakeholders active in sustainable energy, environment, and climate fields across the globe.

The Mentoring for Research Programme (MRP) is an online technical assistance programme aimed at knowledge generation and bridging the human capacity gap required to fast-track clean energy transition and climate resilience in Africa. MRP establishes structured and thematic mentoring relationships between master's and doctoral students in African universities, and experienced researchers and professionals in world-class institutions and organisations such as Harvard University, IPCC, Chatham House, IRENA, EU Joint Research Centre, University College London, McGill University, University of British Columbia, University of Waterloo, among others in over 30 countries. The mentoring programme will help students (mentees) complement the supervisory support they will receive from their institution-based supervisors, among other benefits. This include law students.

More [information](#)

Closing date: 30 April 2019

Members of the Environmental Law Association may subscribe to
[Legalbrief Environmental](#)
and the
[South African Journal of Environmental Law and Policy](#).
Discount available for ELA members.

ELA NEWSLETTER 12

22 March 2019

LEGISLATION

ACTS

Co-Operatives Amendment Act 6 of 2013 - Proc 14 in GG 42320 of 19 March 2019 – commences 1 April 2019

Financial Sector Regulation Act 9 of 2017 – Gen Notice 142 in GG 42314 of 18 March 2019 - Notice of commencement published in Gen Notice 169 in GG 41549 of 29 March 2018 amended

Public Audit Amendment Act 5 of 2018 - Proc 13 in GG 42317 of 18 March 2019 - commences 1 April 2019

NOTICES

Minerals and Petroleum Resources Development Act 28 of 2000 – GN 449 in GG 42346 of 20 March 2019 - Draft Reviewed Housing and Living Conditions Standard for the Minerals Industry

Conservation of Agricultural Resources Act 43 of 1983 - GN 434 in GG 42323 of 22 March 2019 - Declaration of *Seriphium plumosum* (Bankrupt bush) as an indicator of bush encroachment in all provinces of South Africa

Agricultural Product Standards Act 119 of 1990 - GN R447 in GG 42324 of 22 March 2019 - Regulations relating to the protection of geographical indications used on agricultural products intended for sale in the Republic of South Africa published with effect from 6 months after date of publication

National Environmental Management Act 107 of 1998 - GN 435 in GG 42323 of 22 March 2019 - Generic Environmental Management Programme (EMPr) for the development and expansion of substation infrastructure for the transmission and distribution of electricity

National Environmental Management Act 107 of 1998 – GN 436 in GG 42323 of 22 March 2019 - Adoption of the Integrated Environmental Management Plan (IEMP) for the Square Kilometre Array (SKA) (Phase 1) as an environmental management instrument

South African Geographical Names Council Act 118 of 1998 - GN 450 in GG 42329 of 22 March 2019 - Approval of official geographical names

Promotion of Access To Information Act 2 of 2000 – Gen Notice 144 in GG 42323 of 22 March 2019 - Description submitted in terms of s. 15 (1) by the Mpumalanga Department of Co-operative Governance and Traditional Affairs

Special Economic Zones Act 16 of 2014 - GN 446 in GG 42323 of 22 March 2019 - Designation of the Nkomazi Special Economic Zone

Standards Act 8 of 2000 – Gen Not 152 in GG 42323 of 22 March 2019 - SANS 10131 Ed 2: Above-ground storage tanks for petroleum products. Contains recommendations for the above-ground storage and handling of petroleum products at consumer installations with a total storage capacity not exceeding 200 m³ – for comment by 14 May 2019

PROVINCES

Eastern Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - PN 90 in PG 4209 of 18 March 2019 - Alfred Nzo District Municipality - Establishment of a District Municipal Planning Tribunal and the appointment of members

Kwazulu-Natal

National Environmental Management: Protected Areas Act 57 of 2003 - PN 37 in PG 2057 of 21 March 2019 - Declaration of a nature reserve - Meycol Nature Reserve

National Land Transport Act 5 of 2009 - PN 38 in PG 38 of 21 March 2019 - KwaZulu-Natal Land Transport Regulations, 2019

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - MN 27 in PG 2057 of 21 March 2019 - Umvoti Local Municipality - Establishment of the Municipal Planning Tribunal and appointment of members

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 29 in PG 2981 of 15 March 2019 - Intention to declare respective land parcels as nature reserves - Matabane Nature Reserve - for comment

Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013; Spatial Planning and Land Use Management Regulations, Land Use Management and General Matters, 2015 and Spatial Planning and Land Use Management By-law, 2017 - LAN 32 in PG 2981 of 15 March 2019 - Lephalale Local Municipality - Appointment of members to the Municipal Planning Tribunal

Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013; Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 - LAN 33 in PG 2981 of 15 March - Lephalale Local Municipality - Withdrawal from the joint Waterberg District Municipal Planning Tribunal and establishment of the Lephalale Municipal Planning Tribunal

Gauteng

Nature Conservation Ordinance 12 of 1983 – Gen Notice 455 in PG 86 of 18 March 2019 - Open Season - Ordinary Game

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 456 in PG 87 of 19 March 2019 - Intention to declare nature reserves and a protected environment - Crocodile River Reserve Doornrandje and Crocodile River Reserve Central Nature Reserve Cluster, and Crocodile River Reserve Protected Environment - for comment

CASES

National

Benhaus Mining (Proprietary) Limited v Commissioner for the South African Revenue Service (165/2018) [2019] [ZASCA](#) 17 (22 March 2019)

“Summary: A company that excavates ground and digs up mineral-bearing ore for a fee on delivery to another entity that processes the ore, undertakes mining operations within the meaning of ss 1 and 15(a) of the Income Tax Act 58 of 1968. It is thus entitled to claim deductions of the full amount of capital expenditure on mining equipment in the tax year in which it is incurred, in terms of s 36(7C) of the Act.”

International

WildEarth Guardians, et al. v Zinke et al Civil Action No: 16-1724 ([RC](#)) United States District Court for the District of Columbia – Memorandum Opinion

“Granting in part Plaintiff’s motion for summary judgment; Denying Defendants’ Cross-motions for summary judgment; Denying motion for leave to file amicus brief”

“Climate change, and humanity’s ability to combat it, are increasingly prominent topics of public discourse. This case concerns the attention the government must give climate change when taking action that may increase its effects. Two non-profit organizations, WildEarth Guardians (“WildEarth”) and Physicians for Social Responsibility (together, “Plaintiffs”) assert that the United States Bureau of Land Management (“BLM”) violated federal law by not sufficiently considering climate change when authorizing oil and gas leasing on federal land in Wyoming, Utah, and Colorado.”

Maxima Acuna-Atalaya et al v Newmont Mining Corporation et al [Case](#) No. 18-2042 United States Court of Appeals for the Third Circuit

“Appellants challenge the District Court’s *forum non conveniens* dismissal of their complaint, which would send their dispute over a parcel of Peruvian land back to Peru. Without addressing the merits of Appellants’ challenge, we will remand for the District Court to reevaluate whether Peru is an adequate alternative forum in light of a supervening corruption scandal that has prompted the Peruvian judiciary and Peru’s Congress to declare a state of emergency. ... This case arises from a conflict over a tract of land in Cajamarca, Peru between a family of Peruvian farmers residing on the land (Appellants) and several Delaware incorporated entities—Newmont Mining Corporation, Newmont Second Capital Corporation, Newmont USA Ltd., and Newmont Peru Ltd. (collectively, “Newmont”)— that own a mining company operating in the region. Appellants brought suit in the District of Delaware contending that Newmont’s agents have used violence and other illegal tactics to evict them from their farm, which sits on top of a gold deposit. They opted not to proceed in Peru and, instead, to seek relief in Delaware because they assert that the Peruvian courts, including the trial courts in Cajamarca, are corrupt and will not fairly adjudicate their case. According to Appellants, Newmont has already exercised improper influence over prosecutors, judges, and other government actors in Peru.”

PUBLICATIONS

National

Viljoen Germarié en Van der Walt Kobus “Suid-Afrika se waterkrisis – ‘n interdisiplinêre benadering” 2018 [Tydskrif vir Geesteswetenskappe](#)

Viljoen Germarié “South Africa’s water crisis: The idea of property as both a cause and solution” 2018 [Law, Democracy and Development](#)

Preston M and Kloppers HJ “Corporate social responsibility expenditure and its deductibility for income tax purposes: a South African perspective” 2018 [International Journal of Social Sciences and Humanity Studies](#)

Mauger R and Barnard M “Addressing fragmentation in the South African renewable energy governance effort – lessons to be learnt from France” 2018 [Journal of Energy in Southern Africa](#)

Du Plessis Anél A “The readiness of South African law and policy for the pursuit of Sustainable Development Goal 11” 2018 [Law, Democracy and Development](#)

Gildenhuys Anél and Tabane Tlabeng “Die Suid-Afrikaanse regsraamwerk rakende die produksie en verkoop van rou melk wat vir direkte verbruiksdoeleindes bestem is” 2018 [Litnet Akademies](#)

Lubbe WD and Kotzé Louis J “Holistic Biodiversity Conservation in the Anthropocene: A Southern African Perspective” 2018 [African journal of international and comparative law/Revue africaine de droit international et compare](#)

Villavicencio Calzadilla Paola and Mauger Romain R “The UN's new sustainable development agenda and renewable energy: the challenge to reach SDG7 while achieving energy justice” 2017 [Journal of Energy and Natural Resources Law](#)

Villavicencio Calzadilla Paola “Human Rights and the New Sustainable Mechanism of the Paris Agreement: A New Opportunity to Promote Climate Justice” 2018 [Potchefstroom Electronic Law Journal](#)

Lim Tung Odile J “African Organic Product Standards for the African Continent? Prospects and Limitations” 2018 [Potchefstroom Electronic Law Journal](#)

Paterson Alexander Ross “Maintaining the Ecological Flows of Estuaries: A Critical Reflection on the Application and Interpretation of the Relevant Legal Framework through the Lens of the Klein River Estuary” 2018 [Potchefstroom Electronic Law Journal](#)

De Visser Jaap and Poswa Xavia Siyabonga “Municipal Law Making under SPLUMA: A Survey of Fifteen "First Generation" Municipal Planning By-Laws” 2019 [Potchefstroom Electronic Law Journal](#)

Mauger Romain “Promoting Public Participation in the Energy Transition: The Case of France's National Debate” 2019 [Potchefstroom Electronic Law Journal](#)

Iyer Desan and Tewari Dev Datt “An Analysis of the State's Obligation to Provide Access to Sufficient Water: A South African Perspective” 2017 [African Journal of Legal Studies](#)

Du Plessis Anél A “The promise of ‘wellbeing’ in Section 24 of the Constitution of South Africa” 2018 [South African Journal on Human Rights](#)

Higgs Anneke “The Historical Development of Diamond Mining Legislation in Griqualand West during the Period 1871 to 1880?” 2018 [Fundamina](#)

Kotzé Louis J and Muzangaza Wendy “Constitutional international environmental law for the Anthropocene?” 2018 *RECIEL* <https://doi.org/10.1111/reel.12244>

International

Savaresi A “The Rise of Community Energy from Grassroots to Mainstream: The Role of Law and Policy” 2019 *Journal of Environmental Law* <https://doi.org/10.1093/jel/eqz006>

Rojas M *et al* “Emergence of robust precipitation changes across crop production areas in the 21st century” 2019 *PNAS* <https://doi.org/10.1073/pnas.1811463116>

Koel TM “Predatory fish invasion induces within and across ecosystem effects in Yellowstone National Park” 2019 [Science Advances](#) 5(3) DOI: 10.1126/sciadv.aav1139

Scott F and Rejeski D “The Need for a Total Strategy for Environmental Protection” 2018 9 [Environmental Law Reporter](#) [provided by Anél du Plessis]

“Global Resources Outlook 2019: Natural Resources for the Future We Want” (UNEP [Report](#) 2019)

Vaidya RA *et al* “Electricity trade and cooperation in the BBIN region: lessons from global experience” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1566056>

Foster T, Furey S and Banks B “Functionality of handpump water supplies: A review of data from sub-Saharan Africa and Asia-Pacific region” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2018.1543117>

Duijn M, Van Buuren M and Edelenbos J “Community-based initiatives in the Dutch water domain: the challenge of double helix alignment” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1575189>

Reagan R “The war on coal is over: Assessing Obama-era regulations and the Trump administration’s efforts to date” 2019 *Environmental Claims Journal* <https://doi.org/10.1080/10406026.2018.1546469>

Villavicencio Calzadilla Paola “Equality, Human Rights and the Sustainable Development Goals: Learning from the experience or tripping over the same stone?” 2018 [*Revista Derechos y Libertades*](#) [in Spanish]

Villavicencio Calzadilla Paola and Kotzé Louis J “Living in Harmony with Nature? A Critical Appraisal of the Rights of Mother Earth in Bolivia” 2018 [*Transnational Environmental Law*](#) 397-424

Ashukem J-C “Access to Environmental Information in the Context of Development Activities in the Legal Framework of Cameroon” 2018 [*Verfassung und Recht Übersee*](#)

Ashukem J-C “A Critical Analysis of the Disjuncture between the Constitutional and Legislative Limits on the Right to Access to Information in Uganda” 2017 [*African Journal of Legal Studies*](#)

Ojukwu-Ogba Nelson and Osode Patrick “Reversing the ‘Resource Curse’ Phenomenon in Nigeria: An Assessment of the Nigeria Extractive Industries Transparency Initiative Act after a Decade” 2017 [*African Journal of Legal Studies*](#)

Kotzé Louis J “The Anthropocentric Ontology of International Environmental Law and the Sustainable Development Goals: Towards an Ecocentric Rule of Law in the Anthropocene” 2018 [*Global Journal of Comparative Law*](#)

Kotzé Louis J “A Global Environmental Constitution for the Anthropocene?” 2018 *Transnational Environmental Law* <https://doi.org/10.1017/S2047102518000274>

Kotzé Louis J and French Duncan “A critique of the Global Pact for the environment: a stillborn initiative or the foundation for Lex Anthropocenae?” 2018 [*International Environmental Agreements: Politics, Law and Economics*](#)

Mauger Romain “Forced nuclear energy reactors shutdown in France: the Energy Transition Act’s mechanisms” 2018 *Journal of World Energy Law and Business* <https://doi.org/10.1093/jwelb/jwy011>

Mauger Romain “The voluminous energy transition legal framework in France and the question of its recognition as a branch of law” 2018 [Energy Policy](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[The Conversation](#): Harvey R “South Africa kicks the can down the road on captive predator breeding” 21 March 2019

- **Climate change and energy**

[IOL](#): Gila Zwelakhe “Opinion: Great, South Africa found gas. Now what?” 19 March 2019

[BusinessLive](#): Furlonger D “How SA's power crisis is negating the attraction of electric cars” 21 March 2019 [subscription needed]

- **Local government**

[Greenbook](#): The Green Book online tool supports municipal planning with the development of climate resilient settlements. It ultimately facilitates the mainstreaming of climate change adaptation into local government planning instruments and processes.

[Place](#): Harrisberg K “Faeces in the kitchen: South Africans call for better sewage systems” 21 March 2019

[Mail & Guardian](#): Kings S “This is why we don't have water’ 15 March 2019

- **Mining**

[The Conversation](#): Kupe Tawana “Why science matters so much in the era of fake news and fallacies” 18 March 2019

[Webber Wentzel](#): Olivier J and Louw L “Webber Wentzel assists several mining houses in obtaining historic secondary strike interdict” 20 March 2019

Africa

- **Biodiversity**

[The Conversation](#): Railey A “Tanzanian farmers don't vaccinate against foot and mouth disease. Here's why” 17 March 2019

- **Climate change and energy**

[The Conversation](#): Fitchett J “Tropical cyclone Idai: The storm that knew no boundaries” 21 March 2019

[The Independent](#): Gabbatiss J “Cyclone Idai reveals the fundamental injustice at the heart of climate change” 21 March 2019

[The Conversation](#): Šakić Trogrlić R “Why Malawi is failing to protect people from floods and what needs to be done” 19 March 2019

[IISD](#): Africa Climate Week 2019 | 18-22 March 2019 | Accra, Greater Accra, Ghana

[IISD](#) SDG Knowledge Hub: Mead L ‘One Planet Summit Calls for Developing Renewable Energy, Protecting Biodiversity in Africa’ 19 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “One Planet Summit Calls for Developing Renewable Energy, Protecting Biodiversity in Africa” 19 March 2019

- **Local government**

[Place](#): Mwanza K “‘Islands of wealth in a sea of slums’? Kenya divided over satellite cities” 18 March 2019

- **Mining**

[Place](#): Peyton N “Guinea risks ‘conflict and confusion’ with mining eviction policy” 21 March 2019

- **Miscellaneous**

[The Conversation](#): Trogrlić RS “Why Malawi is failing to protect people from floods and what needs to be done” 19 March 2019

[The Conversation](#): Scoones I “Irrigating Africa: can small-scale farmers lead the way?” 19 March 2019

[eTN](#): Epstein H “Uganda travel and trafficking” 23 March 2019

Rest of the world

- **Biodiversity and culture**

[Huffpost](#): Vidal J “The Rapid Decline of the Natural World is a Crisis even Bigger than Climate Change” 15 March 2019 [provided by Reece Alberts]

[The Conversation](#): Ryan Jillian and Litchfield Carla “Pandonomics is a grey area, but to us the value of giant pandas is black and white” 18 March 2019

[Science](#): Adam D “Scientists fight over threat to Texas songbird—and who owns the data” 22 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNFF Reflects on Forest Policy Coherence” 21 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNFF Note Highlights Linkages Among Forests, SDGs 4, 8, 10, 13, 16” 21 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNFF Shares Update on Forest Financing Facilitation Network” 21 March 2019

[IISD](#) SDG Knowledge Hub: Ajmera V “International Conference on Youth, Ocean and SDG 14: Engaging Youth on Marine Issues” 19 March 2019

[The Independent](#): Gabbatiss J “Dolphins’ psychological trauma after being hunted for marine parks revealed in new research” 23 March 2019

- **Climate Change and Energy**

[UDaily](#): Thomas A “Living with the Wind” 18 March 2019

[Behavioural & Social Science](#): Firestone J “Wind turbines make good neighbors” 15 March 2019

[The Conversation](#): Thew H “Climate strikes: researcher explains how young people can keep up the momentum” 18 March 2019

[Science](#): Cornwall W “Researchers embrace a radical idea: engineering coral to cope with climate change” 21 March 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Climate Risk and Action, and Society’s Responses” 21 March 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Adaptation Finance Update: Number of Climate Adaptation Projects Increases, So Must Their Quality” 21 March 2019

[The Conversation](#): Burns W and Rau GH “Can we tweak marine chemistry to help stave off climate change?” 12 March 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Steering Capital towards Global Investments in Climate-aligned Assets” 19 March 2019

[The Independent](#): Gabbatiss J “Fossil fuel industry must contribute towards £44bn climate change damage in UK each year, campaigners say” 24 March 2019

- **Local government**

[Place](#): Chandran R “Land lost, families uprooted as Myanmar pushes industrial zones” 20 March 2019

[Place](#): Suliman A “Can bringing young and old under one roof solve the world's housing crisis?” 21 March 2019

[Place](#): Chandran R “Forced evictions illegal, slum dwellers have right to city - Delhi court” 20 March 2019

- **Local Government**

[Place](#): Chandran R “Hundreds of Indian land laws cause confusion, conflict: researchers” 18 March 2019

[Place](#): Rowling M “Poor people's right to water cut off by thirsty exports, unequal supply” 19 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “UN-Habitat Publications Focus on Urban River Rehabilitation and Net Zero Carbon Villages in China” 21 March 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “UNCTAD Explores Financing Sources for SDGs in Cities” 21 March 2019

- **Miscellaneous**

[IISD](#) ENB: Summary of the Fourth Session of the United Nations Environment Assembly - 11-15 March 2019 | Nairobi, Kenya

[IISD](#) ENB: 2nd Substantive Session of the Ad Hoc Open Ended Working Group Towards a Global Pact for the Environment - 18-20 March 2019 | UN Environment Programme (UNEP) Headquarters, Nairobi, Kenya

[IISD](#) ENB: 2nd Session of the Intergovernmental Conference (IGC) on an International Legally Binding Instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the Conservation and Sustainable Use of Marine Biological Diversity of Areas Beyond National Jurisdiction (BBNJ) - 25 March - 5 April 2019 | UN Headquarters, New York

SET-Nav Regional Workshop 26 February 2019 Budapest, Hungary: Navigating the Roadmap for Clean, Secure and Efficient Energy Innovation Proceedings, - Presentations Available [here](#)

[Science](#): Stokstad E “Something is rapidly killing young apples trees in North American orchards. Scientists are stumped” 21 March 2019

[Science](#): Normile D “Gene-edited foods are safe, Japanese panel concludes” 19 March 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “Governments, UN Finalize Funding Compact for SDGs” 21 March 2019

[IISD](#) SDG Knowledge Hub: Jackson C “UNEA-4 Calls for Strengthened Approach to Sustainable Nitrogen Management” 21 March 2019

[IISD](#) SDG Knowledge Hub: Jackson C “Synthesis Report for Global Chemicals Outlook II Highlights Gaps and Opportunities” 21 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP’s Annual Report Highlights Advances in Phasing Out Single-use Plastics, Cutting Cooling and Heating Emissions” 21 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Data Tool Identifies Links Among Human Rights Framework, 2030 Agenda” 21 March 2019

[IISD](#) SDG Knowledge Hub: Burt M, Hada R and Uhlenbrook S “Water for All Means Leaving No One Behind” 19 March 2019

[IISD](#) SDG Knowledge Hub: Tsioumani E “Health of Humanity Tied to State of Environment, UNEP Warns at GEO-6 Launch” 19 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Launches “Hotspots” Tool to Reveal Unsustainable Consumption and Production” 19 March 2019

[Mail & Guardian](#): Beatty A “Remote Cape with 'world's cleanest air' offers smog respite: 18 March 2019

[The Conservation](#): Scoones I “Irrigating Africa: can small-scale farmers lead the way?” 19 March 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday 3 April 2019

Time: 18h00 – 19h30

RSVP: Prof Alexander [Paterson](#)

ELA North West Regional Event: “Can Beauty Save Nature? New Thinking on Aesthetics and Environmental Law in South Africa”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: Warburtons, Parkwood, Johannesburg (walking distance from Rosebank Gautrain station)

Date: 25 March 2019

Time: 14:00

Registration closed

Enquiries: [Angela van der Berg](#) or [Germarié Viljoen](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Imbewu: Mine Closure & Recent Case Law Workshop

Date: 9 April 2019

Time: 08:30-16:30

[Registration](#)

For more information contact [Lulu](#) / 011 214 0660 or consult the [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator

[Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.6 Environmental law - biodiversity conservation management**
Dates: 1- 5 April 2019
- **CEM-03.1.1 Environmental management system**
Dates: 1-5 April 2019
- **CEM-02.2.1 Occupational health and safety law**
Dates: 9-11 April 2019
- **CEM-02.1.1a Environmental law (Introduction)**
Dates: 15-17 April 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

2nd Annual Environmental Waste and Air Pollution Control Conference

Place: Emperors Palace Convention Centre

Dates: 10-11 April 2019

More information: contact [Chris](#) or [Admin](#)

IFAT Africa 2019

The leading platform for environmental technologies in sub-Saharan Africa, creates an opportunity to connect and engage with leaders in the water, sewage, refuse and recycling industries.

First trade fair dates: 9–11 July 2019

Gallagher Convention Centre, Johannesburg

More [information](#)

EEP Africa 8th Knowledge Exchange Forum: Productive Use & Drivers for Renewable Energy Uptake in the SADC Region

Date: 28 March 2019

Venue: Sandton Hilton in Johannesburg

The KEF is open to all and free of charge, but advance registration is required. The final agenda will be shared with the registered participants closer to the event.

Registration [here](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15-17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

IUCN Academy of Environmental Law Conference: Malaysia

Deadline for abstracts extended to 31 March 2019

IAIA: Free webinar with Josh Fothergill for a launch of IAIA's new *Compendium of National EIA Professional Recognition Schemes*

Date: 28 Mar 2019

Time: 2:30 PM - 3:15 PM SAST

The Compendium is the result of a 2017 Innovation Grant IAIA provided to IAIA members Josh Fothergill and Ross Marshall. The project has identified the current situation in over 70 countries around the world and uses data from over 20 country systems to identify trends and common elements between such registration schemes. The webinar is intended for anyone interested in how wider quality assurance is developing in and around EIA, including practitioners, researchers, national governments, and IFI safeguards personnel. [Click](#) for more information and to register

UNECE Resource Management Week 2019 Resources for Sustainable Development

Date: 29 April - 3 May 2019

Venue: Palais Des Nations, Geneva, Switzerland

The draft agenda and other documents for the meeting are available on the UNECE [website](#)

To participate, please register [online](#). If you need a personalized letter of invitation and/or visa support letter, please [email](#).

Registration [here](#)

Online Course: The European Energy Transition: Actors, Factors, Sectors

Dates: 17 May – 12 July 2019

[This 8-week training](#) provides an insight into the EU's energy transition journey by looking at the past trajectory and the challenges ahead. Technology breakthroughs, innovation including business model innovation and processes as well as changing role and emerging actors, policies, regionalisation and Europeanisation form an intrinsic part of the agenda.

[Learn more and register today](#) for the 10% early bird discount!

Call for Papers: *Climate Law* Special Issue with associated workshop

Topic: The Role of Law in Regulating Carbon Dioxide Removal Approaches

A special issue of the journal *Climate Law* on the role of international and domestic law in research and potential deployment of carbon dioxide removal (CDR) options is planned for late 2020. Original papers will be considered, not limited to the following topics pertinent to carbon dioxide removal approaches:

- The role of the Paris Agreement;
- The relevance of customary international law;
- The potential role of human rights regimes;
- Regulation of marine-based CDR options;
- The relevance of international procedural regimes, including the Espoo and Aarhus Conventions;
- Potentially pertinent domestic regulatory frameworks, especially those with comparative law relevance;

A two-day workshop to peer-review and refine the accepted papers will be held in the first half of 2020 at a university location in China (to be announced). Workshop attendance costs (consisting of hotel accommodation, all meals, and local transportation, but not domestic or international travel) for authors of articles selected for inclusion in the special issue will be covered by the Chinese host

university. Papers by authors who cannot attend the workshop will undergo regular peer review by the journal. Please submit your expression of interest as soon as possible.

Inquiries and expressions of interest: [Wil Burns](#), please cc: [Alexander Zahar](#), [Simon Nicholson](#)

Deadline for abstracts: April 30, 2019

Decision on Commissioned Pieces: May 15, 2019

Deadline for full drafts: January 31, 2020

Free Webinar: free webinar on Environment and International Cooperation: Compact the Puzzle! The Environment in Global and Sectoral Agendas for Sustainable Development

Date: 19 March 2019

Time: 1 PM (CET)

[Registration](#)

WIT Conference: Call for Papers - Energy and Sustainability 2019: 8th International conference on Energy and Sustainability

Dates: 3 - 5 July 2019

Place: Coimbra, Portugal

Conference [website](#)

Webinar: Third National Conference of Lawyers Committed to Addressing the Climate Emergency

Date: 18 April 2019

On April 18, 2019, a group of leading lawyers and law professors will convene in person at locations across the United States to discuss the problem of climate change and the role of lawyers in advancing solutions. The locations will all be linked by live video/audio feeds. This is the third year in a row for this national conference on this important subject. This year's conference will feature leading experts addressing the most important aspects of the climate crisis from a legal perspective. The conference will also address ways in which lawyers can work to make a difference on this subject of grave concern to our well-being and future.

Time: 11:00 am – 6:00 pm EDT

Where: Locations across the United States. You can host a location in your city. All locations will be joined by live video/audio feed.

The event is free. For further information, [email](#) information.

NEWS

National

- **Biodiversity**

Phakathi Bekezela "Department aims to increase quotas for small-scale fishermen" *BusinessLive* 17 March 2019 [Legalbrief 18 March 2019]

Ndlovu rhino poaching trio guilty

"The three members of the notorious Ndlovu rhino poaching gang were found guilty on Friday of dozens of charges relating to the poaching of 13 rhinos in the Eastern Cape over some five years. A Daily Dispatch Weekend Edition report says Jabulani Ndlovu (40), Forget Ndlovu (37) and Sikhumbuzo Ndlovu (38) will now have to

remain in jail pending sentencing – as their bail was immediately revoked on conviction. Eastern Cape High Court (Grahamstown) Judge Jeremy Pickering pronounced each of them guilty of over 50 criminal charges including theft, the killing of endangered rhino without a permit, and unlawful possession of rhino horn, tranquiliser opioid agents and ammunition. Although Forget escaped conviction on charges relating to just one of the poaching incidents, it will probably make little difference to the stiff prison sentence the men may now face. Pickering spent the morning recounting the damning physical and circumstantial evidence which linked each of the accused to most of the 13 poaching incidents. He said by not giving evidence, the accused had left the overwhelming case against them unanswered. Pickering indicated he intended sentencing the men on 3 April.”

Full Daily Dispatch Weekend Edition report (subscription needed) Legalbrief 18 March 2019

- **Climate change and energy**

Mabuza E “Coal transporters ask court not to sign deals with independent power producers” [TimesLive](#) 18 March 2019 [Legalbrief 19 March 2019]

Gosling M “Nationwide 'shortage' of solar panels, storage batteries as demand spikes” [News24](#) 22 March 2019

State capture: Another route to looting of Eskom revealed

“A trail of leaked documents has exposed details of how Gupta-linked company Trillian bought an auditing firm so it could loot Eskom with impunity, claims a Sunday Times report. E-mails and financial documents show how Trillian and its former owner, Salim Essa, allegedly used Mitesh Patel, a minority shareholder in the black-owned Nkonki auditing firm, as a front. Nkonki had several contracts with state entities including Transnet and Eskom. After the buyout, it secured several new contracts with Eskom, whose board at the time included several Gupta supporters. As part of the deal, dubbed Project Antwerp, Trillian paid R130m to buy Patel 81% of the shares in Nkonki in 2016, making him the majority shareholder. Trillian's purchase of Nkonki was reported by *amaBhungane* last year. But now, a new tranche of documents leaked to the Sunday Times, which corroborate details of the sale, show how the Gupta family, their lieutenant Essa and Trillian hatched their plan to capture Eskom and other state enterprises. Patel's lawyer, Rebecca Solomon, said: ‘Our client denies any involvement in allegations regarding state capture, the looting from state entities, fronting for any party and has not received monies in respect of these allegations.’ The report says Badat failed to answer detailed questions, including whether she had reported any red flags. She confirmed the Trillian Financial Advisory-Nkonki agreement and that TFA had performed due diligence. She said Trillian was responsible for executing Project Antwerp and she had managed the team.”

Full Sunday Times report (subscription needed) Legalbrief 18 March 2019

- **Local government**

Mdlalose Sibusiso “Give us water not toilets, say Newcastle residents” [GroundUp](#) 22 March 2019

Binda Musa “Human Rights Day protesters demand better housing” [GroundUp](#) 21 March 2019

Kretzman S “Radical new housing deal proposed to break apartheid barriers City of Cape Town could use its golf courses and bowling greens for low cost housing, says report” [GroundUp](#) 20 March 2019

- **Mining**

“Australian mining manager sued an employee for R200k. The court awarded him R200” [GroundUp](#) 20 March 2019

Environmental: Richtersveld communities fear rehabilitation disaster

“Communities in the diamond-rich Richtersveld in the Northern Cape are up in arms about the sale of mines along the banks of the Orange River to a junior mining company, leaving behind a multimillion-rand rehabilitation debt that they believe will never be met. A R95.7m rehabilitation fund set up to fix the damage caused by 50 years of diamond mining in the environmentally-sensitive Richtersveld is a drop in the ocean of what is needed to restore the area, according to local community members. A Business Day reports JSE-listed alluvial diamond mining firm Trans Hex sold three of its loss-making mines in April 2018 to junior mining company Lower Orange River Diamonds for R72m cash. Since the sale, tensions have mounted amid community claims on the land being mined, the mineral rights and the mines themselves. Fears that the Richtersveld residents will be left to clean up decades of environmental damage are adding further strain. ‘The community is genuinely worried about whether the environmental obligations will be met,’ said the community’s lawyer, Henk Smith. According to Smith, officials from the Department of Mineral Resources have estimated the existing rehabilitation liabilities at about R133.7m, but this figure does not reflect the reality on the ground and the real cost may be as much as R192m. David Pells, a mining contractor who advised the community, said he believed the cost could be around R800m.”

Full Business Day report (subscription needed) Legalbrief 18/3/2019

- **Miscellaneous**

Kings S “No end to Arcelor’s toxic practices” [Mail & Guardian](#) 22 March 2019 [subscription/newspaper needed to read]

Kings S “Three countries endanger world” [Mail & Guardian](#) 22 March 2019 [subscription/newspaper needed to read]

International

- **Biodiversity**

Bhalla N “Pakistan lodges formal complaint to UN over forest damage by Indian air strike” [Place](#) 18 March 2019

Gabbattis J “World’s fastest shark now facing extinction, conservation experts warn” [The Independent](#) 22 March 2019

Lusher A “‘Massive wildlife crime scene’: Endangered hen harriers being wiped out by illegal killing, says study” [The Independent](#) 20 March 2019

McKie R “Hunt for bogus asthma cure threatens pangolins” [The Independent](#) 24 March 2019

Carrington D and Wintour P “UK will miss almost all its 2020 nature targets, says official report” [The Guardian](#) 22 March 2019

Dodgson L “A whale washed up dead with almost 40 kilograms worth of trash in its stomach” [Business Insider US](#) 18 March 2019

- **Climate change and energy**

Offutt L “NHTSA opens GM autonomous vehicle petition to public comment” [The Jurist](#) 15 March 2019

Shi LS “SEC sues Volkswagen for defrauding investors” [The Jurist](#) 15 March 2019

General: UN Assembly hears call for a universal carbon tax

“It is not just climate change that threatens our survival, but resource extraction and pollution, a major conference heard last week, writes Legalbrief. Thousands of delegates, business leaders and campaigners gathered at the five-day 4th UN Environment Assembly, the top annual forum on the planet's environmental crisis, held in Nairobi, Kenya, to discuss the many human-induced perils facing the world. The conference started on a sombre note after an Ethiopian Airlines jet crashed on Sunday, killing all 157 on board, many of whom were heading to the event. The International Resource Panel, a United Nations science advisory group that provides expert advice on the use of natural resources and environmental impacts, urged delegates to implement a universal carbon tax equivalent to \$15 a ton by 2020, rising to at least \$100 per ton by 2030. According to a Daily Maverick report, speaking at the assembly, former Swiss environment head Professor Bruno Oberle said carbon taxes were controversial — but now unavoidable. ‘Will we go bankrupt and have our economies destroyed because of carbon taxes? The answer is No,’ said Oberle, arguing that it was still possible for countries to grow their economies if carbon tax revenues were directed into schemes such as better public transport, green electricity or less wasteful use of natural resources.” [Legalbrief Environmental 19 March 2019]

Drugmand D “Exxon Must Face Suit Over Climate Risks to its Mass. Facility, Judge Rules” [Climate Liability News](#) 14 March 2019

Slobe E “Oregon House approves fracking ban” [The Jurist](#) 19 March 2019

Nambiar V “India environment court suspends plan to expand coal-based power plant” [The Jurist](#) 18 March 2019

Cockburn H “Mount Everest: Dead bodies appearing due to melting glaciers” [The Independent](#) 22 March 2019

Gabbatiss J “Climate change is creating toxic crops and poisoning some of world's poorest people, scientists warn” [The Independent](#) 16 March 2019

Taylor M “Fracking plan ‘will release same CO₂ as 300m new cars’” [The Guardian](#) 24 March 2019

Laville S “Top oil firms spending millions lobbying to block climate change policies, says report” [The Guardian](#) 22 March 2019

- **Local Government**

Bacchi U “Paris catches Asian tigers in most expensive city race” [Place](#) 19 March 2019

Rowling M “Poor people's right to water cut off by thirsty exports, unequal supply” [Place](#) 19 March 2019

- **Mining**

“Final Wittenoom residents to be forced out of asbestos-ridden mining town” [The Guardian](#) 21 March 2019

Farrer M and Smee B “Australia's coal bonanza at risk as Chinese import 'ban' spreads” [The Guardian](#) 21 March 2019

Embury-Dennis T “New £165m coal mine in Cumbria 'unanimously approved' by councillors despite escalating climate change crisis” [The Independent](#) 20 March 2019

- **Miscellaneous**

Tomlinson A “Trump vetos legislation seeking to block national emergency declaration” [The Jurist](#) 16 March 2019

Offutt L “Second US jury finds Roundup weed killer caused man's cancer” [The Jurist](#) 20 March 2019

Sundier S “Supreme Court rules Yakama Nation does not have to pay state fuel tax” [The Jurist](#) 20 March 2019

DeLorenzo T “Supreme Court rules maritime law allows manufacturer liability for harm caused by product modifications” [The Jurist](#) 19 March 2019

Xi Lucy Shi “Israel depriving Palestinians of access to clean water: UN report” [The Jurist](#) 18 March 2019

Environment: US blamed for blocking plastic pollution targets

“Representatives of countries at the UN environment conference in Nairobi agreed to significantly reduce single-use plastics over the next decade, but the voluntary pledges fell far short of what was required, according to green groups. The Guardian reports that Norway, Japan and Sri Lanka had put forward proposals for a legally binding agreement for nations to coordinate action against plastic litter in the oceans and microplastics. India also suggested strong action with a resolution to phase out single-use plastic across the world. However, a coalition of environmental groups condemned the US for blocking the ambitious attempts to tackle plastic pollution at source as well as downstream. On Friday, a series of non-binding proposals were agreed, including the adoption of an action plan by the International Maritime Organisation's marine environment protection committee to reduce plastic litter from ships, and suggestions for better global management of data on plastic pollution. A final statement said countries would 'address the damage to our ecosystems caused by the unsustainable use and disposal of plastic products, including by significantly reducing single-use plastic by 2030'. BBC News reports that more than eight million tonnes of plastics enter

the world's oceans each year.” [The Guardian](#) / [BBC News](#) [Legalbrief 18 March 2019]

Gabbatiss J “World Water Day 2019: What are the biggest water problems facing the world today?” [The Independent](#) 22 March 2019

“Plastic microparticles threaten unique Galapagos fauna” [News24](#) 23 March 2019

Petter O ‘Ban glitter in the UK to save the environment, campaigners say” [The Independent](#) 24 March 2019

Gabbatiss J “England could run out of water within 25 years, warns Environment Agency boss” [The Independent](#) 20 March 2019

Harvey L “Diarrhoea kills more children in war zones than war itself – Unicef” [The Guardian](#) 22 March 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Pretoria: Senior Lecturer: Labour Relations

Closing date: 12 April 2019

More [information](#)

University of the Western Cape: Department of Mercantile and Labour law: Senior Lecturer Labour law

Closing date: 7 April 2019

More [information](#)

Contracts Manager: Tech-Pro

Closing date: 17 April 2019

More [information](#)

Part-time Academic Content Creator: The Student Hub Online

Observatory, Western Cape

More [information](#)

International

United States: Master's and PhDs: Fulbright Foreign Students Programme: 2020

Applications for Master's and PhD programmes in all fields (except MBA) are open

Deadline for scholarship applications: 19 April 2019

[Read more](#)

Turkey: Turkiye Scholarship: 2019: Bachelor's, Master's, PhDs, Research

Research scholarships in Turkey: All fields available

Deadline for research applications: 31 March 2019

[Read more](#)

Indonesia: Kemitraan Negara Berkembang Scholarship

Bachelor's and Master's scholarships (taught in Indonesian)
Humanities, Engineering, Sciences, Social Sciences, Education
Deadline for scholarship applications: 30 April 2019

[Read more](#)

New Zealand: Master's and PhD: New Zealand Commonwealth Scholarship: 2020

Priority fields: Good Governance; Climate Change and Resilience; Renewable Energy
Deadline for Commonwealth Scholarship applications: 28 March 2019

[Read more](#)

Harvard-South Africa Fellowship Programme: 2020-21

Master's degrees in Public Health, Law and Public Administration
Non-degree programmes in management and leadership development
Deadline for applications: 4 April 2019

[Read more](#)

Brazilian Government Exchange Programme

Undergraduate and postgraduate scholarships are available annually (tuition fee only).

Applications are opened annually through the Embassy of Brazil in South Africa
Candidates must register to sit for the Certificate of Proficiency in Portuguese for Foreigners (Celpe-Bras) examination. A preparatory course is available at Brazil-South Africa Cultural Centre (CCBAS)

[Read more](#)

International Fellowship at Ada University

Bachelor's and Master's scholarships are available (tuition fee only).

Deadline for applications: 5 April 2019 (early applications) /

1 July 2019 (late applications)

[Read more](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

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29 March 2019

LEGISLATION

BILLS

Hydrographic Bill, 2018 [B17B-2018]

ACTS

Plant Improvement Act 11 of 2018/ uMthetho Wokuphuculwa Kwezityalo 11 ka-2018 - GG 42348 of 29 March 2019 – commencement to be proclaimed

Plant Breeders' Rights Act 12 of 2018 / Mulayo wa Pfanelo dza Vhasimi vha Zwimela 12 wa 2018 - GG 42347 of 29 March 2019 – commencement to be proclaimed

Public Administration Management Act 11 of 2014 - Proc 15 in GG 42337 of 29 March 2019 – ss 5-7, 9, 11, 12 and 19 commence 1 April 2019

NOTICES

Statistics South Africa – Gen Notice 176 in GG 42337 of 29 March 2019 - Consumer Price Index, Rate (Base Dec 2017 = 100): February 2019: 4,1

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN 471 in GG 42337 of 29 March 2019 - Amendment to Regulations relating to the tariffs for the registration of Fertilizers, Farm Feeds, Agricultural Remedies, Stock Remedies, Sterilizing Plants and Pest Control Operators, Appeals and Imports

Non-Proliferation of Weapons of Mass Destruction Act 87 of 1993 - GN 491 in GG 42337 of 29 March 2019 - Declaration of certain missile technology and related items as controlled goods and control measures applicable to such goods published and GN 22 in GG 32897 of 3 February 2010 repealed

Non-Proliferation of Weapons of Mass Destruction Act 87 of 1993 - GN 492 in GG 42337 of 29 March 2019 - Declaration of nuclear-related dual-use equipment, materials, software and related technology as controlled goods, and

control measures applicable to such goods published and GN 20 in GG 32895 of 3 February 2010 repealed

Non-Proliferation of Weapons of Mass Destruction Act 87 of 1993 - GN 493 in GG 42337 of 29 March 2019 - Declaration of certain nuclear-related dual-use equipment, materials and software and related technology as controlled goods, and control measures applicable to such goods published and GN 21 in GG 32896 of 3 February 2010 repealed

Non-Proliferation of Weapons of Mass Destruction Act 87 of 1993 - GN 494 in GG 42337 of 29 March 2019 - Declaration of certain biological goods and technologies as controlled goods and control measures applicable to such goods published and GN 19 in GG 32894 of 3 February 2010 repealed

Non-Proliferation of Weapons of Mass Destruction Act 87 of 1993 - GN 495 in GG 42337 of 29 March 2019 - Declaration of certain chemical goods as controlled goods and control measures applicable to such goods published and GN 18 in GG 32893 of 3 February 2010

National Health Act 61 of 2003 – GN 478 in GG 42337 of 29 March 2019 - Office of Health Standards Compliance: Draft Enforcement Policy - for comment

PROVINCES

Kwazulu-Natal

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - PN 44 in PG 2062 of 28 March 2018 - Draft By-laws: Disaster Management By-law, Water Supply By-law, Waste Removal By-law and Pound By-law - for comment

Spatial Planning and Land Use Management Act 16 of 2013: Umngeni Local Municipality - MN 33 in PG 2062 of 28 March 2019 - Draft Spatial Development Framework Review – for comment

Limpopo

Limpopo Environmental Management Act 7 of 2003 – PN 36 in PG 2984 of 29 March 2019 - Open Season: Game, 2019

Western Cape

National Environmental Management: Protected Areas Act 57 of 2003 - PNs 34 & 35 in PG 8067 of 22 March 2019 - Declaration of nature reserves - Helderberg and False Bay Nature Reserves

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – LAN 57679 in PG 8067 of 22 March 2019 - Matzikama Local Municipality - Notice of intention to amend the Spatial Development Framework, 2014 (SDF, 2014)

CASES

National

WWF South Africa v Minister of Agriculture, Forestry and Fisheries and Others 2019 (2) SA 403 (WCC)

“Fisheries and fishing - Fishing quotas—Determination of total allowable catch (TAC) for West Coast Rock Lobster—Review—Failure by decisionmaker in department to have regard to binding principles of environment protection, conservation and sustainability, as well as obligations to follow best scientific evidence, and abide by ‘precautionary principle’—Decision arbitrary, irrational and unreasonable—Determination set aside—Constitution, s 24(b); Marine Living Resources Act 18 of 1998, s 2; National Environmental Management Act 107 of 1998, s 2.

Environmental law - Environmental conservation—Environmental damage—Prevention and remediation—Where lack of scientific certainty—Applicability of precautionary principle—Discussion of—Marine Living Resources Act 18 of 1998, s 2; National Environmental Management Act 107 of 1998, s 2.”

Baleni and Others v Minister of Mineral Resources and Others 2019 (2) SA 453 (GP)

“Land - Informal land rights—Deprivation—Consent of informal land rightsholders—Applicant for mining rights required to obtain consent from informal land rights-holders deprived of their informal land rights by proposed mining activities—Interim Protection of Informal Land Rights Act 31 of 1996, s 2(1).

Minerals and petroleum - Mining and prospecting rights—Application for mining rights—Applicant required to obtain consent from informal land rights holders deprived thereof by proposed mining activities—Interim Protection of Informal Land Rights Act 31 of 1996, s 2(1).”

Resilient Properties (Pty) Ltd v Eskom Holdings (Soc) Ltd and Others 2019 (2) SA 577 (GJ)

“Electricity - Supply—Termination—Court granting application by shopping mall owner for interim order prohibiting Eskom from cutting electricity to local authority pending review—Electricity Regulation Act 4 of 2006, s 21(5)(c).”

Wings Park Port Elizabeth (Pty) Ltd v MEC, Environmental Affairs, Eastern Cape and Others 2019 (2) SA 606 (ECG)

“Administrative law - Administrative action—Review—After failure of internal appeal—In most cases, both decisions to be challenged.

Environmental law - Protection of the environment—Environmental authorisation—Internal appeal against refusal—Wide appeal created—National Environmental Management Act 107 of 1998, s 43.”

Coal Transporters Forum v Eskom Holdings Limited and Others (42887/2017) [2019] [ZAGPPHC](#) 76 (26 March 2019)

“Case Summary: Electricity - Generation from renewable energy sources in line with government's policy decision to move towards a low-carbon economy and to incrementally introduce energy from private sector renewable energy technologies into the mix of energy sources - The Minister of Energy published Determinations relating to renewable energy under s 34(1) of the Electricity Regulation Act 4 of 2006 on 1 August 2011 and on 19 December 2012, in terms of which she determined, in consultation with the National Energy Regulator of South Africa, that 3 725 MW and a further 3 200 MW of new renewable energy capacity should be procured by Eskom from independent private producers (IPPs) through a procurement programme conducted by the Department of Energy - A bidding process followed and successful IPP bidders were announced - Eskom ultimately concluded power purchase agreements (PPAs) with all the successful IPP bidders, except with three of them.

Contending that Eskom may not conclude PPAs with the IPPs until the Regulator has taken decisions on certain matters, the applicant seeks an order (a) interdicting Eskom from concluding PPAs with the IPPs until the Regulator has taken the decisions in question and (b) declaring invalid all the PPAs Eskom had already concluded. Application dismissed.”

Westcott v N'Wandlamharji Communal Property Association 2018 JDR 1829 (GP)

“Land — Agricultural land — Right to occupation and use of under agreement — Prohibition on subdivision — Whether land qualifying as agricultural — Subdivision of Agricultural Land Act 70 of 1970, s 3.”

PUBLICATIONS

National

Kotzé Louis J “Editorial: Coloniality, neoliberalism and the Anthropocene” 2019 *Journal of Human Rights and the Environment* - can be downloaded [here](#) (open access)

Kotzé Louis J “The Anthropocene, Earth system vulnerability and socio-ecological injustice in an age of human rights” 2019 *Journal of Human Rights and the Environment* (paid [access](#))

Corruption Watch “Mining Royalties Research Report 2018” ([Report](#) March 2019)

International

2019 *Journal of Human Rights and the Environment* (March 2019) available [here](#)

UNESCO “World Water Development Report 2019 - Leaving No One Behind” ([Report](#) 2019) [Provided by Anél du Plessis]

Chapron G *et al* “A rights revolution for nature” 2019 363 [Science](#) 1392-1393

Miller EA *et al* “The historical development of complex global trafficking networks for marine wildlife” 2019 [Science](#) Doi: 10.1126/sciadv.aav5948

UNEP “Frontiers 2018/19: Emerging Issues of Environmental Concern” ([Report](#) March 2019)

UN ESCAP “Evolution of Science, Technology and Innovation Policies for Sustainable Development: The Experiences of China, Japan, the Republic of Korea and Singapore” ([Report](#) March 2019)

UNEP “Measuring Progress: Towards Achieving the Environmental Dimension of the SDGS” ([Report](#) March 2019)

Gulrajani N and Calleja R “The Principled Aid Index” (odi [Policy Brief](#) March 2019)

Leal-Arcas Rafael “Re-thinking global climate change: A local, bottom-up perspective,” 2018 20(1) [Seton Hall Journal of Diplomacy and International Relations](#) 4-20

Richardson BJ *Time and Environmental Law: Telling Nature's Time* ([Cambridge](#) 2017)

Richardson BJ *The Art of Environmental Law: Governing with aesthetics* ([Bloomsbury](#) 2019 to be published)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Climate change and energy**

[The Conversation](#): Muller SM “Why restructuring South Africa’s power utility won’t end the blackouts” 28 March 2019

[BusinessLive](#): Van der Poel J “IPP procurement programmes a powerful tool and investor confidence cannot be understated” 29 March 2019

- **Local government**

[BusinessLive](#): “Simon Kuper: Cape Town’s glimpse of a climate-ravaged future offers lessons for everyone” 29 March 2019 [subscription needed]

[GroundUp](#): Damba-Hendrik “Crumbling infrastructure leaves Eastern Cape villagers without water” 29 March 2019

[GroundUp](#): Kretzmann S “How dirty is the Cape Flats groundwater?” 26 March 2019

[Commonwealth Local Government Forum](#): Commonwealth Local Government Handbook and individual country profiles [Provided by Anél du Plessis]

- **Mining**

[Global Subsidies Initiative](#): Geddes Anna “South Africa: Is a transition away from coal just around the corner?” 26 March 2019

[BusinessLive](#): “Watch: What the Minerals Council does not like about the Mining Charter” 28 March 2019 and also read [here](#)

[Business Live](#): Groenewald Y “How Richtersveld diamond deal leaves locals with dirt” 18 March 2019 [subscription needed]

- **Miscellaneous**

[The Conversation](#): Morrell R “The global South is changing how knowledge is made, shared and used” 25 March 2019

[Mail&Guardian](#): Kings S “SA defence in ‘critical decline’” 29 March 2019 [subscription/newspaper needed to read]

Africa

- **Biodiversity**

[The Conversation](#): Scherz MD “Meet the mini frogs of Madagascar – the new species we’ve discovered” 28 March 2019

[The Independent](#): Cockburn H “Population explosion fuelling rapid reduction of wildlife on African savannah, study shows” 29 March 2019

[The Guardian](#): McKie R “How the lion lost its strength: big cats’ survival at risk as DNA defences dwindle” 30 March 2019

- **Climate change and energy**

[eTN](#): Steinmetz JT “African Tourism Board Launch: Climate Friendly Travel initiative ‘Partnerships for Change’ to be revealed” 28 March 2019

- **Local government**

[The Conversation](#): Onwuanyi Ndubisi “Why buildings keep collapsing in Lagos and what can be done about it” 26 March 2019

[Mail&Guardian](#): Allison S “The villages in Malawi that prepared for the floods - and survived” 29 March 2019

- **Mining**

[The Conversation](#): Obura David “Why Kenya must take control of sand harvesting off its coast” 22 March 2019

- **Miscellaneous**

Legalbrief A Matter of Justice: Rickard Carmel “Court orders wildlife group to pay for salary mess-up” [Kenya] 26 March 2019 [[Registration](#) needed (free) / link also available in Legalbrief Environmental]

[The Conversation](#): Daniels Glenda “Poor coverage of floods in southern Africa? Blame the media bosses” 26 March 2019

[Ensia](#): Cernansky R “As palm oil production ramps up in Africa, communities work to avoid problems plaguing other regions” 26 March 2019

[The Conversation](#): Njeru Timothy Njagi “Why Kenyans are going hungry months after a bumper maize crop” 24 March 2019

[Mail&Guardian](#): Guente M “I have to choose between starvation or dying of disease” [Mozambique] 29 March 2019

African Open Science [Platform](#)

Rest of the world

- **Biodiversity and culture**

[Science](#): Stokstad “This fungus has wiped out more species than any other disease” 28 March 2019

[Science](#): Finkle E “This Australian farmer is saving fossils of some of the planet’s weirdest, most ancient creatures” 28 March 2019

[Science](#): Vogel G “Countries demand their fossils back, forcing natural history museums to confront their past” 27 March 2019

[The Independent](#): “More than 1,000 dolphins wash up in France this year with devastating injuries: ‘There’s never been a number this high’” 29 March 2019

[The Independent](#): Gabbatiss J “UK must eradicate swarms of invading rodents from island territories to meet nature targets, says RSPB” 28 March 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Monaco Blue Initiative Explores Requirements and Benefits of Marine Protected Areas” 28 March 2019

- **Climate Change and Energy**

[The Conversation](#): Nguyen Quan “Why fear and anger are rational responses to climate change” 25 March 2019

[Science](#): Storrow B “Emissions growth in United States, Asia fueled record carbon levels in 2018” 26 March 2019

[The Independent](#): Beament E “Sea levels reached highest point on record last year, UN reports” 29 March 2019

[The Independent](#): Gabbatiss J “Greenhouse gas cuts disguise slow progress on cleaning up emissions from UK homes, campaigners warn” 29 March 2019

[The Independent](#): Cockburn H “‘Doomsday vault’ town warming quicker than any other on Earth, climate scientist says” 28 March 2019

[The Guardian](#): Fuller G “Pollutionwatch: time to dispel the myth of the inconvenient youth” 28 March 2019

[The Guardian](#): Holden E “Mosquito-spread diseases may endanger millions in new places due to climate change” 28 March 2019

[IISD](#) SDG Knowledge Hub: Bertazzi P “Governments and Corporates: Driving Each Other Forward on Ambitious Climate Action” 28 March 2019

[IISD](#) SDG Knowledge Hub: Wagner L “High-level Event Considers Interlinkages Between Water and Climate” 28 March 2019

- **Local government**

[The Conversation](#): Vojnovic I and Minting Ye “How single women are driving gentrification in Hong Kong and elsewhere” 28 March 2019

[The Conversation](#): Silver J and Wiig A “China’s ‘Silk Road urbanism’ is changing cities from London to Kampala – can locals keep control?” 27 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “CSW 63 Focuses on Social Protection, Public Services, Sustainable Infrastructure” 28 March 2019

- **Mining**

[Place](#): Suliman A “Fractured community as fracking takes hold in Britain's rural land” 25 March 2019

- **Miscellaneous**

[IISD](#) ENB: Second session of the Intergovernmental Conference (IGC) on an international legally binding instrument (ILBI) under the UN Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ) - 25 March - 5 April 2019 | UN Headquarters, New York

[IISD](#): BBNJ IGC-2 Highlights Friday, 29 March 2019 | UN Headquarters, New York
“The second Intergovernmental Conference (IGC-2) on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction (BBNJ) convened on Friday, 29 March 2019 in an informal working group setting, to consider area-based management tools (ABMTs), including marine protected areas (MPAs), and environmental impact assessments (EIAs).”

[IISD](#) ENB: 10th Monaco Blue Initiative - 25 March 2019 | Principality of Monaco

[IISD](#) SDG Knowledge Hub: Paul D “UNEP, Partners Launch [Data Platform](#) on Water-related Ecosystems” 28 March 2019

[IISD](#) ENB: Open-ended Working Group (OEWG3) of the International Conference on Chemicals Management (ICCM) - 2-4 April 2019 | Montevideo, Uruguay

[News24](#) “Watch: Chernobyl tourists bring a new kind of pollution to Ground Zero” 25 March 2019

[Place](#): Chandran R “Cambodia returns land taken from indigenous people in 'unprecedented' move” 27 March 2019

[Mail&Guardian](#): “Glyphosate under fire from San Francisco to Sri Lanka” 28 March 2019

[The Independent](#): “Greenpeace says Sainsbury's is 'worst' supermarket for reducing plastic waste” 29 March 2019

[The Guardian](#): Lawrence F “Can the world quench China’s bottomless thirst for milk?” 29 March 2019

[IISD](#) SDG Knowledge Hub: Tsiumani E “UNEP Report Explores Emerging Issues of Environmental Concern” 28 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Report Finds “Good Progress” on 23% of Environment-related SDG Indicators” 28 March 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IMEL and ELA Western Cape Regional Event: Public lecture on “Time and Law”

Prof Benjamin Richardson, University of Tasmania, Australia

Venue: School of Law, University of Cape Town

Date: Wednesday **3 April 2019**

Time: 18h00 – 19h30

RSVP: Prof Alexander [Paterson](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

IAIAsa: Annual Conference: First Call for Papers

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Abstract [submission](#) by 26 April 2019

Registration [here](#)

Imbewu: Mine Closure & Recent Case Law Workshop

Date: 9 April 2019

Time: 08:30-16:30

[Registration](#)

For more information contact [Lulu](#) / 011 214 0660 or consult the [website](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator

[Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.2.1 Occupational health and safety law**
Dates: 9-11 April 2019
- **CEM-02.1.1a Environmental law (Introduction)**
Dates: 15-17 April 2019
- **CEM-05.1.1 Environmental impact assessment for practitioners**
Date: 13 - 17 May 2019
- **CEM-06.8.2 Ecological rehabilitation and mine closure**
Date: 13 - 17 May 2019
- **CEM-02.1.2 Environmental law - integrated water resource management**
Date: 20 - 24 May 2019
- **CEM-03.2.1 Occupational health and safety management system**
Date: 20 - 24 May 2019
- **CEM-02.2.2 Mine health and safety law**
Date: 28 - 30 May 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

International

Juris Diversitas 6th General Conference: Law, Roots & Space (also joined by SA Legal Historians and NWU celebrating the Convention of the Rights of the Child)

Dates: 15-17 April 2019

Place: Potchefstroom, South Africa

[Registration](#)

9th European Conference on Sustainable Cities and Towns

Date: 30 September to 2 October 2020

Place: Mannheim, Germany

For more information, visit [here](#) or contact [us](#) and follow us on [Twitter](#)

North Sea Energy Law Consortium: professional part-time LLM in the field of Energy Law

The NSELP is offered in four teaching modules of two weeks followed by a thesis module (with supervision). It has been specially designed for professionals to be able to attend. Each of the modules is an independent course and takes place and is coordinated by one of the Partner universities:

The programme is structured in a two-year long teaching round. Hence, the teaching modules and the thesis module are offered at similar dates every two years.

The current teaching round began with the module in Groningen (Sept. 2018) followed by Oslo (Jan. 2019), the next module being in Aberdeen (Jun. 2019)

and the last teaching module in Copenhagen (Oct. 2019). The thesis module follows in Jan./Feb. 2020. The graduation is in Aug./Sep. 2020.

Candidates may start at any teaching module and decide to enrol only for one module, a few modules, or the full programme.

The next module will take place at the University of Aberdeen, from June 16 to June 29.

Full applications can be submitted up to April 16.

For more information please visit our [website](#)

NEWS

National

- **Biodiversity**

Ruling ends 10-year rhino poaching trial

“One of the world’s longest rhino poaching trials came to a swift conclusion on Monday when a magistrate lost patience after nearly 10 years of ‘deliberate and unreasonable delays’ by three men who tried to drag out their trial indefinitely, says a report in The Witness. Convicting all three poachers based on the ‘overwhelming evidence’ placed before him, senior Durban Regional Court Magistrate Logan Naidoo declared that it would have been a travesty to allow the three men to continue holding the justice system to ransom any longer. Muntugokwakhe Khoza (50), Ayanda Buthelezi (40) and SANDF officer Mduduzi Xulu (51) were arrested in 26 August 2009, hours after a rhino was gunned down in the Hluhluwe-iMfolozi Game Reserve. The three fired private or Legal Aid Board lawyers several times to delay a final verdict and tried the same tactic on Monday. But Naidoo and the state advocate said they were fed up with a decade of delays. The trial was completed with these words: ‘The accused knew (the) game was up ... the court has a duty to ensure that justice is done and seen to be done ... and finds that the accused are guilty.’

Full report in The Witness (subscription needed) [Legalbrief 27 March 2019]

“Johannesburg wildlife clinic saves animals hurt in city” [News24](#) 26 March 2019

- **Climate change and energy**

Steyn L “Eskom’s woes open the door to green power, Jeff Radebe says” [BusinessLive](#) 26 March 2019 [Legalbrief 27 March 2019]

Energy: Nedlac IRP process drawing to a close?

“According to Energy Minister Jeff Radebe, Nedlac is in the final stages of preparing its report on government’s updated integrated resource plan, which will soon be presented to Cabinet ([Engineering News](#)). It could include a ‘short-term action plan’ for reducing the ‘threat’ of load-shedding by drawing on ‘private electricity supply alternatives’.”

Read full report in Legalbrief Policy Watch [Legalbrief 27 March 2019]

Speckman A “DA demands details of SA’s \$1bn South Sudan oil refinery project” [BusinessLive](#) 24 March 2019 [Legalbrief Forensic 28 March 2019]

Smit S “Eskom battles to claw back Trillions” [Mail&Guardian](#) 22 March 2019 [Legalbrief Forensic 28 March 2019]

Masondo S and Gules N “Eskom’s massive coal contract splurge” [News24](#) 31 March 2019

- **EIA and EAPs**

Requirement for Environmental Assessment Practitioner (EAP) Registration Number cannot be used to exclude unregistered EAPs from tendering for projects before 08 February 2020

“The Environmental Assessment Practitioners Association of South Africa (EAPASA) was appointed by the Minister of Environmental Affairs, the Honourable Dr Edna Molewa, on 08 February 2018 as the single Registration Authority for Environmental Assessment Practitioners (EAPs) in South Africa (see overleaf Regulation No. 104, Gazette Number 41434 of 08 February 2018).

It has been brought to the attention of the EAPASA Board that various authorities and companies requiring services in the field of Environmental Impact Assessment and Management are stipulating a requirement that such service providers must be registered Environmental Assessment Practitioners and provide an EAP Registration Number. This requirement currently has no basis in law as laid out in the attached Section 24H Registration Authority Regulations of the National Environmental Management Act (NEMA), Act 107 of 1998 (Regulation No. 849, Gazette Number 40154 of 22 July 2016).

The legal requirement to be a Registered EAP in order to prepare and/or review Environmental Impact Assessments and Environmental Management Programmes will only come into effect two years after the appointment of EAPASA by the Minister (see regulation 22.(2) of the Section 24H Regulations), which is on 08 February 2020. Prior to this date there can be no legal exclusion of EAPs from tendering processes if they are not registered with EAPASA. For more information email the [Registrar](#) or visit the [EAPASA website](#).” [IWMSA 26 March 2019]

- **Local government**

Phakathi B “Municipalities owed nearly R10bn by national and provincial departments” [BusinessLive](#) 26 March 2019 [Legalbrief 27 March 2019]

Kretzmann S “Did De Lille stall while Bo Kaap developers scored?” [GroundUp](#) 26 March 2019

“Heritage protection for #BoKaap approved by City of Cape Town council” [IOL](#) 28 March 2019 [Legalbrief 29 March 2019]

- **Mining**

Njini F “Sibanye's Driefontein gold mine nearing end of life, says CEO” [News24](#) 27 March 2019 [Legalbrief 28 March 2019]

Secombe Allan “Minerals Council takes Mining Charter to court” [BusinessLive](#) 27 March 2019

Any delays in implementing the charter would undo the positive mood that had swept through the industry in the past year, according to the Mineral Resources Department

“Approaching the courts implies a conflictual relationship that requires intervention by an external party; yet we could – collectively – find the solution,” the department said. ‘Delaying the implementation of the charter will impact negatively on the positive climate characterising mining and economic investment at present. Such delays will also halt the realisation of the much-needed benefits for the workers and the mining communities,’ it said. However, a Business Day report says Peter Leon, a partner at Herbert Smith Freehills, said the decision to approach the court to review the problematic clauses was the correct one. ‘The charter, as currently drafted, does not extend the protection of historical BEE transactions to the renewal and transfer of rights,’ he said. ‘This is obviously prejudicial to mining companies whose rights expire in the short-term or who are planning to sell their rights. It’s clear that the Minerals Council’s attempts to engage in the last six months have come to naught.’”

Full Business Day report (subscription needed) *Legalbrief* 28 March 2019

Environmental: Centre challenges judge's coal mine ruling

“The Cape Town-based Centre for Environmental Rights has challenged a decision by KZN High Court (Pietermaritzburg) Judge Rishi Seegobin, fearing that his ruling will encourage mining companies to disregard the country’s environmental protection laws. A Business Day report notes Seegobin dismissed an application in October to shut down the Somkhele coal mine – owned by Johannesburg-based Tendele Mining – on the periphery of the Hluhluwe-Imfolozi Game Reserve in KZN. The centre has lodged an application to intervene as an *amicus curiae* in an application for leave to appeal against Seegobin’s ruling. The centre said it was concerned the ruling ‘may open the door’ to companies disregarding environmental safeguards in the Constitution. The centre believes the Tendele verdict has broad national implications and could have a ‘profound influence’ on the ability of government inspectors to monitor and enforce environmental laws in mining areas. It could also provide ‘an excuse’ for companies to operate outside the law and to strip legal powers from government enforcement officers. The centre said the judge’s punitive costs order against two community-based environmental groups would have a ‘chilling’ legal effect that could cow other vulnerable people from mounting public interest litigation against powerful mining companies. The report adds Seegobin has yet to make a ruling on whether he will grant leave to appeal.”

Full Business Day report (subscription needed) *Legalbrief* 28 March 2019

Biesheuvel T “SA mine where the biggest-ever diamond was found delivers again” [fin24](#) 29 March 2019

Mabuza E “Major flaws in mining royalties system, Corruption Watch report finds” [TimesLive](#) 27 March 2019 [Legalbrief Forensic 2 March 2019]

Riley L “Swimmers promote alternatives to mining the Wild Coast” [GroundUp](#) 31 March 2019

- **Miscellaneous**

“Another SKA milestone reached with granting of environmental licence” [IOL](#) 27 March 2019 [Legalbrief 27 March 2019]

Ensor L “NCOP in final dash to conclude its business A total of 15 bills were considered in one day before the National Council of Provinces rises ahead of the elections” [Business Day](#) 28 February 2019 [Legalbrief 29 March 2019]

Njobeni S “Aveng joint venture to appeal against court ruling on Mtentu bridge dispute” [Business Day](#) 28 March 2019 [Legalbrief 29 March 2019]

Umraw A “Stats reveal 97% of corruption cases ended in conviction in 2018” [BusinessLive](#) 25 March 2019 [Legalbrief Forensic 28 March 2019]

International

- **Biodiversity**

Christofaro B “A Russian man was arrested after trying to smuggle a drugged orangutan, 5 lizards, and 2 geckos out of Indonesia in his luggage” [Business Insider](#) 25 March 2019

Kooper L “No bail for seven caught with ivory in Zambezi” [Namibian](#) 27 March 2019 [Legalbrief 28 March 2019]

“US poll says NO to Botswana plans to hunt and cull elephants” [News24](#) 29 March 2019

Seleka N “KZN DPP welcomes rhino poachers' sentencing as a good deterrent” [News24](#) 28 March 2019

DeLorenzo T “Supreme Court rules Alaskan river not under purview of National Park Service” [The Jurist](#) 26 March 2019

Gabbatiss J “US-China trade war could trigger massive destruction of Amazon rainforest, scientists warn” [The Independent](#) 28 March 2019

- **Climate change and energy**

“Spain chronicles spread of desertification over the decades’” [News24](#) 27 March 2019

Mosher D “What Earth might look like in 80 years if we're lucky — and if we're unlucky” [News24](#) 26 March 2019

Brainard J “Could computers provide short-term warnings of the world's worst floods?” [Science](#) 29 March 2019

Northey H and Cama T “Trump permit revives pipeline work” [E&E News](#) 29 March 2019

“‘Cow toilets' in Netherlands aim to cut e-moo-ssions” [News24](#) 30 March 2019

“Alaska bakes under heat wave linked to climate change” [News24](#) 30 March 2019

“Alaska judge blocks Trump on Arctic and Atlantic drilling” [The Guardian](#) 30 March 2019

“Ocean heat hits record high – UN’ [News24](#) 29 March 2019

Hsu C “European Court rules German renewable energy subsidy allowed under EU law” [The Jurist](#) 29 March 2019

Koltonowski A “EU parliament passes clean energy measures” [The Jurist](#) 27 March 2019

Slobe E “European Parliament urged to end fossil fuel infrastructure investment” [The Jurist](#) 27 March 2019

Gabbatiss J “Labour declares national ‘environment and climate emergency’” [UK] [The Independent](#) 29 March 2019

Dabas R “Scientists to take 1.5m-year-old ice samples for climate research” [The Guardian](#) 29 March 2019

Patrick W “Head of Chinese Energy NGO Sentenced to 3 Years in US Prison” [Epoch Times](#) 26 March 2019 [Legalbrief Forensic 28 March 2019]

“Watch: Cities go dark for Earth Hour, bring light to climate change” [News24](#) 31 March 2019

Cox C “‘Woefully dirty’: government accused over Australia's failure to cut vehicle emissions” [The Guardian](#) 30 March 2019

Milman O “Ocasio-Cortez says Green New Deal critics are making ‘fools of themselves’” [The Guardian](#) 30 March 2019

Smee B “Japan to oppose new or expanded coal-fired power plants in blow to Australian exports” [The Guardian](#) 31 March 2019

- **Mining**

Gallmeyer C “US District Court finds Bull Mountain master development plan violates National Environmental Policy Act” [The Jurist](#) 28 March 2019

- **Miscellaneous**

Bendix A “Kale is now one of the most pesticide-contaminated vegetables, and the dangers go beyond eating salad” [Business Insider](#) 26 March 2019

Carrington D “EU bans UK's most-used pesticide over health and environment fears” [The Guardian](#) 29 March 2019

Fellner C “‘Huge victory’: three children win David and Goliath case over asbestos death” [Sydney Morning Herald](#) 27 March 2019 [Legalbrief 28 March 2019]

Reilly S “Third court upholds EPA policy barring grantees from its advisory panels” [Science](#) 27 March 2019

Reilly S “EPA panel seeks to bring back fired scientists for clean-air review” [Science](#) 29 March 2019

DeLorenzo T “New York to ban single use plastic bags” [The Jurist](#) 29 March 2019

Brown T “European Parliament votes to ban single-use plastics” [The Jurist](#) 28 March 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Associate (Energy & Infrastructure): Robert Walters

More [information](#)

Regional Project Development and Reporting Officer: International Organization for Migration

Place: Pretoria, Gauteng

Closing date: 9 April 2019

More [information](#)

University of Pretoria Department of Jurisprudence: Professor / Associate Professor and Head of Department (One post)

Closing date: 11 April 2019

More [information](#)

The President of the Republic of South Africa proclaimed, by Proclamation No 44 of 2010, the establishment of the Office of the Chief Justice (OCJ) as a National Department on 23 August 2010 to support the Chief Justice as the Head of the Judiciary and the Head of the Constitutional Court. The services of the following dynamic person/s are required to capacitate the Office:

Reference : 2019/474/OCJ

**Post : Director: Curriculum and Development
(Re-Advertisement)**

Centre : National Office: Midrand (SAJEI)

Requirements : An LLB qualification (NQF level 7). LLM will be an added advantage; Five years' relevant experience at middle/senior management level; Experience in Legal research and A valid driver's license; Understanding of the criminal justice environment and judicial education will be an added advantage. Technical Competencies: Knowledge of relevant legislation; Knowledge of conducting filed work research; Data analysis and excellent report writing; Practical knowledge of curriculum and training material design; Ability to develop and review training materials on legal education; Advanced computer literacy, research capabilities and organizational skills.

Behavioural Competencies: Strategic capability and leadership; Project Management; Financial Management; Knowledge Management; Service delivery innovation; Problem solving and analysis; People Management and empowerment; Change management; Client and customer focus and Communication.

Duties : Manage and oversee all functions in relation to Judicial curriculum development, design, monitoring, quality assurance, training and review; Lead the development and review of Judicial education material in line with legislative and policy changes; Manage the identification of training needs for the Judiciary and other relevant stakeholders; Develop and manage research activities as identified in the financial year research agenda; Maintain repository of all SAJEI research outputs; Manage the SAJEI journal and provide support to

the editorial board; Performance management function in relations to staffing, resources and reporting. Enquiries: Ms D Botha /Ms C Gideon/Ms L Mothemane
Tel No: (010) 493 2500/2528/2533

Applications: Quoting the relevant reference number, direct your application to:
The Director: Human Resources, Office of the Chief Justice, Private Bag X10, Marshalltown, 2107. For the attention of HR Directorate. Applications can also be hand delivered to the Office of the Chief Justice, Human Resource Management, 188 14th Road, Noordwyk, Midrand, 1685.

Closing Date: 5 April 2019

Note: In the filling of the advertised posts, the objectives of the Constitution of South Africa, 1996 and the staffing policy of the Public Service broadly will be taken into consideration. Applications must be submitted on form Z83, obtainable from any Public Service Department. A completed and signed form Z83 should be accompanied by a recently updated comprehensive CV as well as certified copies of all qualification(s), identity document and driver's license. A SAQA evaluation report must accompany foreign qualifications. Applications that do not comply with the above-mentioned requirements will not be considered.

The Office of the Chief Justice is an equal opportunity employer. In the filling of vacant posts the objectives of section 195(1)(i) of the Constitution of South Africa, 1996 (Act 108 of 1996), the Employment Equity imperatives as defined by the Employment Equity Act, 1998 (Act 55 of 1998) and relevant Human Resources policies of the Department will be taken into consideration. The successful candidate/s will be subjected to Pre-Vetting (Pre-Screening). Financial records will only be checked and considered for applicants applying for Finance related posts. Upon appointment applicants will be subjected to vetting with the purpose of determining their security competency.

All candidates selected for SMS posts must undergo a competency assessment after the interview. If you do not hear from us within 3 months of this advertisement, please accept that your application has been unsuccessful. The Department reserves the right not to fill these positions.

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LEGISLATION

BILLS

Carbon Tax Bill (B46 of 2018) (with President for signature) [Imbewu Monthly Sustainability Newsletter & SHE Legislation Update March 2019]

Marine Spatial Planning Bill (B9 of 2017) (with President for signature) [Imbewu Monthly Sustainability Newsletter & SHE Legislation Update March 2019]

NOTICES

National Environmental Management Act 107 of 1998 - GN 542 in GG 42380 of 5 April 2019 - Regulations laying down the procedure to be followed for the adoption of spatial tools or environmental management instruments

National Environmental Management: Waste Act 59 of 2008 - GN 535 in GG 42376 of 3 April 2019 - Intention to take a decision on the application for the exclusion of a waste stream or a portion of such a waste stream for beneficial use from the definition of waste for beneficial use - for comment

National Environmental Management: Waste Act 59 of 2008 - GN 541 in GG 42380 of 5 April 2019 - Intention to require a person who lawfully conducted a waste management activity on 1 July 2009 to apply for a waste management licence under the Act - for comment

National Energy Regulator Act 40 of 2004 - GN 533 in GG 42373 of 2 April 2019 - National Energy Regulator of South Africa (NERSA) - Review of the municipal tariff guideline increase, benchmarks and proposed times for the municipal tariff approval process for the 2019/20 financial year – for comment

Commissions Act 8 of 1947 - Proc 21 in GG 42384 of 4 April 2019 - Terms of reference of Commission of Inquiry into allegations of impropriety regarding the Public Investment Corporation (PIC) published in Proc 30 in GG 41979 of 17 October 2018 amended

Petroleum Products Act 120 of 1977 - GN R529 in GG 42371 of 2 April 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R295 in GG 42278 of 5 March 2019 substituted with effect from 3 April 2019

Petroleum Products Act 120 of 1977 - GN R530 in GG 42371 of 2 April 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 3 April 2019

Petroleum Products Act 120 of 1977 - GN R531 in GG 42371 of 2 April 2019 - Regulations in respect of petroleum products published in GN R294 in GG 42278 of 5 March 2019 substituted with effect from 3 April 2019

PROVINCES

Northern Cape

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 30 in PG 2256 of 1 April 2019 - Sol Plaatje Local Municipality - Establishment of the Municipal Appeals Tribunal (MAT)

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 43 in PG 2989 of 5 April 2019 - Declaration of respective land parcels as protected environment - Studholme Protected Environment

Western Cape

National Environmental Management: Protected Areas Act 57 of 2003 - PN 39 in PG 8070 of 29 March 2019 - Declaration of a nature reserve - Bokbaai Nature Reserve

National Environmental Management: Protected Areas Act 57 of 2003 - PN 40 in PG 8070 of 29 March 2019 - Declaration of a nature reserve - Wildealsvlei Nature Reserve

Disaster Management Act 57 of 2002 - LAN 57693 in PG 8070 of 29 March 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of disaster as a result of a devastating fire in the Imizamo-Yethu informal settlement situated in Hout Bay for a further month from 1 April 2019 to 30 April 2019

Disaster Management Act 57 of 2002 - LAN 57694 in PG 8070 of 29 March 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of drought disaster for a further month from 1 April 2019 to 30 April 2019

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 102 in PG 4217 of 1 April 2019 - Senqu Local Municipality - Building Control By-law, 2017; Electricity Supply By-law, 2017; Indigent Support By-law, 2017; Keeping of animals, birds and poultry and Businesses relating thereto By-law, 2017; Municipal Commonage By-law, 2017; By-law relating to Nuisance Control; Outdoor Advertising and Signage By-law, 2017; Prevention of Tampering with Electrical Installations and the improper and Unauthorised use of such installations By-law, 2017; Street Lighting By-law, 2017; Waste Management By-law, 2017; Wayleaves By-law, 2017; Businesses and Street Trading By-law, 2017

CASES

National

Bergvliet Municipality v Van Ryn Beck (1269/2017) [2019] ZASCA 38 (29 March 2019)

“Summary: Delictual claim for damages – whether in prevailing circumstances Municipality had a legal duty to take steps to prevent flooding of property – lack of evidence – negligence, wrongfulness and causation not established.”

S v Ndlovu and Others (CC90/2017) [2019] [ZAECGHC](#) 42 (3 April 2019)

Sentencing of accused: theft of rhino horns

Ngomane & others v City of Johannesburg Metropolitan Municipality & another (734/2017) [2018] [ZASCA](#) 57 (03 April 2019)

“Summary: Constitutional law – ss 38 and 172 (1)(a) and (b) of the Constitution – municipality removing and destroying property comprising personal effects and materials used to erect overnight shelter belonging to the homeless applicants in a public health law clean-up exercise – not an eviction – applicants not entitled to *mandament van spolie* or mandatory substitution of the property – destruction of property unlawful and a breach of applicants’ rights to dignity, privacy and not to be deprived of their property – declaration of the unlawfulness of the destruction of the applicants’ property and compensation therefor appropriate relief.”

Uzani Environmental Advocacy CC v BP Southern Africa (Pty) Ltd (CC82/2017) [2019] [ZAGPPHC](#) 86 (1 April 2019)

“Pursuant to being granted leave on 29 June 2017 by Judge President Mlambo, Uzani Environmental Advocacy (CC) (“*Uzani*”) instituted a private prosecution against BP Southern Africa (Pty) Ltd (“*BP*”) out of the Gauteng Division. Uzani claimed that it had complied with all the legislative requirements set out in s 33 of the National Environmental Management Act 107 of 1998 (“*NEMA*”) to enable it to initiate such a prosecution. As appears later this was put in issue.

2. Counts 1 to 21 of the indictment alleged that BP had contravened s 22(1) read with ss 21(1) and 29(4) of the Environmental Conservation Act 73 of 1986 (“*ECA*”) read with Item 1(c) of Schedule 1 and Schedule 2 of the

Regulations promulgated in terms of that Act under Government Notice R1182 of 5 September 1997 (“GN R1182”).

Counts 22 to 42 alleged the commission of certain acts of common law fraud.”

The court found BP guilty on some of the charges.

International

EU Biomass Plaintiffs v. European Union (EGC, filed Mar. 4, 2019)

“On Monday, March 4th, 2019, plaintiffs from six countries filed suit against the European Union in the European General Court in Luxembourg to challenge the treatment of forest biomass as a renewable fuel in the European Union’s 2018 revised Renewable Energy Directive (known as RED II). RED II requires EU Member States to achieve an EU-wide target of 32% energy consumption from renewable sources by 2030. The legal documents are not yet available for the case, but in a press release, plaintiffs allege that RED II will accelerate widespread forest devastation and significantly increase greenhouse gas emissions by not counting CO2 emissions from burning wood fuels.” [Source Sabin Centre]

Notre Affaire à Tous v. France (TA Paris, filed Mar. 14, 2019)

“On December 17, 2018, four nonprofits sent a “lettre préalable indemnitaire” (letter of formal notice) to Prime Minister Edouard Philippe and 12 members of the French government, initiating the first stage in a legal proceeding against the French government for inadequate action on climate change. This type of letter is part of a legal proceeding known as “recours en carence fautive” (action for failure to act). According to their press release, the plaintiffs allege that the French government’s failure to implement proper measures to effectively address climate change violated a statutory duty to act.” [Source: Sabin Centre]

PUBLICATIONS

National

Coetzer W and Hamer C “Managing South African biodiversity research data: Meeting the challenges of rapidly developing information technology” 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/5482>

Glenn I, Ferreira SM and Pienaar D “Communication on rhino poaching: Precautionary lessons about backfires and boomerangs” 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/5585>

Fitchett JM “On defining droughts: Response to ‘The ecology of drought – a workshop report’” 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/5910>

Moolman L *et al* “The decline of the Knysna elephants: Pattern and hypotheses” 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/4805>

Abrahams B, Sitas N and Esler KJ “Exploring integrative research in the context of invasive alien plant management” 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/4263>

Wheeler A *et al* "Which ostrich farmer characteristics predict conservation opportunity?" 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/5540>

International

2019 [*Transnational Environmental Law*](#)

- Etty Thys *et al* "Protecting the Tangible and Intangible Values of Transnational Environmental Spaces" 1-9
- Kotzé Louis "A Global Environmental Constitution for the Anthropocene?" 11-33
- Hølleland Herdis, Hamman Evan and Phelps Jessica "Naming, Shaming and Fire Alarms: The Compilation, Development and Use of the List of World Heritage in Danger" 35-57
- Richardson Benjamin J, Barritt Emily and Bowman Megan "Beauty: A *Lingua Franca* for Environmental Law?" 59-87
- Wenta Joseph, McDonald Jan and McGee Jeffrey S "Enhancing Resilience and Justice in Climate Adaptation Laws" 89-118
- Penca Jerneja "Transnational Localism: Empowerment through Standard Setting in Small-Scale Fisheries" 143-165
- Mayer Benoit "*The State of the Netherlands v. Urgenda Foundation: Ruling of the Court of Appeal of The Hague (9 October 2018)*" 167-192

Adler Dena *et al* "Changing the National Flood Insurance Program for a Changing Climate" 2019, 49 [*Envtl. L. Rep.*](#) (*Envtl. L. Inst.*) 10320

Gerrard Michael B & McTiernan Edward Three Legal Visions of a 'Green New Deal' 2019 [*N.Y.L.J.*](#)

Burger Michael & Gundlach Justin (eds) *Climate Change, Public Health, and the Law* ([Cambridge Core](#) 2018)

Brooks K *et al* "Emission Omissions: Carbon accounting gaps in the built environment" (IISD [Report](#) April 2019)

Ncube Hlengisizwe "A call to embrace adaptive management for effective elephant conservation in Zimbabwe" 2019 SAJS DOI: <https://doi.org/10.17159/sajs.2019/54131>

Worrall L *et al* "India's Energy Transition: Stranded coal power assets, workers and energy subsidies" (IISD [Policy Brief](#) April 2019)

Di Minin Enrico *et al* "Identifying global centers of unsustainable commercial harvesting of species" 2019 [*Science Advances*](#) DOI: 10.1126/sciadv.aau2879

Naidoo R *et al* "Evaluating the impacts of protected areas on human well-being across the developing world" 2019 [*Science Advances*](#) DOI: 10.1126/sciadv.aav3006

Li Dan *et al* "Urban heat island: Aerodynamics or imperviousness?" 2019 5(4) [*Science Advances*](#) DOI: 10.1126/sciadv.aau4299

Allan JR *et al* "Navigating the complexities of coordinated conservation along the river Nile" 2019 5(4) [*Science Advances*](#) DOI: 10.1126/sciadv.aau7668

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Climate change and energy**

[The Conversation](#): Ziervogel Gina “What Cape Town’s drought can teach other cities about climate adaptation” 3 April 2019

[News24](#): “Watch: Could we survive in a world without ice?” 4 April 2019

- **Local government**

[The Conversation](#): NAckerdien MF and Yu D “South Africa’s informal sector: why people get stuck in precarious jobs” 2 April 2019

[GroundUp](#): Damba-Hendrik Nombulelo “The municipality is not collecting our rubbish, but they threaten to arrest us if we dump” Residents say Queenstown is left with only one garbage truck” 4 April 2019

[GroundUp](#): Luhanga Peter “Dunoon’s streets are running with raw sewage City blames the mess on ‘misuse of the sewer system’” 3 April 2019

[Place](#): Harrisberg K “‘We feel free’: South Africans cycle through apartheid’s spatial divides” 3 April 2019

[Place](#): Malo S “As sea levels rise, U.N. climbs aboard floating-cities push” 4 April 2019

Africa

- **Biodiversity**

[The Conversation](#): Scroxtan N *et al* “Last of the giants: What killed off Madagascar’s megafauna a thousand years ago?” 29 March 2019

[The Conversation](#): Ogutu J “People are taking a huge toll on the plains of the Serengeti-Mara” 1 April 2019

[The Conversation](#): Grueter C “Rwanda’s gorillas have figured out where to find their sodium fix. But it’s dangerous” 3 April 2019

[Natural Justice](#): “Kenya’s Lamu communities launch a united Biocultural Community Protocol” 2 April 2019

- **Climate change and energy**

[The Conversation](#): Arndt C and Ringler C “Cyclone Idai shows why long-term disaster resilience is so crucial” 4 April 2019

[The Conversation](#): Amao F “Cyclone Idai showed how some countries battle to handle disasters” 4 April 2019

- **Local government**

[Place](#): Peyton N “Ghana tackles floods, waste and pollution with Accra resilience plan” 28 March 2019

[Place](#): Harrisberg K “Half urban population of sub-Saharan Africa still living in slums – study” 27 March 2019

[The Conversation](#): Paller JW “How everyday politics shapes the way African cities are run” 2 April 2019

[IISD](#) SDG Knowledge Hub: Risse N “UNGA Meeting on Climate and SDGs Seeks to Ramp Up Ambition, Respond to Youth” 2 April 2019

- **Mining**

[Place](#): Chandran R “Laos has 'mortgaged' future at expense of people, U.N. expert says” 29 March 2019

[The Conversation](#): Maiza Larrarte A and Claudio-Quiroga G “The DRC and China’s Sicomines: why future deals should be different” 3 April 2019

- **Water and waste**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Companies Launch African Plastics Recycling Alliance” 1 April 2019

- **Miscellaneous**

Centre for Human Rights UP: Africa Rights Talk [Podcasts](#): Hosted by Dominique Mystris, each episode offers insight into the African human rights system and the state of human rights in Africa, and globally.

[IISD](#) ENB: 5th Session of the Africa Regional Forum on Sustainable Development (ARFSD 5): Empowering People and Ensuring Inclusiveness and Equality 16-18 April 2019 | Marrakech, Morocco

[IISD](#) SDG Knowledge Hub: Risse N “Tanzania’s SDG Audit Finds Need to Identify, Mobilize Resources” 2 April 2019

[The Conversation](#): Coetzee Bernard “Light pollution: the dark side of keeping the lights on” 3 April 2019

[Place](#): Ngalame EN “Cameroon farmers spice up earnings with forest-friendly foods” 3 April 2019

Rest of the world

- **Biodiversity and culture**

[The Conversation](#): Beard S and Upchurch P “Catastrophic failure of Earth’s global systems led to the extinction of the dinosaurs – we may yet go the same way” 29 March 2019

[The Washington Post](#): Fox J *et al* “What remains of Bears Ears: Utah’s politically contentious southeast corner is a living landscape of culture and civilization” 2 April 2019

[IISD](#) SDG Knowledge Hub: Tsioumani E “Compilations of Materials Aim to Enhance National-level Synergies Among Biodiversity-related Conventions” 2 April 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “FAO Kickstarts Global Forest Resources Assessment 2020” 2 April 2019

[The Guardian](#): Cox L “‘Laws are so weak’: action needed to stop Australia’s animal extinction crisis – senators” 4 April 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Experts Launch Blue Prosperity Coalition” 2 April 2019

[The Guardian](#): Taylor M “Campaign to save oceans maps out global network of sanctuaries” 4 April 2019 Read also [The Independent](#)

[Place](#): Rodriguez S “Costa Rica seeks to free ‘trapped’ communities from protected area” 2 April 2019

- **Climate Change and Energy**

Climate Law [Blog](#): Adler D “Changing the national flood insurance program for a changing climate: new article authored by the Sabin Center and the Natural Resources Defense Council” 1 April 2019

Climate Law [Blog](#): Adler D “BLM falls short on obligations to consider climate change: Sabin Center Files comments on draft EIS for oil & gas leasing in the Arctic National Wildlife Refuge” 26 March 2019

Climate Law [Blog](#): Gerrard MB “Maritime boundaries, sea level rise and climate justice” 25 March 2019

Climate Law [Blog](#): “A Scientific Perspective on EPA’s Proposal to Weaken Performance Standards for New Coal-fired Power Plants” 19 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “WMO Statement Details Accelerating Climate Impacts for 2018” 2 April 2019

[IISD](#) SDG Knowledge Hub: Jungcurt S “Global Energy Demand in 2018 Grew at Fastest Pace in a Decade” 2 April 2019 [provided by Urmila Soni]

[The Guardian](#): Brown K “Chernobyl’s disastrous cover-up is a warning for the next nuclear age” 4 April 2019

[The Independent](#): Gabbatiss J “Countries accused of using ‘cynical trick’ to restore forests that does not tackle climate change” 3 April 2019

[The Guardian](#): Markham L “How climate change is pushing Central American migrants to the US” 6 April 2019

[The Guardian](#): “Arctic: a Double Polar Expedition - photo essay” 5 April 2019

[The Guardian](#): Carrington D “Why the Guardian is putting global CO₂ levels in the weather forecast” 5 April 2019

[The Guardian](#): Carrington D “‘Historic breakthrough’: Norway’s giant oil fund dives into renewables” 5 April 2019

[The Guardian](#): Carrington D “Last time CO₂ levels were this high, there were trees at the South Pole” 3 April 2019

[The Independent](#): Lucas C “Politicians can’t waste years obsessing over Brexit while our planet burns” 2 April 2019

[The Independent](#): Gabbatiss J “Campaigners call for ‘climate damages tax’ as they launch legal action against Shell” 5 April 2019

- **Local government**

[Place](#): Srivastava R “‘No cemetery, no vote’, Mumbai’s Christian voters warn ahead of polls” 26 March 2019

[Place](#): Gloystein H “Asia’s mega-cities need clean energy drive to cope with environmental threats” 28 March 2019

[Place](#): Ryan K “New York City’s congestion pricing plan a first for United States” 1 April 2019

[Place](#): Sayeed S and Hassan SR “Karachi revitalization drive aims to remake Pakistan’s largest city” 31 March 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “IGES Launches ‘Voluntary Local Review’ [Platform](#) for Sub-national SDG Follow-Up” 2 April 2019

[Meeting of the Minds](#): McDondald R “The Green Soul of the Concrete Jungle” 2 April 2019

[The Independent](#): Gabbatiss J “New funding for councils to tackle air pollution ‘won’t touch the sides’, green groups say” 3 April 2019

[Science Advances](#): Service RF “To seal off dangerous lead pipes, just add electricity” 3 April 2019

- **Water and waste**

[IISD](#) SDG Knowledge Hub: Paul D “Lack of Safe Water More Deadly to Children than War, UNICEF Warns” 2 April 2019

[IISD](#) SDG Knowledge Hub: Paul D “Water Scarcity Forum Calls for Urgently Adapting Agriculture, Food Systems” 2 April 2019

[IISD](#) ENB: 3rd Meeting of the Open-ended Working Group (OEWG3) of the International Conference on Chemicals Management (ICCM) 1-4 April 2019 | Montevideo, Uruguay

Texas A&M University School of Law [Video](#): Lectures of the 25-26 March 2019 6th Annual Water Lecture Series speaker program – for the entire series click [here](#)

[The Guardian](#): Green L “Plastic in paradise: the battle for the Galápagos Islands’ future – video” 3 April 2019

[Washington Post](#): Zhi Lim X “The Surprising Reason your Clothes are a Huge Source of Ocean Pollution” 6 April 2019

[Science Advances](#): Cornwall W “Do chemicals that disperse oil spills make the problem worse? Probably not, new study finds” 5 April 2019

[Science Advances](#): Hua Law Y “Radioactive waste standoff could slash high tech’s supply of rare earth elements” 1 April 2019

[Place](#): Suliman A “New Zealand native know-how lauded for big business” 3 April 2019

- **Miscellaneous**

[Place](#): Taylor T “Air pollution linked with psychotic experiences in UK teens, study finds” 27 March 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “UNEP, IUCN Propose 18 Gender-Environment Indicators” 2 April 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “‘Stand For Her Land’ Global Campaign Builds Momentum for Equal Land Rights” 2 April 2019

[Science Advances](#): Joel L “Ancient ‘Snowball Earth’ thawed out in a flash” 2 April 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

IAIAsa: Annual Conference: First Call for Papers

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Abstract [submission](#) by 26 April 2019

Registration [here](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator

[Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.1a Environmental law (Introduction)**
Dates: 15-17 April 2019
- **CEM-05.1.1 Environmental impact assessment for practitioners**
Date: 13 - 17 May 2019
- **CEM-06.8.2 Ecological rehabilitation and mine closure**
Date: 13 - 17 May 2019
- **CEM-02.1.2 Environmental law - integrated water resource management**
Date: 20 - 24 May 2019
- **CEM-03.2.1 Occupational health and safety management system**
Date: 20 - 24 May 2019
- **CEM-02.2.2 Mine health and safety law**
Date: 28 - 30 May 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Beyond 50 and 10, beyond the rhetoric: The protection of forced migrants in Africa”

Date: 6 - 7 September 2019

Venue: University of Pretoria

Deadline for submission: 30 April 2019

More [information](#)

International

III TRAMEREN International Conference on Arctic Environmental and Climate Change Governance

Presented by the Faculty of Law, University of Copenhagen, the Center for International Governance Innovation (CIGI) and the Frank Guarini Center, School of Law, New York University

Date: 11 and 12 June 2019

Place: Faculty of Law, University of Copenhagen – Karen Blixens Plads 16, 2300 Copenhagen, Denmark

Conference [website](#)

More information contact [Beatriz Martinez Romera](#)

Webinar: Profit from Capturing Methane Emissions

Date: 9 April 2019

Time: 7:15 PM - 8:45 PM SAST

[Registration](#)

NEWS

National

- **Biodiversity**

Criminal: Hefty sentence for abalone racketeer's wife

“The former wife of convicted racketeering and abalone-poaching kingpin Morne Blignault was last week sentenced in the Eastern Cape High Court (Port Elizabeth) to a hefty 12-years in prison for her role in the illegal enterprise created by her and her ex-husband. According to a report in The Herald, Marshelle Blignault, along with four others, pleaded guilty in August 2018 to a number of charges, among them racketeering and contravening the Marine Living Resources Act. Blignault’s co-accused – Jacob ‘Japie’ Naumann, Frederick ‘Frikkie’ Nance, Petrus ‘Pietie’ Smith and Willie Nance, who all pleaded guilty and were convicted on various charges – received sentences ranging from five to 12 years, while Nance Snr received an option of a R20 000 fine or 18 months in prison. Morne Blignault initially pleaded not guilty to the various charges he faced but after his co-accused entered guilty pleas he did an about-turn and pleaded guilty. His trial was then separated from the others. He was convicted on charges of racketeering and contravening the Act and received a 20-year sentence. Makaula said it was evident that the seriousness of the offences and the possibility of a lengthy jail term did not deter the Blignaults and their co-accused from continuing their illegal activities. Makaula found that Marshelle Blignault had ‘benefited immensely’ from her part in the illegal enterprise and her sentence should reflect such.

Full report in The Herald (subscription needed) Legalbrief Environmental 2 April 2019

Criminal: Rhino poachers seek to appeal 'cruel' sentences

“Three rhino poachers who were each sentenced to 25 years imprisonment plan to appeal their ‘cruel’ and ‘unusual’ sentences, Die Burger reports. Jabulani Ndlovu (41), Forget Ndlovu (39) and Skhumbuzo Ndlovu (39) were convicted on more than 50 charges relating to 11 incidents of poaching in the Eastern Cape. Advocate Terry Price SC, on behalf of the Ndlovu trio, yesterday argued that the court had shown no mercy for his clients and a different court might arrive at another sentence, ‘for example 18 (years)’. ‘I don’t want to be seen as someone who doesn’t view (poaching) in a serious light, but no human was killed, a young woman was not raped, there was no robbery in a bank where people were shot. Rhinos are vulnerable and valuable, but one must still view them as they are – they are animals, not humans.’ Judge Jeremy Pickering responded that there was no evidence in mitigation of the sentence. Pickering dismissed the application for leave to appeal. Price said afterwards his clients are considering petitioning the SCA.”

Full report in Die Burger (subscription needed) Legalbrief 4 April 2019

Litigation: Winelands farmer ordered to comply with US ruling

“A prominent Cape Winelands farmer has one week left to destroy two ‘illegal’ vineyards, or risk the ignominy of watching the sheriff of the court doing it for him, says a Times Select report. It is not the first time table grape farmer Eddie Redelinghuys has fallen foul of the law; three years ago an American court ruled he was in breach of a plant breeders rights agreement with a Californian plant genetics company which allowed Redelinghuys to grow its table grape varieties

under licence in specific Winelands locations. The company, International Fruit Genetics (IFG), had cancelled the licence agreements in 2017, only to discover that Redelinghuys was still growing its plants in SA. Redelinghuys said he was not obligated to destroy his vines in terms of SA law. However, the Western Cape High Court ordered Redelinghuys – in the form of two shelf company ‘respondents’ under his control – to comply with the US court ruling and destroy all IFG vines in his possession, ‘including cutting off all vines below the graft of any IFG Proprietary Cultivar’ in his possession. Redelinghuys, meanwhile, has lodged a separate damages claim against IFG for commercial losses as a result of the termination of their licence agreement.”

Times Select report Legalbrief 4 April 2019

Hendricks Ashraf “Circus animals: part of a magical world, or the victims of cruelty? Protesters call for boycott of travelling circus” [GroundUp](#) 4 April 2019

“Minister ups abalone quota, says legal fishers can't be punished for work of poachers” [News24](#) 5 April 2019

Sizwe sama Yende “Kruger Park: Rhino poaching used as an excuse to torture us, say black employees” [News24](#) 3 April 2010

Harrison A “Scientists dissect carcass of Kommetjie whale shark” [News24](#) 4 April 2019

- **Climate change and energy**

Van der Merwe M “Gordhan: Radioactive leaks at Koeberg were 'negligible'” [Mail&Guardian](#) 1 April 2019

Practice: Law firm preparing load-shedding class action

“De Beer Attorneys is preparing legal action against Eskom over load shedding. Managing partner at the firm, Elaine Bergenthuin, reportedly told the Cape Times they were gearing for a class action against the power utility for losses suffered by businesses and individuals. They expected Eskom to argue that load shedding was neither wrongful nor negligent, as it was a responsible response to the electricity crisis. But Bergenthuin said it could be argued that the electricity crisis was as a result of Eskom's negligence in maintaining the electricity infrastructure and it should therefore be held accountable for losses suffered. ‘We have received a lot of interest, and are calling people to come forward to strengthen the case,’ Bergenthuin said. Losses could include anything from damaged appliances to loss of profit, Bergenthuin added.”

Full Cape Times report (subscription needed) Legalbrief 2 April 2019

Bekezela Phakathi “Renewable energy sector receives \$300m loan boost: New Development Bank and Development Bank of Southern Africa will finance the project which aims to increase clean energy production” [BusinessLive](#) 1 April 2019 [Legalbrief 1 April 2019]

Bhengu Lwandile “UN accolade for SA team in Mozambique cyclone rescue work” [BusinessLive](#) 5 April 2019

- **Local government**

Water: Cape Town extends its quality testing

“The Cape Town City Council has opened an extension to its scientific services facility in Waste Water Avenue in Athlone to step up the scope and scale of water quality testing in order to respond to population and economic growth. According to a Cape Times report, the facility also offers a structured scientific graduate programme and capacity for community development and education. The new instruments supporting the extended scope of work include a total organic carbon analyser for liquid and solid samples, an inductively coupled plasma-optical emission spectrometry instrument for metal analysis, and a direct mercury analyser. ‘Investment in scientific research is critical for a forward thinking and proactive municipality and the city is confident that this newly enhanced capacity will act as a driver for enhanced management of these chemicals, both on the manufacturing side and on the side of the regulator,’ Xanthea Limberg, mayoral committee member for water and waste, said. The city said it now had the means and capacity to test water quality at levels above that required by SA National Standard 241, to build extensive, comprehensive data sets that would pave the way to greater resilience.”

Full Cape Times report (subscription needed) Legalbrief Environmental 2 April 2019

Criminal: Mayor linked to alleged R25m fraud

“A portion of the more than R25m siphoned from the Nelson Mandela Bay municipality through a waste management company allegedly landed up in the bank accounts of Mayor Mongameli Bobani and others. The Herald reports the alleged money-laundering scheme is what led Hawks investigators to raid Bobani’s office and KwaMagxaki home on Tuesday. The four-hour raid was the second of its kind by the Hawks in six months. This time, according to a confidential Hawks affidavit, investigators believe that Bobani is at the centre of a fraud, corruption, money laundering and theft network involving municipal officials and waste consulting firm Milongani. In the affidavit, the investigating officer details how 43 payments – totalling R25.6m – were made by municipal officials to Milongani between 2015 and 2017. The first invoice, claiming R1m for 3 116 hours of work supposedly done, was submitted by Milongani in July 2015 – just two days after the company was appointed by the city. This alone raised red flags with investigators, who said it could not possibly have been correct.”

Full report in The Herald (subscription needed) Legalbrief 4 April 2019

- **Mining**

Njini F “AngloGold to comply with mining rights directive” *Fin24* 1 April 2019 [Legalbrief 2 April 2019]

- **Water and waste**

Legislation: Comment sought on beneficial use of waste

“The possible exclusion of certain waste streams from being defined and managed as such and instead used ‘beneficially’ is the focus of a call for public comment gazetted yesterday. The waste streams concerned include chrome, platinum and silicon slag; biomass and gypsum from pulp, paper and cardboard production and processing; and ash from combustion plants. Legislation on waste management

requires the Minister of Environmental Affairs and her department to 'follow a consultative process' when considering applications in this regard.
Read full report in Policy Watch – Legalbrief 4 April 2019

- **Miscellaneous**

Tshwane Tebogo “BP guilty of taking environmental short cuts - Judge rules that BP built 17 petrol stations without clearance, choosing to build first and ask forgiveness later” [Moneyweb](#) 5 April 2019 [Legalbrief 5 April 2019]

Legislation: Parliament passing fewer Bills

“A study by the Parliamentary Monitoring Group (PMG) has found that the national legislature has considered 173 Bills but passed only 112 during this term, compared with a higher number in the previous term, says a Cape Times report. PMG researcher Monique Doyle said: ‘In the fifth Parliament, the national legislature exercised this authority by passing 112 Bills, and considered dozens more. By the time both Houses had concluded their business, there were 39 Bills left over. The report shows that in the past five years, Parliament passed the highest number of Bills in 2015, when 25 were passed. The number has since declined to 22 Bills this year. According to the study, it takes 73 parliamentary working days to adopt a Bill. Money bills that deal with giving out money, and tax bills are processed faster (in 26 working days) than other Bills, which take 80 working days. Parliament has thus declined in its legislative function efficiency.”
Full Cape Times report (subscription needed) [Legalbrief 5 April 2019]

International

- **Biodiversity**

Kings S “Dead whale full of plastic” [Mail & Guardian](#) 5 April 2019

“German state to accept environmentalists' bee-saving plan” [News24](#) 4 April 2019

Kaminski I “Sikhs aim to plant million trees as 'gift to the planet'” [The Guardian](#) 5 April 2019

Gabbatiss J “Shark culling banned on Great Barrier Reef after campaigners win landmark court ruling” [The Independent](#) 3 April 2019

“Philippines Customs Officials Seize 757 Tarantulas from Poland” [Washington Post](#) 3 April 2019

- **Climate change and energy**

Rowling M “Storm-slammed Mozambique must rebuild for ‘tomorrow’s climate’” [Moneyweb](#) 28 March 2019 [Legalbrief Environmental 2 April 2019]

Kearney L and Disavino S “US oil output growth to slow as shale revolution fades In March, the EIA trimmed its US crude production forecast, its first cut since September” [BusinessLive](#) 5 April 2019

“Six more towns evacuated in Iran with more floods expected” [The Guardian](#) 6 April 2019

Gabbatiss J “Climate change panel disbanded by Trump defies president to issue urgent guidance on flooding and wildfire threats” [The Independent](#) 4 April 2019

DeLorenzo T “US Senate votes against natural disaster aid bill” [The Jurist](#) 2 April 2019

Mufson S “Shell quits trade group over climate-change positions” [Washington Post](#) 2 April 2019

- **Local government**

Topham G “London prepares for launch of ultra-low emissions zone” [The Guardian](#) 6 April 2019

- **Mining**

Iannucci E “Canavan announces enviro regulation changes for oil and gas project” [Mining Weekly](#) 26 March 2019

Evans R “Protesters hail legal victory over fracking firm's injunction” [The Guardian](#) 3 April 2019

Callan A “Federal judge blocks executive order and restores drilling ban in Arctic Ocean” [The Jurist](#) 1 April 2019

- **Waste and Water**

Koltonowski A “PPG to pay \$1.2 million in pollution settlement” [The Jurist](#) 3 April 2019

- **Miscellaneous**

Booth J UK councils assess weedkiller use after US cancer court case” [The Guardian](#) 5 April 2019

Eckerd R “House prepares lawsuit to challenge Trump's declaration of national emergency at border” [The Jurist](#) 5 April 2019

Gallmeyer C “Federal judge orders PG&E to stop paying dividends and spend money to reduce wildfire risk” [The Jurist](#) 3 April 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of the Free State Faculty of Law: Vice-Dean

Closing date: 12 April 2019

More [information](#)

University of the Free State Faculty of Law: Faculty Manager

Closing date: 12 April 2019

More [information](#)

University of the Free State: Attorney: Law Clinic: Community Action and Research

Closing date: 12 April 2019

More [information](#)

University of the Free State: Attorney: Student Support

Closing date: 12 April 2019

More [information](#)

University of the Free State: Department of Mercantile Law: Senior Assistant Officer

Closing date: 12 April 2019

More [information](#)

Counsel, Sub Saharan Africa Uber

Place: Johannesburg

More [information](#)

2020 PSG Legal Graduate Programme: PSG Management Services (Pty) Ltd

Closing date: 31 October 2019

More [information](#)

Senior Legal Counsel Africa Legal: Barclays

More [information](#)

SA Cities Network Programmes Internship 2019-2010:

Closing date: Thursday, 18 April 2019 17h00

More [information](#)

SA Cities Network Urban Data Project Manager

Closing date: 23 April 2019

More [information](#)

SA Cities Network Governance Intern:

Closing date: Thursday, 18 April 2019 17h00

More [information](#)

Varsity College: Lecturer: Methods of Payment Law (Independent Contractor) - Pietermaritzburg Campus

Closing date: 19 April 2019

More [information](#)

International

Institute for Advanced Sustainability Studies e.V. (IASS): PostDoc (100%) (f/m/d) with a social scientific background for the project Sustainable Energy Transitions Laboratory (SENTINEL). Reference Number: SENTINEL-2019-01

Applications as soon as possible (consider applications 19 April 2019)

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 14

5 April 2019

LEGISLATION

BILLS

Draft Tourism Amendment Bill, 2019 – Gen Notice 228 in GG 42391 of 12 April 2019 - for comment

NOTICES

Public Service Act, 1994 (Proclamation 103 of 1994) - GN 581 in GG 42394 of 11 April 2019 - Public Service Regulations, 2016 amended

National Forests Act 84 of 1998 – Gen Notice 210 in GG 42391 of 12 April 2019 - Notice of intention to declare certain State Forests as Forest Nature Reserves under s. 8 (1) of the Act - for comment

Competition Act 89 of 1998 - GN 568 in GG 42391 of 12 April 2019 - Competition Commission: South African Petroleum Industry Association conditional exemption extended until 30 June 2019

National Railway Safety Regulator Act 16 of 2002 - GN 578 in GG 42391 of 12 April 2019 - Determination of Safety Permit Fees for the 2019/20 financial year published with effect from 1 April 2019

Natural Scientific Professions Act 27 of 2003 – Gen Notice 212 in GG 42391 of 12 April 2019 - South African Council for Natural Scientific Professions (SACNASP): SACNASP Code of Conduct published with effect from 1 April 2019

Astronomy Geographic Advantage Act 21 of 2007 – GN 583 in GG 42399 of 12 April 2019 - Minister's decision regarding the proposed exemption of Radio Frequency Spectrum use within the declared Karoo Central Astronomy Advantages Areas

Merchant Shipping (International Oil Pollution Compensation Fund) Contributions Act 36 of 2013 – Gen Notice 215 in GG 42391 of 12 April 2019 - Determination of rate of levy for 2017 tax period and payment date

PROVINCES

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 – MN 36 in *PG* 2066 of 11 April 2019 - Inkosi Langalibalele Local Municipality - Appointment of members to the Municipal Planning Tribunal (MPT)

Western Cape

Western Cape Special Economic Development Infrastructure Company Act 3 of 2019 - PN 46 in *PG* 8077 of 8 April 2019 – commenced 8 April 2019

Correction notice to Western Cape Special Economic Development Infrastructure Company Act 3 of 2019 - PN 48 in *PG* 8080 of 12 April 2019

Promotion of Access to Information Act 2 of 2000 - LAN 57731 in *PG* 8078 of 8 April 2019 - West Coast District Municipality - Manual on the Promotion of Access to Information

Gauteng

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 750 in *PG* 116 of 11 April 2019 - City of Ekurhuleni Metropolitan Municipality - Draft Spatial Planning and Land Use Management By-law – notice of public participation

CASES

National

Ngomane and Others v City of Johannesburg Metropolitan Municipality and Another (734/2017) [2019] [ZASCA](#) 57 (3 April 2019)

Summary: Constitutional law – ss 38 and 172 (1)(a) and (b) of the Constitution – municipality removing and destroying property comprising personal effects and materials used to erect overnight shelter belonging to the homeless applicants in a public health law clean-up exercise – not an eviction – applicants not entitled to *mandament van spolie* or mandatory substitution of the property – destruction of property unlawful and a breach of applicants' rights to dignity, privacy and not to be deprived of their property – declaration of the unlawfulness of the destruction of the applicants' property and compensation therefor appropriate relief.

PUBLICATIONS

National

Juta's Index and Annotations to the South African Criminal Law Reports 2016-2018 (Juta April 2019)

Harban Thomas "The implications of giving informal legal advice" 2019 April [De Rebus](#)

International

UN “Financing for Sustainable Development Report 2019’ (UN Report 2019)

WWF and GiZ “Opportunities to Improve Infrastructure Planning for Social-ecological Resilience” ([Paper](#) April 2019)

Jan McDonald, Jeffrey McGee, Kerry Brent & Wil Burns Governing geoengineering research for the Great Barrier Reef Climate Policy (2019) <https://www.tandfonline.com/doi/full/10.1080/14693062.2019.1592742>

Cotula Lorenzo “[Law and political economy of the global resource squeeze: Can action rise to the challenge?](#)” (IIED 2019)

Hawkins Stephanie “[How Important is Gender in Transboundary Groundwater Governance?: A Question for the Ramotswa Aquifer in Southern Africa](#)” 2019 6(1) *The Journal of Gender and Water*

McHarg Aileen “[How to conceptualise energy law and policy for an interdisciplinary audience: The case of post-Brexit UK](#)” 2019 129 *Energy Policy*

Morgera Elisa “[Under the radar: the role of fair and equitable benefit-sharing in protecting and realising human rights connected to natural resources](#)” 2019 *International Journal of Human Rights*

Parks Louisa and Schroeder Mika “[What We Talk about When We Talk about 'Local' Participation in International Biodiversity Law. The Changing Scope of Indigenous Peoples and Local Communities' Participation under the Convention on Biological Diversity](#)” 2018 11 *Partecipazione e Conflitto*

Morgera Elisa “[Fair and equitable benefit-sharing in a new international instrument on marine biodiversity: A principled approach towards partnership building?](#)” 2018-19 5 *Maritime Safety and Security Law Journal* 48-77

Morgera Elisa “Dawn of a New Day? The Evolving Relationship between the Convention on Biological Diversity and International Human Rights Law” (2018) 54 *Wake Forest Law Review* 101-121

Morgera E, Parks L and Marchegiani P “[Indigenous Peoples’ Rights to Natural Resources in Argentina: The Challenges of Impact Assessment, Consent and Fair and Equitable Benefit-Sharing in Cases of Lithium Mining](#)” BENELEX Working Paper No 19

Cotula Lorenzo “[Reconsidering Sovereignty, Ownership and Consent in Natural Resource Contracts: From Concepts to Practice](#)” 2018 *European Yearbook of International Economic Law*

Mehling Michael, Metcalf Gilbert E and Stavins Robert N “[Linking Heterogeneous Climate Policies \(Consistent with the Paris Agreement\)](#).” 2018 48 *Environmental Law* 647-698

Van Asselt Harro, Kulovesi Kati and Mehling Michael “Negotiating the Paris Rulebook: Introduction to the Special Issue” 2018 12 *Carbon & Climate Law Review* 173-183. doi: 10.21552/cclr/2018/3/3

Mehling Michael “[Governing Cooperative Approaches under the Paris Agreement](#)” (Discussion Paper for the Harvard Project on Climate Agreements 2018)

Shenzhen, China Reducing Ozone Depletion through Green Public Procurement (ICLEI East Asia Case Study [Series](#) No. 1)

Klein CA “The National Flood Insurance Program at Fifty: How the Fifth Amendment Takings Doctrine Skews Federal Flood Policy” 2019 31 [Georgetown Environmental Law Review](#) (GELR)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Local government**

[Place](#): Winning A and Skweyiya S “S.African township squalid and neglected despite 25 years of black rule” 11 April 2019

- **Mining**

[Mail & Guardian](#): Ledwaba Lucas “Municipality’s dodgy sand scandal” 5 April 2019

- **Miscellaneous**

[The Conversation](#): Joubert M “New policy commits South Africa’s scientists to public engagement. Are they ready?” 7 April 2019

Africa

- **Biodiversity**

[The Conversation](#): Bobe R and Carvalho S “Humans are not off the hook for extinctions of large herbivores – then or now” 5 April 2019

[The Conversation](#): Laurance B and Van Oosterzee P “From Australia to Africa, fences are stopping Earth’s great animal migrations” 9 April 2019

[The Conversation](#): Onwuzuruigbo I :Why Nigeria’s insecure forests are fertile ground for cattle rustlers” 9 April 2019

- **Climate change and energy**

[ICLEI](#): “ICLEI Africa steps up tangible support to build resilience of cities and towns affected by Cyclone Idai” 4 April 2019

- **Local government**

[Place](#): Mukeredzi Tonderayi “After floods drench eastern Zimbabwe, water shortages parch Harare” 7 April 2019

[Place](#): Peyton N “Road traffic charity paves way to safer cities for African children” 11 April 2019

- **Water and waste**

[IISD](#) SDG Knowledge Hub: Paul D “Special Rapporteur Urges Human Rights Approach to Water and Sanitation in Lesotho” 4 April 2019

- **Miscellaneous**

[The Conversation](#): Nyarubeli Israel Paul “Workers in Tanzania’s noisy factories are at risk of hearing damage” 9 April 2019

Rest of the world

- **Biodiversity and culture**

[IISD](#) SDG Knowledge Hub: Wagner L “Negotiations on Governance of Marine Genetic Resources in the High Seas Move Forward” 11 April 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “UN Biodiversity Convention Launches Action Agenda Online [Platform](#)” 11 April 2019

[The Conversation](#): Sinyanya KY “How microscopic ocean organisms and the earth’s temperature are linked” 11 April 2019

[The Independent](#): Gabbatiss J “Nets preventing birds reaching their nests after migrating thousands of miles from Africa” 9 April 2019

[The Guardian](#): Gorrie N “The government wants to bulldoze my inheritance: 800-year-old sacred trees” 12 April 2019

- **Climate Change and Energy**

[Science](#): Plautz J “Drought is not just about water. It affects air pollution, too” 11 April 2019

[Science](#): Service RF “Marrying two types of solar cells draws more power from the sun” 10 April 2019

[IISD](#) SDG Knowledge Hub: Gass P “Shifting to Below 2° Economies: Berlin Event Discusses Strategies for Just Energy Transitions” 11 April 2019

[IISD](#) SDG Knowledge Hub: Mead L “Partners Launch ‘Cool Coalition’ to Save Lives, Energy and Trillions for Global Economy” 11 April 2019

[Place](#): Terefer D “Ethiopian farmers struggle to scratch a living in warming highlands” 12 April 2019

[Place](#): Elks S “Green machines? Flying taxis could slash emissions for long journeys” 9 April 2019

[The Guardian](#): Ghiglione G “Filling a gap: the clandestine gang fixing Rome illegally” 10 April 2019

[The Guardian](#): Law R “Adaptation is the poor cousin of climate change policy” 10 April 2019

[The Guardian](#): Carrington D “Climate crisis: today’s children face lives with tiny carbon footprints” 10 April 2019

- **Local government**

[ICLEI](#): “ICLEI USA 2018 Annual Report Shows Local Governments Raise Ambition using Data-Driven Sustainability Solutions” 29 March 2019

[Place](#): Malo S “Cool U.S. cities prepare as future 'havens' for climate migrants” 6 April 2019

[Place](#): Biron C: “In U.S. first, Minneapolis rethinks housing density to make homes cheaper” 8 April 2019

[Place](#): Bacchini U “Georgians uprooted by war stage four-day protest to demand new homes” 5 April 2019

[Place](#): Copley C “Berlin activists march to demand city seize housing from landlords” 6 April 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Cities and Infrastructure” 11 April 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNECE Event Recognizes Local Governments’ Role in Achieving SDGs” 11 April 2019

[Place](#): Chandran R “As drought bites, Thai cities urged to rein in festive water fights” 12 April 2019

[Place](#): Chandran R “More than 11 million face eviction, displacement as India booms” 9 April 2019

[Place](#): Biron CL “In U.S. first, Minneapolis rethinks housing density to make homes cheaper” 8 April 2019

- **Mining**

[Place](#): Moloney A “Ecuador's hunter-gatherers in court over oil drilling in Amazon” 11 April 2019

[Ethical Corporation](#): Horvath E “Indigenous people’s livelihoods at risk in scramble for lithium, the new white gold” 9 April 2019

[The Independent](#): “In photos: The Brazilian tribal lands under threat from farmers and miners” 13 April 2019

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Water and Linkages to Data, Businesses and Countries” 4 April 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNEP [Guide](#) Presents Governance Framework for MPAs” 4 April 2019

[IISD](#) SDG Knowledge Hub: Jackson C “SAICM Report Highlights Progress on Emerging Policy Issues in Chemicals Management” 4 April 2019

[IISD](#) SDG Knowledge Hub: Jackson C “Approach for Sound Chemicals and Waste Management Beyond 2020 Under Review” 11 April 2019

[IISD](#) SDG Knowledge Hub: Jackson C “OEWG3 Submission Calls for Dedicated Fund for Sound Management of Chemicals and Waste” 11 April 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Leone F “UN Report: Repurpose Global Architecture to Finance Sustainable Development” 4 April 2019

[Duke Law](#): “Duke environmental justice symposium explores disasters and resilience” 13 March 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “Deputy Secretary-General Flags Solutions to ‘Sobering’ Financing Challenges” 11 April 2019

[IISD](#) SDG Knowledge Hub: Risse N “Austria, Germany Report on SDG Audit Efforts” 11 April 2019

[IISD](#) SDG Knowledge Hub: Paul D “Rockefeller, MacArthur Foundations Launch Private Capital Initiatives for SDGs” 11 April 2019

[The Conversation](#): Pimblet K “First black hole photo confirms Einstein’s theory of relativity’ 10 April 2019

[Place](#): Chandran R “Hong Kong urged to call time on ‘archaic’ indigenous land policy’ 11 April 2019

[The Independent](#): Shih G “‘Nothing ever changes’: Life after one of China’s deadliest chemical disasters” 11 April 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

IAIAsa: Annual Conference: First Call for Papers

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Abstract [submission](#) by 26 April 2019

Registration [here](#)

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

University of Pretoria Department of Public Law 5 Day Short course: Environmental Law

Dates and additional information: to be obtained from the Course Coordinator

[Dolly Mabuza](#) or 012 434 2576 / 066 202 4356 or the course leader: [Melanie Murcott](#)

General [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-05.1.1 Environmental impact assessment for practitioners**

Date: 13 - 17 May 2019

- **CEM-06.8.2 Ecological rehabilitation and mine closure**

Date: 13 - 17 May 2019

- **CEM-02.1.2 Environmental law - integrated water resource management**

Date: 20 - 24 May 2019

- **CEM-03.2.1 Occupational health and safety management system**

Date: 20 - 24 May 2019

- **CEM-02.2.2 Mine health and safety law**

Date: 28 - 30 May 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

SARCIL: “Gaps” in international environmental law in the epoch of the anthropocene: a global environmental pact to the rescue?

Date: 29 August 2019

Venue: Stellenbosch (tbc)

Abstracts: Closing date 31 May 2019

More information contact [Werner Scholtz](#)

International

New online course: The European Energy Transition: Actors, Factors, Sectors for the international energy community

Dates: 17 May – 12 July 2019

[Learn more here](#)

Call for Papers: 2019 Middle East Environmental Law Conference: Law | Climate Change | Middle East and North Africa

Date: November 4-5, 2019

Host: Hassan First University of Settat, in Casablanca, Morocco

Abstracts by 30 April 2019 to be uploaded [here](#)

SDGs and Earth Jurisprudence: Education and Climate Change - 1.5 online webinar course (free)

The Ethics Specialist Group of the IUCN WCEL is co-hosting a webinar course on [SDGs and Earth Jurisprudence: Education and Climate Change](#). The webinar is part of a monthly series on Ecological Law and Governance (for the full calendar or past course videos, please see <https://www.elga.world/2019-elg-webinar-series/>). The courses are open to the public – simply click on the Zoom link at the start of the course time.

IUCN WCEL Free e-Course: SDGs and Earth Jurisprudence: Education and Climate Change

Tuesday 16 April 2019

12:00 – 13:30 EST (New York)

At the time of the course, simply click [here](#)

Organized by [CEEL](#) and the [IUCN WCEL Ethics Specialist Group](#), with [UN Harmony with Nature](#) (UN HwN)

This course will explore ecological law and governance and climate change education as it relates to the classroom, civil society, and policy-makers. Climate Change and Education are the SDG focal points for 2019 for the Harmony with Nature (HwN) program, and so this course aligns with other HwN events for 2019, including the [9th Interactive Dialogue of the General Assembly occurring on April 22, 2019 from 10:00 – 18:00 EST](#) (Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all; Goal 13. Take urgent action to combat climate change and its impacts).

If you have any questions or concerns, please contact [Kathryn Gwiazdon](#)

Free Webinar: Clean Energy Solutions: May Webinar: Project Costs for Renewable Generation Projects in the Pacific

Date: 19 May 2019

Time: US 9:00 p.m. Eastern Daylight Time | 6:00 p.m. Pacific Daylight Time

[Check the local time.](#)

[Register](#) and get more information [here](#)

NEWS

National

- **Biodiversity**

Interdict granted against reserve ‘stealing game’

“A game reserve in the Zululand area has obtained an urgent interdict to stop Andre de Deere and anyone else acting on his behalf from hunting and poaching there. The Witness reports the temporary order was granted by the KZN High Court (Pietermaritzburg) against De Deere, a resident at the Inyathi Farm Lodge. Businessman Hendrik Greeff, the owner of the Magudu Game Company, said in court papers that his business generates its income through the operation of

commercial hunting of wild game species and through recreational activities such as game viewing and lodging. He said that on 7 March, a hunter from the safari company was with European hunters on the leased property when they encountered De Deere hunting with someone else and they fired a shot. Greeff added that last month poachers were caught red-handed with carcasses of animals that were illegally hunted. They claimed they had De Deere's permission to hunt. Greeff said this application is to stop De Deere from his unlawful conduct 'which amounts to nothing less than stealing game'. De Deere has been given until 21 May to explain why the interdict should not be confirmed."

Full report in The Witness (subscription needed) Legalbrief 8 April 2019

"uMkhuze lush despite repeated cycles of drought" [IOL](#) 10 April 2019

Mgubane T "Land-grabbers mark plots at nature reserve" [IOL](#) 11 April 2019

- **Climate change and energy**

- General: Nersa takes Eskom's R69m bailout**

The National Energy Regulator (Nersa) has effectively wiped out the R69bn cash injection that the Treasury allocated to Eskom in the budget in February and neutralised the government's support package, notes a **Business Day** report. In March, when Nersa announced its decision on Eskom's three-year tariff application, it calculated the return on assets in rand terms for each of three years. It then deducted the Treasury's R23bn a year from the total. For example, instead of allowing Eskom a return on assets of R14.28bn in year 2020, Nersa deducted R23bn and calculated a negative return of minus R8.75bn. Overall, instead of a R41bn return on assets over the three years it would have received without the bailout, Eskom was allowed a negative return on assets of minus R27.98bn. While Nersa has not yet given its reasons for the R69bn deduction, Eskom chair Jabu Mabuza said Eskom's reading of what had happened was that Nersa viewed the R69bn bailout as revenue in Eskom's hands, adding that the decision by Nersa was 'strange'. 'Nersa took the R69bn from our allowable revenue. They adjusted our revenue as a result of the support we got from the shareholder. We will have to wait until we receive their written reasons to find out why. But the effect has been to leave us worse off than we were before we got the R69bn.' Nersa is expected to send its reasons for the decision to Eskom 'in due course', according to its website. The Treasury said that it had noted Nersa's decisions on Eskom's revenue application and is awaiting the release of the reasons for decisions to gain a better understanding of what informed the decision."

Full Business Day report (subscription needed) Legalbrief 8 April 2019

Yeld J "Feathers fly over Watson wind farm plan" [GroundUp](#) 10 April 2019

Khumalo K "Call to update plan for green energy in SA" [IOL](#) 11 April 2019

Kenny A "Renewable energy is a disaster and will collapse SA's electricity supply system" [News24](#) 12 April 2019

- **Local government**

Mbovane T “All we want is to see the government collect the rubbish” [GroundUp](#) 9 April 2019

Woo S “Good design saves pedestrians' lives - transport engineer” [TimesLive](#) 13 April 2019

“Watch: China rebuilding its cities into water absorbent urban areas” [News24](#) 12 April 2019

- **Mining**

Litigation: Business rescue practitioner attacked by workers

“Business rescue practitioners of the formerly Gupta-owned Koornfontein mine are asking the Gauteng High Court (Pretoria) for an urgent interdict to restrain furious members of NUM, according to Rapport. It notes Chris Monyela, one of the practitioners, says in his affidavit he was severely assaulted in his Pretoria office last Monday. The workers were transported from Mpumalanga to the upmarket Pretoria office by bus, according to the court papers. Workers are angry because they have not received salaries since November 2018. Monyela says he was kicked and hit while lying on the ground. ‘Blood was pouring from my nose and mouth and I feared for my life,’ he added. When an ambulance arrived, a paramedic was assaulted at the gate and turned around without assisting him, Monyela says. The business rescue practitioners say they are in the process of securing funding for the mines and the workers are under the mistaken belief that they are withholding salaries deliberately. Workers were requested not to report for work to limit expenses, he says. In a separate but related incident, desperate workers from the Optimum mine, who face the same fate, are believed to be responsible for a fire on an adjacent farm causing R160 000 of damages. Jan Uys rents the farm from Optimum and says the workers seem to believe everything on the farm belongs to Optimum. The arsonists left a note saying they were fed up with waiting for their salaries and would return.”

Full report in Rapport (subscription needed) Legalbrief 8 April 2019

Ryan C “Disease haunts Mpumalanga coal town” [GroundUp](#) 11 April 2019

Steyn L “Industry’s challenge to mining charter is against progress, says Gwede Mantashe” [BusinessLive](#) 12 April 2019

Menon S “Mining plunges in February to three-year low” [BusinessLive](#) 11 April 2019

Khumalo K “SA’s gold-production sector on its knees” [IOL](#) 12 April 2019

Redelinghuys P “There’s gold in cleaner emissions” [BusinessLive](#) 9 April 2019 [subscription needed]

Dludla S “Mantashe calls on SA mining companies to invest in clean-coal technology” [IOL](#) 12 April 2019

- **Water and waste**

Lali V “Water protests disrupt Khayelitsha” [GroundUp](#) 11 April 2019

International

- **Biodiversity**

“Singapore seizes more pangolin scales in week's 2nd bust” [News24](#) 12 April 2019

“Animal welfare group evacuates 40 animals from Gaza zoo” [News24](#) 11 April 2019

- **Climate change and energy**

Dmitry Z and Olesya A “Why Shell withdrew from a Russian LNG project” [BusinessLive](#) 12 April 2019

Cockburn H “Unique ‘oil-eating’ bacteria discovered in world’s deepest ocean trench” [The Independent](#) 13 April 2019

Cockburn H “Norway refuses to drill for billions of barrels of oil in Arctic, leaving ‘whole industry surprised and disappointed’” [The Independent](#) 9 April 2019

“Cyclone Idai caused \$2bn of damage and affected millions, says World Bank” [The Guardian](#) 13 April 2019

Barber M “Trump signs executive orders making it easier to build oil and gas pipelines” [The Jurist](#) 12 April 2019

Shi XL “Malaysia former first lady facing new corruption charge” [The Jurist](#) 10 April 2019

Slobe E “Pennsylvania Senate considering nuclear energy subsidy bill” [The Jurist](#) 9 April 2019

Shi XL “California sues US agencies over information on rollback of vehicle emissions standards” [The Jurist](#) 9 April 2019

#StayOnTheGround: Swedes are opting for trains instead of planes in a new shaming trend” [News24](#) 11 April 2019

- **Mining**

Brown T “UK Supreme Court rules Zambian citizens can sue mining company” [The Jurist](#) 10 April 2019

- **Waste and Water**

Giordano C “Lost river returns more than 60 years after it dried up and died” [The Independent](#) 13 April 2019

Boffey D “Flanders stream so polluted ‘water could be used as pesticide’” [The Guardian](#) 12 April 2019

Harvey F “Drinks bottles now biggest plastic menace for waterways – report” [The Guardian](#) 9 April 2019

- **Miscellaneous**

“Judge orders tiny Pa. township to pay \$103,000 in expenses” [Kalanish Energy](#) 9 April 2019

Forrest A “Residents in new London housing development will be told to keep windows shut because of air pollution” [The Independent](#) 13 April 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Robert Walters: Junior Projects Lawyer: Energy projects

More [information](#)

Legal Advisor Western Cape: Energy

More [information](#)

Health, Safety and Environmental Officer - South Hills, La Vie Nouvelle, Fleurhof and Jabulani Construction Sites

More [information](#)

Internal Auditor Specialist - Mining (Gauteng)

More [information](#)

SHEQ officer

More [information](#)

Scatec Solar Africa (Pty) Ltd. Legal Counsel

More [information](#)

University of Johannesburg: Manager Gender Equity

More [information](#)

Vice Dean Law – Kontak Recruitment SA

More [information](#)

NATIONAL PROSECUTING AUTHORITY

The NPA is an equal opportunity employer. People with disabilities will be given preference and are encouraged to apply. In the filling of vacancies, the objectives of Section 195(1)(i) of the Constitution of the Republic of South Africa, 1996, and in particular the Employment Equity Act, 1998 (Act 55 of 1998) and the NPA Employment Equity Strategy 2016, will take highest preference in selection of suitable candidates.

Applications:

CPP: Queenstown: Burgersdorp: E-mail: Recruit201902@npa.gov.za or Fax 012 843 4792

CPP: Butterworth: Sterkspruit: E-mail: Recruit201903@npa.gov.za or Fax 012 843 4793

CPP: Bloemfontein: Clocolan: E-mail: Recruit201904@npa.gov.za or Fax 012 843 4794

Fauresmith: E-mail: Recruit201905@npa.gov.za or Fax 012 843 4795

Koffiefontein: E-mail: Recruit201906@npa.gov.za or Fax 012 843 4796

Zastron: E-mail: Recruit201907@npa.gov.za or Fax 012 843 4797

CPP: Welkom: Parys: E-mail: Recruit201908@npa.gov.za or Fax 012 843 4798

Vrede: E-mail: Recruit201909@npa.gov.za or Fax 012 843 4771

CPP: Empangeni: Babanango: E-mail: Recruit201910@npa.gov.za or Fax 012 843 4772

CPP: Ladysmith: Utrecht: E-mail: Recruit201911@npa.gov.za or Fax 012 843 4773

CPP: Ntuzuma: Ndwedwe: E-mail: Recruit201912@npa.gov.za or Fax 012 843 4774

CPP: Witbank: Vosman: E-mail: Recruit201913@npa.gov.za or Fax 012 843 4775

CPP: Kimberley: Hartswater E-mail: Recruit201914@npa.gov.za or Fax 012 843 4741

De-Aar: E-mail: Recruit201915@npa.gov.za or Fax 012 843 4743

CPP: Upington: Calvinia: E-mail: Recruit201916@npa.gov.za or Fax 012 843 4728

Griekwastad: E-mail: Recruit201917@npa.gov.za or Fax 012 843 4726

Pofadder: E-mail: Recruit201918@npa.gov.za or Fax 012 843 4716

CPP: Bellville: Vanrhynsdorp: E-mail: Recruit201919@npa.gov.za or Fax 012 843 4713

CPP: Wynberg: Laingsburg: E-mail: Recruit201920@npa.gov.za or Fax 012 843 4714

Closing Date : 30 April 2019

Note: For your application to be accepted: Applications must be submitted on a Z83, obtainable from any Public Service department or on www.npa.gov.za which must be fully completed as per the instructions on the form, signed and dated. If the Z83 is not completed as prescribed your application will not be accepted. CVs without a Z83 will not be accepted. Handwritten Z83 must be completed in BLOCK LETTERS. Only copies of certified required qualifications, identity document and other listed documents as per the advert, must be included with your application. All applications must reach the NPA on/or before the closing date. No late applications will be accepted/processed. The NPA cannot be held responsible for server delays. Applicant's attention is drawn to the fact that the NPA uses an Electronic Response Handling System in terms of e-mailed applications. Please DO NOT contact the NPA directly after you have e-mailed your applications to enquire if your application(s) have been received. If you have not received an acknowledgement of receipt within one week after the closing date then you can contact the NPA. The NPA reserves the right not to fill any particular position. If you do not hear from us within (3) three months from the closing date of the advert, please accept that your application was unsuccessful. Successful candidates will be subjected to a security clearance of at least confidential. Appointment to this position will be provisional, pending the issue of security clearance. Fingerprints will be taken on the day of the interview. The social media accounts of shortlisted applicants may be accessed.

Other Post: Post 14/29 : District Court Prosecutor (X19 Posts)

National Prosecutions Service

Centre: CPP: Queenstown (Burgersdorp) Recruit 2019/02

CPP: Butterworth (Sterkspruit) Recruit 2019/03

CPP: Bloemfontein (Clocolan) Recruit 2019/04

(Fauresmith) Recruit 2019/05

(Koffiefontein) Recruit 2019/06

(Zastron) Recruit 2019/07
CPP: Welkom (Parys) Recruit 2019/08
(Vrede) Recruit 2019/09
CPP: Empangeni (Babanango) Recruit 2019/10
CPP: Ladysmith (Utrecht) Recruit 2019/11
CPP: Ntuzuma (Ndwedwe) Recruit 2019/12
CPP: Witbank (Vosman) Recruit 2019/13
CPP: Kimberley (Hartswater) Recruit 2019/14
(De-Aar) Recruit 2019/15
CPP: Upington (Calvinia) Recruit: 2019/16
(Griekwastad) Recruit 2019/17
(Pofadder) Recruit 2019/18
CPP: Bellville (Vanhynsdorp) Recruit 2019/19
CPP: Wynberg (Laingsburg) Recruit 2019/20

Requirements: A recognised four year legal qualification. At least two years post qualification legal experience or one year post qualification legal experience for candidates who successfully completed the NPA Aspirant Prosecutor Program. A valid driver's license will be a requirement where applicable.

Duties: Study case dockets, decide on the institution of and conduct criminal proceedings. Draft charge sheets and other documents. Represent the State in court.

Enquiries : CPP: Queenstown: Anthony Bean Tel No: 046 602 3041

CPP: Butterworth: Caroline de Kock Tel No: 047 501 2687

CPP: Bloemfontein and CPP: Welkom: Lemmer Ludwick Tel No: 051 410 6001

CPP: Ladysmith: Thabsile Radebe Tel No: 033 392 8753

CPP: Empangeni and CPP: Ntuzuma: Wendy Hadebe Tel No: 031 334 5027

CPP: Witbank: Molefe Ramesega Tel No: 013 752 6944

CPP: Kimberley and CPP: Upington: Phumelele Sali Tel No: 053 807 4521

CPP: Bellville and CPP: Wynberg: Angelene Jansen Tel No: 021 487 7123

Varsity College: Lecturer: Legal Studies (Independent Contractor) - Pretoria Campus

Closing date: 26 April 2019

More [information](#)

Varsity College: Lecturer: Environmental Law (Independent Contractor) - Pretoria Campus - N/A09174

Closing date: 26 April 2019

More [information](#)

Paralegal/Legal Administrator – Half Day

Giesecke and Devrient Mobile Security Southern Africa (Pty) Ltd

More [information](#)

Departement of Transport KwaZulu Natal: Post 14/119 : Director: Legal Services Ref No: P 06/2019

More [information](#)

International

[Chair Professor/Professor/Associate Professor in the School of Law](#)
University of Hong Kong, School of Law

Post-doctoral Fellow (2 posts) in the Policy for Sustainability Lab (PSL)
University of Hong Kong, Faculty of Social Sciences
More [information](#)

[PhD in Sustainability Science](#)

Lund University Centre for Sustainability Studies (LUCSUS)

[Doctoral student in Service Studies, spec Sustainability](#)

Lund University, The Department of Service Management and Service Studies

[Research Assistant in Law & Social Justice](#)

University of Leeds, Faculty of Social Sciences

[2019-2020 Lecturer - Criminology, Law & Society](#)

University of California, Irvine, School of Social Ecology - Criminology, Law & Society

Strathclyde Law School is hiring a Lecturer in Environmental and Human Rights Law very soon

This will initially be a 5-year position.

Please keep an eye on our web site and on jobs.ac.uk or contact us so that we can alert you once the position is made public.

Seeking environmental visiting scholars for 1-week residencies at Pace

I hope that many of you will consider joining us at Pace as a Haub Environmental Visiting Scholar in 2019/20. We anticipate hosting up to five visiting scholars for one-week fall or spring residencies in New York.

The visits afford the opportunity to engage with the Pace environmental community about your work, learn about the work we are doing at Pace, and brainstorm new ideas and potential collaborations.

Details about the program and application process follow and can be found [here](#).

Note that the deadline for submitting letters of interest is May 15.

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 16

12 April 2019

LEGISLATION

BILLS

Tourism Amendment Bill, 2019 – GN 235 in GG 42404 of 15 April 2019 - for comment

NOTICES

National Heritage Resources Act 25 of 1999 - GN 587 in GG 42407 of 18 April 2019 - South African Heritage Resources Agency (SAHRA) - Declaration of types of heritage objects that are protected and may not be exported without a permit

Co-Operatives Act 14 of 2005 - GN R593 in GG 42408 of 18 April 2019 - Co-operatives Administrative Regulations, 2016 [sic]

Co-Operatives Act 14 of 2005 - GN R594 in GG 42408 of 18 April 2019 - Principles of Good Governance for Co-operatives

PROVINCES

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 - Proc 27 in PG 2990 of 12 April 2019 - Thulamela Local Municipality - Final Spatial Development Framework (SDF)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PNs 46, 47, 49 & 51-54 in PG 2990 of 12 April 2019 - Collins Chabane Local Municipality - Spatial Planning and Land Use Management By-law; Transportation of goods By-laws; Advertising & Billboards By-law, 2019; Noise Control By-law; Spaza Shops By-law; Street Trading By-law; and Place of Public Worship By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 48 in PG 2990 of 12 April 2019 - Collins Chabane Local Municipality - Car Washes By-Law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Collins Chabane Local Municipality - Hardware Storage of Goods By-Law published and By-laws on street trading repealed (PN 50 in PG 2990 of 12 April 2019)

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 57748 in PG 8081 of 12 April 2019 - Swartland Local Municipality - By-law relating to Public Nuisances

National Heritage Resources Act 25 of 1999 - PNs 49 & 50 in PG 8082 of 12 April 2019 - Heritage Western Cape - Draft Regulations Relating to the Consultation Process for Listing Heritage Resources in the Heritage Register and for the Designation of Heritage Areas by Heritage Western Cape, 2019 and Department of Cultural Affairs and Sport - Draft Regulations Relating to the Consultation Process for Listing Places in the Heritage Register by Heritage Western Cape and for the Designation of Heritage Areas by a Local Authority, 2019 - for comment

Northern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Pixley Ka Seme District Municipality - Municipal Health Services By-laws, 2019

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 81 in PG 4226 of 15 April 2019 - Kouga Local Municipality - Declaration of a local state of drought disaster as published under PN 48 in PG 4199 of 1 March 2019 extended for a further month

CASES

National

Buffalo City Metropolitan Municipality v Asla Construction (Pty) Limited (CCT91/17) [2019] [ZACC](#) 15 (16 April 2019)

Summary: Legality review - unreasonable delay - overlooking delay - section 172 of the Constitution - *Gijima*

PUBLICATIONS

National

Aucamp Ilse and Lombard Antoinette "Can social impact assessment contribute to social development outcomes in an emerging economy?" 2018 *IAPA* 36(2) 173-185

International

Minnerop P “Integrating the ‘duty of care’ under the European Convention on Human Rights and the science and law of climate change: the decision of The Hague Court of Appeal in the *Urgenda* case” 2019 [Journal of Energy and Natural Resources Law](#)

2019 *Earth Systems Governance Journal* –first [edition](#)

Park Susan and Kramarz Teresa (eds) *Global Environmental Governance and the Accountability Trap* (The MIT Press 2019)

Escribano Gonzalo *et al* “Geopolitical Context for CSP in Europe” (H2020 project MUSTEC [Report](#) March 2019)

Dinerstein E “A Global Deal for Nature: Guiding principles, milestones, and targets” 2019 [Science Advances](#) DOI: 10.1126/sciadv.aaw2869

Li H *et al* “Predicting the variable ocean carbon sink” 2019 [Science Advances](#) DOI: 10.1126/sciadv.aav6471

Gross J and De Dreu KW “Individual solutions to shared problems create a modern tragedy of the commons” 2019 [Science Advances](#) DOI: 10.1126/sciadv.aau7296

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[The Conversation](#): Naude V and Amar A “How Google images helped us pin down the diet of Africa’s largest eagle” 15 April 2019

- **Mining**

[Natural Justice](#): Moodey P “The race to the bottom: We need fundamental change” 18 April 2019

[Human Rights Watch](#): “‘We Know Our Lives are in Danger’ Environment of Fear in South Africa’s Mining-Affected Communities” 16 April 2019 [Legalbrief 17 April 2019]

- **Water and waste**

[Webber Wentzel](#): Novotny Paula-Ann “Opportunity to regularise pre-Waste Act hazardous waste facilities: But, what are the risks?” 16 April 2019

Africa

- **Biodiversity**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “ECOWAS, FAO, Sida Project Focuses on Sustainable Forest and Land Management” 16 April 2019

[The Conversation](#): Piabuo SM, Tita DF and Minang PA “What Cameroon can teach others about managing community forests” 16 April 2019

- **Local government**

[Place](#): Langat W “From roads to water, Nairobi slum upgrades bear fruit for residents” 16 April 2019

- **Mining**

[Extractives Baraza](#): “Lengthy talks setback to Kenya’s much awaited petrodollar dream” 17 April 2019

- **Water and waste**

[The Conversation](#): Viens FG “Data, statistics and hydrology can reveal key truths about Lake Chad” 15 April 2019

- **Miscellaneous**

[The Conversation](#): McCarthy K and Blumberg L “Cyclone Idai is over – but its health effects will be felt for a long time” 12 April 2019

[IISD](#) SDG Knowledge Hub: Risse N “CEPA 18 Discusses Implementing Governance Principles for SDGs” 16 April 2019

[IISD](#) ENB: Fifth African Regional Forum on Sustainable Development | 16-18 April 2019 | Marrakech, Morocco

Rest of the world

- **Biodiversity and culture**

[Ecowatch](#): “Infographic: How Mushrooms Clean Up Toxic Messes” 14 April 2019 [provided by Odile Lim Tung]

[The Conversation](#): Mohanty N “Killer tadpoles threaten Andaman archipelago’s native frog species” 11 April 2019

[IISD](#) SDG Knowledge Hub: Tsoumani E “[Report](#) Urges Behavior Change for Nature Conservation” 16 April 2019

[IISD](#) SDG Knowledge Hub: Tsoumani E “[Report](#) Seeks to Improve Impact of Biodiversity-related Data on Decision Making” 18 April 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Forest Europe [Publication](#) Advocates for Integrating Health Benefits into SFM” 18 April 2019

[Place](#): Chandran R “Heritage site or home? Indigenous Thais fight for right to forest” 16 April 2019

[TamilGuardian](#): “Germany commits to the largest repatriation of its indigenous Aboriginal Australians” 17 April 2019

[IISD](#) ENB: Seventh session of the Plenary of the Intergovernmental Platform for Biodiversity and Ecosystem Services (IPBES-7) 28-29 April - 4 May 2019 | Paris, France

[The Independent](#): Cockburn H “Critically endangered New Zealand kakapo population boosted by record number of chicks” 18 April 2019

[The Independent](#): Nash S “Animal genocide’: The activists fighting poaching in Vietnam’s forests” 18 April 2019

[The Guardian](#): Oltermann P “Why nightingales are snubbing Berkeley Square for the Tiergarten” 13 April 2019

[The Guardian](#): Grossman D “Amazon’s trees get taste of air of the future” 19 April 2019

- **Climate Change and Energy**

[UNDP](#): “The connection between gender equality and climate change” 12 March 2019

[UNDP](#): “What can data do for climate change?” 11 March 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Workshop on the “Blue COP” Explores Climate-Ocean Linkages” 18 April 2019

[IISD](#) SDG Knowledge Hub: Mead L “NAP Global Network: Private Sector Engagement Critical to Climate Adaptation Efforts” 18 April 2019

[The Independent](#): Cockburn H “Climate protests may not change policy in the immediate future, but they represent a big environmental awakening” 17 April 2019

[The Independent](#): Giordano C “Emissions from thawing Arctic permafrost may be 12 times higher than thought, scientists say” 17 April 2019

[The Guardian](#): Durkin E “New York City unveils ambitious plan for local steps to tackle climate change” 18 April 2019

[Science](#): Service RF “To amp up solar cells, scientists ditch silicon” 18 April 2019

[Science](#): Voosen P “New climate models predict a warming surge” 16 April 2019

[Science](#): Stokstad Erik “Newly drilled sediment cores could reveal how fast the Antarctic ice sheet will melt” 15 April 2019

- **Local government**

Sustainable City [Code](#): “offers best practices for community development. Many local communities are facing an uncertain future. In addition, many development codes are decades old and not prepared to confront today’s changes, such as environmental changes like climate change and invasive species, economic changes like the sharing economy and autonomous vehicles, and societal changes like obesity, safety, and inequality.” The report is also available in new Adobe Spark format, at the following [link](#)

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UN Agencies Call for Integrated Approaches to Infrastructure Development” 16 April 2019

[IISD](#) SDG Knowledge Hub: Mead L “UN-Habitat Presents [Guide](#) on Addressing Human Settlements in NAPs” 18 April 2019

[Place](#): Biron CL “Falling through the cracks’: vulnerable U.S. homeowners overlooked after disasters” 16 April 2019

[Place](#): Chandran R “Singapore makes room for allotment gardens as urban farming takes root” 15 April 2019

[SmartCitiesWorld](#): “London ranked most “digitally ready” city” 17 April 2019

[Place](#): Berton E “New London members' club aims to attract green entrepreneurs” 15 April 2019

[Place](#): Bacchi U “Cities are sucking our countryside dry, scientists say” 11 April 2019

- **Mining**

[Yubanet.com](#): Madre “Global Indigenous Women’s Delegation Visits North Dakota” 17 April 2019

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Paul D “GWP Issues Guidance on Water Action in NAPs” 16 April 2019

[IISD](#) SDG Knowledge Hub: Paul D “UN-Water Publishes [Inventory](#) of UN Global Water and Sanitation Work” 18 April 2019

[IISD](#) SDG Knowledge Hub: Jackson C “Global Chemicals [Outlook II](#) Chapter Highlight: Overview of the Global Chemical Industry” 18 April 2019

[IISD](#) ENB: Conference of the Parties (COP) to the Basel Convention, Ninth meeting of the COP to the Rotterdam Convention, and Ninth meeting of the COP to the Stockholm Convention will convene back-to-back - The “Triple COPs” will address the theme: “Clean Planet, Healthy People: Sound Management of Chemicals and Waste” 29 April - 10 May 2019 | Geneva, Switzerland

[Global Water Blog](#): Jaffe C “New EPA Rule Poses Greatest Threat to the Clean Water Act in a Generation” 15 April 2019

[The Guardian](#): Watts J “Half of UK consumers willing to pay more to avoid plastic packaging” 19 April 2019

[Science](#): Fox A “Airborne microplastics found atop France’s remote Pyrenees mountains” 15 April 2019

- **Miscellaneous**

[UNEP](#): “Environmental Rule of Law First Global Report” (April 2019)

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “GSIA Report Finds Increase in Sustainable Investing” 16 April 2019

[IISD](#) SDG Knowledge Hub: Risse N “P4R Examines Whole-of-Government, Whole-of-Society Approaches in 2030 Agenda Reviews” 16 April 2019 – for the report click [here](#)

[IISD](#) SDG knowledge Hub: Risse N “SAIs from Netherlands, MENA Countries Contribute to Guidance on SDG Preparedness” 18 April 2019 – find the report [here](#)

[UN Youtube](#): “Rethinking Inequality and What to Do About It - Open Dialogue’ 29 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “Trade in ESTs Offers Triple-Win Opportunities for Environment, Prosperity, Development” 18 April 2019 – find the report [here](#)

[IISD](#) ENB: Before the Blue COP 10-11 April 2019 | Madrid, Spain

[The Independent](#): Gabbatiss J “Earth Day: What is it and how do people mark it around the world?” 18 April 2019

[The Guardian](#): Roy EA “Decades of denial: major report finds New Zealand's environment is in serious trouble” 18 April 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA KwaZulu Natal Regional Event: The South African Water Crisis and the need for an Independent Water Regulator Professor Tony Turton – Save the date!

Dates: Thursday 6 May 2019

Venue: Howard College, University of KwaZulu-Natal, Durban

More information will follow

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

IAIAsa: Annual Conference: First Call for Papers – date extended

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Abstract [submission](#) by **26 April 2019 for full papers or 15 May for all other presentations**

Registration [here](#)

IAIAsa Gauteng Branch Event: The Integration of Climate Change Assessment in EIA's

Date: 15 May 2019

Time: 09h30 - 13h00

Venue: Sunset Boma, 79 Main Road (R55), Blue Hills, Midrand

The invitation is available [here](#)

A Map to the venue is available [here](#)

To register for the IAIAsa GP Branch event, follow the [link](#)

Imbewu: Half-day Workshop on Imminent Carbon Tax

Date: 11 June 2019

Time: 08:30-13:00

Venue: Imbewu's offices, Rosebank, Johannesburg

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

Imbewu: World Environment Day Event – Presentation and Discussion by Dr Same Ferreira of Sanparks on the Rhino Poaching Crisis and suggested Interventions

Date: 5 June 2019

Time: 16:30-18:30

Venue: Imbewu's offices, Rosebank, Johannesburg

Register before 31 May 2019

RSVP @ [Lulu](#) or contact her for more information / www.imbewu.co.za / 011 214 0660

CBSS 2019 3-day Training Courses

- **Water Governance in South Africa**

Dates: 7-9 May 2019

Early bird registration: Friday 29 March 2019 – last day for registration

Tuesday 16 April 2019

Place: Cape Town area (near Stellenbosch)

More [information](#)

[Registration](#) closes 2 weeks before course start date

NWU: Centre for Environmental Management Short Courses

- **CEM-05.1.1 Environmental impact assessment for practitioners**

Date: 13 - 17 May 2019

- **CEM-06.8.2 Ecological rehabilitation and mine closure**

Date: 13 - 17 May 2019

- **CEM-02.1.2 Environmental law - integrated water resource management**

Date: 20 - 24 May 2019

- **CEM-03.2.1 Occupational health and safety management system**

Date: 20 - 24 May 2019

- **CEM-02.2.2 Mine health and safety law**

Date: 28 - 30 May 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

International

IUCN Academy of Environmental law Research Workshop: Nationalism Populism and Earth Systems

Abstract Deadline: May 6 for August 6, 2019

The workshop organizers are requesting 500 words abstracts by May 6, 2019. Papers of between 7,000 words and 12,000 words (including footnotes) will be discussed at the workshop on August 6, 2019. A set of possible topics from the call for workshops papers is cut and pasted below. If you have any questions, please email Professor Cocciolo at endrius.cocciolo@urv.cat

3rd Dundee Energy Forum: What is the Future of International Energy Cooperation in the light of New Concepts of Sovereignty?

Dates: 10-11 June 2019

Venue: West Park Conference Centre, Dundee, Scotland

More information contact the [CPD team](#) or telephone +44 (0) 1382 385871

[Registration](#)

2019 Mexico Conference on Earth System Governance: Urgent Transformations and Earth System Governance: Towards Sustainability and Justice

Dates: 6 – 8 November 2019

Place: Oaxaca, Mexico

More [information](#)

Webinar: Energy access: the role of civil society in the area of productive uses

When: 30 April 2017

Time: 12:00 p.m. CEST (check your local time)

Register [here](#) to join.

More [information](#)

NEWS

National

- **Biodiversity**

“Two men in court after caught with 167 rhino horns” [News24](#) 15 April 2019
[Legalbrief Environmental 16 April 2019]

“Woman with 2 rhino horns in her car arrested in Bedfordview” [News24](#) 18 April 2019

Ngqakamba S “Two appear for allegedly smuggling 180 rhino horns weighing 150kg” [News24](#) 16 April 2019

- **Climate change and energy**

Yeld J “Watson wind farm stopped - for now” [GroundUp](#) 14 April 2019

Goko C and Vecchiatto “Eskom operating much closer to the edge than realised” [News24](#) 19 April 2019

“Eskom received emergency bailout in early April” [IOL](#) 19 April 2019

Burkhardt P “Koeberg: revamp planned for SA's sole nuclear power plant” [Sunday Times](#) 18 April 2019

- **Local government**

Masutha Mashudu and Mutemwa-Tumbo Deborah “North West government must account for missing mining royalties: The veil of secrecy around the development funds of poor mining communities must be lifted” [BusinessLive](#) 17 April 2019

Squazzin Antony "Rights watchdogs highlight killing, harassment of anti-mining activists" [BusinessLive](#) 16 April 2019 [Legalbrief 17 April 2019]

General: Mantashe not welcome in Xolobeni – residents

"Xolobeni residents in the Eastern Cape have told Mineral Resources Minister Gwede Mantashe that he is not welcome. The Star reports residents have accused Mantashe of trying to bully them into agreeing to grant an Australian company mining rights to their ancestral land. Amadiba Crisis Committee leader Sibusiso Mqadi yesterday said they were tipped off about Mantashe's planned visit by local business people who were asked to tender to provide food. 'There is so far no explanation why Mantashe wants to make a third unwanted visit to Xolobeni. We have said no to mining for 15 years, and in November we won the right to say no to mining in a landmark judgment.' Mqadi said Mantashe only filed a notice to appeal last December. This was confirmed by their legal counsel, Richard Spoor. 'He has not filed a record for his appeal, or followed procedures, which would allow us to file our responding papers,' Spoor said. The department confirmed that Mantashe and other Ministers would be visiting Xolobeni on Thursday next week." Full report in The Star (subscription needed) Legalbrief 17 April 2019

"Minerals Council calls for delay of at least five years in carbon tax implementation" [Mining Weekly](#) 12 April 2019 [Legalbrief Environmental 16 April 2019]

Gosling M "Cape Town in good position even if winter rains are poor - deputy mayor" [News24](#) 16 April 2019

- **Mining**

Carnie T "Rio Tinto's Richards Bay plan raises fears over water war" [Sunday Times](#) 14 April 2019 [Subscription needed]

- **Water and waste**

Water: The next war looms

"There is not just one solution to SA's water woes, experts heard last week, as cities in the Western and Eastern Cape grapple with ongoing drought, writes Legalbrief. SA will have a 17% water deficit by 2030 and unless urgent steps are taken to implement a basket of integrated solutions, the country's next looming crisis will be severe water scarcity. This emerged at a hard-hitting review of both Nelson Mandela Bay and the country's water supply and usage status at the Nelson Mandela University Business School last week, where experts warned of a water crisis that would mirror SA's energy woes. Centred on drought-stricken Nelson Mandela Bay, the event – part of the 'How to Build a City' series of conversations that address how the city can be rebuilt – served to elevate the metro's prevailing drought crisis management approach to one directed at achieving long-term water security. Directed by Nelson Mandela Bay Business Chamber CEO Nomkhitha Monah, the event attracted local academics, water experts, academics from the Toulouse University of Economics in France, and representatives from the national Department of Co-operative Governance. In his address, the Bay municipality's director for water and sanitation, Barry Martin, noted that the region's collective water supply was sitting at between 46% and 47% of its total capacity. 'We have to be in the consumer's face all the time to change habits and reinforce the need to conserve water. The next war will be about water,' he said. 'The next major crisis – like the Eskom crisis – which is

looming in SA is a water crisis,' he warned. The Herald reports that Martin proposed that the metro's water allocation be given to the agriculture sector, which would, in turn, create food security, jobs and income."

Full report in The Herald (subscription needed) Legalbrief Environmental 16 April 2019

Postman Z "'We hope we will be the last generation of waste pickers to face these difficulties'" [GroundUp](#) 16 April 2019

International

- **Biodiversity**

"Researchers discover ancient giant 'lion' in Kenya" [News24](#) 19 April 2019

"Watch: Anti-poaching technology to expand globally in bid to save wildlife" [News24](#) 16 April 2019

Fendt L "Turtles' absence from Nicaraguan stronghold raises alarm for future" [The Guardian](#) 15 April 2019

McKie R "Battle to save frogs from global killer disease" [The Guardian](#) 20 April 2019

- **Climate change and energy**

"Nigerian Senators Reject Bill Seeking to Phase out Petrol Cars in 2035" [allAfrica](#) 17 April 2019 [Legalbrief 18 April 2019]

"On climate change, a shift toward civil disobedience" [News24](#) 16 April 2019

"Watch: 'Extinction Rebellion' climate demonstrators blocks London roads" [News24](#) 16 April 2019

Calder S "Heathrow Protest: Extinction Rebellion issues WhatsApp instructions about 'adapted' climate change demonstration, as teenagers threatened with arrest" [The Independent](#) 19 April 2019

Wilson S "Lost sea creatures wash up in California as melting ice caps 'open door' for mass northern migration, scientists believe" [The Independent](#) 18 April 2019

Rabson M "Canada Reports Greenhouse Gas Emissions Increase for 2017" [Energy Mix](#) 17 April 2019

Arsenault C "Canada Rewrites Building Code to Avert \$300 Billion in Climate-Driven Losses" [Energy Mix](#) 17 April 2019

Porter K "Ottawa City Committee Adopts Climate Emergency Resolution" [Energy Mix](#) 17 April 2019

- **Mining**

[Extractives Baraza](#): Rio Tinto warning may rupture mining industry into green and dirty" 17 April 2019

Hsu C "Colorado enacts sweeping oil and gas law" [The Jurist](#) 18 April 2019

Brown T “Montana court blocks mining company from mining near Yellowstone National Park” [The Jurist](#) 17 April 2019

- **Waste and Water**

Scrugges G “Roll on, Columbia? U.S. tribes demand seat at river treaty negotiating table” [Place](#) 17 April 2019

Clarke S “Companies 'making up excuses' to dodge plastic bottle recycling scheme, says marine charity” [The Independent](#) 18 April 2019

- **Miscellaneous**

“German prosecutors charge former Volkswagen boss with fraud” [BusinessLive](#) 15 April 2019 – read also [The Jurist](#)

“Environment a missing topic as Indonesia election looms” [News24](#) 15 April 2019

Offutt L “EU passes law to protect whistle-blowers” [The Jurist](#) 17 April 2019

Sengupta A “Could this petition for a new UN court be the answer to fighting money laundering and global corruption?” [The Independent](#) 18 April 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Kwazulu-Natal: School of Law: Professor/Associate Professor/Senior Lecturer/Lecturer (3 posts)

Closing date: 28 April 2019

More [information](#)

Varsity College: Lecturer: Legal Studies (Independent Contractor) - Pretoria Campus

Closing date: 26 April 2019

More [information](#)

University of KwaZulu-Natal: Attorney in the Law Clinic and Lecturer in Law

Closing date: 28 April 2019

More [information](#)

Unique Opportunity for Newly Qualified Lawyers

Paton Personnel Johannesburg,

More [information](#)

SERI: Director of Litigation

As from 1 October 2019

If you are interested in this post, please send your CV, two unedited samples of recent written work, together with a covering letter, to [Princess Nkuna](#)

In your covering letter, please provide a detailed explanation of why you are interested in working for SERI in particular, and what qualities and experience you would bring to the post. Generalised covering letters, which do not engage with SERI's activities and purpose, will not be considered.

Closing date: 28 June 2019.

Aggreko Africa: Legal Manager, Africa

More [information](#)

Campus Director: Prominent South African University, Johannesburg

More [information](#)

International

Haub Visiting Scholar 2019/2020 - Call for Nominations & Letters of Interest

Pace Environmental Law at the Elisabeth Haub School of Law at Pace University is seeking letters of interest and nominations for its annual Haub Environmental Visiting Scholar program. The Scholars will be professionals with a proven track record in environmental law, governance, policy, economics and/or science, who have worked in government, academia and/or the nonprofit sector. The appointment is designed to provide opportunities to engage with Pace Law students, faculty and staff.

Scholars will be provided a stipend, housing, and transportation for a week-long residency. The Scholar will conduct his or her residency in the fall of 2019 or the spring of 2020, with exact dates subject to negotiation. During the residency, the Scholar will engage as fully as possible with the work of Pace Environmental Law and may present at a major public event, give guest lectures in his or her area of expertise, and/or generate a publication related to his or her work in affiliation with Pace Law. The Scholar will also be expected to meet with our environmental law students and attend program events.

Letters of interest and nominations must be received by May 15, 2019. Please send letters of interest, nominations and related inquiries to [Jessica Steinberg](#) Albin, Associate Director of Environmental Law Programs.

Call for Nominations: World-leading scientists sought for Earth Commission.

Future Earth is convening the Earth Commission – a group of leading scientists who will define the conditions needed to maintain a stable planet, and synthesize science needed to set targets for the life support systems of Earth: land, biodiversity, freshwater, ocean. The Commission will inform the work of a new Science Based Targets Network developing methodologies for companies and cities to set specific science-based targets. The deadline for nominations is 23 April 2019.

More [information](#)

PhD position on the international and European governance of the climate and energy transition at the VUB's Institute for European Studies Brussels.

Deadline: 15 May 2019

More [information](#)

PhD position in International Relations, with an emphasis on environmental politics:

The position is part of the research project "Globalizing Climate Governance: The Role of Integrated Governance for a Just and Legitimate Adaptation to Climate Risks (GlobalClim)", conducted at the Department of Economic History and International Relations at Stockholm University.

Deadline for applications: 10 June 2019

More [information](#)

Pace Law: LLM Graduate Fellowships

More [information](#)

ISNAD-Africa Call for Applications: Mentoring for Research Programme (2019 Cohort)

The International Support Network for African Development (ISNAD-Africa) invites applications from graduate (master's and doctoral) students in African countries for the 2019 Cohort of its Mentoring for Research Programme.

The Mentoring for Research Programme (MRP) is an online technical assistance programme aimed at knowledge generation and bridging the human capacity gap required to fast-track clean energy transition and climate resilience in Africa. MRP establishes structured and thematic mentoring relationships between graduate students (master's and doctorate) in African universities, and, experienced researchers and professionals in world-class institutions and organisations such as Harvard University, IPCC, Chatham House, IRENA, EU Joint Research Centre, University College London, Overseas Development Institute, among others in over 30 countries. The mentoring programme will help students (mentees) complement the supervisory support they will receive from their institution-based supervisors, among other benefits.

Students admitted to the programme (mentees) are those that are conducting research on sustainable energy, environment and climate change topics in their various disciplines (all disciplines - Technology, Sciences, Arts, Law, Social Sciences, Environmental Design and Management, Agriculture, Health Sciences, ICT, among others) during the mentoring year. In commencement of the programme, mentees will be trained via webinars on sustainable energy, environment and climate change with emphasis on the concerns in African context. As an impact and knowledge transfer mechanism, each mentee will be required to execute a self-proposed Energy, Environment and Climate Change (EEC) Outreach which will be funded by ISNAD-Africa. The EEC outreach will be targeted at various people groups as a knowledge transfer mechanism to further promote EEC awareness and education in Africa.

The [2018 Cohort](#) of the programme supports 37 research students from 22 universities in 13 Countries drawn from 278 applicants in 108 universities from 22 African countries some of whom were also awarded Fellowships and grant for foreign training and conference by our partners. Kindly see a [3-minute impact video](#) of the programme in the first year.

Qualified and interested applicants for the 2019 Cohort of the programme are invited to read the [Call for Applications](#) and submit their applications on or before April 30, 2019 (23:59 GMT).

The mentoring programme is also open to institutions and organisations across the globe willing to support the programme as Sponsors and Partners so we could increase the offerings of the programme. We will be happy to read from you via [email](#) or by mobile: [+39 34 7056 0059](#).

Deadline for application for the Mentoring for Research Programme: April 30, 2019 (23:59 GMT).

Call for Applications Postdoctoral and Senior Researchers, Centre for Global Cooperation research

The Käthe Hamburger Kolleg/Centre for Global Cooperation Research (KHK/GCR21) invites applications for Research Fellowships with duration of 6 to 12 months starting between March and June 2020. Proposals regarding 1) pathways and mechanisms of global cooperation and 2) global cooperation under conditions of polycentric governance are especially welcome.

Please submit applications [here](#).

The online application form will be available from April 15th, 2019.

Deadline for receipt of applications is 2 June 2019. Please indicate in the cover letter your preferred start and end date of the fellowship. For questions on this call, please contact Matthias Schuler at .

Members of the Environmental Law Association may subscribe to

[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 17

26 April 2019

LEGISLATION

NOTICES

Animal Diseases Act 35 of 1984 - GN 600 in GG 42417 of 26 April 2019 - Proposed amendments to the Animal Diseases Regulations with regard to African horse sickness – for comment

Electricity Act 41 of 1987 - GNs 602 & 603 in GG 42417 of 26 April 2019 - Licence fees payable by licensed generators of electricity for the period 1 April 2019 to 31 March 2020

Land Survey Act 8 of 1997 - GN 610 in GG 42417 of 26 April 2019 - Scale of fees to be charged in the Offices of the Chief Surveyor-General, Surveyors-General and Chief Directorate: National Geospatial Information for products and services provided

Promotion Of Access To Information Act 2 of 2000 – Gen Notice 241 in GG 42417 of 26 April 2019 - Publication of descriptions submitted in terms of s. 15 (1) by uMhlathuze Municipality

Conservation of Agricultural Resources Act 43 of 1984 – GN 599 in GG 42417 of 26 April 2019 – Appointment of members of the Conservation Advisory Board

PROVINCES

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 49 in PG 2069 of 18 April 2019 - Ugu District Municipality - Water and Sanitation Services First Amendment By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 44 in PG 2071 of 25 April 2019 - Ethekwini Local Municipality - Coastal Management By-law, 2018

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 16 in PG 3038 of 26 April 2019 - Victor Khanye Local Municipality - Air Quality Management By-law, 2018

Northern Cape

Spatial Planning and Land Use Management Act 16 of 2013 (SPLUMA) and Local Government: Municipal Systems Act 32 of 2000 – Gen Notice 38 in PG 2260 of 22 April 2019 - Kgatelopele Local Municipality - Revised and updated Spatial Development Framework (SDF), a single Land Use Scheme (LUS) as part of the Land Use Management System (Land Use Scheme, Manual & Application Procedure and Application form – LUMS) and By-law on Land Use Management

North West

Nature Conservation Ordinance 12 of 1983; Bophuthatswana Nature Conservation Act 3 of 1973; and Cape Nature and Environmental Conservation Ordinance 19 of 1974 - PN 56 in PG 8001 of 23 April 2019 - North West Hunting Regulations with Necessary Biodiversity Permit Administration Fees for the year 2019 published with effect from 1 April 2019

Western Cape

Local Government: Municipal Systems Act 32 of 2000 and Western Cape Land Use Planning Act 3 of 2014 - PN 51 in PG 8083 of 15 April 2019 - Western Cape Land Use Planning Regulations, 2015 - Amendment, 2019

CASES

National

Trustees, Simcha Trust v Da Cruz and Others 2019 (3) SA 78 (CC)

“Local authority - Buildings—Building plans—Approval—Disqualifying factors—Legitimate expectations test—Whether applying to all three disqualifying factors under National Building Regulations and Building Standards Act 103 of 1977, s 7(1)(b)(ii)(aa)”

Tavakoli and Another v Bantry Hills (Pty) Ltd 2019 (3) SA 163 (SCA)

“Local authority - Buildings—Building plans—Approval—Application to set aside where building plans not complying with municipal bylaw—Locus standi—Requirements—Proximity of applicant’s building to non-compliant building not sufficient on its own to establish locus standi—Applicant must establish membership of class for whose benefit bylaw enacted or, if enacted in public interest generally, that violation of bylaw caused applicant damages”

Recycling and Economic Development Initiative of South Africa NPC v Minister of Environmental Affairs 2019 (3) SA 251 (SCA)

“Company - Winding-up—Application—Locus standi—Extended standing to apply for remedies under s 157 of Companies Act, 2008—Whether Minister of Environmental Affairs qualifying as ‘person’ who may invoke s 157(1)(d) for standing in public interest—Companies Act 71 of 2008, s 157(1)(d).

Company - Winding-up—Application—Grounds—Just and equitable to do so—Availability of alternative means to address complaint—Court to be satisfied applicant having no alternative means to address complaint before granting winding-up order on basis that it would be just and equitable to do so—Companies Act 71 of 2008, ss 81(1)(c)(ii) and 81(1)(d)(iii).

Practice - Applications and motions—Ex parte application—Impermissible use of—Court to vindicate *audi alteram partem* rule by discharging provisional order so obtained.

Practice - Applications and motions—Ex parte application—Uberrima fides rule as to disclosure of facts—If not observed, court to discharge provisional order so obtained when it would not have been granted had fair disclosure been made.”

Spilhaus Property Holdings (Pty) Limited and Others v MTN and Another [2019] [ZACC](#) 16

“Summary: Sectional Titles Act 95 of 1986 — locus standi — body corporate

Individual owners — section 41 — common law right — enforcement of compliance with zoning scheme regulation”

Ocean Ecological Adventures (Pty) Ltd v Minister of Environmental Affairs and Others (6744/2018) [2019] [ZAWCHC](#) 42 (18 April 2019)

“[1] This application concerns the 2017 Boat Based, Whale and Dolphin Watching (‘BBWW’) permit allocation process insofar as it applied to Plettenberg Bay. The Applicant, Ocean Ecological Adventures (Pty) Ltd, seeks the review and setting aside of two decisions made by the First Respondent, the Minister of Environmental Affairs (‘the Minister’), on 13 March 2018. Her first decision was to set aside the decision of a delegated authority made on 9 November 2017, awarding a provisional BBWW permit in the area of Plettenberg Bay to the Applicant. That delegated authority, the Chief Director: Specialist Monitoring Services, Department of Environmental Affairs (Branch Oceans and Coasts) was cited as the Second Respondent. The Third Respondent is Versatex Trading 249 (Pty) Ltd which was cited because the second decision of the Minister sought to be reviewed was to award it the ten year BBWW permit instead. In taking these decisions the Minister was exercising her powers of appeal in terms of section 43(6) of the National Environment Management Act 107 of 1998 (‘NEMA’). The review application was opposed by all respondents.”

International

Namibian Marine Phosphate (Pty) Ltd v Minister of Environment and Tourism and Others 2019 (1) NR 90 (HC)

“Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against granting of certificate—Locus standi of second respondent—Second respondent citizen of state and community activist—Citizens in constitutional state entitled to approach courts to determine their rights—Second respondent having grievance against Environmental Commissioner’s decision to grant environmental clearance certificate in terms of Environmental Management Act 7 of

2007—Second respondent aggrieved person in context of s 50 of Act and entitled to approach court to determine his rights.

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against granting of certificate—Whether appeal lodged within statutory time limit—Minister of Environment and Tourism, in terms of s 50 of Environmental Management Act 7 of 2007 and regulations extending time limit within which appeal to be lodged—Appeal lodged within extended time limit—Such extension of time limit not taken on review—Decision of minister to extend time limit remaining—Appeal held to have been lodged within time limit.

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against decision of Minister of Environment and Tourism to set aside decision of commissioner to award certificate—Appeal in terms of s 51 of Environmental Management Act 7 of 2007—Such appeal only on points of law—Test for whether appeal on point of law—Test being one whether decision that decision maker has reached was one that no reasonable decision maker could have reached—Appellant contending that decision by minister had violated its rights in terms of arts 12 and 18 of Constitution—Such being appeal on point of law.

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against—Minister of Environment and Tourism on appeal in terms of s 50 of Environmental Management Act 7 of 2007 setting aside decision of Environmental Commissioner granting environmental clearance certificate—Appellant not having been informed of appeal hearing and therefore not present at appeal hearing—Such amounting to failure to give appellant fair hearing and to listen fairly to both parties—That fatal to procedural fairness of hearing—Decision set aside.”

PUBLICATIONS

National

De Visser Jaap and Poswa Xavia Siyabonga “Municipal Law Making under SPLUMA: A Survey of Fifteen "First Generation" Municipal Planning By-Laws” 2019 [PER](#)

Khan Muhammed Sirraaj “Are Close of Pleadings now Irrelevant? An Evaluation of the Impact the Nkala Judgment has on Litis Contestatio” 2019 [PER](#)

Van Eetveldt Henri-Willem “Standing on Unsteady Ground: AREVA NP Incorporated in France v Eskom SOC LTD” 2019 [PER](#)

Soni (Govindjee) Urmila “Book Review: Government Intervention and Suburban Sprawl” 2019 [PER](#)

Ngang Carol Chi “Radical transformation and a reading of the right to development in the South African constitutional order” 2019 [SAJHR](#) 25-49

Kilander M “Criminalising homelessness and survival strategies through municipal by-laws: colonial legacy and constitutionality” 2019 [SAJHR](#) 70-93

Penfold Glenn “Substantive reasoning and the concept of ‘administrative action’” 2019 [South African Law Journal](#) 84 –111

International

Cambridge Earth Day 2019 – download books and chapters for free [here](#) (till 30 April 2019)

2018 *Transnational Law Review* 8(1) Earth Day Celebrations – [download](#) articles for free until 5 May 2019

Veldhuis MP *et al* “Cross-Boundary Human Impacts Compromise the Serengeti-Mara Ecosystem” 2019 *Science* <https://doi.org/10.1126/science.aav0564> [AHEAD Update- April / May / June 2019]

Dures SG *et al* “Century of Decline: Loss of Genetic Diversity in a Southern African Lion-Conservation Stronghold” <https://doi.org/10.1111/ddi.12905> [AHEAD Update- April / May / June 2019]

Atkins JL *et al* “Cascading Impacts of Large-Carnivore Extirpation in an African Ecosystem” 2019 *Science* [AHEAD Update- April / May / June 2019]

Hilty JA *et al* *Corridor Ecolog: Linking Landscapes for Biodiversity Conservation and Climate Adaptation* 2nd ed (2019 [Island Press](#))

Fang D *et al* “Clean air for some: Unintended spillover effects of regional air pollution policies” 2019 *Science Advances* 5(4) DOI: 10.1126/sciadv.aav4707

Mulenga Chipasha “Judicial Mandate in Safeguarding Environmental Rights from the Adverse Effects of Mining Activities in Zambia” 2019 [PER](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Local government**

[GroundUp](#): Postman Z “JHB manager tells SAHRC of difficulties developing Alexandra” 19 April 2019

- **Climate change and energy**

[Mail&Guardian](#): Kings S “Climate change cut SA’s GDP by 10%” (26 April – 2 May 2019) 7

- **Mining**

[Webber Wentzel](#): Shane Johnson, Zandile Ncube and Logan Ramotlou “DMR’s 2018 Mine Health and Safety Statistics” 23 April 2019

[GroundUp](#): Wicomb W “Lonmin case shows how hard it is to hold mines to account” 26 April 2019

[GroundUp](#): Ryan C “Former Sasol Coal miners claim more than R80 million for coal-related illnesses” 25 April 2019

[Mail&Guardian](#): Kapa M “Mining watchdogs under attack” (26 April – 2 May 2019) 32

Africa

- **Biodiversity**

[The Independent](#): Cockburn H “Trophy hunter ‘slaughters second rare large-tusked elephant in Zimbabwe’” 27 April 2019

[The Independent](#): Stubbley P “Enough rainforest to fill 30 football pitches destroyed every minute last year” 26 April 2019

[City Press](#): Tau P “Botswana president considers culling as villagers battle wildlife to survive on their land” 3 April 2019

- **Climate change and energy**

[The Conversation](#): Nshimbi CC “Southern African countries won’t manage disasters unless they work together” 18 April 2019

[The Conversation](#): Ongama V “Why Kenya’s seasonal rains keep failing and what needs to be done” 23 April 2019

[The Conversation](#): Patel O “Pasha 15: The unhealthy aftermath of Cyclone Idai” 24 April 2019

[The Guardian](#): Watts J “The joys of springs: how Kenya could steam beyond fossil fuel” 26 April 2019

[Mail&Guardian](#): Allison S “Africa’s advantage: Green Power” (26 April – 2 May 2019) 21

[The Conversation](#): Sudmant A and Gouldson A “Insights from Uganda on why solar street lights make sense” 25 April 2019

- **Local government**

[The Conversation](#): Okyere SA *et al* “How a Japanese system can help African cities adapt to climate change” 25 April 2019

- **Mining**

[The Conversation](#): Schouten P “Why responsible sourcing of DRC minerals has major weak spots” 22 April 2019

- **Water and waste**

[The Independent](#): Osborne S “If we care about plastic waste, why won’t we stop drinking bottled water?” 28 April 2019

[The Conversation](#): Saad D “Why women’s involvement is so vital to water projects’ success – or failure” 25 April 2019

- **Miscellaneous**

[IISD](#) ENB: Fifth Session of the Africa Regional Forum on Sustainable Development – Summary Report - 16-18 April 2019 | Marrakech, Morocco

[The Conversation](#): Patel O “Pasha 16: Small-scale farming and agroecology” 24 April 2019

Rest of the world

- **Biodiversity and culture**

[The Guardian](#): Carrel S “Scotland's salmon crisis: 'Anglers only want one. But it's just not happening'” 27 April 2019

[Mail&Guardian](#): GEnot L “Illegal logging in Brazil turns Amazon into a powder keg” 24 April 2019

- **Climate Change and Energy**

[ICLEI](#): Van Staden M “CDP and ICLEI launch unified system for local and regional government reporting” 18 April 2019

[Science](#): Aton A “Plan to drill in Alaskan wildlife refuge downplays climate impact, U.S. agency argues” 25 April 2019

[Science](#): Waldman S “Facebook fact checker has ties to news outlet that promotes climate doubt” 25 April 2019

[Science](#): Cornwall W “Global warming may boost economic inequality” 22 April 2019

[The Independent](#): Gore W “On the Suffolk coast, echoes of Britain's nuclear past are all too clear” 27 April 2019

[The Independent](#): Dalton J “Trees must be planted across area half the size of London every year to offset climate damage of farming, experts say” 27 April 2019

[The Guardian](#): Taylor D “‘Biosolar leaf’ project targets air pollution on London campus” 28 April 2019

[The Guardian](#): Long-Bailey R “We must have a green industrial revolution. And Labour will lead it” 27 April 2019

[The Guardian](#): Watts J “Belt and Road summit puts spotlight on Chinese coal funding” 25 April 2019

[The Guardian](#): Morton A “Fact or fiction? We check Coalition's claims about Labor's climate change policy” 25 April 2019

[The Guardian](#): Topham G “Ford under criminal investigation in US over auto emissions” 26 April 2019

- **Local government**

[ICLEI](#): “From Cincinnati to Beijing, Global Post-Industrial Cities Chart a New Path Together for the Transition to Sustainability” 22 April 2019

[ICLEI](#): Dekovic A “Bogotá's Fight for Gender Equality and Safe Public Transport” 10 April 2019

[ICLEI](#) City Talk: “Want to step up climate action in your city? Invest in your staff” 17 April 2019

[ICLEI](#): “Need to alter development paradigm to reach resilient climate development, says Vice President” 15 April 2019

[The Guardian](#): Phillips D “Brazil finds worrying levels of pesticides in water of 1,400 towns’ 26 April 2019

[The Guardian](#): McMullan T “Cities are louder than ever – and it’s the poor who suffer most” 25 April 2019

- **Mining**

[The Guardian](#): Morton A “Uranium miner coaxed government to water down extinction safeguards” 27 April 2019

[The Guardian](#): Canon G “Trump plans to allow fracking near California’s national parks” 26 April 2019

- **Water and waste**

[IISD](#) SDG Knowledge Hub: Paul D “WHO Issues [Guidance](#) on Promoting Equitable Access to Safe Drinking Water” 25 April 2019

- **Miscellaneous**

[The Conversation](#): Oliver S “How higher temperatures and pollution are affecting mosquitoes” 22 April 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “FAO Launches Publication [Series](#) to Spur Harmonized Regional Soil Management Policies’ 25 April 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA KwaZulu Natal Regional Event: The South African Water Crisis and the need for an Independent Water Regulator Professor Tony Turton – Save the date!

Dates: Thursday 6 May 2019

Venue: Howard College, University of KwaZulu-Natal, Durban

More information will follow

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

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Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Abstract [submission](#) by **15 May for all other presentations**

Registration [here](#)

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A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

SASS5 Course

Dates: 3 - 6 June 2019

Place: Hilton, KZN

More [information](#)

International

ICLEI Webinar: How to report to the One Planet City Challenge - scope, plan, submit

Date: May 7, 2019

Time: 2:00 PM in Amsterdam, Berlin, Rome, Stockholm, Vienna

Register [here](#)

Trying Times: Conservation Easements and Federal Tax Law

Date: Friday, 3 May 2019

Time: 8am-Noon PT/9:00am-1pm MT/10:00am-2:00pm CT/11:00am-3:00pm ET

Click [here](#) for more information »

Register [online](#)

Wildlife Disease Association (WDA) 68th Annual International Conference

Place: Tahoe City, California, USA,

Dates: 4-9 August 2019

More [information](#)

Global Foot and Mouth Disease Research Alliance (GFRA) Scientific Meeting

Date: 29-31 October 2019

Place: Bangkok, Thailand

More [information](#) or contact [Wilna Vosloo](#)

NEWS

International

- **Biodiversity and animal rights**

[Science](#): Stokstad E “Emperor penguins flee unsteady ice after ‘unprecedented’ failure to breed” 24 April 2019

[Science](#): Voosen P “Scientists track Florida’s vanishing barrier reef” 24 April 2019

Koltonowski A “Animal rights groups file federal lawsuit over Iowa ag-gag law” [The Jurist](#) 23 April 2019

“Hundreds of dead dolphins wash up on French coast” [News24](#) 27 April 2019

“Antarctic penguins suffer 'catastrophic' breeding failure” [News24](#) 27 April 2019

“One million species risk extinction: draft UN report” [News24](#) 25 April 2019

Suliman A “World's forests 'in emergency room' after years of losses” [place](#) 25 April 2019

- **Climate change and energy**

Koltonowski A “US to end sanction waivers for countries importing Iranian oil” [The Jurist](#) 22 April 2019

Rumney E “Rescuers rush to help as serious flooding starts in cyclone-hit Mozambique” [TimesLive](#) 28 April 2019

Hughes D “Labour to force Commons vote on declaring environmental and climate emergency” [The Independent](#) 28 April 2019

Shukla A “Extinction Rebellion supporters row over whether ‘hippy language’ is watering down climate change message” [The Independent](#) 28 April 2019

“Eco-travel myth busting! All is not lost” [News24](#) 27 April 2019

Malo S “In first, New York caps climate emissions from buildings” [place](#) 18 April 2019

- **Local government**

Gardner T “‘Better to kill us’: Ethiopian residents fear evictions from satellite towns” [place](#) 25 April 2019

Chandran R “Indian state vows to end homelessness with free flats” [place](#) 25 April 2019

- **Mining**

Snaith E “Government's fracking commissioner resigns, bemoaning efforts to stop climate change and mini earthquakes” [The Independent](#) 28 April 2019

Scruggs G “Polar opposites: the remote Alaskan village divided over oil drilling” [place](#) 24 April 2019

Wulforthst E “Join forces to win land battles, U.N. expert tells global indigenous leaders” [place](#) 24 April 2019

- **Waste and Water**

“Firm fined \$3.3m for worst California oil spill in 25 years” [News24](#) 26 April 2019

- **Miscellaneous**

[Science](#): Barnes C “The ocean’s tallest waves are getting taller” 25 April 2019

[Science](#): Kintisch E “Into the overworld: modified spy plane to see whether towering storms pose new threat to ozone layer” 25 April 2019

[Science](#): Stokstad E “Sticky proteins could protect crops more safely than chemical pesticides” 25 April 2019

[Science](#): Fox A “Just 10% of U.S. plastic gets recycled. A new kind of plastic could change that” 22 April 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

South African Journal of Science: Associate Editor Mentees

The *South African Journal of Science* is a scholarly open access, multidisciplinary journal published bimonthly by the Academy of Science of South Africa. The Journal's mandate is to publish original research with an interdisciplinary and regional African focus, as well as to provide a forum for the discussion of news and developments in research and higher education.

The *South African Journal of Science* is offering two one-year mentoring opportunities for early career academics or researchers who wish to gain valuable editorial experience working closely with an Associate Editor. The mentorship is open to emerging South African researchers who hold a PhD in the field of Engineering & Technology OR in Agriculture & Forestry. Applicants may be based anywhere in South Africa and should have a publication record, but previous editorial experience is not required.

Closing date: 30 April 2019

More [information](#)

Candidate Attorney in the Rhodes Law Cl

Closing date: 15 May 2019

More [information](#)

University of Johannesburg: Senior Lecturer: Law of Evidence/Criminal Procedure

Closing date: 9 May 2019

More [information](#)

International

Opportunity to study Ph.D. or LL.M. in Prague

On behalf of prof. JUDr. Milan Damohorský, DrSc., Head of Department of Environmental Law at the Law Faculty of Charles University in Prague, I am delighted to offer your students the possibility to take part in the LL.M. and/or PhD programme at our Department.

If you have any students that might be interested in working towards LL.M. and/or doctorate in Prague, please pass on the attached flyers for both the study programmes, which also contain further information. Please note that the LL.M. and Ph.D. can be combined. Feel free to get in touch with the [coordinator](#) with any queries.

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 18

3 May 2019

LEGISLATION

BILLS

Before Parliament:

National Health Amendment Bill (B8 of 2019)

Local Government: Municipal Systems Amendment Bill (B1 of 2019)

National Health Amendment Bill (B29 of 2018)

Aquaculture Development Bill (B22 of 2018)

Local Government: Municipal Structures Amendment Bill (B19 of 2018)

South African National Roads Agency Limited and National Roads Amendment Bill (B20 of 2017)

National Environmental Management Laws Amendment Bill (B14 of 2017)

National Forests Amendment Bill (B11 of 2016)

National Land Transport Amendment Bill (B7 of 2016)

Mineral and Petroleum Resources Development Amendment Bill (B27 – 2013)

Before the President:

Carbon Tax Bill (B46 of 2018)

Marine Spatial Planning Bill (B9 of 2017)

[Source: Imbewu Monthly Sustainability Newsletter & SHE Legislation Update April 2019]

NOTICES

Statistics South Africa – Gen Notice 253 in GG 42431 of 3 May 2019 - Consumer Price Index, Rate (Base Dec 2017 = 100): March 2019: 4,5

Petroleum Products Act 120 of 1977 - GN R619 in GG 42427 of 30 April 2019 - Regulations in respect of petroleum products published in GN R531 in GG 42371 of 2 April 2019 substituted with effect from 1 May 2019

Petroleum Products Act 120 of 1977 - GN R620 in GG 42427 of 30 April 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers amended with effect from 1 May 2019

Petroleum Products Act 120 of 1977 - GN R621 in GG 42427 of 30 April 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 1 May 2019

National Heritage Resources Act 25 of 1999 - GN 622 in GG 42429 of 30 April 2019 - South African Heritage Resources Agency: Declaration of sites within the Bo-Kaap as National Heritage Sites

International Trade Administration Act 71 of 2002 – Gen Notice 257 in GG 42436 of 2 May 2019 - Notice of intention to renew the policy directive on the exportation of ferrous and non-ferrous waste and scrap metal - for comment

National Regulator for Compulsory Specifications Act 5 of 2008 - GN 631 in GG 42431 of 3 May 2019 - Regulations relating to the payment of levy and fees with regard to compulsory specifications amended

National Qualifications Framework Act 67 of 2008 - GN 629 in GG 42431 of 3 May 2019 - South African Qualifications Authority (SAQA): Application for professional body recognition and the registration of professional designation by the Environmental Assessment Practitioners Association of South Africa (EAPASA) - for comment

Legal Metrology Act 9 of 2014 - GN 630 in GG 42431 of 3 May 2019 - Regulations relating to the tariff of fees charged for services rendered in terms of the Act by the National Regulator for Compulsory Specifications (NRCS) amended

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013; Western Cape Land Use Planning Act 3 of 2014 and Stellenbosch Land Use Planning By-law - LAN 57764 in PG 8087 of 26 April 2019 - Swellendam Local Municipality - Amended Municipal Spatial Development Framework (MSDF)

Disaster Management Act 57 of 2002 - LAN 57766 in PG 8087 of 26 April 2019 - City of Cape Town Metropolitan Municipality - Declaration of a local state of disaster as a result of a devastating fire in the Imizamo-Yethu informal settlement situated in Hout Bay extended for a further month from 1 May 2019 to 31 May 2019

Disaster Management Act 57 of 2002 - LAN 57767 in PG 8087 of 26 April 2019 - City of Cape Town Metropolitan Municipality - Declaration of a local state of drought disaster extended for a further month from 1 May 2019 to 31 May 2019

National Environmental Management: Protected Areas Act 57 of 2003 - PN 55 in PG 8089 of 3 May 2019 - Declaration of a nature reserve - Wolfgat Nature Reserve

North West

Constitution of the Republic of South Africa, 1996, Spatial Planning and Land Use Management Act 16 of 2013; Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 - LAN 56 in PG 8002 of 30 April 2019 - Kagisano Molopo Local Municipality - Establishment of and appointment of members to serve on the Municipal Planning Tribunal

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 58 in PG 2992 of 26 April 2019 - Collins Chabane Local Municipality - Public Open Spaces By-laws

CASES

National

Stephanus de Lange NO v The Minister of Water Environmental Affairs (81/2018) [2019] [ZASCA](#) 59 (17 April 2019)

Summary: Prescription – water use rights in terms of the National Water Act 96 of 1998 – appellant’s water use not an unrestricted real right – appellant’s delictual cause of action arising when canals the respondent failed to maintain became inoperable – no on-going breach of appellant’s right to water – claim prescribed.

PUBLICATIONS

International

Army Corps of Engineers “Consideration of Project Costs and Benefits in Using Natural Coastal Infrastructure and Associated Challenges” (United States Government Accountability Office [Report](#) to Congressional Requesters March 2019)

Garside Ben, Johnstone Kevin and Perera Nipunika “Moving More Money: Can aggregation catalyse off-grid financing?” ([IIED](#) Issue Paper April 2019)

Benjamin Lisa “The Road to Paris Runs through Delaware: Climate Litigation and Directors’ Duties” 2019 [Utah Law Review](#), forthcoming

Kariuki Francis, Kerecha Geoffrey and Kirwa James O “Handling Extractives Related Grievances in Kenya: A [Guide](#) for Judicial Officers” (Strathmore University 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Water and waste**

[Place](#): Harrisberg K “In parched South Africa, water-storing football fields give drought the boot” 1 May 2019

Africa

- **Climate change and energy**

[Extractives Baraza](#): “The Declining Value of Oil Wealth – The Case of Uganda” 1 May 2019

- **Mining**

[Extractives Baraza](#): “Uganda to Launch Second Licensing Phase for Oil Exploration” 1 May 2019

[Extractives Baraza](#): “Growth in Mining Made Kenya Ksh 30b in 2018’ 1 May 2019

[Extractives Baraza](#): “Children Bear Brunt of Poisonous Gold Mining” 1 May 2019

- **Miscellaneous**

[Place](#): Peyton N “Palm oil development leaves Liberians poorer, says winner of ‘Green Nobel’” 29 April 2019

Rest of the world

- **Biodiversity and culture**

[IISD](#) SDG Knowledge Hub: Tsioumani E “UNEP-WCMC Proposes Common Classification [Framework](#) of Natural Capital Assets” 30 April 2019

[IISD](#) SDG Knowledge Hub Tsioumani E GIZ Report Highlights Practical Aspects of Mainstreaming Ecosystem-based Adaptation” 30 April 2019

[IISD](#) ENB: 14th session of the UN Forum on Forests 6-10 May 2019 | UN Headquarters, New York

- **Climate Change and Energy**

[The Conversation](#): Beuret N “Global inequality is 25% higher than it would have been in a climate-stable world” 26 April 2019

[Development Asia](#): Acharya J “Nepal is starting to modernize its electric grid by implementing smart meters” April 2019

[Place](#): Elks S “World Heritage sites could be transformed by global warming, finds study” 30 April 2019

[Place](#): Malo S “Do 'mechanical trees' offer the cure for climate change?” 30 April 2019

[The Conversation](#): Stafford R and Jones PJS “How to stop climate change: six ways to make the world a better place” 1 May 2019

[IISD](#) ENB: 49th session of the Intergovernmental Panel on Climate Change (IPCC) 8-12 May 2019 | Kyoto, Japan

- **Local government**

[The Conversation](#): Osman A “Sudan: the symbolic significance of the space protesters made their own” 26 April 2019

[Place](#): Scruggs G “Homes like parkas? Shivering Arctic dwellers may need housing rethink” 29 April 2019

- **Mining**

[Intercontinental Cry](#): “Waorani People win landmark legal victory against Ecuadorian Government: A half-million acres of Amazon rain forest protected from oil drilling” 30 April 2019

[IISD](#) SDG Knowledge Hub: Jackson C “UN Project Seeks to Eliminate Mercury in ASGM Sector in Mongolia and the Philippines” 2 May 2019

- **Water**

[The Conversation](#): Bose M “Asteroid dust brought back to Earth may explain where our water came from with hydrogen clues” 1 May 2019

[IISD](#) SDG Knowledge Hub: Biancalani R “[FAO Guidelines](#) to Help Incorporate Environmental Flows into ‘Water Stress’ Indicator 6.4.2” 30 April 2019

- **Waste and chemicals**

[IISD](#) SDG Knowledge Hub: Jackson C “ILO Urges Advancement of Decent Work in E-waste Sector” 2 May 2019

[IISD](#) SDG Knowledge Hub: Jackson C “Basel COP 14 Promotes Sound Management of Hazardous Wastes” 2 May 2019

[IISD](#) SDG Knowledge Hub: Jackson C “Basel COP Considers Partnership on Plastic Wastes” 2 May 2019

[IISD](#) SDG Knowledge Hub: Mead L “Stockholm Convention COP Considers Technical Work on PCBs and DDT, Listing New Chemicals” 2 May 2019

[IISD](#) SDG Knowledge Hub: Mead L “Rotterdam COP Considers Listing Seven Chemicals to Annex III, Enhancing Convention Effectiveness” 2 May 2019

[IISD](#) SDG Knowledge Hub: Jackson C “IISD [Report](#) Highlights Sustainability Considerations in Recycling Cobalt and Lithium” 2 May 2019

[IISD](#) SDG Knowledge Hub: Mead L “[Global Chemicals Outlook II](#) Chapter Highlight: Progress Assessment on Achieving 2020 Goal” 30 April 2019

- **Miscellaneous**

[The Conversation](#): Nyarubeli IP “Workers in Tanzania’s noisy factories are at risk of hearing damage” 9 April 2019

[Place](#): Boadle A “Breaking from tradition, indigenous women lead fight for land rights in Brazil” 29 April 2019

[IISD](#) SDG Knowledge Hub: “Monthly Forecast May 2019: Chemicals, Science and Sustainable Development” 2 May 2019

[IISD](#) SDG Knowledge Hub: Hollis M “Why All Businesses Should Make a Commitment to Sustainability in 2019” 30 April 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Investment [Report](#) Highlights SDGs as Improvement over ESG Framework” 30 April 2019

[IISD](#) SDG Knowledge Hub: Paul D “UNDP Offers Guidance on Using Co-Financing Approach Across Development Sectors” 30 April 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “[Draft Elements](#) Proposed for Resolution on Global Pact for Environment” 30 April 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Webber Wentzel: Mining Charter Breakfast Panel

Date: 28 May 2019

Venue: Webber Wentzel, 90 Rivonia Road, Sandton

Time: Breakfast from 08H30 | Formal Panel from 09H00 to 10H00

The delayed third Charter saw a change in approach, focusing on collaboration between stakeholders across the industry. It aims to drive transformation, while taking into account the realities facing the industry. Nevertheless, areas of uncertainty remain with the changes likely to raise compliance costs.

Our panel of industry experts will address the key changes to the Mining Charter, highlighting the strategic implications of these key changes and the extent to which policy certainty has been achieved.

[Registration](#)

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Registration [here](#)

DEA 2nd EIA Sector Seminar & Integrated Environmental Management Seminar in Limpopo

- **Integrated Environmental Management (IEM) Seminar) – for all stakeholders**

Date: 14 May 2019

- **2nd Limpopo Environmental Impact Assessment Sector Seminar**

Date: 15 May 2019 (DWS, LEDET, DMR, DEA, EAPASA representatives / Any other sector stakeholder that have missed out on the event held on the 13th of February 2019. Please note that this will to a large extent be a repetition of the previous event)

Venue: To be communicated

Please be so kind to complete the [registration Table\(s\)](#) and [e-mail](#) should you wish to register for 1 or both of the seminars.

For any queries please do not hesitate to contact F Scheepers on [e-mail](#) or cell: [063 684 3554](tel:0636843554).

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Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

LaRRSA Conference 2019: Rehabilitation in Practice

Dates: 15 - 18 July 2019

Venue: Glenburn Lodge - Muldersdrift – Gauteng

Registration [open](#)

More [information](#) or contact [Theresa](#) / [0814846833](#)

ASAPA 2019 Biennial Conference

Dates: 3 - 5 July 2019

Venue: Sol Plaatje University & McGregor Museum, Kimberley

More [information](#)

International

Energy Production and Management 2019: 4th International Conference on Energy Production and Management - The Quest for Sustainable Energy

Dates: 2 - 4 December 2019

Place: Kuala Lumpur, Malaysia

Conference [website](#)

Free Webinar: Project Costs for Renewable Generation Projects in the Pacific

Date: 20 May 2019 11am (AEST)

20 May 2019 1pm (Fiji)

[Registration](#)

The EU Energy Transition: Actors, Factors, Sectors | New online course by the FSR + ENTSO-E

New online course developed in partnership by the FSR and ENTSO-E on The EU Energy Transition — Actors, Factors, Sectors, which I think your organization could benefit from. This 8-week online course will provide participants insight into

the EU's energy transition journey by looking at the past trajectory and the challenges ahead.

The course is designed to enable the international energy community to understand the actors, sectors and factors driving change at the European level and help benchmark their region or country.

Energy professionals worldwide who could benefit from the European experience or need a broader overview are invited to register including government agencies, regulatory bodies, energy companies and utilities, and academics.

You can find more information below or on the [course webpage](#)

Writers' Workshop for Early-Career Environmental Law Scholars

Dates: 23-24 September 2019

Venue: University of Macau, Faculty of Law, Macao SAR, China

In collaboration with Wuhan University's Research Institute of Environmental Law, The Chinese University of Hong Kong, the Chinese Journal of Environmental Law, and the journal Climate Law

Call for Abstracts

The Faculty of Law at the University of Macau will hold a Writers' Workshop on 23-24 September 2019. The objective of the Workshop is to assist around twelve early-career environmental law scholars to publish an original research article on environmental law in English in an international top-tier journal. It is expected that about half of the participants will be from China and the other half from other countries.

The working language of the Workshop will be English.

Who can apply?

Current doctoral candidates or recent PhD graduates whose research is substantially in the area of environmental law.

A curriculum vitae must be included with the abstract.

Submission of Abstract:

Please email your abstract (300-500 words) and curriculum vitae to Professor Canelas de Castro (copied to Professor Zahar) by 31 May 2019.

Timeline for Workshop Papers:

1. A complete draft article in English is to be submitted to the committee through Professor Canelas de Castro by 2 August 2019.

2. The final selection of participants will be made on the basis of the above drafts. The results will be announced in mid-August 2019.

3. Highly advanced and refined versions of the selected papers are to be submitted to the committee by 13 September 2019.

Participants' Obligations:

The final workshop papers will be shared among the invited scholars. All conference participants must carefully read and formulate constructive comments on all the draft articles as a condition of their participation in the workshop.

Workshop Venue:

The venue of the Workshop is the Faculty of Law at the University of Macau (address: E32 Faculty of Law, Avenida da Universidade, Taipa, Macao SAR, China).

Financial Support:

The University of Macau will cover two nights of accommodation, all meals, and round-trip local transportation in Macao for the selected workshop participants. Participants must cover their own transportation costs to and from Macao.

Inquiries and Submissions:

Professor Canelas de Castro
Faculty of Law, University of Macau

[Email](#)

Tel. +853 8822 4091

Please copy inquiries and submissions to:

Professor Alexander Zahar

[Email](#)

The Academy of Food Law and Policy Call for Papers – 2019 AFLP Annual Meeting

The Academy of Food Law and Policy (AFLP) invites papers for its program “2019 Works in Progress Workshop of Food Law and Policy” at the AFLP Annual Meeting, on December 10, 2019 hosted by Georgia State University College of Law and cosponsored by the Georgia State Center for Law, Health and Society. Papers will be selected from those submitted and placed into workgroups based on subject matter, intersectionality, and stage of development. The selected papers will be presented in the morning and afternoon of December 10, 2019.

Workshop Description:

Workshops will be an opportunity to nurture the growth of a scholarly community in the field of food law and policy. As such, it is a place to take risks and develop high quality work—test ideas, work out issues in drafts and dialogue with academics doing interesting and cutting-edge scholarship.

There will be two types of workshops

- *Deep-dive workshops* will follow a format that reserves the maximum time for feedback on a paper in the middle or late stages of development. All participants are expected to have read the papers in their session in advance of the session and will also be assigned a designated senior reader. Only a few papers will be discussed in each session, and each of those will be allotted equal time, to allow authors and presenters time to thoroughly explore each work. Workshop authors must have a draft paper ready for distribution in advance of the conference.
- *Lightening sessions* will be an opportunity for scholars to develop early stage ideas. In the lightening sessions authors will briefly present an early-stage idea for discussion and development. Authors need only have an abstract or one-page ideas document prepared for distribution and discussion. Authors and participants will brainstorm around each idea much more briefly than in a typical workshop, making space for a larger number of ideas in each session.

Workshop groups will include senior scholars in the field who will aid in the discussion of the pieces and provide feedback. Successful papers and topics should engage with scholarly literature and make a meaningful original contribution to the field of food law and policy.

Eligibility

All AFLP members and full-time faculty members of AALS member law schools, foreign faculty, adjunct and visiting faculty (without a full-time position at an AALS member law school), graduate students, fellows, and non-law school faculty are

eligible to submit papers. Preference will be given to AFLP members and junior scholars focusing their work in food law and policy.

Please note, that while meals are included, all presenters at the program are responsible for paying their registration fee and travel expenses.

Paper Submission Procedure:

There is no formal requirement as to the form or length of proposals. Abstracts are welcome. However, please indicate whether you prefer your work to be included in a deep-dive workshop or a lightening round, depending on the stage of development.

For deep-dive workshops the presenter is expected to have a full draft to make available to fellow presenters and commentators by November 15th. To facilitate through preparation, drafts should generally be between 12,000-25,000 in length. While longer submissions are welcome, authors of such works will be asked to designate a portion of the work for close reading.

For the lightning workshops the presenter should have a one-page summary prepared by November 15th.

All papers MUST be work a in progress and cannot be published at the time of presentation. They may, however, have been accepted for publication and be forthcoming.

Deadline

Please [email](#) submissions to The Conference Committee, at on or before August 23, 2019. The title of the email submission should read: "Submission – 2019 AFLP Works in Progress Workshops."

A SASS5 Accreditation Day will be held on 7th June 2019 in Hilton.

Anyone wanting to be re-accredited or people wanting to be accredited for the first time, please [email](#) to put your name down.

Please note that for people coming for accreditation for the first time, it is recommended that you complete at least 12 SASS5 Assessments before attempting accreditation. Once you have put your name down for possible accreditation, a questionnaire will be sent out to you. The results of the returned questionnaire will determine your eligibility for accreditation.

WEMC and ECMWF announce the second C3S Energy webinar

Date: 22 May 2019

Time: 11:00 AM - 12:00 PM SAST

[Registration](#)

After registering, you will receive a confirmation email containing information about joining the webinar. View [system requirements](#)

A recording will be available after the webinar. For further information about the webinar, please visit the [website](#)

Melbourne Law School Workshop on Trends in Climate Litigation

Date: 22 July 2019

RSVP: [Jacqueline Peel](#) by 1 July 2019

NEWS

National

- **Biodiversity and culture**

General: 19 Bo-Kaap sites given national heritage status

“There was a sense of victory for the Bo-Kaap community as Arts and Culture Minister Nathi Mthethwa declared 19 sites in the historical quarter to be National Heritage Sites. A Cape Argus report says Mthethwa made the announcement in Bo-Kaap on Tuesday night, and said the listing would appear in the *Government Gazette*. The sites to be given national heritage status are: the Auwal Masjid, the Prayer Quarry, the Tana Baru Burial Ground, the Stables Site, the Strand Street Quarry, the Wash House Quarry, the Spolander House, Schotsche Kloof Primary School, St Paul’s Primary School, Buitengracht Street Wall, Vista High School, Schotsche Kloof Homestead, Stadzicht Homestead, Nural Islam Masjid, Jamia Masjid, Masjid Shafee, Masjid Boorhanol Islam, Nurul Huda Masjid and the Bo-Kaap Museum. The SA Heritage Resources Agency has declared the sites to be national heritage sites in terms of section 27 (5) of the National Heritage Resources Act (No 25 of 1999).”

Full Cape Argus report (subscription needed) Legalbrief 2 May 2019

“Former SANParks ranger arrested on suspicion of rhino poaching” [TimesLive](#) 3 May 2019

- **Climate change and energy**

Legislation: ‘Efficiency’ regulations for fossil-fuel vehicles imminent?

Transport Minister Blade Nzimande has alluded to the development and introduction of regulations aimed at improving the efficiency of fossil-fuel-powered vehicles, informed by appropriate norms and standards. Addressing delegates at a recent motor sport conference, the Minister also spoke of a five-year plan for converting ‘5% of the public and national sector fleet ... to cleaner alternative fuel and efficient technologies vehicles’ – ‘ideally powered through renewable energy’. Noting the myriad technological advancements associated with ‘eco mobility’ and the importance of ‘embracing’ fourth industrial revolution opportunities, the Minister nevertheless drew attention to the importance of implementing the necessary measures without impacting negatively on employment.

Read full report in Legalbrief Policy Watch Legalbrief 2 May 2019

- **Local government**

Postman Z “Waste pickers march to be recognised” [GroundUp](#) 2 May 2019

Phetu B “Besieged waste pickers live in fear” [Times Select](#) 3 May 2019 [subscription needed]

Siqathule S “Declare disaster zone pleads flood victim in Port St Johns informal settlement” [GroundUp](#) 29 April 2019

- **Mining**

Commercial: Glencore facing corruption probe by US authority

“London-listed Glencore is under investigation by the US Commodity Futures Trading Commission for possible corrupt practices, the latest legal headache for the world’s biggest commodity trader, says a report on the Fin24 site. The probe comes after the company was subpoenaed last year by the US Justice Department for documents relating to its dealings in Nigeria, the Democratic Republic of Congo and Venezuela since 2007. Glencore said the Commodity Futures Trading Commission (CFTC) had notified it of investigations **into** whether the company and its subsidiaries ‘may have violated certain provisions of the Commodity Exchange Act and/or CFTC Regulations through corrupt practices in connection with commodities.’ The company said it believes the CFTC’s investigations ‘have a similar scope in terms of subject matter’ to the Justice Department probe, which became public last July. The commodity trading industry is facing a multitude of bribery and corruption investigations in jurisdictions ranging from Brazil to the US, drawing comparisons with the early 1980s when Glencore’s founder Marc Rich was prosecuted for tax evasion.”

Full Fin24 report *Legalbrief* 26 April 2019

- **Waste and water**

Litigation: Waste firm loses bid to retain 10-year contract

“Compass Medical Waste – the sole medical waste service provider in KZN for the past 20 years – has failed in its court bid to stop the appointment of a new contractor after the termination of its multimillion-rand contract. A Times Select report notes the KZN High Court (Pietermaritzburg) dismissed an urgent application by Compass to set aside the termination of its contract to dispose of body parts and hazardous waste from state hospitals to clinics. Compass also sought to stop the appointment of Buhle Waste by the provincial Health Department to take over the contract, arguing it was not a ‘competitive’ process and was therefore irregular. Judge Jerome Mnguni dismissed the application with costs, adding that he would give his reasons for dismissing it on 7 May. However, the judge pointed out Compass were still within its rights to bring a review application at a later stage. Throughout the court proceedings, Mnguni contended he could not condone an ‘unlawful act’ by allowing Compass’ old month-to-month contract to be extended by the department. ‘Clearly in everybody’s book the 2013 contract for 10 years is unlawful. It’s for the department to sort it out, and it’s not for the court. It’s improper to engage in conduct that circumvents the Constitution. We owe it to this country to be honest and transparent because it is their money and not the department’s money,’ said the judge.”

Full Times Select report *Legalbrief* 2 May 2019

- **Miscellaneous**

Nombembe P “Court orders MTN to remove ‘visually intrusive’ giant cellphone mast” *TimesLive* 28 April 2019 [subscription needed]

International

- **Biodiversity and animal rights**

"Tests show high levels of coral-harming chemical off Big Island" [Star Advertiser](#) 29 April 2019

Allison S "Africa's disappearing forests" [Mail & Guardian](#) 3 May 2019

Trouillaud P "Attacks on Brazil's ecological paradises threaten biodiversity" [Mail & Guardian](#) 2 May 2019

Bah S "Sierra Leone tackles overfishing but gets small fry" [Mail & Guardian](#) 1 May 2019

"Malaysia destroys 4 tons of ivory tusks, products" [News24](#) 30 April 2019

Matthews-King A "Hippo dung shortages caused by hunting could endanger fish and communities on Africa's great lakes, study shows" [The Independent](#) 2 May 2019

Smee B "Queensland delays Adani mine indefinitely, citing fears for endangered finch" [The Guardian](#) 3 May 2019

- **Climate change and energy**

"Russia Says a Local Firm Deliberately Contaminated Oil Pipeline" [Extractives Baraza](#) 1 May 2019

"Oil Sands Work May do What Curtailments Haven't: Cut Stocks" [Extractives Baraza](#) 1 May 2019

Slobe E "Maine governor introduces bill requiring 80% renewable energy by 2030" [The Jurist](#) 1 May 2019

"What next for cyclone-hit Mozambique?" [News24](#) 3 May 2019

"Morally wrong' Heathrow expansion case loses legal challenge" [News24](#) 2 May 2019

Chapman B "Volkswagen says cost of diesel emissions scandal has hit €30bn" [The Independent](#) 2 May 2019

Mindock C "US 'pushed to have climate change removed' from international Arctic policy statement" [The Independent](#) 2 May 2019

Dalton J "UK can cash in on revolution for heating and cars to halt greenhouse gas emissions, say climate advisers" [The Independent](#) 2 May 2019

Cockburn H "Business groups herald 'new dawn for climate change action' as landmark report published" [The Independent](#) 2 May 2019

Boffey D "Amsterdam to ban petrol and diesel cars and motorbikes by 2030" [The Guardian](#) 3 May 2019

Carrington D "'This report will change your life': what zero emissions means for UK" [The Guardian](#) 2 May 2019

King L “Democrats pass House bill to try to block Trump from exiting Paris climate deal: [US Today](#) 2 May 2019

- **Local government**

Griffen J “Families hit out at London gasworks redevelopment” [The Guardian](#) 5 May 2019

- **Mining**

“Trump eases regulations adopted after BP Deepwater Horizon disaster” *The Guardian* 2 May 2019

- **Waste and Water**

“Maui City Council considers withdrawal of injection well appeal” [Star Advertiser](#) 28 April 2019

“Take a look at the plastics of the future” [News24](#) 2 May 2019

Drury C “Mustard gas leaking from vast underwater First World War weapons dump in North Sea” [The Independent](#) 3 May 2019

Cockburn H “Cocaine, ketamine and banned pesticides found in UK river wildlife, study reveals” [The Independent](#) 30 April 2019

Wahlquist C “GL sought Victorian rule change to clear way for controversial gas terminal” [The Guardian](#) 1 May 2019

Schmidt AW “Mount Everest is covered in garbage and dead bodies: report” [news.ac.com](#) 3 May 2019

- **Miscellaneous**

Holligan A “Nigeria widows can continue with case against Shell” [BBC News](#) 1 May 2019

Kozul-Wright R and Gallagher K “Wake up, there is no Planet B” [Mail & Guardian](#) 26 April 2019

Klein J “Gas that makes mountains breathe fire is appearing around the world” [The Independent](#) 2 May 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Socio-Economic Rights Institute (SERI) (Director, Attorney & Candidate Attorney)

Closing date: 28 June 2019

More [information](#)

Brazil Short Course for Post-graduates

Venue: Innovation and Science Diplomacy School at the University of São Paulo

Dates: 21-30 August 2019

Deadline for applications: 5 May 2019

[Read more](#)

British University in Egypt: Bachelor's scholarships in Egypt

Deadline for scholarship applications: **30 July 2019**

[Read more](#)

Université Paris-Saclay International Master's Scholarship Programme

All Master's programmes for which Université Paris-Saclay is accredited

Deadline for applications: **13 May 2019**

[Read more](#)

Brazilian Government Exchange Programme: Undergraduate and postgraduate scholarships

Available annually (tuition fee only)

Applications are opened annually through the Embassy of Brazil in South Africa
Candidates must register to sit for the Certificate of Proficiency in Portuguese for Foreigners (Celpe-Bras) examination. A preparatory course is available at Brazil-South Africa Cultural Centre (CCBAS)

[Read more](#)

International Fellowship at Ada University, Azerbaijan

Bachelor's and Master's scholarships are available (tuition fee only).

Deadline for applications: 1 July 2019 (late applications)

[Read more](#)

International

**University of Queensland Institute for Social Science Research
Postdoctoral Research Fellow/Research Fellow (Australia)**

More [information](#)

**The Mercedes-Benz South Africa Graduate Development Programme –
Legal (GDP) 2019-2020 - Pretoria**

Closing date: 10 May 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 19

10 May 2019

POLICY

National Environmental Management: Air Quality Act 39 of 2004 - GN 644 in GG 42446 of 6 May 2019 - Draft National Climate Change Adaptation Strategy - for comment

LEGISLATION

ACTS

Marine Spatial Planning Act 16 of 2018 - GG 42444 of 6 May 2019 – commencement to be proclaimed

National Research Foundation Amendment Act 19 of 2018 - GG 42441 of 6 May 2019 – commencement to be proclaimed

National Health Laboratory Service Amendment Act 5 of 2019 - GG 42442 of 6 May 2019 - commencement to be proclaimed

Powers, Privileges and Immunities of Parliament and Provincial Legislatures Amendment Act 9 of 2019 - GG 42443 of 6 May 2019 – commenced 6 May 2019

NOTICES

Plant Improvement Act 53 of 1976 – Gen Notice 263 in GG 42451 of 10 May 2019 - Regulations relating to establishments, varieties, plants and propagating material amended

Mine Health and Safety Act 29 of 1996 - GN 651 in GG 42451 of 10 May 2019 - Guidance Note on Medico-Legal Investigations of Mine Deaths published with effect from 31 March 2019

National Water Act 36 of 1998 - GN 655 in GG 42451 of 10 May 2019 - Proposed classes of water resource and resource quality objectives for the Berg Catchment - for comment

National Environmental Management Act 107 of 1998 – GN 647 in GG 42451 of 10 May 2019 - Proposed Minimum Standards for the Consideration of Environmental Aspects in the Preparation and Review of Municipal Spatial Development Frameworks (SDFs) - for comment

National Environmental Management Act 107 of 1998 – GN 648 in GG 42451 of 10 May 2019 - Proposed requirements for undertaking an initial site sensitivity verification and protocols for the assessment and minimum reporting requirements of environmental impacts for environmental themes for activities requiring environmental authorisation - for comment

Special Economic Zones Act 16 of 2014 – GN 653 in GG 42451 of 10 May 2019 – Designation of the Bojanala Special Economic Zone - for comment

Special Economic Zones Act 16 of 2014 – GN 654 in GG 42451 of 10 May 2019 – Amendment to the OR Tambo International Airport SEZ land area and incorporate the Impala Precinct into the OR Tambo International Airport SEZ - for comment

PROVINCES

Western Cape

Western Cape Community Safety Act 3 of 2013 - PN 56 in PG 8090 of 3 May 2019 - Western Cape Department of Community Safety - List of accredited neighbourhood watches

Department of Environmental Affairs and Development Planning - PN 60 in PG 8094 of 7 May 2019 - Draft Western Cape Biodiversity Bill, 2019 - for comment

Mpumalanga

Spatial Planning and Land Use Management Act 16 of 2013 - Proc 17 in PG 3041 of 10 May 2019 - City of Mbombela Local Municipality - Appointment of new members to the Municipal Planning Tribunal

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 51 in PG 2073 of 9 May 2019 - uMhlathuze Local Municipality - Amendment to the Spatial Planning and Land Use Management By-law, 2017

Limpopo

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - Proc 37 in PG 2995 of 10 May 2019 - Sekhukhune District Municipality - Adoption of the Spatial Development Framework (SDF) (2019)

PUBLICATIONS

International

Scarcelli N *et al* “Yam genomics supports West Africa as a major cradle of crop domestication” 2019 [Science Advances](#) 5(5) DOI: 10.1126/sciadv.aaw1947

Schoelynck J *et al* “Hippos (*Hippopotamus amphibius*): The animal silicon pump” 2019 [Science Advances](#) 5(5) DOI: 10.1126/sciadv.aav0395

Camacho Alejandro E *et al* “Mitigating Climate Change through Transportation and Land Use Policy” (ELI Washington [Report](#) May 2019)

Unicef Australia “A Climate for Change” ([Report](#) May 2019)

Lovejoy TE “Eden no more” [Science Advances](#) 5(4) DOI: 10.1126/sciadv.aax7492

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Climate change and energy**

[Business Insider](#): De Wet P “Climate change has a bright side too: How SA plans to put a positive spin on global warming” 6 May 2019

- **Mining**

[Extractives Baraza](#): “South Africa Signs Oil Search Deal with South Sudan” 8 May 2019

- **Miscellaneous**

[Time Magazine](#): Pomerantz K “The Story Behind TIME's Cover on Inequality in South Africa” 2 May 2019

[The Conversation](#): Patel O “Pasha 17: Taking a look at light pollution” 1 May 2019

[Mail & Guardian](#): Kings S “Elections ignored climate change” 10 May 2019 [subscription / newspaper needed to read]

[The Conversation](#): Patel O “Pasha 16: Small-scale farming and agroecology” 1 May 2019

Africa

- **Climate change and energy**

[The Conversation](#): Okoti M “How Kenya’s pastoralists are coping with changes in weather patterns” 1 May 2019

[News24](#): “Watch: Why this unexpected animal is the world's most trafficked” 7 May 2019

[The Conversation](#): Ogutu J “Wildebeest migrations in East Africa face extinction. What must be done” 7 May 2019

[Mail & Guardian](#): Allison S “Conflict and cost hamper Mozambique cyclone response” 10 May 2019

- **Local government**

[Place](#): Bwire T “Gangs to gardens: Kenyan youth shun crime to create green spaces” 10 May 2019

- **Miscellaneous**

[Science](#): Pennisi E “Plant studies show where Africa’s early farmers tamed some of the continent’s key crops” 1 May 2019

[The Conversation](#): Warime G “We’re developing the world’s first vaccine suitable for humans and livestock” 7 May 2019

Rest of the world

- **Biodiversity, parks and culture**

[Science](#): Adam D “Permits were supposed to make climbing Yosemite’s Half Dome safer. They made things worse” 3 May 2019

[Science](#): Mlot C “Imported wolves settle in as Lake Superior island teems with moose” 30 April 2019

[The Conversation](#): Nam Dang VH and Nielsen MR “We asked people in Vietnam why they use rhino horn. Here’s what they said” 30 April 2019

[IISD](#) ENBL 7th Session of the Plenary of the Intergovernmental Platform for Biodiversity and Ecosystem Services (IPBES-7) 28 April and 29 April - 4 May 2019 | Headquarters of the UN Educational, Scientific and Cultural Organization (UNESCO), Paris, France – summary of meeting

[News24](#): “Here we go again: Earth's major 'mass extinctions'” 6 May 2019

[Science](#): Stokstad E “Landmark analysis documents the alarming global decline of nature” 6 May 2019

[Sustainable Development Code](#): Chapter 1-3 Sensitive lands and wildlife Habitat (May 2019)

[Place](#): Peyton N “Chinese logging takes heavy toll on farmers in Guinea-Bissau” 8 May 2019

[The Conversation](#): Orizaola G “Chernobyl has become a refuge for wildlife 33 years after the nuclear accident” 8 May 2019

[IISD](#) SDG Knowledge Hub: Portier B “What Migratory Birds Tell Us about Sustainability” 9 May 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Biodiversity Update” 9 May 2019

[IISD](#) ENB: 14th Session of the UN Forum on Forests (UNFF14) 6-10 May 2019 | UN Headquarters, New York

[Science](#): Pennisi E “In the deep, dark, ocean fish have evolved superpowered vision” 9 May 2019

[Science](#): Santoro H “Life thrives in Antarctic hot spots created by seal and penguin poop” 9 May 2019

[The Guardian](#): McKie R “Octopus farming is ‘unethical and a threat to the food chain’” 12 May 2019

[The Independent](#): Buncombe A “The killer whales of the Puget Sound are dying out and we can't save them” 11 May 2019

- **Climate Change and Energy**

[CPR Blog](#): Verchick R “Connecting the Dots among Infrastructure, Community Needs, and Climate: Season Two of CPR's Signature Podcast” 7 May 2019

[Sustainable Development Code](#): Chapter 1.1 Climate Change (May 2019)

[IISD](#) SDG Knowledge Hub: Antonich B “Adaptation Finance Update: Most Vulnerable Nations Are Among Least Likely Recipients” 9 May 2019

[IISD](#) ENB: 49th Session of the Intergovernmental Panel on Climate Change (IPCC-49) 8-12 May 2019 | Kyoto, Japan

[The Jurist](#): Wang Y “Iran to end compliance with 2015 nuclear deal” 8 May 2019

[The Guardian](#): Documentary: “Sam and the plant next door” May 2019

[The Guardian](#): Rice Oxley M “What are the alternatives to endless growth?” 10 May 2019

[The Guardian](#): Boffey D “Empty North Sea gas fields to be used to bury 10m tonnes of CO₂” 9 May 2019

[The Independent](#): Buchan L “Majority of voters back radical cutting of greenhouse gas emissions by 2050, poll reveals” 11 May 2019

[The Independent](#): Blackhurst C “A Greek energy spat is getting out of hand – the EU must listen” 11 May 2019

[The Independent](#): Duncan C “Thousands of parents to stage climate change protest” as health secretary launches ‘dirty air’ study” 10 May 2019

[The Independent](#): Osborne S “Greenpeace challenges UK to phase out diesel and petrol vehicles by 2030 after Amsterdam announces ban” 9 May 2019

- **Local government**

[Place](#): Bacchi U “From mall to hall, Big Brother is watching you” 9 May 2019

[Place](#): Allaby E “Foreigners stage 'positive invasion' of Sicily in one-euro home sale” 9 May 2019

[The Guardian](#): Otte J “Matt Hancock launches study into 'deadly poison' of air pollution” 11 May 2019

[The Independent](#): Drury C “The hidden army of volunteers putting Britain's politicians to shame by recycling the rubbish councils send straight to landfill” 10 May 2019

[The Independent](#): Sharman J “Climate change could 'force UK residents to abandon their towns” 9 May 2019

- **Mining**

UQ Sustainable Minerals Institute: [Podcast](#): Kemp Deana “Social aspects of mine closure research consortium” May 2019

UQ Sustainable Minerals [Institute](#): Connell Bruce “A sustainable future for mining and the world” May 2019

UQ Sustainable Minerals [Institute](#): “Matrix could ensure vital copper supplies” 6 March 2019

UQ Sustainable Minerals [Institute](#): “First public human rights report into PNG gas industry” 8 April 2019

UQ Sustainable Minerals [Institute](#): “Dealing with mine waste - a conversation with Dr Anita Parbhakar-Fox” 7 May 2019

[Extractives Baraza](#): “Premier Oil Spuds Indonesia Offshore Well” 8 May 2019

[Extractives Baraza](#): “Chile Copper Mine Production Slides in First Quarter – Cochilco” 8 May 2019

[Extractives Baraza](#): “Sand Mining 'Mafias' Destroying Environment, Livelihoods: UN” 8 May 2019

[The Conversation](#): Foulger G “Fracking can cause earthquakes tens of kilometres away – new research” 7 May 2019

[The Jurist](#): Squillace M “Welcome New Changes for Regulating Colorado Oil and Gas Operations” 6 May 2019

- **Waste and chemicals**

[Extractives Baraza](#): “Trump Rolls Back Drilling Rules Sparked by 2010 Gulf Oil Spill” 8 May 2019

[IISD](#) ENB: 2019 Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions Clean Planet, Healthy People: Sound Management of Chemicals and Waste 29 April - 10 May 2019 | Geneva, Switzerland – new agreements reached

[The Guardian](#): Tapper J “Shelves of shame: are these the worst recycling offenders in supermarkets?” 12 May 2019

[The Guardian](#): Laville S “Incidents of fly-tipping in England jump by almost 40% in six years” 11 May 2019

- **Water**

[Mongabay](#): Gaworecki M “Two-thirds of Earth’s longest rivers no longer free-flowing” 8 May 2019

[The Guardian](#): Barkham P “Bio-manipulation to restore clear waters of Norfolk Broads” 11 May 2019

- **Miscellaneous**

[Coopverde](#): Scanlan M “Feeding 3 Million Consumer Members in the Spanish Mediterranean, Powered by Renewables: Consum Cooperativa’ 30 April 2019

[Place](#): Moloney A “Displaced by fighting then by mudslides, Colombians struggle to rebuild” 9 May 2019

[Place](#): Chandran R “Indigenous party aims to win big in India poll with land rights focus” 9 May 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNEP [Report](#) Calls for Bringing SDGs “Upstream” in Infrastructure Planning” 9 May 2019

[The Conversation](#): Fitchett J “Why the Indian Ocean is spawning strong and deadly tropical cyclones” 8 May 2019

[Science](#): Service RF “New generation of lithium-ion batteries could hold more charge—without catching fire” 8 May 2019

[Science](#): Crowell R “This global map of manure could help save farming as we know it” 7 May 2019

[The Guardian](#): McKenna K “We ignore poverty and visit ruin on the planet. But I have a plan...” 12 May 2019

[The Guardian](#): Specht B “The price of plenty: how beef changed America” 7 May 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa Gauteng Branch Event: The Integration of Climate Change Assessment in EIAs

Date: 15 May 2019

Time: 09h30 - 13h00

Venue: Sunset Boma, 79 Main Road (R55), Blue Hills, Midrand

The invitation is available [here](#)

A Map to the venue is available [here](#)

To register for the IAIAsa GP Branch event, follow the [link](#)

CLES workshop on the theme of "Responsive Local Government for Sustainability: The multiple performance management instruments available to SA cities".

The workshop is co-hosted by the SARChI Chair in Cities, Law and Environmental Sustainability (CLES) and the South African Local Government Association (SALGA).

Date: 23 May 2019

Venue: Potchefstroom (exact venue to be confirmed with registered participants)

[Registration](#): by 18 May 2019

This workshop is free of charge but prior registration is compulsory to enter. We can accommodate a maximum of 60 attendees and a maximum of 2 representatives from a specific institution eg a specific municipality or NGO.

Ndlovu de Villiers: The Relationship between EAPs and Officials: A new way of thinking: Demystifying the relationship between EAPs & Provincial Officials in the EIA process"

Date: 23 May 2019

Venue: 170 Peter Brown Dr, Block A Victoria House, Victoria Country Club Estate, Pietermaritzburg

Contact: [Akohone Mkhize](#) or call on 033 001 7521 for registration forms, cost and further information

Limited space: 20 delegates

Webber Wentzel: Mining Charter Breakfast Panel

Date: 28 May 2019

Venue: Webber Wentzel, 90 Rivonia Road, Sandton

Time: Breakfast from 08H30 | Formal Panel from 09H00 to 10H00

The delayed third Charter saw a change in approach, focusing on collaboration between stakeholders across the industry. It aims to drive transformation, while taking into account the realities facing the industry. Nevertheless, areas of uncertainty remain with the changes likely to raise compliance costs.

Our panel of industry experts will address the key changes to the Mining Charter, highlighting the strategic implications of these key changes and the extent to which policy certainty has been achieved.

[Registration](#)

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Abstract [submission](#) by **15 May for all other presentations**

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Registration [here](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.2 Environmental law - integrated water resource management**
Date: 20 - 24 May 2019
- **CEM-03.2.1 Occupational health and safety management system**
Date: 20 - 24 May 2019
- **CEM-02.2.2 Mine health and safety law**
Date: 28 - 30 May 2019
- **CEM-02.1.1 Environmental law (Master class)**
Date: 3 - 7 June 2019
- **CEM-02.3.1b Environmental legal liability (Awareness)**
Date: 19 June 2019
- **CEM-02.1.8 Environmental law for the mining sector**
Date: 25 - 27 June 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Imbewu: World Environment Day Event – Presentation and Discussion by Dr Sam Ferreira of SanParks on the Rhino Poaching Crisis and suggested Interventions

Date: 5 June 2019

Time: 16:30-18:30

Venue: Imbewu's offices, Rosebank, Johannesburg

Register before 31 May 2019

RSVP @ [Lulu](#) or contact her for more information / www.imbewu.co.za / 011 214 0660

Imbewu: Half-day Workshop on Imminent Carbon Tax

Date: 11 June 2019

Time: 08:30-13:00

Venue: Imbewu's offices, Rosebank, Johannesburg

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

Imbewu: Mine Closure and Case Law Developments Workshop

Date: 20 June 2019

Time: 08:30-16:30

Venue: Imbewu's offices, Rosebank, Johannesburg

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

International

E-Learning Solar Powered Irrigation Systems

When?

The SPIS course will take place between 18 June and 30 July 2019. The workload will be approximately 27 hours. Please inform yourself on the SPIS Toolbox before the start of the course [here](#).

The course's modules will look at sustainable water management, solar pumping essentials, planning and implementation, and operation and maintenance. Further, we have recruited e-tutors that will support you throughout the course.

Who?

We are looking for agricultural extension officers, farmers, bankers, academic, relevant NGO and government staff, and other interested parties to join the e-learning course. We expect basic knowledge of agriculture, water management and irrigation, motivation and intermediate English language skills.

Where?

The course will be held entirely online and can be accessed from anywhere.

You can apply to the free e-learning course until 30 May [here](#)

Webinar: Explainer Series on carbon dioxide removal options

Date: 29 May 2019

Focus on the role of afforestation, reforestation and natural forest regeneration in sequestering carbon dioxide.

Registration can be effectuated [here](#), and will close at 11.59 EDT on May 28:

Lewis & Clark offering summer courses, and fall courses online, for visiting students and distance students

Our summer courses include:

[Administrative Law](#) (3 credits): Adjunct Prof. Nick Fromherz; May 28 - June 27.

[Natural Resources Law and Science](#): Prof. Dan Rohlf (2 credits); June 4 - 14. (this course is also open to scientists, government employees, and other non-law professionals.)

[International Wildlife Law](#) (2 credits): Prof. Erica Lyman; July 16 - July 26.

[Environmental Law](#) (3 credits): Prof. Craig Johnston; July 2 - August 1.

In the fall, we are offering via distance learning both Environmental Law, taught by Craig Johnston, and Energy Law: Electricity Regulation, taught by Melissa Powers

For more information email [Lucy Brehm](#)

Social-Ecological Systems International Conference (SES2019)

Deadline Extended (August 1st, 2019)

Date: 24-26 October 2019

Place: Marrakesh

Last deadline for abstract and session submission: August 1st, 2019.

[Homepage](#)

Please direct any questions you might have to via [email](#)

NEWS

National

- **Climate change and energy**

General: SA falls behind in energy transition

“As the world moves away from coal and towards green power technologies, SA finds itself in distinct danger of failing to realise a just energy transition, according to a Business Day report. Renewable energy provided 70% of all new net energy globally in 2017 and total investment in green power now tallies more than \$300bn. There are 179 countries with renewable power targets and 57 of those have committed to their power mix becoming 100% renewable. ‘This is not just because of climate change or the environment. It’s mainly driven now by the fact that renewables is just a damn good business deal,’ said Stellenbosch University’s Professor Mark Swilling. Inevitable as the transition to a low carbon economy might be, SA is woefully unprepared to grab the opportunities presented by the green energy revolution. Mike Levington, MD of Kabi Energy, said there is a lot of confusion rather than consensus as to what a just energy transition in fact is. Zwelinzima Vavi, general-secretary of the SA Federation of Trade Unions, said while some unions will interpret it very narrowly around the immediate interest of workers, ‘others from the progressive side believe a just transition should refer to a broader and deeper social economic transformational or societal shift to a sustainable low carbon economy or a zero carbon world over a period of time, not overnight’. Vavi said any ownership model must not entrench the existing patterns of the economy but rather seek to reverse them, given SA’s extraordinary developmental challenges. ‘We are on a knife-edge,’ he said.”

Full Business Day report (subscription needed) Legalbrief 9 May 2019

- **Local government**

Criminal: Councillors linked to R208m ‘dirty’ Durban contract

“The Delangokubona Business Forum and 62 eThekweni councillors allegedly received substantial cash kickbacks from a refuse removal contractor implicated in the R208m ‘dirty’ Durban Solid Waste (DSW) contract. The Mercury reports this emerged in the Durban Commercial Crime Court during the bail application of DSW deputy head Robert Abbu, the city’s supply chain deputy manager Sandile Ngcobo, and municipal contractor Hlenga Sibisi. They were arrested together with six other city contractors by the Hawks on Tuesday morning. The other six suspects were released on bail on the same day, while Abbu, Ngcobo and Sibisi were released on R50 000 bail each with strict bail conditions. They were ordered not to enter the DSW and supply chain offices in Springfield Park, Anton Lembede Street and Old Fort Road. Magistrate Dawn Soomaru also ordered Abbu and Ngcobo not to return to their offices but to work from another office. They have also been barred from communicating with state witnesses or any of their subordinates and ordered to liaise with their superiors via their legal representatives for work-related matters. Soomaru advised Abbu and Ngcobo to meet city management to discuss how to implement the bail conditions. The three also had to hand in their passports and will have to notify the investigating officer if they leave the province. The case was adjourned to 8 August.”

Full report in The Mercury (subscription needed) Legalbrief Forensic 9 May 2019

Bhengu L “Court orders striking Zululand workers to stop protesting” *TimesLive* 7 May 2019 [Legalbrief 11 May 2019]

Nocuze B “Villagers in Port St Johns drink from murky pond water Ward councillor blames vandals, residents for community’s taps running dry” [GroundUp](#) 10 May 2019

Liao K “Dirty sea water brings Cape Town desalination plant to a halt” [GroundUp](#) 6 May 2019

Bax P “Living off garbage in Johannesburg” [fin24](#) 12 May 2019

- **Waste and water**

Kockott F “Massive pollution in Durban sea as waste treatment facility fails” [GroundUp](#) 10 May 2019

“Don’t dump mattresses and other junk in stormwater drains: City of Cape Town” [IOL](#) 12 May 2019

Litigation: Water right not unconditional – SCA

“For more than a decade Free State dairy farmer Petrus Willem Terblanche battled the Minister of Water & Environmental Affairs in a test case that continued even after his death. But now, two years after his death, he has lost. A Times Select report notes the case revolved around the accountability of the department in supplying farmers with water during drought and maintaining canal systems. After his death one of his legal claims was still being heard at the SCA. It came to an end last month when the judges ruled against him. The final proceedings saw Terblanche’s situation being used as a test case, where he had been trying to sue the Environmental Affairs Minister for damages, alleging the department had failed to maintain the area’s irrigation channels. This, he claimed, had led to him being unable to water his farm’s crops, forcing him to switch to a different type of feed for his cattle, and milk production plummeted. The SCA ultimately decided that the National Water Act of 1998 dictated Terblanche was under an obligation to formally request the water he needed, and paying various charges for this service. The SCA judges said that while they would not rule on whether or not the right to abstract water was a statutory right, ‘whatever its precise nature may have been, such right to use water was not unconditional’. Rather, the judges ruled, it was dependent on Terblanche following the bureaucratic processes to acquire it. ‘The appellant’s submissions that the (department) bore an ongoing statutory duty to maintain the canal and distribute water, and that its failure to do so was an ongoing wrong ... falls to be rejected,’ the court ruled. Terblanche’s case was rejected, the prescription ruling was upheld, and the farmer’s side was ordered to pay the costs of both counsel. Full Times Select report Legalbrief 10 May 2019

International

- **Biodiversity and animal rights**

Benaiah J “Ugandan judge okays destruction of natural forest for sugarcane plantation” [eTN](#) 3 May 2019

“World is ‘on notice’ as major UN report shows one million species face extinction” [UN News](#) 6 May 2019 – see also National Geographic [report](#)

“UK soldier on anti-poaching mission killed by elephant” [News24](#) 8 May 2019

Chiu A “A couple uprooted a 180-year-old oak. A judge ordered them to pay nearly \$600,000” [The Washington Post](#) 10 May 2019

Wahlquist C “Melbourne zoo hatches plan to save southern corroboree frog” [The Guardian](#) 12 May 2019

- **Climate change and energy**

Harvey F “Climate emergency edict in UK to shape decision on Heathrow expansion review” [The Guardian](#) 11 May 2019

Morton A “The climate change election: where do the parties stand on the environment?” [Australia] [The Guardian](#) 12 May 2019

Jolly J “Britain passes one week without coal power for first time since 1882” [The Guardian](#) 8 May 2019

Cockburn H “Climate crisis: Huge VAT rise on solar panels makes installation ‘entirely uneconomic’, say experts” [UK] [The Independent](#) 10 May 2019

Richard J “Iceland turns carbon dioxide to rock for cleaner air” [Mail & Guardian](#) 8 May 2019

Gosling M “Carbon dioxide levels hit 800 000-year record” [fin24](#) 9 May 2019

“US climate change refusal sinks Arctic declaration – delegates” [News24](#) 9 May 2019

- **Local government**

Topham G “London to have world-first hydrogen-powered doubledecker buses” [The Guardian](#) 10 May 2019

- **Mining**

Policy: Kampala to own shares in mining firms

“The Ugandan Government will automatically own shares in every mining company granted a lease to operate, according to a new policy approved by Cabinet. The **East African** reports that this marks a major shift for the sector where investors previously owned 100% stakes in mining leases and had the option of exporting raw ore. The change has been necessitated by continuous land conflicts in mining areas and an increase in corruption in the issuing of licences. ‘The revised laws will help us revive the mining sector,’ said Robert Kasande, permanent secretary in the Ministry of Energy. Uganda's policy change comes at a time when the country's mineral sector is beginning to attract exploration from mining giants like Australia's Rio Tinto, which last year signed a \$57m to operate in the country.”

[East African report](#) Legalbrief Forensic 9 May 2019

Pitt H and Harvey F “We are hammering the last nail in the coffin of the fracking industry” [UK] [The Guardian](#) 8 May 2019

Weston F “Support for fracking falls to lowest ever level, finds official government survey” [The Independent](#) 11 May 2019

“Hundreds protest against plans to drill in Great Australian Bight” [The Guardian](#) 5 May 2019

“PICS: Abandoned gold mines a 'deadly panacea' for Zimbabwe's jobless” [IOL](#) 10 May 2019

- **Waste and Water**

Holden E “Nearly all countries agree to stem flow of plastic waste into poor nations” [The Guardian](#) 11 May 2019

Forrest A “Almost every country in the world agrees deal to cut plastic pollution – except US” [The Independent](#) 11 May 2019

- **Miscellaneous**

Abbott J “Indigenous groups march 200km across Guatemala against corruption” [Aljazeera](#) 9 May 2019

Townsend M “UK’s organised crime threat at record level, warns National Crime Agency” [The Guardian](#) 12 May 2019

“Namibia declares drought a national disaster” [IOL](#) 7 May 2019

“Angola drought: Millions struggle for food” [News24](#) 8 May 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

NWU Postdoctoral Fellowship | SARCHI Chair in Cities, Law and Environmental Sustainability

The CLES Chair has a NWU Postdoctoral Fellowship position available for a PhD graduate in the fields of urban governance, urban law, local government law, urban sustainability, sustainable cities or institutional constitutional law.

The position requires residency in Potchefstroom, South Africa for the duration of the fellowship. The Postdoctoral Fellow will work as a researcher in the CLES Chair.

Interested candidates should email [Prof Anél du Plessis](#) the following documents no later than 31 May 2019:

- * Academic CV
- * Certified copies of qualifications
- * ID document or passport
- * Copy of PhD thesis.

Academic Lecturer: Durban – Law Undergraduate Programme - Mancosa

More [information](#)

University of Pretoria: Junior Information Officer: Copyright

Closing date: 20 May 2019

More [information](#)

Provincial Administration: Gauteng Department of Agriculture and Rural Development: Director: Enforcement Ref No: REFS/003991

Closing date: 24 May

More [information](#)

Provincial Administration: Gauteng Department of Agriculture and Rural Development: Deputy Director: Farmer Settlement and Support REF NO: REFS/003992 Directorate: Farmer Support and Development

Closing date: 24 May

More [information](#)

Gauteng Office of the Premier: Member: Risk Management Committee REF NO: 003985 Directorate: Internal Audit and Risk Management

Closing date: 24 May

More [information](#)

Tender: Eskom: Study to develop a social plan with respect to coal-fired power stations

The link to the tender is [here](#)

Closing Date: 4 June 2019 10h00

Compulsory Clarification Meeting

Friday 10 May 2019 10h00

Place: Eskom Megawatt Park

Enquiries: [Beauty Mazibuko](#), Climate Change and Sustainable Development Department, Eskom Holdings SOC Ltd

Tel [+27 11 629 5156](#) / Cell [+27 76 523 5947](#)

Varsity College: Lecturer: Social Sciences (Independent Contractor) - Sandton Campus

Law subjects as well as English for Law

More [information](#)

Candidate Attorney – Cape Town

More [information](#) Road Accident Fund: Ethics Intern

Closing date: 21 May 2019

More [information](#)

Monument Park, Pretoria East: Junior Admitted Attorney

More [information](#)

Candidate Attorney Port Elizabeth

More [information](#)

nGap Positions

- NMU: Law
- UJ: Public law
- SU: Mercantile law
- UWC: Global Environmental Law

Magabane.A@dhet.gov.za / Diketane.S@dhet.gov / pennels.C@dhet.gov.za

Full details on nGAP initiative available [here](#)

Applications: Full details of the posts at each University are available on the university's website. To apply visit the website or contact the institution of your choice and follow the instructions in the adverts.

International

Fellowships (Junior/Senior) on “Sustainable Rural Transformation” at the University of Ghana

Dates: February to May 2020.

Application deadline is May 15, 2019

For detailed information please visit [IFG 3](#) on the MIASA website

Open Rank Faculty Positions at the College of Law, Hamad Bin Khalifa University, Doha, Qatar

Hamad Bin Khalifa University's College of Law (CL) invites applications for faculty positions to begin in the academic year 2019-2020. Candidates will be appointed at the rank of Full, Associate or Assistant Professor, depending on qualifications, teaching, and research experience. Successful candidates would teach in the HBKU CL Juris Doctor (JD) program, the first of its kind in the MENA region, which was launched in 2015, and graduated its inaugural class in 2018. HBKU, a member of Qatar Foundation for Education, Science, and Community Development (QF), was founded in 2010 to continue fulfilling QF's vision of unlocking human potential. HBKU is an emerging research University that acts as a catalyst for positive change in Qatar and the region while having global impact.

Required Qualifications, Skills and Experience

PhD or terminal degree from an accredited university

Evidence of proficiency in teaching, student supervision, and curriculum and program development

Research and scholarly achievements judged competent and adequate for the relevant rank in comparison with peers active in the same field at a major research university

Significant national, regional, and international reputation in scholarly endeavors (funded research grants, publications, IP/patents, etc.) in comparison with peers active in the same field at a major research university

Ability to work with and lead diverse groups, cultures and communities

Evidence of significant national, regional, and international networks and collaborations in both teaching and research activities

Arabic proficiency is an advantage

Other Required Qualification

HBKU College of Law invites candidates across all areas of law, and is especially interested in candidates with expertise in the following:

- Civil Procedure
- Corporate Law, Business Associations, Commercial Law
- Intellectual Property Law
- Law & Technology
- Construction Law
- International Banking Law
- Employment Law
- Legal Methodology with a focus on law & economics and (empirical) social science methods
- Legal Research and Writing

The candidate would be expected to teach both introductory and specialized courses, and to participate in the intellectual life of a talented, vibrant and unique

legal community. Candidates should have a superior academic record, with demonstrable evidence of, or a strong potential for, excellence and innovation in teaching, scholarly research and service.

How to apply

Candidates should submit their complete application that includes, the cover letter, curriculum vitae, teaching statement (no more than one page), research statement (no more than four pages), and names of three references (who will not be contacted without consent of the applicant) on the following link: Click [here](#) to apply:

Deadline

Review of applications is expected to begin on June 17, 2019, and continue until the positions are filled. Interviews will be held at the end of August 2019.

Remuneration

HBKU offers an attractive compensation package that includes a tax-free salary and additional benefits such as an education allowance, furnished accommodation, annual paid leave, air tickets and medical insurance.

HBKU, as an equal opportunity educator and employer, is committed to maintaining culturally and academically diverse staff of the highest calibre.

**Australian National University College of Asia and the Pacific (CAP):
Braithwaite Research Fellow / Fellow**

Closing date: 19 May 2019

More [information](#)

**University of Hamburg Faculty of Business, Economics and Social Science
Research Associates for the Project “CLICCS -Climate, Climatic Change,
and Society” in the Field of Sociology of Science**

Closing date: 15 June 2019

More [information](#)

**University of Hamburg Faculty of Business, Economics and Social
Sciences/ Department of Socioeconomics Research Associate (Postdoc)
Environmental and Climate Economics**

Closing date: 3 June 2019

More [information](#)

**Research Associate - Department of Socioeconomics/ Chair of Public
Management University of Hamburg Department of Socioeconomics/ Chair
of Public Management**

Closing date: 31 May 2019

More [information](#)

**Research Assistant: Centre for Climate and Energy Transformation –
University of Bergen, Norway**

Closing date: 20 May 2019

More [information](#)

**Doctoral student in Service Studies, spec Sustainability Lund University
Department of Service Management and Service Studies**
Closing date: 14 June 2019
More [information](#)

**University of Cambridge Centre for the Study of Existential Risk: Research
Associate in Global Justice and Global Catastrophic Risk**
Closing date: 10 June 2019
More [information](#)

**University of Sussex Business School, Science Policy Research Unit
(SPRU): Lecturer in Sustainable Development**
Closing date: 15 May 2019
More [information](#)

**University of Sussex School of Law, Politics and Sociology: Lecturer in
Law (Grade 7 or 8)**
Closing date: 20 May 2019
More [information](#)

**University of Sussex School of Law, Politics and Sociology: Senior
Lecturer / Lecturer in Law**
Closing date: 20 May 2019
More [information](#)

Members of the Environmental Law Association may subscribe to
[*Legalbrief Environmental*](#)
and the
[*South African Journal of Environmental Law and Policy*](#).
Discount available for ELA members.



ELA NEWSLETTER 20

17 May 2019

Please Note: The next Newsletter will be dated 7 June 2019

LEGISLATION

NOTICES

Gas Regulator Levies Act 75 of 2002 – GN 659 in GG 42459 of 13 May 2019

Marine Living Resources Act 18 of 1998 – GN 660 in GG 42457 of 13 May 2019

Promotion of Access to Information Act 2 of 2000 – Gen Notice 269 in GG 42457 of 13 May 2019 – Description submitted in terms of section 15(1) – KwaZulu-Natal Department of Transport

Promotion of Access to Information Act 2 of 2000 – Gen Notice 270 in GG 42457 of 13 May 2019 – Description submitted in terms of section 15(1) – Department of Co-Operative Governance

Housing Act 107 of 1998 – GN 671 in GG 42464 of 17 May 2019 – Gauteng - Proposed Priority Development Areas

Promotion of Access to Information Act 2 of 2000 – GN 22 in GG 42464 of 17 May 2019 – President of the Republic of South Africa – Automatically available records and access to such records

Agricultural Product Standards Act 119 of 1990 – GN 663 in GG 42464 of 17 May 2019 – Prohibition notice regarding the removal of imported regulated agricultural products from the prescribed ports of entry

Animal Improvement Act 62 of 1998 – GN 664 in GG 42464 of 17 May 2019 – Regulations relating to Amendment of Table 7 of the Regulations

National Environmental Management: Air Quality Act 39 of 2004 – GN 666 in GG 42464 of 17 May 2019 – Strategy to address Air Pollution in Dense Low Income Settlements

National Environmental Management Act 107 of 1998 – GN 667 in GG 42464 of 17 May 2019 – Proposed Regulations pertaining to Financial Provisioning for the

Rehabilitation and Remediation of Environmental Damage caused by reconnaissance, prospecting, exploration, mining or production operations

Electricity Regulation Act 4 of 2006 - GN 659 in GG 42456 of 13 May 2019 - National Energy Regulator of South Africa (NERSA) - Draft Licensing Exemption and Registration Notice – for comment

Standards Act 8 of 2008 – Gen Notice 275 in GG 42464 of 17 May 2019 - Amendment of South African National Standards

PROVINCES

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 97 in PG 4239 of 13 May 2019 - Ndlambe Local Municipality - New Integrated Land Use Scheme published with effect from 1 June 2019

National Environmental Management: Protected Areas Act 57 of 2003 – PN 137 in PG 4241 of 14 May 2019 - Intention to declare a nature reserve and protected environments: Oubos-Grootrivier Nature Reserve and Buffalo Kloof, Kromme-Geelhout and Entle Protected Environments - for comment

Northern Cape

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 44 in PG 2264 of 13 May 2019 - Siyathemba Local Municipality - Process of preparing a Spatial Development Framework (SDF) - for comment

KwaZulu Natal

National Environmental Management: Protected Areas Act 57 of 2003 - PN 55 in PG 2074 of 16 May 2019 - Declaration of Nature Reserves: Umgeni Valley Nature Reserve and uMsonti Private Nature Reserve

Western Cape

National Environmental Management: Protected Areas Act 57 of 2003 - PN 61 in PG 8095 of 10 May 2019 - Intention to declare a nature reserve: Rietkraal Nature Reserve - for comment

INTERNATIONAL

2019 Refinement to the 2006 IPCC [Guidelines](#) for National Greenhouse Gas Inventories [provided by Andrew Gilder Climate Legal]

BRS Convention COPs outcomes

The BRS Convention COPs were held at 29 April – 10 May 2019 at Geneva, Switzerland. The 2019 joint Conferences of the Parties (COP) to the Basel, Rotterdam and Stockholm Conventions achieved several notable outcomes, including:

- the establishment of a compliance mechanism under the Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
- the listing of dicofol and perfluorooctanoic acid (PFOA), its salts, and PFOA-related compounds under the Stockholm Convention on Persistent Organic Pollutants; and the adoption of an amendment to address certain plastic wastes under the Basel Convention (BC) on the Control of Transboundary Movement of Hazardous Wastes and their Disposal.” [ENB [Bulletin](#) 14 May 2019]

CASES

International

[Plan B Earth v. Secretary of State for Transport](#) [2019] EWHC 1070 (Admin)

“A UK court refused all six climate change-related claims filed by Friends of the Earth and Plan B Earth against the Secretary of State for Transport Chris Grayling (the Secretary) alleging inadequate consideration of climate change impacts in regards to the expansion of Heathrow International Airport. (Additional claimants participated in the suit, but these two groups took lead on the climate-related claims.) Claimants argued that the Secretary’s national policy statement supporting the expansion of Heathrow Airport violated the Planning Act 2008 (the 2008 Act) and the Human Rights Act 1998. The court did not find that the Secretary had any obligations to consider the Paris Agreement climate targets, the science underlying those climate targets, or a more stringent potential future climate target necessary for meeting the Paris Agreement. The court was not persuaded by arguments that the 2008 Act’s climate action goals could be interpreted to make obligations under the Human Rights Act of 1998 inclusive of the Paris Agreement goals. The court found that the Secretary had fulfilled his obligations to consider existing domestic climate targets and acted within his discretion.” [Summary: May 2019 Sabin Center for Climate Change Law Update]

[Commune de Grande-Synthe v. France](#) (CE, filed Jan. 23, 2019)

“On January 23, 2019, the municipality of Grande-Synthe sued the French government for insufficient action on climate change. The suit was filed in the Conseil d’Etat, the highest administrative court in France. According to an English summary of the case provided by the plaintiffs, the suit alleges that the French government’s failure to further reduce greenhouse gas emissions violates domestic and international law, including the European Convention on Human Rights, the Paris Agreement, the French Environmental Code, and the French Environmental Charter. Plaintiffs stress the particular vulnerability of Grande-Synthe to the impacts of climate change as a low-lying coastal municipality exposed to sea level rise and flooding. According to the plaintiffs’ case summary, Grande-Synthe asks

the Conseil d'Etat to direct the government to take legislative and regulatory measures to prioritize action on climate change and to prohibit actions that would increase greenhouse gas emissions. This case is one of two filed in France during early 2019 against the French government for climate inaction that follow logic set by the 2018 Urgenda decision in the Netherlands. The other case, *Notre Affaire à Tous and Others v. France*, was filed by nonprofit organizations.” [Summary: May 2019 Sabin Center for Climate Change Law Update]

PUBLICATIONS

National

Koti Madoda "Misconception on section 24G of NEMA" 2019 19(4) [Without Prejudice](#) 28-29

Masondo Happy "[The politics of water and energy security](#)" 2019 19(4) [Without Prejudice](#) 29-30

International

Ashukem J-C "A Human Rights-Based Approach to Foreign Agricultural Investment in Uganda" 2019 [African Journal of International and Comparative Law](#) 27(2):268–291

Fischman R "Letting Go of Stability: Resilience and Environmental Law" 2019 94 [Indiana Law Journal](#) 689-725

IRENA "Electric Vehicles Smart Charging" ([Report](#) May 2019)

May JR and Daly E (eds) *Human Rights and the Environment Legality, Indivisibility, Dignity and Geography* (Elgar Encyclopedia of Environmental Law series [Edward Elgar](#) 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[The Conversation](#): Winder IC "Climate change is putting even resilient and adaptable animals like baboons at risk" 16 May 2019

- **Climate change and energy**

[Engineering News](#): South Africa's energy transition won't be 'just' in absence of inclusive social dialogue" 7 May 2019 [Legalbrief Environmental 14 May 2019]

[Engineering News](#): "Nersa sets May 24 deadline for comment on overhauled SSEG exemption rules" 9 May 2019 [Legalbrief Environmental 14 May 2019]

- **Local government**

[The Conversation](#): Oosthuizen M "How South Africa can do better at reversing apartheid's legacies" 16 May 2019

- **Mining**

[Webber Wentzel](#): Collier K “Guidance Note on Medico-Legal Investigations of Mine Deaths published - the basics to note” 14 May 2019

- **Environmental authorisations**

[Webber Wentzel](#): “Proposed steps to improve the quality of specialist studies in EIA processes” 15 May 2019

Africa

- **Climate change and energy**

[The Conversation](#): Rakotonarivo S “Five actions Madagascar’s president must take to save country’s biodiversity” 12 May 2019

- **Local government**

[The Conversation](#): Haas ARN “Getting the right institutions in place to run Africa’s cities efficiently” 15 May 2019

- **Mining**

[Extractives Baraza](#): “Uganda, Kenya Race to Oil Production, but...” 15 May 2019

[Extractives Baraza](#): “Kenya’s Red Tape Blamed for Delay in Oil Production Plan” 15 May 2019

[Extractives Baraza](#): “Magufuli orders Kiwira Coal Mine take back” 15 May 2019

- **Miscellaneous**

[Place](#): Njagi K “Clashing tribes and shrinking grassland as Kenyan airport sparks property boom” 14 May 2019

Rest of the world

- **Biodiversity, parks and culture**

[The Conversation](#): McGowan P and Bolam F “Biodiversity collapse: the wild relatives of livestock and crops are disappearing” 10 May 2019

[The Conversation](#): Fitzgerald “How I stumbled on a lost plant just north of Antarctica” 10 May 2019

[Place](#): Mendes K “Fears over rising violence in Amazon as 'forest guardians' battle logging” 13 May 2019

[IISD](#) SDG Knowledge Hub: Tsioumani E “Nature Champions Summit Calls for Putting Nature at the Center of Sustainable Development Agenda” 16 May 2019

[The Conversation](#): Staerk J *et al* “Biodiversity: many species could be even more likely to go extinct than we realise” 15 May 2019

- **Climate Change and Energy**

[The Conversation](#): Sandvik KB “Safeguarding women after disasters: some progress, but not enough” 13 May 2019

[IISD](#) SDG Knowledge Hub: Hastings C “Sustainable Infrastructure: Protecting the Planet of Tomorrow Requires the Right Decisions to be Made Today” 16 May 2019

[IISD](#) SDG Knowledge Hub: Mead L “Petersberg Climate Dialogue Commits to Enhanced Action Ahead of UN Summit, COP 25” 16 May 2019

- **Local government**

[Cities Today](#): Pitt A “New simpler climate reporting platform launched” 25 April 2019

[ICLEI](#): Webinars on Cities (continuously)

Resilient Cities 2019: Cities and Regions in focus

- **Mining**

[Extractives Baraza](#): “BHP to Keep Nickel West, Rio Looks to Jadar Lithium for Battery Boom” 15 May 2019

- **Waste and chemicals**

[The Conversation](#): Wright L “Plastic warms the planet twice as much as aviation – here’s how to make it climate-friendly” 15 May 2019

- **Miscellaneous**

[UNDP](#): Lees SC “The link between human rights and the environment” 5 March 2019

[UNDP](#): Hurley G “Navigating the complexities of social impact bonds for the SDGs” 4 April 2019

[UNDP](#): Mod  r U and Dieye AM “Game plan: SDG integration” 1 May 2019

[IISD](#) ENB: Global Platform 2019 Resilience Dividend: Towards Sustainable and Inclusive Societies 13-17 May 2019 | Geneva, Switzerland

[The Guardian](#): Levin S “Monsanto must pay couple \$2bn in largest verdict yet over cancer claims” 13 May 2019 [provided by Odile Lim Tung]

[IISD](#) ENB: Final session of the *Ad Hoc* Open-ended Working Group (OEWG) to consider a global pact for the environment 20-22 May 2019 | UN Environment Programme (UNEP) Headquarters, Nairobi, Kenya

[IISD](#) ENB: International Conference on Climate Action, which will seek to provide inputs to the Climate Action Summit 22-23 May 2019, Heidelberg, Germany

[IISD](#) ENB: Sixth Partners for Review network meeting 21-23 May 2019 Oaxaca, Mexico –

This network enhances accountability in the implementation of the 2030 Agenda by bringing together government representatives and stakeholders from civil society, academia and the private sector who are involved in national processes to review and monitor action to achieve the SDGs.

[Sustainable Development Code](#): What's challenging your community?

[IISD](#) SDG Knowledge Hub: Benson Wahlén C "DESA Compiles 295 "Good Practices" in SDG Implementation" 16 May 2019 Find the website and report [here](#)

[IISD](#) ENB: Fourth Annual Multi-Stakeholder Forum on Science, Technology, and Innovation for the Sustainable Development Goals 14-15 May 2019 | UN Headquarters, New York

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Webber Wentzel: Mining Charter Breakfast Panel

Date: 28 May 2019

Venue: Webber Wentzel, 90 Rivonia Road, Sandton

Time: Breakfast from 08H30 | Formal Panel from 09H00 to 10H00

The delayed third Charter saw a change in approach, focusing on collaboration between stakeholders across the industry. It aims to drive transformation, while taking into account the realities facing the industry. Nevertheless, areas of uncertainty remain with the changes likely to raise compliance costs.

Our panel of industry experts will address the key changes to the Mining Charter, highlighting the strategic implications of these key changes and the extent to which policy certainty has been achieved.

[Registration](#)

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Abstract [submission](#) by **15 May for all other presentations**

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Registration [here](#)

Imbewu: World Environment Day Event – Presentation and Discussion by Dr Sam Ferreira of SanParks on the Rhino Poaching Crisis and suggested Interventions

Date: 5 June 2019

Time: 16:30-18:30

Venue: Imbewu's offices, Rosebank, Johannesburg

Register before 31 May 2019

RSVP @ [Lulu](#) or contact her for more information / www.imbewu.co.za / 011 214 0660

NWU: Centre for Environmental Management Short Courses

- **CEM-02.2.2 Mine health and safety law**
Date: 28 - 30 May 2019
- **CEM-02.1.1 Environmental law (Master class)**
Date: 3 - 7 June 2019
- **CEM-02.3.1b Environmental legal liability (Awareness)**
Date: 19 June 2019
- **CEM-02.1.8 Environmental law for the mining sector**
Date: 25 - 27 June 2019
- **CEM-03.1.1 Environmental management systems**
Date: 1 - 5 July 2019
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 8 - 12 July 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Imbewu: Half-day Workshop on Imminent Carbon Tax

Date: 11 June 2019

Time: 08:30-13:00

Venue: Imbewu's offices, Rosebank, Johannesburg

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

Imbewu: Mine Closure and Case Law Developments Workshop

Date: 20 June 2019

Time: 08:30-16:30

Venue: Imbewu's offices, Rosebank, Johannesburg

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

IFAT Africa

Date: 9-11 July 2019

Place: Gallagher Convention Centre, Midrand Gauteng

[Registration](#)

International

Call for Papers: *Climate Law* Special Issue With Associated Conference In Hong Kong Theme: Legal Approaches to Monitoring, Reporting, and Verification (MRV) of Greenhouse Gas Emissions and Transparency of Mitigation Action

Please submit your expression of interest and CV as soon as possible Inquiries and expressions of interest: [Alexander Zahar](#)

Deadline for abstracts: 31 July 2019

Decision on commissioned papers: 31 August 2019

Deadline for full drafts: 31 July 2020

Free E-Learning Course: Introduction to Sustainable Finance

It is with great pleasure that GIZ, SEB and PAGE launch the e-learning course "Introduction to Sustainable Finance" available free-of-charge through [UN CC:e-Learn](#).

The course is a tool to learn about the basics of Sustainable Finance while providing several opportunities to dive deeper. The *triple bottom line*, which Sustainable Finance advocates, measures not only *economic* returns, but also positive *environmental* and *social* returns. In this e-learning participants will learn about sustainable financial products, ESG risks, market trends, regulation and the challenges ahead.

The e-learning course shares valuable insights of the Strategic Alliance of GIZ and SEB and our technical partner CICERO, gained during activities in emerging economies and interactions with market participants worldwide. Furthermore, it builds on SEB's path-breaking collaborations with Sustainable Finance leaders such as The World Bank, EIB, KfW, ADB, AfDB, and a large amount of institutional investors.

NEWS

National

- **Biodiversity**

Conservation: New” campaign to protect African wildcat

International Alley Cat Rescue (ACR) has announced a new campaign in SA to protect the African wildcat, the ancestor of the domestic cat, through a targeted education and trap-neuter-return programme near the Kruger National Park, in the north-east of the country. A Cape Times report notes that genetically pure African wildcats could some day disappear, the group said, if hybridisation with domestic cats was allowed to continue unchecked. The African wildcat lives throughout the continent and in parts of Asia and the Middle East. One of the largest threats to pure populations of African wildcats is inter-breeding with feral and stray cats. The campaign will focus on the areas around Kruger National Park, where hybridisation could occur and where it was possible to create a ‘barrier’ of sterilised domestic cats. ACR is partnering with local scientists, vets and other animal advocacy groups in the area for the project.”

Full Cape Times report (subscription needed) Legalbrief Environmental 14 May 2019

- **Climate change and energy**

Mashego A “‘Nuclear deal’ claims first scalp: Necsa’s CEO Phumzile Tshelane” [City Press](#) 11 May 2019 [Legalbrief 13 May 2019]

Moodley S “CER urges Ramaphosa to appoint environment-focussed Cabinet” [Mining Weekly](#) 14 May 2019 [provided by Andrew Gilder, Climate Legal]

“DoE launches wind resource map” [Bizcommunity](#) 9 May 2019 [provided by Andrew Gilder, Climate Legal]

Mashego A “‘Nuclear deal’ claims first scalp: Necsa’s CEO Phumzile Tshelane” [City Press](#) 11 May 2019 [Legalbrief Forensic 16 May 2019]

Legislation: Energy generation licensing requirements to change

“Energy generation facility licensing exemption and registration requirements gazetted in November 2017 and ‘widely accepted to be flawed’ ([Engineering News](#)) will soon be amended. With that in mind, stakeholder input is sought at rather short notice on a consultation paper ‘recently’ released by the National Energy Regulator of SA. This marks the final stage of a public participation process begun in June last year. Once in force, the new arrangements will apply to three types of generation facility as well as those already exempt from licensing requirements.”

Read full report in Policy Watch - Legalbrief 16 May 2019

- **Local government**

Litigation: Estate obtains order preventing environmental damage

The Victoria Country Club Estate in Pietermaritzburg has taken a resident to court for construction activity that deviates from approved building plans. The Witness reports a consent order was granted yesterday by the KZN High Court (Pietermaritzburg). Duncan Goosen, his family members and Ovland Construction have undertaken not to conduct any construction activity on the property that is not provided for in the building plans approved by the estate and its homeowners’ association and Msunduzi Municipality. Pierre de Villiers Berange, of the estate, said in court papers that the illegal construction activities needed to be stopped because they present environmental risks. He said if a water course, drainage feature or any protected activity is compromised because of unregulated and unauthorised construction activity, this would be irreversible and would prejudice all the residents in the estate and the city.

Full report in The Witness (subscription needed) Legalbrief 17 May 2019

- **Mining**

Broughton T “Khulubuse Zuma incommunicado over R1.4bn debt” [Business Day](#) 12 May 2019 [Legalbrief 13 May 2019]

Liedtke S “Agri SA launches court proceedings against granting of shale gas exploration rights” [Mining Weekly](#) 7 May 2019 [Legalbrief 14 May 2019]

Finance: Nuanced picture of SA banks' coal funding emerges

“Around the world, funding for new coal-related projects is drying up. The same appears true in SA where in recent months it's been reported that three major commercial banks – Nedbank, Standard Bank and FirstRand – will no longer fund coal. A BusinessLIVE report notes that this sparked concern, including in the ANC. Last week, the head of the ANC's economic transformation, Enoch Godongwana, lamented the dearth of financing for coal mining and suggested that pension funds could be forced to invest in this area. But a closer look reveals a more nuanced picture. The three banks will not fund two new independent coal-fired power producers, Khanyisa and Thabametsi, but for two of them financing other coal-fired power stations is not off the cards. And not one of them said it would stop funding coal mining. Despite varied policies among the banks, the Centre for Environmental Rights's Leanne Govindsamy says that financiers do appear to be moving away from funding new coal power stations, although the reasons for this are varied. ‘These may include environmental concerns. However, in our experience they relate more to the reputational risk involved in funding new coal power stations and the implications of being associated with massive greenhouse gas emissions while the global movement towards urgent action on climate change grows,’ she said. Most banks nonetheless remain heavily invested in coal mining, Govindsamy said. She added that without clear government policy around reducing reliance on coal as a source of energy, companies will be slow to change in this regard. ‘Civil society, therefore, remains committed to driving proposals on sustainable energy and the move away from coal mining,’ the report quotes her as saying.”

Full BusinessLIVE report (subscription needed) Legalbrief Environmental 14 May 2019

Mostert M “Appeal Court date set for shale gas regulations fight – AfriForum” [Politicsweb](#) 14 May 2019

- **Waste and water**

Caboz J “Plastic bags will be banned at some of SA's biggest malls, including Sandton City” [Business Insider SA](#) 13 May 2019

- **Miscellaneous**

Legislation: Legal fees investigation begins

“The SA Law Reform Commission has announced the commencement of its investigation into legal fees and tariffs – required in terms of sub-sections 35(4) and (5) of the 2014 Legal Practice Act. With that in mind, comment is sought on an issue paper unpacking fees and costs, associated socio-economic factors, the legal system, the litigation process, court processes and procedures and the legal profession. In-depth questions are posed as each issue is explored. Given that it may be deemed ‘necessary and desirable’ to establish a mechanism for determining fees and tariffs, the paper takes due cognisance of the commission’s obligation ‘to consider the desirability of giving (the) users of legal services the option to pay less or in excess of any amount that may be set’. This is noting an associated obligation on the part of a legal practitioner in such circumstances to conclude a mandatory fee arrangement with a client when services are secured.”

Read full report In Legalbrief Policy Watch Legalbrief Forensic 16 May 2019

International

- **Climate change and energy**

“Russia expediting clean-up of tainted oil pipeline” [Extractives Baraza](#) 15 May 2019

- **Mining**

“Indonesia says ramping up push against mercury in mining, industry” [Reuters](#) 30 April 2019

- **Waste and Water**

Neslen A “EU clean water laws under attack from industry lobbyists” [The Guardian](#) 15 May 2019 [Legalbrief 16 May 2019]

- **Miscellaneous**

“UN says war has set back Yemen’s development by 20 years” [AP](#) 23 April 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

NWU Postdoctoral Fellowship | SARChI Chair in Cities, Law and Environmental Sustainability

The CLES Chair has a NWU Postdoctoral Fellowship position available for a PhD graduate in the fields of urban governance, urban law, local government law, urban sustainability, sustainable cities or institutional constitutional law.

The position requires residency in Potchefstroom, South Africa for the duration of the fellowship. The Postdoctoral Fellow will work as a researcher in the CLES Chair.

Interested candidates should email [Prof Anél du Plessis](#) the following documents no later than 31 May 2019:

- * Academic CV
- * Certified copies of qualifications
- * ID document or passport
- * Copy of PhD thesis.

Nelson Mandela University: Senior Lecturer / Associate Professor / Professor (Mercantile Law)

Closing date: 24 May 2019

More [information](#)

University of KwaZulu-Natal: Attorney in Law Clinic and Lecturer in Law (1 position)

Closing date: 29 June 2019

Requirement: Fluency in isiZulu

More [information](#)

International

Global Green Growth Institute - Job Openings in Papua New Guinea

- Program Officer, Papua New Guinea, X8 International [\(link here\)](#)
- Senior Program Officer, Papua New Guinea, X9 National [\(link here\)](#)
- Associate, Finance and Administration, Papua New Guinea, X6 National [\(link here\)](#)

Closing date: 29 May 2019

School of Law Vermont: Assistant Professor and Senior Fellow

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 21

7 June 2019

LEGISLATION

ACTS

Customs and Excise Amendment Act 13 of 2019 -GG 42480 of 23 May 2019) - commenced 1 June 2019

Carbon Tax Act 15 of 2019 - GG 42483 of 23 May 2019) – commenced 1 June 2019

Public Audit Excess Fee Act 20 of 2019 - GG 42481 of 23 May 2019) – commence on date published in *Government Gazette*

NOTICES

Statistics South Africa - Consumer Price Index, Rate (Base Dec 2017 = 100): April 2019: 4,4 – Gen Notice 302 in GG 42496 of 31 May 2019

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN 807 in GG 42496 of 31 May 2019 - Notice of proposed prohibition of the use of nitrofurans, nitromidazoles, carbadox and diethylstilbestrol in food producing animals - for comment

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 - GN 808 in GG 42496 of 31 May 2019 - Corrigendum to GN 302 in GG 42286 of 8 March 2019

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 - GN 812 in GG 42496 of 31 May 2019 - Regulations relating to the reduction of sodium in certain foodstuffs and related matters amended

Plant Breeders' Rights Act 15 of 1976 - GN 809 in GG 42496 of 31 May 2019 - Regulations relating to plant breeders' rights amended

Rules Board for Courts of Law Act 107 of 1985 - GN R842 in GG 42497 of 31 May 2019 - Rules regulating the conduct of the proceedings of the Supreme Court of Appeal of South Africa amended with effect from 1 July 2019

Rules Board for Courts of Law Act 107 of 1985 - GN R842 in GG 42497 of 31 May 2019 - Rules regulating the conduct of proceedings of the several provincial and local divisions of the High Court of South Africa amended with effect from 1 July 2019

Rules Board for Courts of Law Act 107 of 1985 - GN R842 in GG 42497 of 31 May 2019 - Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa amended with effect from 1 July 2019

World Heritage Convention Act 49 of 1999 – Gen Notice 290 in GG 42496 of 31 May 2019 - Intention to proclaim certain land in the Northern Cape Province to be the ‡Khomani Cultural Landscape World Heritage Site and to appoint a management authority thereto - for comment

Promotion of Access to Information Act 2 of 2000 – Gen Notice 291 in GG 42496 of 31 May 2019 - Description submitted in terms of s. 15 (1) by the Swartland Municipality

Broad-Based Black Economic Empowerment Act 53 of 2003 – Gen Notices 303, 304, 305 & 306 in GG 42496 of 31 May 2019 - Codes of Good Practice on Black Economic Empowerment, 2013 amended with effect from 6 months from date of publication

National Health Act 61 of 2003 - GNs 817 & 818 in GG 42496 of 31 May 2019 - Code of Conduct for Inspectors in terms of regulation 10(2) of the Procedural Regulations Pertaining to the Functioning of the Office of Health Standards Compliance and Handling of Complaints by the Ombud

Astronomy Geographic Advantage Act 21 of 2007 - GN 805 in GG 42492 of 29 May 2019 - Regulations for the Protection of the Sutherland Central Astronomy Advantage Area declared for optical astronomy purposes, 2019; and Regulations on Financial Compensation Procedures for the Sutherland Central Astronomy Advantage Area, 2019

Astronomy Geographic Advantage Act 21 of 2007 - GN 806 in GG 42492 of 29 May 2019 - Declaration to prohibit certain mining activities within the Sutherland Central Astronomy Advantage Area

International Trade Administration Act 71 of 2002 – Gen Notice 285 in GG 42485 of 24 May 2019 - Renewal of the policy directive on the exportation of ferrous and non-ferrous waste and scrap metal from 21 September 2018 until 30 June 2019 published (9) (p4)

International Trade Administration Act 71 of 2002 – Gen Notice 285 in GG 42485 of 24 May 2019 - Renewal of Policy Directive on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal

National Environmental Management: Protected Areas Act 57 of 2003 - GN R757 in GG 42478 of 23 May 2019 - Declaration of the Addo Elephant Marine Protected Area in terms of s. 22A of the Act and withdrawal of GN 696 in GG 26432 of 4 June 2004

National Environmental Management: Protected Areas Act 57 of 2003 - GN R759 in GG 42478 of 23 May 2019 - Declaration of the Aliwal Shoal Marine Protected Area in terms of s. 22A of the Act and withdrawal of GN 697 in GG 26433 of 4 June 2004, with effect from 1 August 2019

National Environmental Management: Protected Areas Act 57 of 2003 - GN R772 in GG 42478 of 23 May 2019 - Declaration of the iSimangaliso Marine Protected Area in terms of s. 22A of the Act and amendment of GN 1429 in GG 21948 of 29 December 2000, with effect from 1 August 2019

National Environmental Management: Protected Areas Act 57 of 2003 - GN Rs 758, 760-771 & 773-776 in GG 42478 of 23 May 2019 - Declaration of the following marine protected areas in terms of s. 22A of the Act, with effect from 1 August 2019:

- Agulhas Bank Complex Marine Protected Area
- Agulhas Muds Marine Protected Area
- Agulhas Front Marine Protected Area
- Benguela Muds Marine Protected Area
- Amathole Offshore Marine Protected Area
- Childs Bank Marine Protected Area
- Browns Bank Corals Marine Protected Area
- Cape Canyon Marine Protected Area
- Namaqua Fossil Forest Marine Protected Area
- Namaqua National Park Marine Protected Area
- Orange Shelf Edge Marine Protected Area
- Port Elizabeth Corals Marine Protected Area
- Protea Banks Marine Protected Area
- Southeast Atlantic Seamounts Marine Protected Area
- Robben Island Marine Protected Area
- Southwest Indian Seamount Marine Protected Area
- uThukela Marine Protected Area

National Environmental Management: Protected Areas Act 57 of 2003 - GN R777 in GG 42479 of 23 May 2019 - Addo Elephant National Park Marine Protected Area Regulations and GN 696 in GG 26433 of 4 June 2004 repealed, with effect from 1 August 2019

National Environmental Management: Protected Areas Act 57 of 2003 - GN R781 in GG 42479 of 23 May 2019 - Aliwal Shoal Marine Protected Area Regulations and GN 697 in GG 26433 of 4 June 2004 repealed, with effect from 1 August 2019

National Environmental Management: Protected Areas Act 57 of 2003 - GN R788 in GG 42479 of 23 May 2019 - iSimangaliso Marine Protected Area Regulations and GN 1429 in GG 21948 of 29 December 2000 amended, with effect from 1 August 2019

National Environmental Management: Protected Areas Act 57 of 2003 - GN Rs 778-780, 782-787 & 789-796 in GG 42479 of 23 May 2019 - Marine Protected Area Regulations, with effect from 1 August 2019:

- Amathole Offshore Marine Protected Area Regulations
- Agulhas Front Marine Protected Area Regulations
- Agulhas Bank Complex Marine Protected Area Regulations
- Benguela Muds Marine Protected Area Regulations
- Browns Bank Corals Marine Protected Area Regulations
- Cape Canyon Marine Protected Area Regulations
- Childs Bank Marine Protected Area Regulations
- Namaqua Fossil Forest Marine Protected Area Regulations
- Namaqua National Park Marine Protected Area Regulations

- Port Elizabeth Corals Marine Protected Area Regulations
- uThukela Marine Protected Area Regulations
- Orange Shelf Edge Marine Protected Area Regulations
- Southeast Atlantic Seamounts Marine Protected Area Regulations
- Protea Banks Marine Protected Area Regulations
- Robben Island Marine Protected Area Regulations
- Southwest Indian Seamount Marine Protected Area Regulations
- Agulhas Muds Marine Protected Area Regulations

National Environmental Management: Air Quality Act 39 of 2004 - GN 686 in GG 42472 of 22 May 2019 – Amendment of the list of activities which result in atmospheric emissions which have or may have a significant detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions or cultural heritage - for comment

National Environmental Management: Air Quality Act 39 of 2004 - GN 687 in GG 42472 of 22 May 2019 - Listed activities and associated minimum emission standards identified in terms of s. 21 of the Act published in GN 893 in GG 37054 of 22 November 2013 amended

Standards Act 8 of 2008 – Gen Notice 283 in GG 42474 of 24 May 2019 - Amendment of South African National Standards

Taxation Laws Amendment Act 17 of 2009 - GN 694 in GG 42474 of 24 May 2019 - Allocations to metropolitan municipalities of general fuel levy revenue

Petroleum Products Act 120 of 1977 - GN R850 in GG 42507 of 4 June 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers amended with effect from 5 June 2019

Petroleum Products Act 120 of 1977 - GN R851 in GG 42507 of 4 June 2019 - Regulations in respect of petroleum products published in GN R619 in GG 42427 of 30 April 2019 substituted with effect from 5 June 2019

Petroleum Products Act 120 of 1977 - GN R852 in GG 42507 of 4 June 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 5 June 2019

International Trade Administration Act 71 of 2002 - GN R892 in GG 42516 of 7 June 2019 - International Trade Administration Commission of South Africa: Export Control: Extension of the Price Preference System on the Exportation of Ferrous and Non-Ferrous Waste and Scrap

Local Government: Municipal Finance Management Act 56 of 2003 – Gen Notice 317 in GG 42514 of 7 June 2019 - Municipal Cost Containment Regulations, 2019 with effect from 1 July 2019

Public Finance Management Act 1 of 1999 - GN 893 in GG 42518 of 7 June 2019 - Ministerial Task Team on the Fourth Industrial Revolution in Post-School Education and Training

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 311 in GG 42510 of 5 June 2019 - Application for exemption in terms of s. 55 of the Act - for comment

PROVINCES

Western Cape

National Land Transport Act 5 of 2009 – Gen Notice 287 in GG 42490 of 28 May 2019 Western Cape Government - Notice of inquiry called by the Provincial Regulatory Entity (PRE) into mini-bus-taxi operations to and from the Cape Town station deck published for representation by affected or interested parties

Western Cape Community Safety Act 3 of 2013 - PN 62 in PG 8097 of 14 May 2019 - Overstrand Local Municipality - Investigation by the Office of the Western Cape Provincial Ombudsman concerning allegations that the South African Police Service (SAPS) is unable to perform its mandate, due to an insufficient allocation of resources, resulting in inefficiency of delivery services

Constitution of the Republic of South Africa, 1006, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning Land Use Management Act 16 of 2013 - LAN 57867 in PG 8105 of 7 June 2019 - Matzikama Local Municipality - Amendment to the Spatial Development Framework

Constitution of the Republic of South Africa, 1006, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning Land Use Management Act 16 of 2013 - LAN 57881 in PG 8105 of 7 June 2019 - George Local Municipality - Amended Spatial Development Framework, May 2019

National Environmental Management Act 107 of 1998 - LAN 57882 in PG 8105 of 7 June 2019 - Sandveld Environmental Management Framework

Constitution of the Republic of South Africa, 1006, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning Land Use Management Act 16 of 2013 - Municipal Land Use Planning By-law - LAN 57889 in PG 8105 of 7 June 2019 - Swartland Local Municipality - Amendments to the Spatial Development Framework

Mpumalanga

Division of Revenue Act 16 of 2019: Planned expenditure from the Human Settlements Development for the 2019/2020, 2020/2021 and 2021/2022 financial years for level 1 and 2 accredited municipalities published (PN 80 in PG 3050 of 31 May 2019)

Mpumalanga Nature Conservation Act 10 of 1998: Open Season: Ordinary Game published (PN 72 in PG 3045 of 24 May 2019)

KwaZulu Natal

Disaster Management Act 57 of 2002 - GN 803 in GG 42488 of 27 May 2019 - Declaration of a Provincial state of disaster in various municipalities as a result of thunderstorms associated with heavy rainfall/flooding and strong winds

Disaster Management Act 57 of 2002 - PN 60 in PG 2075 of 20 May 2019 - Declaration of a Provincial state of disaster in various municipalities as a result of inclement weather

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 66 in PG 2080 of 23 May 2019 - Mtubatuba Local Municipality - Traffic and Crime Prevention By-laws, 2018 and Nuisances and Behaviour in Public Places By-law, 2018

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - MN 59 in PG 2086 of 6 June 2019 - Msunduzi Local Municipality - Water Services Amendment By-Law, 2019 published and Water Services By-laws, 2013 as published under MN 58 in PG 1163 of 24 June 2014 amended

Limpopo

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – Gen Notice 64 in PG 3003 of 31 May 2019 - Modimolle-Mookgophong Local Municipality - Spatial Planning and Land Use By-law, 2019

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – LAN 69 in PG 3003 of 31 May 2019 - Polokwane Local Municipality - Waste Management By-law

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 62 in PG 3001 of 24 May 2019 - Ba-Phalaborwa Local Municipality - Draft Spatial Development Framework 2019 - for comment

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Municipal Systems Act 32 of 2000 - LAN 106 in PG 4246 of 27 May 2019 - Umzimvubu Local Municipality - Building Regulation By-law

Disaster Management Act 57 of 2002 - PN 149 in PG 4247 of 31 May 2019 - Alfred Nzo and O.R. Tambo District Municipalities - Declaration of a provincial state of disaster due to floods

Disaster Management Act 57 of 2002 - PN 151 in PG 4249 of 3 June 2019 - Provincial Disaster Risk Management Policy Framework and supporting Disaster Response Policies – for comment

Free State

Constitution of the Republic of South Africa, 1996 and National Environmental Management Waste Act 59 of 2008 - PN 10 in *PG* 14 of 17 May 2019 - Mantsopa Local Municipality - Waste Management By-laws

Public Finance Management Act 1 of 1999 and Division of Revenue Act 16 of 2019 - PN 11 in *PG* 15 of 17 May 2019 - Mangaung Metropolitan Municipality - Planned expenditure from the Human Settlements Development Grant with level 1 and 2 accreditations

Northern Cape

Division of Revenue Act 16 of 2019 – Gen Notice 55 in *PG* 2271 of 30 May 2019 - Planned expenditure from the Human Settlements Development Grant for level 1 and 2 accredited municipalities for the 2019/2020 MTEF

North West

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 67 in *PG* 8010 of 28 May 2019 - Maquassi Hills Local Municipality - Approval of Land Use Scheme, 2017

Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 - LAN 58 in *PG* 8010 of 28 May 2019 - Kagisano Molopo Local Municipality - Establishment of the Planning Tribunal

CASES

National

Rhino Oil and Gas Exploration SA (Pty) Limited v Normandien Farms (Pty) Limited and Another (100/2018) [2019] [ZASCA](#) 88 (31 May 2019)

“Summary: Mineral and Petroleum Resources Development Act 28 of 2002 – application for petroleum exploration right – process challenged on review prior to decision being taken – at that stage, no prejudice to party challenging the process – matter not ripe for adjudication.”

Gauteng Department of Agriculture and Rural Development and Others v Interwaste (Pty) Ltd and Others (458/2018) [2019] [ZASCA](#) 68 (30 May 2019)

“Summary: Waste management licence issued in terms of the National Environmental Management Act 107 of 1998 – whether expired by effluxion of time – relevance in prevailing circumstances of a compliance notice issued in terms of the Act.”

Recycling and Economic Development Initiative of South Africa NPC v Minister of Environmental Affairs 2019 (3) SA 251 (SCA)

“Company - Winding-up—Application—Locus standi—Extended standing to apply for remedies under s 157 of Companies Act, 2008—Whether Minister of Environmental Affairs qualifying as ‘person’ who may invoke s 157(1)(d) for standing in public interest—Companies Act 71 of 2008, s 157(1)(d).”

Company - Winding-up—Application—Grounds—Just and equitable to do so—Availability of alternative means to address complaint—Court to be satisfied applicant having no alternative means to address complaint before granting winding-up order on basis that it would be just and equitable to do so—Companies Act 71 of 2008, ss 81(1)(c)(ii) and 81(1)(d)(iii).

Practice - Applications and motions—Ex parte application—Impermissible use of—Court to vindicate *audi alteram partem* rule by discharging provisional order so obtained.

Practice - Applications and motions—Ex parte application—Uberrima fides rule as to disclosure of facts—If not observed, court to discharge provisional order so obtained when it would not have been granted had fair disclosure been made.”

Eskom Holdings Soc Ltd v Sidoyi and Others (1207/2018) [2019] [ZASCA](#) 65 (28 May 2019)

Electricity – disconnection of allegedly unlawful connections and apparatus – challenge by affected property owners to disconnection – order sought for restoration of electricity supply – such could only be determined after determining whether the disconnected supply was lawful – dispute of fact on the papers – application referred for the hearing of oral evidence on the issue of the lawfulness of the disconnected supply.

International

Juliana v. United States - Youth Climate Lawsuit – [website](#) – [Link](#) to video of case submitted to court on 5 June 2019

Karnail Singh and others v Petitioners Versus State of Haryana Case Number CRR-533-2013 [High Court](#) of Punjab & Haryana at Chandigarh Delivered 31 May 2019

Animal cruelty and recognises animal rights

Read also [Jurist](#) report

Namibian Marine Phosphate (Pty) Ltd v Minister of Environment and Tourism and Others 2019 (1) NR 90 (HC)

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against granting of certificate—Locus standi of second respondent—Second respondent citizen of state and community activist—Citizens in constitutional state entitled to approach courts to determine their rights—Second respondent having grievance against Environmental Commissioner's decision to grant environmental clearance certificate in terms of Environmental Management Act 7 of 2007—Second respondent aggrieved person in context of s 50 of Act and entitled to approach court to determine his rights.

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against granting of certificate—Whether appeal lodged within statutory time limit—Minister of Environment and Tourism, in terms of s 50 of Environmental Management Act 7 of 2007 and regulations extending time limit within which appeal to be lodged—Appeal lodged within extended time limit—Such extension of time limit not taken on review—Decision of minister to extend time limit remaining—Appeal held to have been lodged within time limit.

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against decision of Minister of Environment and Tourism to set aside decision of commissioner to award certificate—Appeal in terms of s 51 of Environmental Management Act 7 of 2007—Such appeal only on points of law—Test for whether appeal on point of law—Test being one whether decision that decision maker has reached was one that no reasonable decision maker could have reached—Appellant contending that decision by minister had violated its rights in terms of arts 12 and 18 of Constitution—Such being appeal on point of law.

Environmental law - Environmental clearance certificate—Decision of Environmental Commissioner—Appeal against—Minister of Environment and Tourism on appeal in terms of s 50 of Environmental Management Act 7 of 2007 setting aside decision of Environmental Commissioner granting environmental clearance certificate—Appellant not having been informed of appeal hearing and therefore not present at appeal hearing—Such amounting to failure to give appellant fair hearing and to listen fairly to both parties—That fatal to procedural fairness of hearing—Decision set aside.

In re Greenhouse Gas Pollution Pricing Act, Bill C-74, Part 5, No. [CACV3239](#) (Sask. Ct. App. May 3, 2019)

By a 3-2 majority, the Court of Appeal for Saskatchewan ruled that Canada's Greenhouse Gas Pollution Pricing Act (GGPPA) was not an unconstitutional intrusion into provincial jurisdiction. The court rejected Canada's broader argument that Parliament has jurisdiction over "the cumulative dimensions of GHG emissions" under the national concern branch of its "Peace, Order, and good Government" [POGG] power. The Court found this approach would exceed the constitutional authority of Parliament and intrude too far into areas of Provincial authority and limit Provincial efforts to deal with GHG emissions. However, the Court did rule that Parliament has more narrow authority under the POGG to establish 'minimum national standards of price stringency for GHG emissions' because this authority 'has the singleness, distinctiveness and indivisibility required by the law.' Accordingly, the court ruled that the GGPPA is constitutionally valid under this narrower POGG authority. The provinces of Manitoba and Ontario have also challenged the constitutionality of the GGPPA, and those cases are pending. The Paris Agreement was among the laws discussed in the preamble of the GGPPA in regard to the need for a carbon pricing mechanism. [Source: June 2019 Sabin Center for Climate Change Law Update]

Gloucester Resources Limited v Minister for Planning [2019] [NSWLEC 7](#)

"Appeal – open cut coal mine – impacts on existing, approved and likely preferred uses of land in the vicinity – high visual impact – negative social impacts – impacts of the mine on climate change – economic and public benefits of the mine and other land uses – impacts and costs of mine outweigh benefits of mine – development consent refused" [Source: June 2019 Sabin Center for Climate Change Law Update]

PUBLICATIONS

National

IAP “Improving Scientific Input to Global Policymaking with a Focus on the UN Sustainable Development Goal” ([Report](#) May 2019)

Cockburn J *et al* “The meaning and practice of stewardship in South Africa” 2019 119(5/6) [South African Journal of Science](#)

International

Renewable Energy Institute “Proposal for Energy Strategy Toward a Decarbonized Society — Achieving a Carbon-Neutral Japan by 2050” ([Report](#) 2019).

Markell D. Glicksman R and Monteleoni C “Technological Innovation, Data Analytics, and Environmental Enforcement” 2017 44 [Ecol. L. Q.](#) 41

Ryan E “Federalism as legal pluralism” in Berman P (ed) *The Oxford Handbook on Legal Pluralism* ([Oxford](#) 2019)

Ryan E “From Mono Lake to the Atmospheric Trust: Navigating the Public and Private Interests in Public Trust Resource Commons” 2019 10 [Geo. Wash. J. Energy & Env'tl. L.](#)

Ryan E *et al* “Juliana v. United States: Debating the Fundamentals of the Fundamental Right to a Sustainable Climate” 2018 45 [Fla. St. U. L. Rev. Online](#)

Wiseman H “Rethinking Municipal Corporate Rights” 2020 61 [BCL Rev](#)

Rossi J and Wiseman H “Constrained Regulatory Exit in Energy Law” 2018 67 [Duke LJ](#)

Hsu S-L “Climate triage: A Resources Trust to address Inequality in a Climate-changed World” 2019 50 [Env'tl L](#)

Uhlman DM “Prosecutorial Discretion and Environmental Crime Redux: Charging Trends, Aggravating Factors, and Individual Outcome Data for 2005-2014” 2019 [Michigan Journal of Environmental and Administrative Law](#)

Sindon Amy “The Problem of Unquantified Benefits” 2019 49 [Env'tl. L.](#) 73

Hughes Lesley “The Rocky Hill decision: a watershed for climate change action?” 2019 *Journal of Energy and Natural Resources Law* <https://doi.org/10.1080/02646811.2019.1600272>

Yu Wang Raymond, Nam Ng Cho and Qi Xiaoxing “The Chinese characteristics of payments for ecosystem services: a conceptual analysis of water eco-compensation mechanisms” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1605889>

Yasmin Tahmina, Farrelly Megan and Rogers Briony “Adaptive Governance: a catalyst for advancing sustainable urban transformation in the global south context” 2019 *International Journal of Water Resources* <https://doi.org/10.1080/07900627.2019.1611548>

Michaels Robert A “Telecommunications, Electromagnetic Fields, and Human Health” 2019 *Environmental Claims Journal* <https://doi.org/10.1080/10406026.2019.1603442>

FAO “Towards Sustainable Bioeconomy” Environment and Natural Resources [Working Paper](#) 73 (May 2019)

Abagi N *et al* “State of Play and Innovations in Off-Grid Refrigeration Technology: Lessons Learned from Current Initiatives” 2019 *Energy Efficiency* <https://doi.org/10.1007/s12053-019-09783-1>

Lai E, Muir S and Ruff EY “Off-grid appliance performance testing: results and trends for early-stage market development” 2019 *Energy Efficiency* <https://doi.org/10.1007/s12053-019-09793-z>

Byrne J *et al* “Feasibility of City-Scale Solar Power Plants Using Public Buildings: Case Studies of Newark and Wilmington Delaware with Early Investigations of Bifacial Solar Modules and Dual Orientation Racking as Tools for City-Scale Solar Development” DOI: 10.13140/RG.2.2.22115.40489/2 (Technical [Report](#) June 2019).

United Nations “World Economic Situation and Prospects as of mid-2019” ([Report](#) June 2019)

Toby D. Couture, Dr. David Jacobs “Beyond Fire: How to achieve electric cooking” (Green & Inclusive Energy [Report](#) May 2019)

IAIA’s journal, *Impact Assessment and Project Appraisal* (IAPA), is planning a special issue on gender and impact assessment and management. Original research papers, case studies, and conceptual papers between 5,000-8,000 words on experiences with integrating, analyzing, and addressing gender in impact assessment and management are invited. Abstracts are due 30 August 2019 and full papers 30 March in 2020. More details are available [here](#).

FAO Sustainable bioenergy policies for climate action: country case studies (May 2019)

- Cote d'Ivoire – find report [here](#)
- Malawi – find report [here](#)
- Philippines – find report [here](#)
- Turkey – find report [here](#)

2019 *Asia Pacific Journal of Environmental Law* 22(1) has been published – find the articles [here](#)

Olawuyi Damilola S and Tubodenyefa Zibima “Review of the Environmental Guidelines and Standards for the Petroleum Industry in Nigeria (EGASPIN)” ([Report](#) May 2019)

Jiguet Frédéric *et al* “Unravelling migration connectivity reveals unsustainable hunting of the declining ortolan bunting” 2019 [Science Advances](#) 5(5) DOI: 10.1126/sciadv.aau2642

Mauerhoffer V “Activities of Environmental Convention-Secretariats: Laws, Functions and Discretions” 2019 11(11) *Sustainability* 3116 <https://doi.org/10.3390/su11113116>

2018 51 *Jurimetrics* published the proceedings of the Symposium – Rethinking law in a nexus future: Governing energy, water, food and climate challenges – Part 1

Lei Hu *et al* “Enhanced North American carbon uptake associated with El Niño” 2019 [Science Advances](#) 5(6) DOI: 10.1126/sciadv.aaw0076

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

National

- **Biodiversity**

[The Conversation](#): Serieys L and Bishop J “How we found out that rat poisons are killing wildlife in Cape Town” 29 May 2019

[The Conversation](#): Beale C and Hauenstein S “To save the African elephant, focus must turn to poverty and corruption” 28 May 2019

[Science](#): Crowell R “Lions wounded by porcupines may be more likely to attack people” 21 May 2019

[The Conversation](#): Byrne M “There’s still so much we don’t know about the star-gazing beetle with a tiny brain” 26 May 2019

[News24](#): Brophy S “SA’s natural wonders more popular than ever as globe rallies to conserve and celebrate the environment” 6 June 2019

- **Climate change and energy**

[The Conversation](#): Thurner TW “How technology could help rural South Africa turn sunshine into income” 2 June 2019

[The Conversation](#): Winkler H and Marquard A “Carbon tax revenues could be harnessed to help South Africa’s poor” 30 May 2019

[Webber Wentzel](#): “Carbon tax laws effective from 1 June 2019 - business be warned” 24 May 2019

- **Local government**

[Place](#): Harrisberg K “Living off trash: South Africa’s waste pickers reclaim the streets” 30 May 2019

[ICLEI](#): Endorse the [Nagano Declaration](#) – May 2019

- **Mining**

[Webber Wentzel](#): “2nd draft of the proposed replacement Financial Provisioning Regulations published for comment” 20 May 2019

- **Water and waste**

[The Conversation](#): Saad D “With engagement and education, reusing wastewater can become the norm” 17 May 2019

[GroundUp](#): Gontsana M-A and Feni M “Photo Essay Community clean up turns waste into arts and crafts” 7 June 2019

[News24](#) Documentary: Zietzman G “World Oceans Day: Explore SA's oceans with upcoming doccise on whales, coelacanths and other precious marine life” 8 June 2019

- **Miscellaneous**

[GroundUp](#): Mutandiro K “Herding cattle in Gauteng to send every cent possible to Lesotho” 7 June 2019

Africa

- **Biodiversity and culture**

[The Conversation](#): Dhanjal-Adams K “Tracking technology gives new insights into the behaviour of migrating birds” 2 June 2019

[Science](#): Stokstad E “Elephant poaching falls dramatically in Africa” 28 May 2019

[The Conversation](#): Harvey R “Elephants reduced to a political football as Botswana brings back hunting” 23 May 2019

[Science](#): Fox A “When green monkeys spy a drone, they use their cousins’ cry for ‘eagle’” 27 May 2019

[The Conversation](#): Campell K and Sherley R “How African penguins change their hunting habits when there’s less food” 30 May 2019

[The Conversation](#): Freeman B “How climate change could affect some of West Africa’s iconic bird species” 27 May 2019

[Place](#): Phiri M “As Zimbabwe's forests fall, timber shortage tightens screws on carpenters” 31 May 2019

[Place](#): Kirui D “A prayer for trees: For Kenyan tribes, saving forests is a sacred duty” 29 May 2019

[The Conversation](#): Jackson I “Livelihoods and culture under threat in Ghana’s historic port of Jamestown” 6 June 2019

- **Climate change and energy**

[The Conversation](#): Huho J “We asked Kenyan students about climate change. They didn’t know much” 30 May 2019

[The Conversation](#): Olowosejeje SA “Solar power could stabilise Nigeria’s electricity grid and save it money” 30 May 2019

- **Local government**

[The Conversation](#): Rajé F “Some softer solutions to Nairobi’s traffic pollution problem” 3 June 2019

[Place](#): Phiri M “Grave problem: No space for the dead in Zimbabwe’s growing cities” 3 June 2019

[Place](#): Njagi K “Clashing tribes and shrinking grassland as Kenyan airport sparks property boom” 14 May 2019

[IISD](#) ENB: Third World Circular Economy Forum 2019 (WCEF2019) 3-4 June 2019 | Helsinki, Finland

- **Mining**

[Extractives Baraza](#): “Tanzania says to start cancelling inactive mining licences” 22 May 2019

- **Waste**

[The Conversation](#): Allan J “Recycling: poorer countries can now refuse plastic waste imports – this could make the system fairer” 24 May 2019

[The Conversation](#): Rud JP et al “Nigeria needs a more effective sanitation strategy. Here are some ideas” 6 June 2019

- **Miscellaneous**

[The Conversation](#): Rokas A “Fighting malaria with fungi: biologists engineer a fungus to be deadlier to mosquitoes” 30 March 2019

[The Conversation](#): Prendergast M and Sawchuk E “Ancient DNA is revealing the origins of livestock herding in Africa” 30 May 2019

[Place](#): Milne N “From camel to cup: Camel milk froths hopes in drought-hit Kenya” 16 May 2019

[The Conversation](#): Richter KR and Heinrich B “How design thinking united Malawian researchers and farmers” 27 May 2019

[News24](#): Fourie J “Why you’d want to be the neighbour of an African president” 4 June 2019

Rest of the world

- **Biodiversity, parks and culture**

[The Conversation](#): Plint T “Why giant human-sized beavers died out 10,000 years ago” 29 May 2019

[The Conversation](#): Gilchrist J “Scientists race to save the Sumatran rhino as last male in Malaysia dies” 31 May 2019

[Science](#): Stokstad E “Fishing fleets have doubled since 1950—but they’re having a harder time catching fish” 27 May 2019

[IISD](#) SDG Knowledge Hub: Tsioumani E “On the Road to the 2020 UN Biodiversity Conference: Imagining the Post-2020 Global Biodiversity Framework” 30 May 2019

[Place](#): Mendes K “Fears over rising violence in Amazon as 'forest guardians' battle logging” 13 May 2019

[Place](#): Barig M and Mendes K “Film: Guarding the Forest”

[IISD](#) SDG Knowledge Hub: Vijitpan T, Tan D and Ilieva L “Ecosystem-based Adaptation: Helping Nature Help People Adapt to Climate Change and Deliver SDGs – Filling the Knowledge Gaps” 4 June 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “G7 Environment Ministers Commit to Fight Biodiversity Loss, Tackle Climate Change, Inequalities” 4 June 2019

[The Conversation](#): Anderson V “Biodiversity loss has finally got political – and this means new thinking on the left and the right” 20 May 2019

[IISD](#) SDG Knowledge Hub: Mead L “Global Assessment [Report](#) Explores Role of Risk Reduction in Achieving SDGs” 21 May 2019

[The Conversation](#): Van Noordwijk M “Agroforestry at 40: how tree-farm science has changed the world” 21 May 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “On International Day, High-level Officials Call for Action on Biodiversity-Food-Health Nexus” 22 May 2019

[Science](#): Fox A “Forget seabirds. Baby tiger sharks feast on songbirds in the Gulf of Mexico” 21 May 2019

[Sustainable Development Code](#): New chapter: Chapter 1.3: Sensitive Lands and Wildlife Habitat

[The Conversation](#): Reyes V “‘World Heritage’ site selection is Eurocentric – and that shapes which historic places get love and money” 24 May 2019

[Science](#): Morell V “Watch an elephant ‘count’ simply by using its sense of smell” 3 June 2019

[Science](#): Pennisi E “Networks of sponges could capture DNA to track ocean health” 3 June 2019

[News24](#): Watch: “Days are numbered for Norway's fur farms” 6 June 2019

[News24](#): “Watch: The grandads fighting back against deforestation” 6 June 2019

- **Climate Change and Energy**

[The Conversation](#): Mukherjee N “How our floating homes will help people in flood-prone countries” 31 May 2019

[YouTube](#): “Bill Nye Planet on fire clip”

[Place](#): Costa L “Northern Brazil power line to avoid impact on tribe –document” 27 May 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Institutional Finance Update: Investors’ Decisions Impact Climate Change, and Climate Risks Impact Their Portfolios” 30 May 2019

[IISD](#) ENB: High-Level Dialogue on the Implementation of the UN Decade of Sustainable Energy for All 2014-2019: A Mid-Point Review” 23-24 May 2019 | UN Headquarters, New York

[IISD](#) ENB: International Conference on Climate Action 22-23 May 2019 | Heidelberg, Germany

[IISD](#) ENB: High-Level Dialogue on the Implementation of the UN Decade of Sustainable Energy for All 2014-2019 23-24 May 2019 | UN Headquarters, New York

[IISD](#) SDG Knowledge Hub: Wagner L “Mid-term Review for Energy Decade Points to Uneven Progress” 30 May 2019

[Science](#): Langin K “Why some climate scientists are saying no to flying” 13 May 2019

[IISD](#) SDG Knowledge Hub: Astralaga M “CARD: Assessing Data for Climate-friendly Action in Rural Contexts” 4 June 2019

[IISD](#) SDG Knowledge Hub: Mead L “Advisory Group Calls for Accelerated, Scaled Up Progress on SDG 7 to Close Energy Gap” 4 June 2019

[IISD](#) SDG Knowledge Hub: Mead L “IMO Accelerates Action to Reduce GHG Emissions from Shipping” 4 June 2019

[The Conversation](#): Seligson K “Misreading the story of climate change and the Maya” 20 May 2019

[The Conversation](#): Bamber J and Oppenheimer M “Climate change: sea level rise could displace millions of people within two generations” 20 May 2019

[The Conversation](#): Canadell P “Turning methane into carbon dioxide could help us fight climate change” 20 May 2019

[Science](#): Service RF “This engineered wood radiates heat into space, potentially slashing cooling costs” 23 May 2019

[Science](#): Voosen P “A 500-million-year survey of Earth's climate reveals dire warning for humanity” 22 May 2019

[Science](#): Voosen P “Humans held responsible for twists and turns of climate change since 1900” 23 May 2019

[The Conversation](#): Dyke J “Climate change: ‘We’ve created a civilisation hell bent on destroying itself – I’m terrified’, writes Earth scientist” 24 May 2019

[Science](#): Service RF “LEDs created from wonder material could revolutionize lighting and displays” 4 June 2019

[The Independent](#): Kingston R and Acheampong RA “Climate Change: We can Reclaim Cities from the Car without Inconveniencing People” 9 June 2019

[Sabin Center](#) Climate Law Blog: Biniarz S “The Paris Agreement – Au Revoir?” 24 May 2019

- **Local government**

[IISD](#) ENB: “First UN-Habitat Assembly” 27-31 May 2019 | UN-Habitat Headquarters, Nairobi, Kenya

[IISD](#) SDG Knowledge Hub: Wagner L “First Meeting of UN-Habitat Assembly Adopts Resolutions on Governance, Strategic Plan” 4 June 2019

[Science](#): Voosen P “Large cities may create their own clouds” 28 May 2019

[Place](#): Khan RS “Pakistan races to protect mountain villages from runaway glaciers” 30 May 2019

[Place](#): Tabery Z “Waste is 'worth gold', city dwellers told in push to reuse resources” 23 May 2019

[Place](#): Choi T “Canada's Digital Charter does not comfort Alphabet's smart-city critics” 31 May 2019

[Science](#): Talpos S “Citizen sleuths exposed pollution from a century-old Michigan factory, with nationwide implications” 16 May 2019

- **Mining**

[Science](#): Lunney K “U.S. lawmakers move to protect historic Chaco Canyon from mining and drilling” 21 May 2019

- **Water, waste and chemicals**

[Place](#): Goering L “In Los Angeles 'water colony', tribes fear a parched future” 4 June 2019

[The Conversation](#): Ezcurra P and Aburto O “Hydropower dams can harm coastal areas far downstream” 17 May 2019

[Science](#): Stokstad E “Costly cancer lawsuits may spur search to replace world's most common weed killer” 22 May 2019

[Science](#): Pease R “Ship spies largest underwater eruption ever” 21 May 2019

[Science](#): Santoro H “These tiny microbes are munching away at plastic waste in the ocean” 20 May 2019

[INECE](#): Walker T “Malaysia to Return 3000 Tonnes of Illegally Exported Plastic Waste” 30 May 2019

[News24](#): Watch: Humans consume 'tens of thousands' of plastic pieces each year” 6 June 2019

- **Miscellaneous**

[The Conversation](#): Kendal E “Five ethical questions for how we choose to use the Moon” 2 June 2019

[The Conversation](#): Freedman E “Environmental reporting can help protect citizens in emerging democracies” 31 May 2019

[The Conversation](#): Ma P “Eyes in the sky: How satellites can monitor infrastructure health” 3 June 2019

[IISD](#) ENB: “Third World Circular Economy Forum 2019 (WCEF2019)” 3-4 June 2019 | Helsinki, Finland

[IISD](#) ENB: “Global Soil Week 2019 (GSW 2019)” 27-30 May 2019 | Nairobi, Kenya

[IISD](#) SDG Knowledge Hub: Mwangi W ‘Global Symposium Calls for Action Plan to Tackle Governance of Soil Erosion’ 4 June 2019

[IISD](#) SDG Knowledge Hub: Leone F “Draft [Political Declaration](#) Outlines Leaders’ Commitments on UHC” 4 June 2019

[Science](#): Scholes S “Scientists tackle a burning question: When will our quiet sun turn violent?” 30 May 2019

[The Conversation](#) Podcast: Patel O “Pasha 21: Why multiple food systems are important” 29 May 2019

[Place](#): Nagaraj A “Enslaved for decades, indigenous Indians freed by land titles” 30 May 2019

[IISD](#) SDG Knowledge Hub: Leone F “Governments Near Agreement on 75th Anniversary: ‘The Future We Want, The UN We Need’” 30 May 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Good Growth Conference Urges Transformative Action in Agricultural Commodities” 30 May 2019

[IISD](#) ENB: 3rd Substantive Session of the *ad hoc* Open Ended Working Group Towards a Global Pact for the Environment 20-22 May 2019 | UN Office at Nairobi, Kenya

[IISD](#) ENB: 6th Session of the Global Platform for Disaster Risk Reduction (GP2019) Resilience Dividend: Towards Sustainable and Inclusive Societies 13-17 May 2019 | Geneva, Switzerland

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “World Health Assembly Adopts Resolutions on Universal Health Coverage” 4 June 2019

[Place](#): Roberts B “Women’s land rights: Shifting power for gender equality” 31 May 2019

[Place](#): Chandran R “A new high: Indigenous Thai farmers swap opium for coffee, land” 15 May 2019

IAIA: International Conference Proceedings, Brisbane 2019 [available](#)

[Science](#): Normile D “Rogue ozone-destroying emissions traced to northeastern China” 22 May 2019

[Video](#): UNEP Green Economy - A Sustainable Relationship (May 2019)

Place: Moloney A Colombia's push for land titles brings hope for farmers amid fragile peace” 4 June 2019

[Science](#): Hair C “Health experts wary of EPA rush to revise carcinogen testing” 31 May 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Abstract [submission](#) extended to 9 June 2019

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Registration [here](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.3.1b Environmental legal liability (Awareness)**

Date: 19 June 2019

- **CEM-02.1.8 Environmental law for the mining sector**

Date: 25 - 27 June 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Imbewu: Half-day Workshop on Imminent Carbon Tax

Date: 11 June 2019

Time: 08:30-13:00

Venue: Imbewu's offices, Rosebank, Johannesburg

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

Imbewu: Mine Closure and Case Law Developments Workshop

Date: 20 June 2019

Time: 08:30-16:30

Venue: Imbewu's offices, Rosebank, Johannesburg

Last day to book: 14 June 2019

Contact [Lulu](#) for more information / www.imbewu.co.za / 011 214 0660

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Department of Environmental Affairs: Stakeholder workshop on the proposed amendments to the Financial Provisioning Regulations, 2015

Date: 12 June 2019

Venue: To be confirmed but will be held in central Pretoria

Time: 8h30 – 12h30

As you are aware, amendments have been proposed to the Financial Provisioning Regulations, 2015 which substantially change the amended version that was gazetted for comment in November 2017, and discussed in the stakeholder workshops held since the release of the November 2017 version and the 2nd half of 2018. The proposed amendments were gazetted on Friday 7 May 2019, and a period of 45 days have been allowed in which to receive inputs and comments.

In order to explain the rationale for the changes and to provide a platform for further engagement before the close of the comment period, the Department will hold a stakeholder workshop as indicated below:

To facilitate logistical and catering arrangements, please RSVP as soon as possible to Ms Miranda Mosondo at the email address provided, or by phone at [012-399-9277](tel:012-399-9277).

CBSS Water Governance Training Courses

Not endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 30 July – 1 August in Nelspruit
- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria

Registration [here](#)

Digitisation of the Water Sector

CBSS has committed ourselves to the digitisation of the water sector, and have launched our first App, called WaterMonster, which takes field sampling into the future – it captures all your field observations, field measurements, location, and a photo of your sampling location on your cellphone, and when you click “submit”, an email containing all your data is delivered to your inbox. In addition, when you have to take a number of samples, you can get a summary excel-spreadsheet containing all the datasheets at whatever frequency you specify. Download the app from the GooglePlay [Store](#) and play around with it. More details available on the CBSS website, [here](#)

In order to further the digitisation and digitalisation of the water sector, CBSS is launching a new data visualisation service, called Leguaan, which converts water monitoring data into interactive graphs and reports, quickly, and with no effort from your side. Just send us your lab reports, and you will receive verified graphs drawn with your data – and any type of graph can be generated, from time-series and box-and-whisker-plots to Mauchino-salt balances, and sparklines. Some examples of the interactive graphs are available [here](#), and all the details of how the Leguaan service works, are available [here](#)

Southern African Law Teachers Conference 2020: Theme: 'Law, Nature and Sustainable Development'

The Faculty of Law of the University of Johannesburg is proud to host the Southern African Law Teachers Conference in Skukuza, Kruger National Park, South Africa from 20 to 24 January 2020. The conference theme is 'Law, Nature and Sustainable Development'. There will be dedicated panels on this theme, including plenary sessions.

You are invited to submit abstracts of 300 words describing the paper that you intend to present at the conference. The conference includes sessions on all major legal disciplines and abstracts from any subject area within law will be considered. Please indicate the field(s) to which your paper relates in your email, e.g. 'consumer law' or 'constitutional law'. All abstracts received will be considered for acceptance by an expert peer in the field. You are encouraged to show a link to the conference theme in your abstract, as preference will be given to abstracts of quality showing such a link. This is not, however, a pre-requisite for acceptance.

Abstracts should be [emailed](#) by 30 June 2019 at the latest.

International

IAIA20: Strengthening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness

Dates: 26-29 May 2020

Place: Seville, Spain.

Proposals for sessions will be opening soon and will be accepted through 10 July 2019

Environmental Rights: Law, Science and Policy Symposium

Venue: Kings College London

Date: 24 June 2019

The event assembles lawyers, scientists and policy experts to consider the way that environmental rights are developing and the intersection that they have with natural science, climate, geography, urban land-use planning, political science, economics and law.

For information about registration, speakers, etc., please see the [website](#)

The Alliance to Save Energy's 12th annual EE Global Forum

Date: 11-12 June 2019

Place: Washington, DC

More [information](#)

INECE Webinar: Tackling Emissions from Secondhand Car Imports

- Session 1: Monday, June 17, 2019, 9:00 a.m. (GMT -4)
- Session 2: Tuesday, July 2, 2019, 9:00 a.m. (GMT -4)

More [information](#) and registration

UEF-UN Environment Course on Multilateral Environment Agreements 2019: Application Period Open

Dates: 14-24 October 2019,

Place: Siena, Italy

The University of Eastern Finland (UEF) and the United Nations Environment Programme (UN Environment), in collaboration with the University of Siena, are

jointly organising a high-profile two-week Course on international environmental law-making and diplomacy.

The Course seeks to transfer past experience in the field of international environmental law to current and future negotiators of multilateral environmental agreements (MEAs). Each Course is based on a specific theme. The Course also provides a forum to foster North-South co-operation and to take stock of recent developments in multilateral negotiations as well as in the implementation of MEAs and diplomatic practices in the international environmental arena.

This is the sixteenth year that the Course will be held and, as in previous years, lectures will be given by experienced hands-on diplomats, government officials, international civil servants and members of academia.

The special theme of this year's course will be "Emerging Issues in International Environmental Law". Under that theme, a broad range of subjects will be addressed, such as marine plastics pollution, the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, short-lived climate pollutants, geoengineering, and planetary boundaries. The course will also address emerging legal responses to perceived gaps in international environmental law. In addition, general issues relating to international environmental law-making and diplomacy will be dealt with. The Course employs interactive teaching methods.

The Course is intended for experienced government officials engaged in international environmental negotiations. In addition, other stakeholders, such as representatives of non-governmental organizations and the private sector, may apply to the Course. Researchers and academics in the field of international environmental law are also eligible.

Approximately 30 participants, with an equal distribution from the North and South and taking into account gender balance will be admitted to the Course. Participants that successfully complete the Course will be awarded a Diploma.

The Draft Programme will be published on the Course website in June 2019. The application deadline is Friday, 21 June 2019. Participants are expected to pay their travel and other expenses and a tuition fee of €1000. Candidates from developing countries and from countries with economies in transition can apply for a full or partial fellowship for expenses arising from travel and accommodation. Kindly note, however, that participants with a full or partial fellowship are expected to cover minor expenses that arise from e.g. meals not included in the course programme.

Further information

Course [website](#) or [here](#)

Contact emails: [here](#) or [here](#)

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Webinar on Direct Air Capture

Date: Friday, 14 June 2019

Time: 12pm EDT

The Institute will hold a webinar, in which John Larsen, the lead author of a new [report](#) released by the Rhodium Group, entitled Capturing Leadership: Policies for the US to Advance Direct Air Capture Technology is interviewed.

The report, commissioned by Carbon180, the Linden Trust for Conservation, and the ClimateWorks Foundation, assesses the potential role that Direct Air Capture

may play in a decarbonized future in the United States, costs, and actions that are needed to incentivize deployment at scale.

The webinar will include a brief introduction of the report by John Larsen, followed by a few guided questions, and then we'll open it up to audience questions.

Registration for the webinar can be effectuated [here](#) and will close at 11:59pm EDT on June 13th.

NEWS

National

- **Biodiversity**

Environment: Trophy leopard, lion bone export quota processes begin

“The Department of Environmental Affairs has issued a notice calling for ‘concise’ scientific information and data likely to be of value in determining the 2019/20 quotas for trophy leopard hunting and lion bone exports. This is in keeping with the requirements of sections 61 and 62 of the 2004 National Environmental Management: Biodiversity Act, spelling out the South African National Biodiversity Institute’s obligations in calculating ‘the non-detrimental impact of an action on the survival of a species in the wild’.”

Read full report in Legalbrief Policy Watch [Legalbrief 20 May 2019]

Legislation: Protected marine ecosystems increase by 5%

“The ‘new approved network’ of 20 marine protected areas declared last week and officially in place from 1 August was developed under government’s Operation *Phakisa* ocean economy programme and is the ‘product of extensive consultation and negotiation with all stakeholders’. This is according to a Department of Environmental Affairs media statement issued yesterday. It is ‘aligned with relevant policies and priorities for fisheries, aquaculture, tourism, ... marine mining and oil exploration’ and will be governed in keeping with area-specific regulations.”

Read full report in Legalbrief Policy Watch [Legalbrief 29 May 2019]

“Durban lifts ban on fishing in its harbour” [GroundUp](#) 7 June 2019

Pinnock D “Arms probe links Czech guns to Kruger rhino slaughter” [TimesLive](#) 26 May 2019

- **Climate change and energy**

Legislation: Fuel levy to increase on 5 June

“National Treasury has confirmed that the general fuel levy will increase by two cents per litre from 5 June, following the introduction of the new carbon tax on Saturday. An ‘official announcement’ on the impact of the tax on petrol and diesel prices at the pumps is expected soon ([BusinessTech](#)).”

Read full report in Legalbrief Policy Watch Legalbrief 3 June 2019

General: Department refuses access to nuclear reports

“Two years after a court stopped the Department of Energy from going ahead with an agreement with Russia to build nuclear plants, the documents relating to the deal are still secret. The department – which commissioned 11 reports at a cost of nearly R200m – claims it cannot comply with a request from Business Day made under the Promotion of Access to Information Act to release them. The refusal is

because the reports may contain 'sensitive finance and procurement related recommendations for the department to make informed decisions on the implementation of the Nuclear New Build Programme'. It insists that allowing the application would 'frustrate the deliberative processes and operations of the department'. But at the same time, the department's Zizamele Mbambo – who was a pivotal player in crafting the overturned Russian agreement – said its reasons for the refusal should not be interpreted to mean it is still actively pursuing nuclear procurement. The Department of Energy's refusal to release the reports comes after the Treasury in 2018 declined a PAIA request from Business Day for access to a report it commissioned on Russian state nuclear agency Rosatom, on the basis that it was for 'internal use only as it contains an opinion that may be used in decision-making'. That report is understood to raise serious concerns about Rosatom's operations."

Full Business Day report (subscription needed) Legalbrief 31 May 2019

General: Russia denies strong-arm tactics over nuke deal

"Russia is seeking to distance itself from the controversy over the Zuma government's nuclear deal, denying it was party to attempts to rig the contract worth more than R1trn. In an interview with the Sunday Times, the Russian ambassador to Pretoria, Mikhail Petrakov, reportedly rejected claims that his government had strong-armed former President Jacob Zuma and former Energy Minister Tina Joemat-Pettersson to guarantee the contract for eight power stations, and said Moscow had intended to go through the 'proper procedures' to compete for the deal. Petrakov said there were attempts to 'vilify' Russia and create fear about its activities. He said President Vladimir Putin had stated in March 2013 that Russia's intention was to help SA develop its nuclear energy industry, which included construction of nuclear power plants and research reactors, and designing and manufacturing SA's own nuclear power equipment. 'For us it was never about grabbing a contract, rather a mutually beneficial venue of co-operation,' Petrakov is quoted as saying."

Full Sunday Times report (subscription needed) Legalbrief 20 May 2019

Climate Change: Unpacking SA's carbon tax

"SA's carbon emissions are disproportionately high, write Tina Costas and James Ross, from Norton Rose Fulbright, SA, in an analysis in the Cape Times. 'There are various causes, the primary one being the country's reliance on coal in energy generation. To minimise emissions, SA has made several international and national commitments to reduce greenhouse gas (GHG) emissions,' they note. 'The carbon tax, through the 2018 Carbon Tax Bill, will introduce the "polluter-pays principle". This principle incorporates the costs of damage caused by greenhouse gases into the price of high carbon-emitting goods and services. It should change consumer behaviour and encourage investors to shift towards low carbon options,' they state. 'The law was announced in the 2019 Budget Speech, and signed into law by President Cyril Ramaphosa last month. It will operate in two phases – the first from 1 June 2019, to 31 December 2022, and the second phase from 2023 to 2030,' they explain. 'Companies, individuals and public entities will be liable to pay the carbon tax if conducting an activity that results in the emission of GHGs above the prescribed emission thresholds. The greenhouse gases covered include carbon dioxide, methane, nitrous oxide, perfluorocarbons, hydrofluorocarbons and sulphur hexafluoride,' state Costas and Ross. 'The National Treasury has advised that energy-intensive sectors will be "cushioned" through measures that have

been introduced to ensure the tax does not raise the price of electricity. This will supposedly be achieved through a tax credit for the renewable-energy premium built into the electricity tariffs, as well as a credit for the existing electricity generation levy,' they state. 'The performance and operational structure of the tax will be reviewed after three years,' they state. 'Businesses should assess the extent of their exposure to the tax and act accordingly. As an example, price increases on taxable activities such as transport could necessitate a supply chain review,' they conclude."

Full analysis in the Cape Times (subscription needed) Legalbrief 4 June 2019

Energy: Radebe halts electricity generation gridlock

"The SA Government last week opened the way for businesses to generate their own electricity and feed this into the national grid, not a moment too soon as Eskom's problematic future and climate change adaptation obligations ramp up pressure on the country to produce enough energy, writes Legalbrief. Business Day reports that Energy Minister Radebe wrote to the National Energy Regulator (Nersa) last week informing it that it was permitted to go ahead and license applications from industrial, agricultural, mining and other enterprises to generate their own electricity in projects with between 1MW and 10MW capacity without waiting for the promulgation of the new Integrated Resource Plan (IRP), which is still under discussion at Nedlac. Department of Energy officials confirmed Radebe had given Nersa permission to go ahead with the licensing of 500MW of what are known as small-scale embedded generation (SSEG) projects. In August 2018, Radebe tabled a draft IRP for public comment and consultation. It is expected it will still take several months before consultation is complete and the IRP, which makes allowance for 500MW of SSEG, is approved by Cabinet and promulgated." Full Business Day report (subscription needed) Legalbrief Environmental 21 May 2019

Legislation: Phase 1 carbon tax will not affect electricity prices

National Treasury has confirmed that SA's new carbon tax will not impact on the price of electricity during its first phase of implementation. Commencing on 1 June and expected to be in place until 31 December 2022, Phase 1 will introduce 'a relatively modest carbon tax rate ranging from R6 to R48 per tonne of CO₂ equivalent emitted'. This will allow 'significant emitters' time to transition their operations to cleaner technologies. 'Tax-free emission allowances' factored into the design of the carbon tax range from 60% to 95% during Phase 1. They include 'a basic tax-free allowance of 60% for all activities; a 10% process and fugitive emissions allowance; a maximum 10% allowance for companies ... (using) carbon offsets to reduce their tax liability; a performance allowance of up to 5% for companies ... (reducing) the emissions intensity of their activities; a 5% carbon budget allowance for complying with ... reporting requirements; and a maximum 10% allowance for trade exposed sectors'.

Read full report in Legalbrief Policy Watch [Legalbrief 28 May 2019]

Gosling M "Carbon Tax way too low to curb emissions, say experts' [fin24](#) 8 June 2019 [provided by Andrew Gilder Climate Legal]

Kings S "Carbon catastrophe is hurtling towards us" [Mail & Guardian](#) 7 June 2019 [subscription/newspaper needed]

West E “Carbon tax will add to costs of JSE-listed firms” [IOL](#) 29 May 2019

Isa M “Will SA’s carbon tax lighten the load?” [fin24](#) 30 May 2019

Magubane K “Fears Mantashe may bury pro-renewable IRP draft as energy portfolio 'disrupted' again” [fin24](#) 30 May 2019 [Legalbrief 31 May 2019]

Seccombe A “Gwede Mantashe backs coal and nuclear in SA’s energy mix” [Business Day](#) 4 June 2019 [Legalbrief 5 June 2019]

Kings S “ArcelorMittal facing criminal charges for alleged breach of pollution licence” [Mail&Guardian](#) 4 June 2019 [Legalbrief 5 June 2019]

Mabuza E “Environmental group enters legal fight over Cape Town's bid to procure its own electricity” [TimesLive](#) 20 May 2019

Carnie T “Government in the dock over air pollution standards” [New Frame](#) 16 May 2019 [Legalbrief Environmental 21 May 2019]

Isaacs L “Carbon tax gets a cautious welcome” [Cape Times](#) 27 May 2019

“Nersa to host workshop to clarify licensing process for small-scale power plants” [Engineering News](#) 22 May 2019 [Legalbrief Environmental 28 May 2019]

Abdior B “Is South Africa ripe for a climate change class action lawsuit?” [Daily Maverick](#) 21 May 2019

Yeld J “Watson family to meet environment authorities over wind farm project” [TimesLive](#) 28 May 2019

- **Local government**

Phakathi B “Patricia de Lille wants to speed up release of state-owned land for housing” [BusinessLive](#) 30 May 2019 [Legalbrief 31 May 2019]

Postman Z “Commission told about “lawlessness” in Alexandra” [GroundUp](#) 4 June 2019 [Legalbrief 5 June 2019]

Stein E “Plumb crazy! Judge lashes body corporate for opening litigation taps” [TimesLive](#) 25 May 2019

Another win for Bo-Kaap residents

“Bo-Kaap residents have claimed another victory after developer Blok Urban Living dropped its interdict against the community, says a Cape Argus report. The Western Cape High Court decided the developer could not transfer its interdict application to Prime Point Properties. It was also decided that the matter regarding the cost would be carried over until the next matter was heard on 19 June. Court papers state that Blok entered into a written sales agreement with the new owners in June last year. The property was sold to them for over R51m. Blok developers had initially planned to develop a pilot inclusionary-housing project. In November, the Western Cape High Court granted the interdict to the developers, preventing the community from interfering with construction.”

Full Cape Argus report (subscription needed) Legalbrief 28 May 2019

Gosling M “Cape Town council's desalination debacle: Seawater 400% more polluted than City of Cape Town's tender data indicated” [News24](#) 27 May 2019 [Legalbrief 28 May 2019]

Ludidi V “Shacks flood in Cape Town rains” [GroundUp](#) 6 June 2019

Washinyira T “Mixed reaction to City’s Parow revamp proposals” [GroundUp](#) 6 June 2019

Chiguvare B “Breaking the cycle of poverty in Louis Trichardt” [GroundUp](#) 6 June 2019

Postman Z “City has neglected sanitation in Alexandra, official testifies” [GroundUp](#) 6 June 2019

- **Mining**

“Farmers determined to fight against shale gas” [fin24](#) 20 May 2019

Environmental: Greens concerned SCA has opened door to fracking

“Environmental activists are concerned that an SCA judgment on Friday may pave the way for fracking across 5 500 farms, a vast tract of nearly two million hectares of arable land in northern KZN. According to a Sunday Times report, the court overturned a Western Cape High Court ruling that interdicted Texas-based Rhino Oil and Gas from moving ahead with aerial exploration on thousands of farms. Rhino also has pending applications with the Petroleum Association of SA (Pasa) for exploration in the Free State and Eastern Cape. The SCA ruling applies only to exploration in KZN. The firm's bid to conduct geological surveys to find subterranean gas reserves was stopped in 2017 when Normandien Farms, a company which owns several farms that may rest on fuel reserves, challenged technical irregularities in Rhino's application process with Pasa. The affected landowners, Normandien held, had not been properly consulted. Normandien claimed that if Rhino was granted a licence to extract gas, it would likely use fracking as it was the easiest method to get access to the underground gas pockets it may find. Normandien attacked Pasa's failure to follow its own rules and regulations, and on a technicality had the process halted, arguing that if the ‘irregular’ process continued the farms might be affected. However, the SCA found that the lower court had no basis to stop the application process because Normandien had suffered no prejudice. It set aside the interdict and dismissed Normandien's application. ‘Normandien has approached the court before any decision has even been taken, and before it had suffered any prejudice on account of the actions complained of,’ the judgment reads. ‘It launched a pre-emptive strike against Rhino. It may perhaps have been best advised to ‘husband its powder’ in anticipation of the battle that may or may not lie ahead.’”

Full Sunday Times report (subscription needed) Legalbrief 3 June 2019

Banking: Banks should stop financing coal mines – Satchwell

“The Raith Foundation, which tabled a resolution voted against at Standard Bank’s AGM last week that would have required it to disclose its investments in fossil fuel extraction, believes banks should stop financing coal mines and coal-fired power stations ‘because of the environmental degradation and the climate crisis it generates, and because as investors we see very little value in investing in a virtually moribund industry’. So says Judge Kathy Satchwell, a trustee of the foundation, in the *So Many Questions* feature in the Sunday Times. She says that although jobs and energy are crucial for SA, coal-fired generation of power ‘may in the short term be providing employment, but many would argue that it is employment that is doomed, that it is not desirable, that is unhealthy and is in a

dying area of production'. On when renewable energy will provide sufficient energy for the country, she says 'that depends on the scale of investment in renewable energy', and adds: 'As for jobs for coal miners, nobody is suggesting that renewable energy has an obligation to employ ex-coal miners. Why should it?' Although she accepts thousands of people are dependent on coal mining and fossil fuel extraction she says 'that's no reason to continue doing something that destroys economies, destroys climates, destroys countries and is a danger to the world. You train people and find other employment for them.' On the resolution tabled at Standard's Bank's AGM, she points out: 'We were asking them to assess and then disclose the financial risk to shareholders of financing fossil fuel ventures. We haven't asked them to stop.'

So Many Questions in the Sunday Times (subscription needed) Legalbrief 3 June 2019

Yeld J "Court blow for activists being sued by mining company" [GroundUp](#) 31 May 2019 [Legalbrief 3 June 2019]

Seccombe A "Amcu loses appeal against Sibanye's bid for Lonmin" [Business Day](#) 17 May 2019 [Legalbrief 20 May 2019]

Kimme Zaid Podcast: "Xolobeni turns on ANC" [Financial Mail](#) 16 May 2019 [Legalbrief 20 May 2019]

Thompson W "PIC has no record for R4bn investment into obscure oil exploration company" [BusinessLive](#) 27 May 2019

- **Waste and water**

"Environmental affairs dept welcomes SCA ruling on FG landfill site" [IOL](#) 2 June 2019 [provided by Marietjie van Aswegen]

Environmental: SAVE expands fight over Vaal River pollution

"Several national and provincial government departments have been joined to a court order obtained by Save the Vaal (SAVE) last year to stop the sewage pollution of the Vaal River. A Saturday Star report says SAVE has been granted an order in the Gauteng High Court (Johannesburg) to join the Ministers of Finance, Water & Sanitation and Environmental Affairs as well as the Gauteng Premier, the Gauteng MECs of Finance and Co-operative Governance & Traditional Affairs to its court action. This relates to an existing court order granted to SAVE against the Emfuleni municipality and the municipal manager in February 2018, which required Emfuleni to prevent raw or partially-treated sewage from entering the Vaal River and its tributaries from its wastewater treatment system. SAVE, through the litigation, will seek an order requiring the added parties to provide appropriately funded short, medium and long-term plans, with implementation and completion dates, to upgrade, increase capacity and maintain the wastewater system to be able to cope with increasing populations and to prevent sewage pollution of the Vaal River."

Full Saturday Star report (subscription needed) Legalbrief 20 May 2019

Olalde M and Matikinca A "Big increase in mine water pollution" [Mail&Guardian](#) 17 May 2019

Mabuza E “Khulubuse Zuma, Zondwa Mandela in court over Aurora acid mine drainage” [TimesLive](#) 28 May 2019

Gous N “Outa will see Aurora directors in court next week over Vaal River pollution” [TimesLive](#) 23 May 2019 [Legalbrief 24 May 2019]

Matavire M “Conservationists oppose Algoa Bay bunkering” [City Press](#) 21 May 2019

Mabuza E “AfriForum raises a stink about landfill sites flouting the law in SA” [TimesLive](#) 28 May 2019

Kockott F and Raju P “KZN South Coast residents left without water after April floods” [GroundUp](#) 6 June 2019

- **Miscellaneous**

Environmental: Ecotourism licence rulings cost taxpayers millions

“Former Environmental Affairs Minister Nomvula Mokonyane and her predecessor, Edna Molewa, racked up at least six adverse court rulings relating to ecotourism licences within 18 months – costing SA taxpayers an estimated minimum R3m in legal fees, notes a Times Select report. Molewa was Minister from 2010 until her death in August 2018, following which Mokonyane took over. President Cyril Ramaphosa this week announced that Barbara Creecy would be the new Minister of Environment, Forestry & Fisheries. Mokonyane is not in Ramaphosa's new Cabinet. The series of court decisions against the department caused the Western Cape High Court to question the capabilities of those making decisions over the granting of certain ecotourism licences. The report notes that since December 2017, at least six rulings have been made against the department by the court. In the most recent matter, despite the ministerial team having argued a number of similar cases, Judge Lee Bozalek said Mokonyane had fundamentally misunderstood the requirements involving new applicants for such licences. The judge said Mokonyane had ‘made a material mistake in understanding the requirements for evaluating new entrants as against existing permit holders. She was furthermore swayed by irrelevant information and her decision was arbitrary.’” Full Times Select report Legalbrief 31 May 2019

Maphanga C “AfriForum ready to prosecute Thandi Modise for animal cruelty” [News24](#) 17 May 2019 [Legalbrief 20 May 2019]

Mathe T “SA’s GDP slumps to its lowest in a decade” [Mail&Guardian](#) 4 June 2019 [Legalbrief 5 June 2019]

Gosling M “Mokonyane backs down on controversial pollution law - for now” [fin24](#) 23 May 2019 [Legalbrief 24 May 2019]

New Ministers and Portfolios

“President Cyril Ramaphosa announced that he had combined a number of different portfolios and therefore reduced the number of Ministers from 36 to 28: The Department of Environmental Affairs has been combined with the Department of Forestry and Fisheries. The Minister of Environment, Forestry and Fisheries is Barbara Creecy. The Deputy Minister is Maggie Sotyu.

The Department of Agriculture has been combined with the Department of Land Reform and Rural Development. The Minister of Agriculture, Land Reform and Rural Development is Thoko Didiza. The Deputy Ministers are Sdumo Dlamini and Mcebisi Skwatsha.

The Department of Mineral Resources has been combined with the Department of Energy. The Minister of Mineral Resources and Energy is Gwede Mantashe. The Deputy Minister is Bavelile Hlongwa.

The Department of Human Settlements has been combined with the Department of Water and Sanitation. The Minister of Human Settlements, Water and Sanitation is Lindiwe Sisulu. The Deputy Ministers are Pam Tshwete and David Mahlobo.”

Source: SA Government News dated 29 May 2019 and Imbewu Monthly Sustainability Newsletter & SHE Legislation Update May 2019

International

- **Biodiversity and animal rights**

- Litigation: NGO seeks interdict over Zimbabwe elephant trade**

- “An environmental and wildlife NGO has applied for an interdict to force the government to provide details of Zimbabwe's elephant trade with China and other Asian markets. Lawyers for the People and Earth Solidarity Law Network (PESLawyers) filed papers in the High Court in Harare over what they said were futile attempts to communicate with the Parks and Wildlife Management Authority (Zimparks). A TimesLIVE report notes that the application comes at a time when trophy hunters predict there will be an influx of elephants into Zimbabwe due to Botswana's decision to lift its five-year ban on elephant hunting. Tourism Minister Priscah Mupfema said 97 juvenile elephants with a value of \$2.7m, have been sold to China and the UAE over the past six years. ‘The application calls for the respondents to release all information relating to the planned export of elephants from Zimbabwe to any foreign country, especially information on the buyers, numbers, specific destinations, selling prices,’ said PESLawyers.”

- Full TimesLIVE report Legalbrief 3 June 2019

- “Company Fined £18,000 for Illegally Destroying Building Where Protected Bats Roosted” [INECE](#) 5 April 2019

- Beament E “Consumers urged to boycott yellowfin tuna from Indian Ocean over unsustainable fishing” [The Independent](#) 8 June 2019

- **Climate change and energy**

- “Michael Blumm and Mary Christina Wood on two cases that would protect the public’s right to a stable climate” [The Register Guard](#) 2 June 2019

- Waldman S “U.S. think tank shuts down prominent center that challenged climate science” [Science](#) 29 May 2019

- Cornwall W “Vanishing Bering Sea ice threatens one of the richest U.S. seafood sources” [Science Magazine](#) 15 May 2019

- Kuyedzwa C “Zim fires entire energy board amid load shedding” [fin24](#) 8 June 2019

- “Kibo Energy says development of Mozambique project has advanced” [IOL](#) 7 June 2019

Ambrose J “New rules give households right to sell solar power back to energy firms” [UK] [The Guardian](#) 9 June 2019

Vidal J “Ex-BP boss John Browne: ‘It’s going to take a long time to take oil and coal out of the energy system’” [The Guardian](#) 8 June 2019

O’Gorman D “Australia’s standing in Pacific has plummeted because of our climate change failure” [The Guardian](#) 7 June 2019

Neville S “Energy bills to rise for 4 million vulnerable households, warns watchdog” [UK] [The Independent](#) 7 June 2019

Zubizarreta T “Iowa Supreme Court of rules Dakota Access Pipeline valid use of eminent domain” [The Jurist](#) 3 June 2019

Kelly B “Ireland sends Trump a strong message on climate change over Doonbeg golf course sea wall” [The Independent](#) 6 June 2019

Batchelor T “Climate change could make frozen Siberia habitable within decades, scientists reveal” [The Independent](#) 6 June 2019

- **Local government**

Sneath S “New Orleans’ Desire neighborhood among state’s areas with highest rates of cancer, study finds” [Nola.com](#) 23 May 2019

Suliman A “In a jam: how traffic slows urban economies” [Place](#) 23 May 2019

Tabary Z “Breathing walls to rooftop farms: Cities get creative for a greener future” [Place](#) 22 May 2019

Suliman A “Europe’s first eco-mosque invokes God to fight climate change” [Place](#) 23 May 2019

Biron CL “Amid land crunch, U.S. state legalises human composting” [Place](#) 22 May 2019

Lih Yi B “As tourism drives residents out, Malaysia’s heritage city turns to millennials” [Place](#) 22 May 2019

Suliman A “Dying for space, Oxford proposes shared graves” [Place](#) 22 May 2019

- **Mining**

“BP to pay billions for suspicious Senegal gas deal” [BBC News](#) 3 June 2019 [Legalbrief 5 June 2019]

“Zambia president vows to wind up copper giant KCM” [News24](#) 4 June 2019 [Legalbrief 5 June 2019]

“Somalia put on sale Lamu oil blocks, papers show” [Extractives Baraza](#) 6 June 2019

Yeld J “Shareholders force board shake-up in Aussie mining company” [GroundUp](#) 7 June 2019

- **Waste and Water**

Cartlidge E “Trial set for Italian underground lab chiefs accused of endangering water supplies” [Science Magazine](#) 16 May 2019

Abbot O “‘Rubbish Wars’: South-East Asia Contests Western Approach to Recycling” [INECE](#) 2 June 2019

Burgen S “Barcelona port is worst in Europe for cruise ship air pollution” [The Guardian](#) 7 June 2019

Mokhethi Sechaba and Ntaote Billy “Alliance of Democrats bigwigs fed on Lesotho rural water project” [fin24](#) 9 June 2019

- **Miscellaneous**

Hiar C “Health experts wary of EPA rush to revise carcinogen testing” [Science Advances](#) 31 May 2019

“One year after landmark judgment on Lamu Port violations, construction continues unabated” [Natural Justice](#) 27 May 2019

“Indian Island Likely to Return to Wiyot Tribe Next Month” [North Coast Journal](#) 24 May 2019

Moyo J “Zimbabwe’s Resettled Farmers Hawking Cigarettes to Survive” [IPS](#) 28 May 2019

Jeanet D and Savarese M “Brazil Reduces Top Environment Council, Trims Independents” [INECE](#) 30 May 2019

Thompson C “Trump signs disaster relief bill into law” [The Jurist](#) 7 June 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

SARChI Chair in Cities, Law and Environmental Sustainability at the Potchefstroom Campus of the NWU is recruiting.

We are looking for a suitable candidate to fill a two-year contract position as Researcher and Research Project Coordinator.

[NWU advertisement](#) with the applicable requirements

Department of Environmental Affairs and Development Planning, Western Cape

- Post 19/118 : Control Environmental Officer: Response Integration Ref No: EADP 2019-21
- Post 19/119 : Environmental Officer (Specialised Production): Remediation And Emergency Incidents Management Ref No: EADP 2019-19
- Post 19/120 : Environmental Officer (Specialised Production): Environmental Law Enforcement Region 1 Ref No: EADP 2019-22

Closing date: 18 June 2019

More [information](#)

Judicial vacancies

Closing date: 28 June 2019

More [information](#)

University of Limpopo: Director: Student Governance and Development

Closing date: 21 June 2019

More [information](#)

Department of Justice and Constitutional Development: Various positions

Closing date: 18 June 2019

More [information](#)

UN Internship-Human Rights (Regional) (temporary job opening)

Place: Office of the High Commissioner for Human Rights, Pretoria

Posting period: 14 May 2019 - 30 September 2019

Posting Number: 19-Human Rights Affairs-OHCHR-111267-J-Pretoria (A)

More [information](#)

Varsity College School of Law Pretoria Campus: Full-time Lecturer

Closing date: 14 June 2019

More [information](#)

University of Johannesburg: Senior Lecturer Criminal Law/Procedure

Closing date: 20 June 2019

More [information](#)

University of Limpopo: Director: Student Governance and Development

Closing date: 21 June 2019

More [information](#)

International**Queen Elizabeth Commonwealth Scholarship: South Pacific: All Fields**

Closing date: 26 June 2019

More [information](#)

Egypt: British University in Egypt: All Bachelor programmes

Closing date: 30 July 2019

More [information](#)

Brazilian Government Exchange Programme: Undergraduate and postgraduate scholarships are available annually (tuition fee only).

Portuguese proficiency certificate needed

More [information](#)

Azerbaijan: Bachelor's, Master's

Closing date: 1 July 2019

More [information](#)

Faculty of Law University of Bergen 8 PhD positions

More [information](#)

School of Oriental and African Studies University of London, Centre for International Studies and Diplomacy (ISD): Senior Teaching Fellow - Energy & Climate

Closing date: 12 June 2019

More [information](#)

Vermont Law School: Executive Assistant, Environmental Law Center

More [information](#)

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ELA NEWSLETTER 22

14 June 2019

LEGISLATION

NOTICES

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 - GN R896 in GG 42521 of 10 June 2019 - Authorisation of enforcement by local authority

Astronomy Geographic Advantage Act 21 of 2007 - GN 926 in GG 42351 of 14 June 2019 - Radio frequency spectrum exempted for use within the Karoo Central Astronomy Advantage Areas

PROVINCES

KwaZulu Natal

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - MN 61 in PG 2088 of 12 June 2019 - Ethekwini Local Municipality - Adoption of the Municipal Spatial Development Framework 2019-2020

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 72 in PG 2089 of 13 June 2019 - Kwadukuza Local Municipality - Problem Building By-law, 2018

Eastern Cape

Constitution of Republic of South Africa, 1996 and Local Government: Municipal Finance Management Act 56 of 2003 - PN 154 in PG 4251 of 7 June 2019 - Senqu Local Municipality - Integrated Development Plan

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Finance Management 56 of 2013 - PN 158 in PG 4254 of 10 June 2019 - Kou-Kamma Local Municipality - 2019/20 Integrated Development Plan

North West

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 102 in PG 8016 of 11 June 2019 - Rustenburg Local Municipality - Outdoor Advertising By-laws, 2019

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 103 in *PG* 8016 of 11 June 2019 - Rustenburg Local Municipality - Fire Brigade Services By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 104 in *PG* 8016 of 11 June 2019 - Rustenburg Local Municipality: Draft By-law: Problem Buildings and Vacant Stands

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning Land Use Management Act 16 of 2013 - LAN 77 in *PG* 8016 of 11 June 2019 - Maquassi Hills Local Municipality - Spatial Development Framework d

Gauteng

Constitution of the Republic of South Africa, 1996 and Spatial Data Infrastructure Act 54 of 2003 – Gen Notice 881 in *PG* 184 of 11 June 2019 - Geographic Information System ('GIS') Policy for the Province of Gauteng, 2019 - for comment

Constitution of the Republic of South Africa, 1996; Gauteng Rationalisation of Local Government Affairs Act 10 of 1998; and Local Government: Municipal Systems Act 32 of 2000 - Proc 59 in *PG* 185 of 12 June 2019 - City of Tshwane Metropolitan Municipality - Heritage Resources and Cultural Institutions By-law

PUBLICATIONS

National

Freedman W "A critical analysis of the escape rule - *Eastern Cape Parks and Tourism Agency v Medbury (Pty) Ltd t/a Crown River Safari* 2018 4 SA 206 (SCA)" 2019 *Journal of South African Law* 374

Van der Merwe CG "'The dispute concerning compliance of the sectional plan of extension with the site development plan in phased sectional title developments and the possibility of deviating from the site development plan if changed circumstances make compliance impracticable" 2019 *Journal of South African Law* 209

Quinot G and Van der Sijpe E "Opening at the close: clarity from the Constitutional Court on the legal cause of action and regulatory framework for an organ of state seeking to review its own decisions?" 2019 *Journal of South African Law* 324

International

Elisabeth Dütschke *et al* "Socio-political acceptance findings" (MUSTEC [report](#) March 2019)

UNEP "Measuring Fossil Fuel Subsidies in the Context of the Sustainable Development Goals" ([Report](#) June 2019)

"The Renewable Power of the Mine" ([Report](#) Columbia Centre on Sustainable Investment 2018)

Arctic Council's Sustainable Development Working Group "Good Practices for "Environmental Impact Assessment and Meaningful Engagement in the Arctic – Including Good Practice Recommendations" ([Report](#) June 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

Africa

- **Biodiversity and culture**

[The Conversation](#): Humle T and Garriga R "Action is needed to save West Africa's critically endangered chimpanzees" 10 June 2019

[The Conversation](#): Kerbis-Peterhans and Celesia G "Lions sometimes suffer if they attack a porcupine. So why do they do it?"

[Podcast](#): How Researchers changed the World: Meijer S: "People's Needs and Planting Trees in Sub-Saharan Africa" June 2019

[IOL](#): Bega S "Eating insects, not cows can help save planet Earth" 15 June 2019

- **Climate change and energy**

[The Conversation](#): Patel O "Pasha 23: Tropical cyclones are on the rise in southern Africa" 12 June 2019

[Mail&Guardian](#): Saba A "Unions calls for the disbanding of PetroSA board" 13 June 2019 [Legalbrief Forensic 13 June 2019]

- **Local government**

[Place](#): Unah L "Armed with maps and music, Nigeria's slum dwellers fight evictions" 11 June 2019

- **Mining**

[AllAfrica](#): Singham N "Africa: How Powerful Mining Corporations Flagrantly Plunder the Global South without Consequence" 10 June 2019 [Legalbrief Forensic 13 June 2019]

[AllAfrica](#): Nembwaya H "Namibia: Govt Shrugs Off Blame On Illegal Sand Mining" 5 June 2019

Rest of the world

- **Biodiversity, parks and culture**

[Science](#): Stokstad E "Twice as many plants have gone extinct than birds, mammals, and amphibians combined" 10 June 2019

[BBC News](#): Watch: "What's killing Yosemite's trees" 13 June 2019

[The Guardian](#): Noor P "Boris Johnson failed to protect biodiversity hotspot, says UN expert" 15 June 2019

- **Climate Change and Energy**

Energy Tradeoffs [website](#): A new web site dedicated to promoting scholars and scholarship focused on the tradeoffs associated with a green energy transition. David explains the project [here](#)

[UNDP](#): “Equator Prize 2019 winners announced for local innovative climate solutions” 4 June 2019

[Houston Chronicle](#): Hudson B “Mars can wait. First let’s terraform Earth. [Opinion]” 14 March 2019

[IISD](#) SDG Knowledge Hub: Mead L “[Report](#) Identifies Opportunities for NDC-NAP Alignment” 13 June 2019

[Podcast](#): Verchick R “Working Toward a Just Energy Transition” June 2019

[IISD](#) SDG Knowledge Hub: Mead L “[Report](#) Presents Methodology for Measuring Fossil Fuel Subsidies” 11 June 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Who is Investing in the Technology Transition to a Low Carbon Economy, and Where?” 11 June 2019

[The Independent](#): “Before their very eyes: Investigating the vanishing ice in the Arctic” 14 June 2019

[The Independent](#): Perrone A “Climate change: Arctic permafrost now melting at levels not expected until 2090” 15 June 2019

[The Independent](#): “Scotland plants 22 million trees to tackle climate crisis while England falls 7 million short of target” 15 June 2019

[The Guardian](#): Rustin S “We must transform our lives and values to save this burning planet” 15 June 2019

[The Guardian](#): Sparrow J “Australia's oldest things: how mind-boggling timelines meet the climate emergency” 14 June 2019

- **Local government**

[Place](#): Davies S “The race to revive Spain's dying 'ghost villages'” 13 June 2019

[Place](#): Chandran R “Indian cities urged to develop heat action plans as temperatures soar” 14 June 2019

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Baggio Ferla G and Qadir M “Strengthening the Enabling Environment to Achieve SDG 6 Through Data and Evidence” 13 June 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNDP [Reports](#) on Human Impact of Stockholm Convention Implementation Projects” 11 June 2019

- **Miscellaneous**

[UNDP](#): “Every Breath You Take: The staggering, true cost of air pollution” 4 June 2019

[UNDP](#): Annual Report 2018

[UNDP](#): Steiner A “Funding to achieve the Global Goals exists—here’s how governments can tap it” 15 May 2019

[UNDP](#): Mod  r U and Dieye AM “Game plan: SDG integration” 1 May 2019

[UNDP](#): Hurley G “Sustainable investing; where are we today?” 6 May 2019

[Place](#): Bacchi U “Nuclear wasteland selfies draw ire as tourists flock to Chernobyl” 12 June 2019

[Place](#): Chandran R “Cambodian farmers battle in landmark lawsuit against Thai sugar firm” 12 June 2019

[IISD](#) SDG Knowledge Hub: Meuleman L “Why We Need ‘Real-time’ Multi-level Governance for the SDGs” 13 June 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Speakers at World Circular Economy Forum Call for Shift to “Living Instead of Consuming” 13 June 2019

[IISD](#) SDG Knowledge Hub: Risse N “UN Opens Platform to Collect SDG ‘Acceleration Actions’ Ahead of Summit” 13 June 2019

[IAIA](#): Fastips No. 19: Impact Assessment and the Sustainable Development Goals (SDGs) (May 2019)

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

ELA Student and Annual Conference: Save the Date!

Dates: 26-28 September 2019

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

More information will follow.

Registration [here](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Webber Wentzel: Carbon Tax Breakfast: Update, risks & innovative opportunities

Webber Wentzel, together with M&G, will be hosting a breakfast forum to unpack key issues related to the new Carbon tax laws which have now come into effect. This development impacts all businesses and industries in South Africa.

Date: 9 July 2019

Time: 08:30-11:00

Venue: Webber Wentzel, 90 Rivonia Road, Sandton, Johannesburg

Seats are limited and there is no fee for attending this event for Webber Wentzel clients

[RSVP](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.8 Environmental law for the mining sector**
Date: 25 - 27 June 2019
- **CEM-02.1.8 Environmental law for the mining sector**
Date: 25 - 27 June 2019
- **CEM-03.1.1 Environmental management system**
Date: 1 - 5 July 2019
- **CEM-01.2.1 Safety, health environmental and quality management**
Date: 1 July 2019 (10 weeks on-line)
- **CEM-07.2.1 Introduction to green economy for South Africa**
Date: 1 July 2019 (10 weeks on-line)
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-01.1.1 The fundamentals of environmental management**
Date: 15 - 19 July 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

No endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 30 July – 1 August in Nelspruit
- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria

Registration [here](#)

Digitisation of the Water Sector

CBSS has committed ourselves to the digitisation of the water sector, and have launched our first App, called WaterMonster, which takes field sampling into the future – it captures all your field observations, field measurements, location, and a photo of your sampling location on your cellphone, and when you click “submit”, an email containing all your data is delivered to your inbox. In addition, when you have to take a number of samples, you can get a summary excel-spreadsheet containing all the datasheets at whatever frequency you specify. Download the

app from the GooglePlay [Store](#) and play around with it. More details available on the CBSS website, [here](#)

In order to further the digitisation and digitalisation of the water sector, CBSS is launching a new data visualisation service, called Leguaan, which converts water monitoring data into interactive graphs and reports, quickly, and with no effort from your side. Just send us your lab reports, and you will receive verified graphs drawn with your data – and any type of graph can be generated, from time-series and box-and-whisker-plots to Mauchino-salt balances, and sparklines. Some examples of the interactive graphs are available [here](#), and all the details of how the Leguaa service works, are available [here](#)

Southern African Law Teachers Conference 2020: Theme: 'Law, Nature and Sustainable Development'

The Faculty of Law of the University of Johannesburg is proud to host the Southern African Law Teachers Conference in Skukuza, Kruger National Park, South Africa from 20 to 24 January 2020. The conference theme is 'Law, Nature and Sustainable Development'. There will be dedicated panels on this theme, including plenary sessions.

You are invited to submit abstracts of 300 words describing the paper that you intend to present at the conference. The conference includes sessions on all major legal disciplines and abstracts from any subject area within law will be considered. Please indicate the field(s) to which your paper relates in your email, e.g. 'consumer law' or 'constitutional law'. All abstracts received will be considered for acceptance by an expert peer in the field. You are encouraged to show a link to the conference theme in your abstract, as preference will be given to abstracts of quality showing such a link. This is not, however, a pre-requisite for acceptance.

Abstracts should be [emailed](#) by 30 June 2019 at the latest.

University of Cape Town Short Course: Managing Power Sector Reform and Regulation in Africa

The University of Cape Town's Graduate School of Business is again presenting the annual "Managing Power Sector Reform and Regulation in Africa" executive education short course during the week of 30 September - 4 October 2019.

The course will expose delegates to the frontiers of power market developments - globally and in Africa - along with economic regulation fundamentals.

View the course programme for a full overview of topics covered (attached).

For more details on the course, including registration, please follow this link: <https://www.gsb.uct.ac.za/power-reform-regulation>

International

Webinar: Direct Air Capture

Date: 14 June 2019 12pm EDT

Registration for the webinar can be effectuated [here](#) and will close at 11:59pm EDT on June 13th.

State of Play: Sustainable Energy in Humanitarian Settings

This is the first in a series of four webinars that focus on humanitarian energy issues.

When: 25 June, Tuesday at 2:00 pm CEST (check your [local time](#))

Register [here](#)

The webinar series is a contribution to the [Global Plan of Action](#) for Sustainable Energy Solutions in Situations of Displacement (GPA).

Read more [here](#)

Five National Academies Hand Over Science-policy Statement on Air Pollution and Health – Launch of report

Clean air is as vital to life on earth as clean water. Currently, air pollution is estimated to contribute to several million premature deaths each year across the world. In light of the urgency of this crisis, five National Academies of Sciences and Medicine from South Africa, Brazil, Germany and the U.S. call for action on reducing air pollution. The first outcome of this initiative is a compact science-policy statement, which will be handed over in a ceremony to senior UN representatives and high-level diplomats from South Africa, Brazil, Germany, and the United States of America.

Launch Event

Wednesday, 19 June 2019

Time 3pm Eastern Daylight Time (EDT)

Venue: Conference Room 6 U.N. Headquarters New York

Control and reduction of air pollution should be a priority for all, including governments, businesses and civil society. To this end, the Academy of Science of South Africa, the Brazilian Academy of Sciences, the German National Academy of Sciences Leopoldina, the U.S. National Academy of Medicine, and the U.S. National Academy of Sciences have started an initiative on “Air Pollution and Health”.

The five academies brought together leading scientists from South Africa, Brazil, Germany, and the United States as well as representatives of the UN and civil society, several of whom will be present at the event. Following the launch, the statement will be available in all official UN languages as well as in German and Portuguese from the [website](#).

IAIA20, “Strengthening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness

Dates: 26-29 May 2020

Venue: Seville, Spain

[Proposals for sessions are being accepted](#) through 10 July 2019.

NEWS

National

- **Biodiversity**

Gous N “Limpopo court sentences rhino poacher to five years in jail” [TimesLive](#) 13 June 2019

Zietsman G “This is SA's newest official nature reserve in the KZN Midlands” [News24](#) 13 June 2019

“Cape Town experts battle invasive tree killing borer beetle” [News24](#) 13 June 2019

- **Climate change and energy**

Postman Z and Hendricks A “South African youth take to the streets over climate change” [GroundUp](#) 14 June 2019

Hendricks A “Extinction Rebellion comes to South Africa” [GroundUp](#) 11 June 2019

Environmental: Activists challenge renewal of Sasol plant's licence

“Environmental activists are challenging the renewal of Sasol’s atmospheric emissions licence for its Secunda synfuels plant – the biggest single point emitter of greenhouse gases in the world – which they say was granted without proper consideration of alternatives that would result in cleaner air, notes a Business Day report. It says the challenge is the second legal action by activists on the Mpumalanga Highveld in a week and is an indication that companies can expect to face much tougher environmental opposition in the future. The Sasol plant in Secunda received the renewal of its licence from the Gert Sibande District Municipality in April. The Vaal Environmental Justice Alliance launched an appeal against the renewal through its lawyer, the Legal Resources Centre. In its letter to the municipality, the Legal Resources Centre argues that in renewing the licence the municipality failed to interrogate Sasol on possible alternatives to the use of coal, the feedstock from which synthetic fuels are produced. It argues that if Sasol was to replace coal with natural gas, the emission of hydrogen sulfide, a colourless poisonous gas, would be reduced to almost zero. The centre says that Sasol has the know-how and resources to re-power its steam plants with natural gas and convert the synfuels plant to a gas-to-liquids plant. Under the National Environmental Management Air Quality Act, the municipality should have considered the possibility of converting the Secunda plant to run on natural gas as it must ‘take the best practicable environmental options available’ to ‘prevent, control, abate or mitigate that pollution’. Because it did not ask Sasol to present information to it regarding the feasibility of substituting all or a significant part of its coal feedstock, it failed to apply its mind to how to reduce emissions, the centre argues.”

Business Day [report](#) Legalbrief 12 June 2019

- **Local government**

Gous N “Michael Komape's school pit toilet death heading to Supreme Court” [TimesLive](#) 12 June 2019 [Legalbrief 13 June 2019]

Chirume J “Sewage floods PE streets” [GroundUp](#) 12 June 2019

Mbovane T “Residents told not to dump rubbish illegally ... but municipality fails to collect their waste” [GroundUp](#) 10 June 2019

- **Mining**

Yeld J “Aussie company show big profits from South African West Coast mine” [GroundUp](#) 13 June 2019

- **Waste and water**

Harrison A “Desalination company to take City of Cape Town to court for breach of contract” [News24](#) 13 June 2019

International

- **Biodiversity and animal rights**

Brown T “Canada House of Commons approves bill to end captivity of cetaceans” [The Jurist](#) 12 June 2019

Lombard Steyn L “Zambia cancels controversial hippo cull” [IOL](#) 12 June 2019

“China's toxic 'blue tears' bloom in greater numbers” [The Independent](#) 14 June 2019

Weston P “Bermuda land snail comes 'back from the dead' after disappearing 40 years ago” [The Independent](#) 13 June 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Antonich B “Who is Investing in the Technology Transition to a Low Carbon Economy, and Where?” 11 June 2019

DeLorenzo T “UK commits to ending greenhouse gas emissions by 2050” [The Jurist](#) 14 June 2019

Weston P “How will the UK implement its 2050 carbon pledge?” [The Independent](#) 15 June 2019

Cockburn H “Could Britain really cut carbon emissions by 2030?” [The Independent](#) 14 June 2019

Calder S “Extinction rebellion: police warn Heathrow Protesters of ‘Life Sentences’” [The Independent](#) 14 June 2019

Batchelor T “Pentagon’s greenhouse gas emissions higher than Sweden or Portugal, study finds” [The Independent](#) 13 June 2019

McKie R “Global heating to inflict more droughts on Africa as well as floods” [The Guardian](#) 16 June 2019

Ambrose J “Hopes for climate progress falter with coal still king across Asia” [The Guardian](#) 15 June 2019

Harvey F and Ambrose J “Pope Francis declares 'climate emergency' and urges action” [The Guardian](#) 14 June 2019

Ambrose J “UK to be left with five coal power stations after latest closure” [The Guardian](#) 14 June 2019

Jolly J “Climate crisis: aviation industry hears clamour for electric planes” [The Guardian](#) 13 June 2019

- **Local government**

Burgen S “Power to the people: how Spanish cities took control of energy” [The Guardian](#) 14 June 2019

- **Waste, Water and Chemicals**

[IISD](#) SDG Knowledge Hub: Mead L “UNDP Reports on Human Impact of ‘Stockholm Convention Implementation Projects’” 11 June 2019

Weston P “Banned pesticide DDT still damaging ecosystems 50 years after it was sprayed” [The Independent](#) 12 June 2019

Wasley A *et al* “Revealed: UK government failing to tackle rise of serious air pollutant” [The Guardian](#) 13 June 2019

- **Miscellaneous**

Weston P “Chemical that castrates frogs among new pesticides approved by Bolsonaro in Brazil despite being banned elsewhere” [The Independent](#) 13 June 2019

“Sparks fly at House over state land swap” [CyprusMail](#) 13 June 2019

Gallmeyer C “Trump signs executive order easing agricultural biotechnology review process” [The Jurist](#) 13 June 2019

“The moon is shrinking and may be causing powerful quakes – study” [News24](#) 15 June 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

SARChI Chair in Cities, Law and Environmental Sustainability at the Potchefstroom Campus of the NWU is recruiting.
We are looking for a suitable candidate to fill a two-year contract position as Researcher and Research Project Coordinator.
[NWU advertisement](#) with the applicable requirements

University of KwaZulu-Natal: Attorney in the Law Clinic and Lecturer in Law
Closing date: 31 July 2019
More [information](#)

Vega School - Cape Town Campus Law for Strategic Brand Management Lecturer
Closing date: 30 June 2019
More [information](#)

University of the Witwatersrand: Research Manager - Grant Funded Three-Year contract (economic/development studies background)
Date: 25 June 2019
More [information](#)

Joint Fellowship scheme between the Scientific Committee on Antarctic Research (SCAR) and the World Meteorological Organisation (WMO)

- Introduction to the scheme

Antarctica is experiencing dramatic changes which will impact on the entire planet. From rising sea levels to changes in rainfall patterns or more frequent and severe extreme weather events, changes in Antarctica will affect us all. Exposure to Antarctic research is beneficial to researchers from a variety of backgrounds and disciplines.

The Scientific Committee on Antarctic [Research](#) is excited to be collaborating with the World Meteorological Organisation on a new fellowship opportunity for researchers in countries with developing economies.

It will enable researchers to undertake research at major international laboratories, field facilities, and/or institutes in or operated by SCAR's member countries, with the goal of exposing them to recent advances in research and to develop long-term scientific links and partnerships.

To find out more visit [here](#). The deadline is 17 July 2019.

To be eligible for this fellowship you need to be:

- enrolled in a PhD or within 5 years of finishing PhD;
- a citizen of a [WMO Member Country](#);
- a citizen of a [developing economy](#);
- Visiting an Antarctic research facility in or run by a [SCAR member country](#), which is different from applicant's (a) country of origin and (b) current country of residence;
- Proposing a topic in a weather, climate, or operational hydrology related discipline which links to the objectives of one or more of [SCAR's science groups](#), including the Humanities and Social Sciences group, and/or the Scientific Research Programmes.

About SCAR

The Scientific Committee on Antarctic Research (SCAR) is an inter-disciplinary committee of the International Science Council (ISC), whose role is to initiate develop and coordinate high quality international scientific research in the Antarctic region (including the Southern Ocean), and on the role of the Antarctic region in the Earth system. More information is available [here](#)

Province of Gauteng: State Law Advisor: Legislative Drafting Ref No: 004114 (X2 Posts)

Closing date: 28 June 2019

More [information](#)

Gauteng Directorate: Risk and Compliance Risk Management Committee Chairperson Ref No: Refs/004082 Branch: HOD'S Office (Three Years Fixed Term Contract)

Closing date: 28 June 2019

More [information](#)

Members of the Environmental Law Association may subscribe to
[Legalbrief Environmental](#)
and the
[South African Journal of Environmental Law and Policy](#).
Discount available for ELA members.

ELA NEWSLETTER 23

21 June 2019

LEGISLATION

BILLS

Draft Tourism Amendment Bill, 2019 - Gen Notice 327 in GG 42532 of 18 June 2019 - Extension of the public comment period

NOTICES

EAPASA Board - proposed [EAPASA Continuing Professional Development \(CPD\) Guidelines](#) – for comment – see EAPASA [website](#) – comment by 15 July 2019

PROVINCES

Western Cape

Constitution of the Republic of South Africa and Local Government: Municipal Systems Act 32 of 2000 - LAN 57920 in PG 8113 of 14 June 2019 - Swellendam Local Municipality: Building Plans By-law

Free State

Disaster Management Act 57 of 2002 - PN 15 in PG 22 of 14 June 2019 - Matjhabeng Local Municipality - Declaration of a local state of disaster due to floods

CASES

National

Eskom Holdings SOC Limited v Masinda (1225/2018) [2019] [ZASCA](#) 98 (18 June 2019)

Summary: Spoliation – rights protectable by mandament van spolie – whether an electricity supply in itself an incident of possession of the property to which it is delivered or a mere personal right – whether such supply protectable by the mandament.

Eskom Holdings SOC Limited v McKinsey and Company Africa (Pty) Ltd and Others (22877/2018) [2019] ZAGPPHC 185 (18 June 2019)

“[1] The new dawn that engulfed the country in 2018, did not miss Eskom Holdings SOC Limited (Eskom). It brought life to Eskom in that in January 2018, Eskom's old and inactive leadership was replaced by new leadership with new life to undo years of maladministration and corruption within the organization.

[2] In March 2018, Eskom launched the present application for the review and setting aside of its unlawful decisions that resulted in payments which were in excess of R1,7 billion to McKinsey and Company Africa (Pty) Ltd, (McKinsey) the first respondent, Trillian Management Consulting (Pty) Ltd (TMC), the second respondent and Trillian Capital Partners (Pty) Ltd (TCP), the third respondent hereinafter referred to as "Trillian".

[3] The impugned decisions relate to two contracts concluded with McKinsey in 2015 and 2016 respectively, From the two contracts, the first one endured for a period of three months (2015) while the other known as the Master Services Agreement (MSA) (2016) was between Eskom and McKinsey and was terminated by agreement. Eskom then made payments to both McKinsey and Trillian in excess of R1,7 billion.

[4] In this application Eskom seeks to review and set aside the two agreements as well as the resultant payments in terms of s1(c) of the Constitution. That this is not a review in terms of the Promotion of Administration of Justice Act 3 of 2000 (PAJA) is clear. The application need not therefore be instituted within a period of 180 days from the date the decision was made. The application is founded on the principle of legality in terms of s1 of the Constitution. It need only be instituted within a reasonable time. Although McKinsey and Trillian did not challenge the application on this basis, something needs to be said on this score.”

International

Virginia Uranium, Inc., et al. v. Warren et al. [Case No. 16–1275](#) Decided June 17, 2019 Supreme Court of the United States

“Petitioner Virginia Uranium, Inc., wants to mine raw uranium ore from a site near Coles Hill, Virginia, but Virginia law flatly prohibits uranium mining in the Commonwealth. The company filed suit, alleging that, under the Constitution’s Supremacy Clause, the Atomic Energy Act (AEA) preempts state uranium mining laws like Virginia’s and ensconces the Nuclear Regulatory Commission (NRC) as the lone regulator in the field. Both the District Court and the Fourth Circuit rejected the company’s argument, finding that while the AEA affords the NRC considerable authority over the nuclear fuel life cycle, it offers no hint that Congress sought to strip States of their traditional power to regulate mining on private lands within their borders. Held: The judgment is affirmed.”

Center for Social Justice Studies et al. v. Presidency of the Republic et al [Judgment](#) T-622/16, Constitutional Court of Colombia (2016) [first time available in English]

“In late 2016 the Constitutional Court of Colombia issued a monumental decision that orders federal and subnational governments in Colombia to save and restore one of the most biologically rich regions on the planet - the River Atrato. *Center for Social Justice Studies et al. v. Presidency of the Republic et al.* Judgment T-622/16, Constitutional Court of Colombia (2016).

This landmark decision does (at least) two noteworthy things. First, it concludes that myriad mining activities in and along the river and its tributaries contravenes the constitutionally-protected rights of adversely affected indigenous and ethnic communities to dignity and a healthy environment, as well as to life, health, water, food security, culture and territory.

Second, it recognizes that the River Atrato itself possesses legal personhood warranting constitutional protection.

[Source: Summary by James R May, Envlawprofessors email list: The translation is by Thomas Swan (Delaware Law '19), and Professors Erin Daly and James R. May of the *Dignity Rights Project* at Widener University Delaware Law School, in conjunction with Professor Hugo Echeverría.]

PUBLICATIONS

International

Brown B and Spiegel SJ “Coal, Climate Justice, and the Cultural Politics of Energy Transition” 2019 19(2) [Global Environmental Politics](#) 149-168

Ren21 “Renewables 2019: Global Status [Report](#)” (June 2019)

World Economic Forum “The Global Risks [Report](#) 2019” 14th edition

Aschwanden A *et al* “Contribution of the Greenland Ice Sheet to sea level over the next millennium” 2019 5(6) [Science Advances](#) DOI: 10.1126/sciadv.aav9396

Maurer JM *et al* “Acceleration of ice loss across the Himalayas over the past 40 years” 2019 5(6) [Science Advances](#) DOI: 10.1126/sciadv.aav7266

Condon LE and Maxwell RM “Simulating the sensitivity of evapotranspiration and streamflow to large-scale groundwater depletion” 2019 5(6) [Science Advances](#) DOI: 10.1126/sciadv.aav4574

Emer C *et al* “Defaunation precipitates the extinction of evolutionarily distinct interactions in the Anthropocene” 2019 5(6) [Science Advances](#) DOI: 10.1126/sciadv.aav6699

Crespo del Granado Pedro *et al* “Comparative Assessment and Analysis of SET-Nav Pathways” (May 2019 A [report](#) compiled within the SET-Nav project: - Work Package 9, Task 9.4, D9.4)

“The EU Energy Roadmap 2050 and various stakeholders’ discussions with the European commission outlined four main decarbonisation routes for the energy sector, these are mainly focused on: energy efficiency measures,

renewable energy sources (RES), nuclear and Carbon Capture and Storage (CCS). In this spirit, the design of the SET-Nav pathways looked into identifying drivers, factors, and scenario dimensions affecting these decarbonisation options. The SET-Nav pathways also considered other decarbonisation routes in other energy sectors beyond electricity. For instance, developments on the transport and heat sector, and other priority areas and innovation points noted in the SET-Plan.”

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[The Conversation](#): Blackburn T “Birds: we studied 4,000 ‘alien introductions’ to find out why some were successful” 20 June 2019

- **Climate change and energy**

[Bizcommunity](#): Surban V and Tout M “Ripple effect of carbon tax on Customs and Excise Laws” 7 June 2019 [Legalbrief Environmental 18 June 2019]

- **Local government**

[The Conversation](#): Goudet S and Bogin B “What programme actions are needed to promote children’s growth in poor urban areas?” 17 June 2019

[The Conversation](#): Kesselman B “South Africa should learn from Brazil about how to tackle ‘hidden hunger’” 18 June 2019

Africa

- **Biodiversity and culture**

[Place](#): Foroudi L “‘Everything is stolen from us’: Tunisians fight to preserve cultural heritage” 19 June 2019

- **Local government**

[Place](#): Unah L “Armed with maps and music, Nigeria’s slum dwellers fight evictions” 11 June 2019

- **Mining**

[News24](#): Guégan M and Schilis-Gallego C “Silence is golden for a Tanzanian mine” 19 June 2019 [Legalbrief 21 June 2019]

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Africa SDG Index Finds Stagnating Progress, Calls for Accelerated Action” 18 June 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “GEF’s Newly Adopted Work Program to Deliver Transformational Change in Food Systems, Land, Forests” 18 June 2019

[IISD](#) SDG Knowledge Hub: Risse N “DIHR Presents Tools Outlining SDGs and Human Rights Links” 18 June 2019

Rest of the world

- **Biodiversity, parks and culture**

[IISD](#) ENB: Ad Hoc Open-ended Working Group to Enhance the Functioning of the Multilateral System (MLS) of access and benefit-sharing (ABS) of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) 17-21 June 2019 | Headquarters of the UN Food and Agriculture Organization (FAO), Rome, Italy

[Science](#): Preston E “A growing sensory smog threatens the ability of fish to communicate, navigate, and survive” 20 June 2019

[The Guardian](#): Cecco L “Canada becomes first G7 country to ban shark fin imports” 21 June 2019

- **Climate Change and Energy**

[IISD](#) ENB: Bonn Climate Change Conference 17-27 June 2019 | Bonn, Germany

[IISD](#) SDG Knowledge Hub: Antonich B “IEA Scenarios Show Possibilities for Clean Energy Transformation Process” 18 June 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNDP, IRENA Partner to Advance Low-Carbon Energy Transition” 20 June 2019

[Chron](#) Gill J “Galveston Seawall, other cities will be under water by 2100, according to sea level simulator” 19 June 2019

[Business Insider](#): Bendix A “Chernobyl was the world's worst nuclear power plant accident. Here's how it compares to Fukushima and Three Mile Island” 21 June 2019

[The Independent](#): “Iceberg size of Manhattan breaks off shelf in Antarctica in timelapse video” 20 June 2019

[The Guardian](#): Spicer A “Paper straws won’t save the planet – we need a four-day week” 21 June 2019

- **Local government**

[Place](#): Biron CL “Analysis-Sky's the limit: Rise of delivery drones has cities asking who owns airspace” 17 June 2019

[Place](#): Shearman S “London named Europe's top 'tech for good' hotspot” 17 June 2019

[Place](#): Jena M “Beyond shelter in a storm, Odisha eyes sturdier homes, power and trees” 15 June 2019

[Place](#): Moloney A “Bogota's solar-powered gondola gives slum dwellers a lift” 17 June 2019

[Place](#): Chandran R “Indian cities urged to develop heat action plans as temperatures soar” 14 June 2019

[Place](#): Davies S “The race to revive Spain's dying 'ghost villages'” 13 June 2019

[Place](#): Rowling M “Drastic shift in city lifestyles urged to avert climate crisis” 12 June 2019

[ICLEI](#) City Blog: Confiado A *et al* “How can cities create circular jobs?” 18 June 2019

[ICLEI](#) City Blog: Andrews J “Seattle bounces back from bike-share failure” 13 June 2019

[Impakter](#): Wessel M “11 Cities, 3 Continents and 1 Common Challenge: How to Transition Cities Built on Heavy Industry to a More Sustainable Model” 10 June 2019

[ICLEI](#) City Blog: “Chinese cities pilot the EcoMobility SHIFT+ methodology to tackle traffic gridlock and air pollution” 18 June 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “European Cities Index Compares Sub-National Progress on SDGs” 20 June 2019

[IISD](#) SDG Knowledge Hub: Risse N “UN Secretary-General Analyzes Long-Term Impacts of Urbanization, Other Trends” 20 June 2019

[Place](#): Suliman A “UK urged not to arrest homeless as rough sleeping hits decade high in London” 19 June 2019

[The Guardian](#): Mondiot G “Carmageddon: it’s killing urban life. We must reclaim our cities before it’s too late” 20 June 2019

- **Mining**

[The Conversation](#): Jaffe C “Virginia’s uranium mining battle flips traditional views of federal and state power” 11 January 2019

[Scotus Blog](#): Hammond J “Opinion analysis: Virginia’s moratorium on uranium mining is not pre-empted, but the role of legislative purpose remains open for debate” 17 June 2019

[Science](#): Kemeny R “As countries battle for control of North Pole, science is the ultimate winner” 20 June 2019

- **Water, waste and chemicals**

[Place](#): Miglani S “Hotels, firms cut back on water use as taps run dry in India's Chennai” 19 June 2019

[News24](#): “Watch: A Filipino market highlights the war with plastic” 21 June 2019

[The Guardian](#): Fuller G “Pollutionwatch: how farming causes harm to rural air quality” 20 June 2019

[The Guardian](#): Strasser S “Never gonna give you up: how plastic seduced America” 21 June 2019

- **Miscellaneous**

[IISD](#) ENB: United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (ICP-20) 10-14 June 2019 | UN Headquarters, New York

[Vimeo](#): 56th Council meeting of the Global Environment Facility (GEF) GEF Council Meeting approves the largest Work Program in its history (June 2019)

[IISD](#) SDG Knowledge Hub: Leone G “Spring-boarding from Ocean Conservation to Sustainable Development: The Barcelona Convention” 18 June 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Circular Economy Transitions and Resource Use” 18 June 2019

[IISD](#) SDG Knowledge Hub: Risse N “Paper Finds 104 SDG Targets with Linkages to Agenda for Humanity” 18 June 2019

[IISD](#) SDG Knowledge Hub: Riss N “14 Cities Discuss Common SDG Commitments, “Worldwide Movement” Towards VLRs” 20 June 2019

[IISD](#) SDG Knowledge Hub: Paul D “OECD Seeks Feedback on Policy Coherence for Sustainable Development” 20 June 2019

[Science](#): Rabesandratana T “These are the countries that trust scientists the most—and the least” 19 Jun 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Registration [here](#)

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Abstracts: 30 July 2019 – email to [ELA Secretariat](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Webber Wentzel: Carbon Tax Breakfast: Update, risks & innovative opportunities

Webber Wentzel, together with M&G, will be hosting a breakfast forum to unpack key issues related to the new Carbon tax laws which have now come into effect. This development impacts all businesses and industries in South Africa.

Date: 9 July 2019

Time: 08:30-11:00

Venue: Webber Wentzel, 90 Rivonia Road, Sandton, Johannesburg

Seats are limited and there is no fee for attending this event for Webber Wentzel clients

[RSVP](#)

Imbewu: Carbon Tax Workshop

Date: 16 July 2019

Time: 08h30 to 13h00

To register or for more information, contact [Lulu](#) / 011 214 0660 / [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-03.1.1 Environmental management system**
Date: 1 - 5 July 2019
- **CEM-01.2.1 Safety, health environmental and quality management**
Date: 1 July 2019 (10 weeks on-line)
- **CEM-07.2.1 Introduction to green economy for South Africa**
Date: 1 July 2019 (10 weeks on-line)
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-01.1.1 The fundamentals of environmental management**
Date: 15 - 19 July 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

No endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 30 July – 1 August in Nelspruit
- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria

Registration [here](#)

Digitisation of the Water Sector

CBSS has committed ourselves to the digitisation of the water sector, and have launched our first App, called WaterMonster, which takes field sampling into the future – it captures all your field observations, field measurements, location, and a photo of your sampling location on your cellphone, and when you click “submit”, an email containing all your data is delivered to your inbox. In addition, when you have to take a number of samples, you can get a summary excel-spreadsheet containing all the datasheets at whatever frequency you specify. Download the

app from the GooglePlay [Store](#) and play around with it. More details available on the CBSS website, [here](#)

In order to further the digitisation and digitalisation of the water sector, CBSS is launching a new data visualisation service, called Leguaan, which converts water monitoring data into interactive graphs and reports, quickly, and with no effort from your side. Just send us your lab reports, and you will receive verified graphs drawn with your data – and any type of graph can be generated, from time-series and box-and-whisker-plots to Mauchino-salt balances, and sparklines. Some examples of the interactive graphs are available [here](#), and all the details of how the Leguaa service works, are available [here](#)

DST, ASSAf and SAYAS: Annual Young Scientists Conference: Migration, Displacement and Mobility in Africa: Complex Issues in Current Times: Call for Abstracts

Date: 28 – 29 October 2019

Venue: Johannesburg, Gauteng

Deadline for abstracts: 31 July 2019

Further explanations of the sub-themes can be accessed on the ASSAf [website](#) or [here](#)

Conference Participation and Application: Access the application [form](#)

The application form should be completed and emailed to [Edith](#) or Tel: +27 (0)12 349 6614 by Wednesday, 31 July, 2019. There is no registration fee to attend the conference. Further information about the conference will be circulated to successful applicants.

Mandela Institute of the School of Law, University of the Witwatersrand: Public Lecture: Will we have the Rule of Law or the Rule of (the Strong) Man? By Mark R. Shulman, Fordham Law School, New York

Date: Thursday, 27 June 2019

Time: 17:30 for 18:00

Venue: Chalsty Teaching and Conference Centre, School of Law, West Campus, Wits

[Enquiries](#): Magda Janse Van Noordwyk or visit the [website](#)

International

University of Florida: Regulatory Delivery Online Course

Dates: 7 October – 29 November 2019

This course is designed primarily for regulators and policy-makers working on the energy market regulation across the Globe.

More information available on the [course webpage](#)

NEWS

National

- **Biodiversity**

Venter Z “Court denies alleged rhino poachers' bid to avert charges” [IOL](#) 14 June 2019 [Legalbrief 18 June 2019]

Ajam K and Dipa K “Keeping elephants in captivity - are zoos educational, useful?”
[IOL](#) 22 June 2019

- **Climate change and energy**

Robinson R “NGOs sue government, Ramaphosa over Mpumalanga’s ‘deadly air’”
[Mail & Guardian](#) 11 June 2019

“We must ‘keep the lights on’, says Creecy in response to Mpumalanga pollution lawsuit” [The Citizen](#) 12 June 2019 [Legalbrief 18 June 2019]

Kings S “Midrand’s ‘airpocalypse’ a reality with toxic air” [Mail & Guardian](#) 19 June 2019

- **Local government**

Wild S “The Cape’s plants are dying out – and local authorities need citizens’ help”
[GroundUp](#) 19 June 2019

Kretzman S “Heritage body pushes Woodstock developers back [GroundUp](#) 18 June 2019

- **Waste and water**

Waste: Cradock sewage plant failure goes unreported

“Untreated sewage is pouring into the Great Fish River following a major breakdown at the water treatment works at Cradock. Responding to a report by the DA of a human health, environmental and economic crisis unfolding as a result of the pollution, Department of Water and Sanitation spokesperson Sputnik Ratau said the plant had stopped working. ‘The Inxuba Yethemba local waste water treatment works appears to have been in this state for a number of weeks now, prior to the recent electricity cuts for non-payment and public unrest,’ Ratau said. According to a report in The Herald, the department was concerned that the Chris Hani district municipality, which manages the works, had not reported the breakdown or asked for help. ‘The ongoing non-compliance by the Chris Hani district municipality at Cradock has been escalated to the heads of department in the Eastern Cape Department of Co-operative Governance and Traditional Affairs and in the Premier’s office,’ he said.”

Full report in The Herald (subscription needed) Legalbrief Environmental 18 June 2019

Criminal: Farmer fined R3.5m for breaking water laws

“The owner of Tierhoek Boerdery in Clanwilliam has been slapped with a R3.5m fine for unlawful water activities. A Cape Times report says the farmer was found guilty in the Clanwilliam Regional Court of 11 criminal charges – six related to water, and five to environmental transgressions. This outcome was due to the co-operation between the Department of Water & Sanitation, the provincial Department of Environmental Affairs & Development Planning, and the NPA’s Assets Forfeiture Unit. The farmer allegedly contravened section 49A of the National Environmental Management Act by developing infrastructure for the off-stream storage of water. He was found guilty of unlawfully and intentionally failing to comply with the National Water Act by storing water without authorisation and failure to register and to submit an application to register dams with a safety risk

within 120 days to the Department of Water & Sanitation after completion of a dam. He was ordered to pay R1.25m to the Department of Water & Sanitation, R1.2m to the Provincial Department of Environmental Affairs & Development Planning, and R1m to the NPA.”

Full Cape Times report Legalbrief 19 June 2019

- **Miscellaneous**

“In Full: President Cyril Ramaphosa’s state of the nation address” [BusinessDay](#) 20 June 2019

Criminal: BP guilty of environmental breaches

“BP South Africa, convicted of environmental crimes in a private prosecution, and the Uzani Environmental Advocacy have been instructed by the Gauteng High Court (Johannesburg) to make representations regarding sentencing in the matter by 1 November. According to a Beeld report, BP replaced its lead counsel, Mike Hellens SC, with Barry Roux SC, who appeared on behalf of the petroleum giant on Friday when Judge Brian Spilg instructed the parties to present arguments regarding fines. The Environmental Protection Act provides for a fine of R100 000 plus up to three times the ‘commercial value’ of the 17 petrol stations constructed by BP in Gauteng without the necessary environmental impact assessments. The National Environmental Management Act also allows a possible fine equal to the monetary benefit BP derived by constructing the petrol stations. Spilg wants legal certainty on how these two Acts apply to the current case. He earlier held that the mere fact that BP applied to set matters right legally after construction in terms of section 24G of the Act makes the company guilty of an offence for not seeking approval before construction. BP said on Friday it did not agree with the conviction. ‘The legal process continues and BP is considering all its options,’ it said in a statement.”

Full Beeld report *Legalbrief* 18 June 2019

Pollution: Activists challenge eThekweni over broken air quality monitors

“The eThekweni Municipality has maintained that only three of its 15 air quality monitors were dysfunctional, a claim that is being disputed by environment groups. According to a Sunday Tribune report, the municipality, in its budget, has allocated R1m to maintain the instruments. Msawakhe Mayisela, city spokesperson, said it was committed to replacing the non-working monitors in Jacobs, Grosvenor and Warwick. Mayisela said the delay in repairing the monitors was caused by procurement processes and that the suppliers of the monitors were taking longer than expected. However, environmental activists claim that all the city’s monitors are non-operational. They say the municipality has failed to supply key information to protect its residents and environment over the years. The network is used to collect data detailing pollutants in the air. This information is often used to identify and fine offenders. Rico Euripidou, health campaigner for Groundwork, nonprofit environmental justice service and developmental organisation, said: ‘All we want is for government to do their job. According to the Air Quality Act, eThekweni Municipality has an obligation to monitor air quality and regulate polluting industries so we protect health and mitigate climate change.’”

Full Sunday Tribune report (subscription needed) *Legalbrief Environmental* 18 June 2019

International

- **Biodiversity, animal rights and culture**

De Greef K “500 Vultures Killed in Botswana by Poachers’ Poison, Government Says” [Botswana] [New York Times](#) 21 June 2019

“Once considered friendly giants, Botswana has a new relationship with elephants” [The Independent](#) 20 June 2019

De Waal L “Elephant poaching on the rise as Botswana allows trophy hunting” [IOL](#) 19 June 2019

France O “US Supreme Court rules Bladensburg Memorial Cross Constitutional” [The Jurist](#) 20 June 2019

Heller S “Experts are scratching their heads over a mysterious new species called a ‘cat-fox’ found wandering on a French island” [Business Insider](#) 21 June 2019

“Russians capture hungry polar bear roaming Arctic city” [News24](#) 21 June 2019

Cockburn H “Government faces legal action over changes to Brexit laws which ‘weaken environmental protections’ - ‘Henry VIII powers’ threaten to weaken protections safeguarding seals, otters, dolphins and seabirds, say environmental groups” [The Independent](#) 21 June 2019

Wood J “Coping with crisis: how scientists are making an invasive crab a delicacy” [The Guardian](#) 21 June 2019

- **Climate change and energy**

Pollution: Electric cars produce toxic emissions too – scientists

“Electric cars produce toxic emissions that are contributing to Britain’s air pollution problem, experts have warned. According to a report in The Mercury, microscopic particles that pollute the air are produced by all vehicles, even ‘zero emission’ electric cars, which are marketed on their green credentials. Air pollution is linked to the early deaths of nearly 64 000 people a year in the UK. Diesel cars have been blamed for producing most of the tiny particles and nitrogen oxides that damage human health. But scientists say petrol, hybrid and electric vehicles are also to blame because many of these particles come from the plastics in modern tyres and brakes that are thrown into the air, as they are worn away. The findings, revealed on Britain’s Channel 4 programme, came from an experiment conducted by scientists from King’s College London. They measured the exposure to air pollution of more than 50 pupils from a London primary school, and found that on their journey to school, nitrogen dioxide was 53% higher than the legal limit. But plastic pollution from tyres and brakes was also a big issue.”

Full report in The Mercury (subscription needed) Legalbrief Environmental 18 June 2019

DeLorenzo T “New EPA rule targets Obama-era limits on coal-fired power plant emissions” [The Jurist](#) 21 June 2019

Stone J “Eastern European states block bid for EU climate change 2050 decarbonisation target” [The Independent](#) 21 June 2019

Giordano C “Almost 70% of Britons want faster political action on climate change, poll finds” [The Independent](#) 19 June 2019

Carrel S “Greenpeace serves BP 'climate injunctions' at end of oil rig protest” [The Guardian](#) 20 June 2019

Murphy K “Liberal states in talks to revive Turnbull's dumped energy policy” [The Guardian](#) 21 June 2019

- **Local government**

Dave P “Google invests \$1 bln to ease housing shortage near California headquarters” [Place](#) 18 June 2019

Gallmeyer C “The European Court of Justice rules Germany Autobahn toll is unconstitutional” [The Jurist](#) 20 June 2019

Woon W “Singapore stars lost in night sky as light pollution shines the brightest” [The Independent](#) 22 June 2019

Flavelle C “Climate breakdown to trigger debate over which cities to protect from rising sea levels” [The Independent](#) 21 June 2019

Cockburn H “Climate change crisis: Thawing permafrost forcing Alaskan villages to relocate” [The Independent](#) 20 June 2019

Cox L “City of Sydney councillors to vote on declaring climate crisis a national emergency” [The Guardian](#) 21 June 2019

- **Mining**

“Vale says hopes to reach dam burst global settlements by year-end” [Mining Weekly](#) 14 June 2019 [Legalbrief Environmental 18 June 2019]

Boyle K “US Supreme Court allows Virginia Uranium mining ban to stand” [The Jurist](#) 17 June 2019

- **Waste, Water and Chemicals**

Environmental: Bank under pressure to quit hydropower project

“The African Development Bank (AfDB) is under pressure from environmental lobby groups to withdraw support for the Grand Inga hydropower project in the Democratic Republic of Congo, says a Business Day report. Lobby groups say that the \$80bn project – aimed at generating 40 000MW of power on the Congo River – is overpriced and susceptible to corruption and other risks. The project – driven by three construction giants from Spain and China and expected to be funded by the AfDB and the European Investment Bank, among others – has been embroiled in controversy since it was announced. This led to the withdrawal of the World Bank as a potential sponsor in 2016. In 2014, the SA Government approved the ratification of the Grand Inga Treaty with the DRC, which would entail SA buying more than half the power generated by the first phase of one of the world’s biggest hydroelectric projects. In the DRC, the project will displace 30 000 people in communities living along the Congo River, separating local farmers and fishermen from the river that sustains their livelihoods, but with no tangible benefit for the Congolese people. The vast majority of the power generated from the dam will

supply international corporations and the DRC's biggest buyer, SA. Researchers at the University of California published a recent modelling study which estimated that the project will cost SA consumers R4.3bn a year.

Full Business Day report (subscription needed) Legalbrief 21 June 2019

"Among world's worst polluters, Asean vows to tackle ocean waste" [News24](#) 22 June 2019

Ramos N "Impoverished Chilean neighbourhood's pioneering waste recycling scheme unites community" [The Independent](#) 21 June 2019

Cockburn H "Plastic waste swamping UK rivers, with one waterway more polluted than Great Pacific Garbage Patch, report says" [The Independent](#) 19 June 2019

McVeigh K "Vanuatu to ban disposable nappies in plastics crackdown: 'We had no choice'" [The Guardian](#) 22 June 2019

McCormick E *et al* "Americans' plastic recycling is dumped in landfills, investigation shows" [The Guardian](#) 21 June 2019

- **Miscellaneous**

Biron CL "Residents of U.S. pig farming state kick up a stink over property rights" [Place](#) 19 June 2019

"WeRobotics Launches \$235,000 Challenge to Solve Social Issues through Drone Data" [PR Newswire](#) 19 June 2019

Kahiurika N "Namibia: Tobacco Plant Approval Draws Criticism" [AllAfrica](#) 19 June 2019 [Legalbrief 21 June 2019]

Rohtla S "UN Secretary-General implores all nations to actively preserve the oceans" [The Jurist](#) 18 June 2019

"Millions of pigs culled as swine fever spreads through Asia" [News24](#) 22 June 2019

Siegle L "Fast fashion is on the rampage, with the UK at the head of the charge" [The Guardian](#) 21 June 2019

Perkins T "Critics seek to stop Great Lakes pipeline run by company with poor safety habits" [The Guardian](#) 20 June 2019

Taylor M "Sadiq Khan announces car-free day in London to tackle air pollution" [The Guardian](#) 20 June 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Unisa College of Law: nGap position

Florida Science Campus/Brooklyn House Lecturer X1 (P8) on a permanent full-time basis with a contractual obligation to participate successfully in the Staffing South Africa's Universities' Framework (SSAUF) Development Programme from 2020 to 2025

Closing date: 28 June 2019

More [information](#)

Candidate Attorney: Bentley Attorneys Mount Edgecombe, KwaZulu-Natal
More [information](#)

Gauteng Province Directorate: Legal Services: Post 22/87: Director: Policy and Legal Services REFS/004151

Closing date: 5 July 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy.*](#)

Discount available for ELA members.

ELA NEWSLETTER 24

28 June 2019

LEGISLATION

NOTICES

Marine Living Resources Act 18 of 1998 – GN 937 in GG 42545 of 28 June 2019
- Recognition of interest group: East of Cape Hanglip Lobster Association

Animal Diseases Act 35 of 1984 – GN 936 in GG 42545 of 28 June 2019 -
Proposed amendments to regulations under the Animal Diseases Act – for
comment

Statistics South Africa: Consumer Price Index: May 2019 – GN 343 in GG 42545
of 28 June 2019

Petroleum Pipelines Act 60 of 2003 – GN 935 in GG 42543 of 26 June 2019 -
Amended Rules made in terms of section 33(3) – for comment

PROVINCES

Mpumalanga

Spatial Planning and Land Use Management Act (16/2013) – PN 24 in PG 3062
of 28 June 2019 - City of Mbombela: Adoption of the Spatial Development
Framework Review (2019)

Constitution of the Republic of South Africa, 1996 and Local Government:
Municipal Systems Act 32 of 2000 – PN 27 in PG 3062 of 28 June 2019 -
Mkhondo Local Municipality - Electricity By and Fire Brigade By-law

Northern Cape

Constitution of the Republic of South Africa, 1996 and Local Government:
Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Cemetery Bylaws
for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government:
Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Bylaws Relating
to the Removal of Refuse for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - By-Laws Relating to Nuisances for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Waste Management Bylaws for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Street Trading Bylaws for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Bylaws Relating to the Removal of Refuse for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Public Health Bylaws for Nyandeni Municipality

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – PG 4259 of 24 June 2019 - Pound Bylaws for Nyandeni Municipality

CASES

National

Cape Gate (Pty) Ltd and Others v Eskom Holdings (Soc) Ltd and Others 2019 (4) SA 14 (GJ)

“Electricity—Supply—Eskom—Duty to supply end users where municipal intermediary defaulting on Eskom debt—Right of end user to enforce supply—User having public-law right to electricity supply, directly enforceable against Eskom—Eskom’s decision to interrupt supply potentially reviewable under Promotion of Administrative Justice Act 3 of 2000.

Electricity—Supply—Termination—Remedy—Eskom deciding to cut off supply to delinquent municipality—Court declaring intragovernmental dispute—Dispute referred back to Eskom and municipality for resolution within six months, failing which Eskom’s decision to terminate may be set down for review—Constitution, s 41(3), s 41(4).”

Bergrivier Municipality v Van Ryn Beck 2019 (4) SA 127 (SCA)

“Delict—Elements—Negligence—Storm-water system overwhelmed and home flooded—Alleged negligent and wrongful omission to provide effective system.”

Tembu Convenience Centre CC and Another v City of Johannesburg and Others 2019 (4) SA 194 (SCA)

“Local authority—Streets and roads—Closure of part of street—Creation of bus lane bounded by rumbling stones and solid island—Section governing—Local Government Ordinance 17 of 1939, ss 66(1)(b)(i) and 67(1).”

International

Craeynest and Others Judgment of the European Court of Justice in [Case C-723/17](#) 26 June 2019

“National courts have jurisdiction to review the choice of location of air quality measuring stations and to take all necessary measures against the national authority concerned. In assessing whether limit values have been complied with, the pollution level at each sampling point must be taken into account individually.” [Summary]

PUBLICATIONS

National

Department of Environmental Affairs “Mitigation Monitoring and Evaluation [Guidelines](#) Series of the National Climate Change Response Monitoring and Evaluation System Volume 1” (June 2019)

South African Cities Network “The state of the Expanded Public Works Programme in South African cities” ([Report](#) June 2019)

International

Human Rights Watch “World [Report](#) 2019” (June 2019) [provided by Sue Mossdel]

Athayde Simone *et al* “Improving policies and instruments to address cumulative impacts of small hydropower in the Amazon” 2019 132 *Energy Policy* 265-271 <https://doi.org/10.1016/j.enpol.2019.05.003>

Link JS and Watson RA “Global ecosystem overfishing: Clear delineation within real limits to production” 2019 5(6) [Science Advances](#) DOI: 10.1126/sciadv.aav0474

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[The Conversation](#): Kock A “Robben Island joins list of 20 new protected marine sites in South Africa” 25 June 2019

- **Local government**

[Auditor-General](#) “MFMA 2017-18 local government audit outcomes” (June 2019) [provided by Anél du Plessis]

Africa

- **Climate change and energy**

[REEEP](#): “Beyond the Grid Fund for Zambia Wins Ashden Award for Innovative Finance” 26 June 2019

International

- **Biodiversity, parks and culture**

[Science](#): Mayes K “Cockroaches may soon be unstoppable—thanks to fast-evolving insecticide resistance” 28 June 2019

[The Conversation](#): Benoit J and Manger P “How did elephants evolve such a large brain? Climate change is part of the answer” 27 June 2019

- **Climate Change and Energy**

[Bulletin of the Atomic Scientists](#): Hecker SS and Kassianova AA “The future of global nuclear power through the eyes of young Russian and American professionals” 20 June 2019

[Frankfurt School](#): “Renewable energy investment in 2018 hit USD 288.9 billion, far exceeding fossil fuel investment” 18 June 2019

[Science](#): Camero K “Aviation’s dirty secret: Airplane contrails are a surprisingly potent cause of global warming” 28 June 2019

[Science](#): Kintisch E “New climate ‘stripes’ reveal how much hotter your hometown has gotten in the past century” 26 June 2019

[IISD](#) ENB: Bonn Climate Change Conference: Summary report 27 June 2019

[The Guardian](#): Brockes E “When Alexandria Ocasio-Cortez met Greta Thunberg: ‘Hope is contagious’” 29 June 2019

[The Guardian](#): Thornhill J “Under new rules for selling solar power, is it still worth it?” 30 June 2019

[The Guardian](#): Ambrose J “Build more nuclear reactors to reach net zero carbon target – CBI” 28 June 2019

[The Guardian](#): Watts J “UK committed nearly £2bn to fossil fuel projects abroad last year” 27 June 2019

[The Guardian](#): Wintour P “Iran says progress made in nuclear talks is still not enough” 28 June 2019

- **Local government**

[The Conversation](#): Patel O “Pasha 25: A Brazilian city offers South Africa lessons on ending hunger: 26 June 2019

[Science](#): Service RF “New solar technology could produce clean drinking water for millions in need” 28 Jun 2019

[Place](#): Chandran R “Doing the ‘I turn’ Japan taps tourism to lure city dwellers to emptying villages” 26 June 2019

[Place](#): Chandran R “No room on water, no home on land for Cambodia's ethnic Vietnamese” 27 June 2019

[Place](#): Malo S “Stop building on floodplains, say flood-hit U.S. families” 24 June 2019

[ICLEI](#) City Talk: South American visions for nature-based resilience” 28 June 2019

- **Water, waste and chemicals**

[IISD](#) ENB: 41st Meeting of the Open-Ended Working Group of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (OEWG 41) 1-5 July 2019 | UN Conference Centre (UNCC), Bangkok, Thailand

[IISD](#) ENB: 2019 High-Level Political Forum on Sustainable Development (HLPF 2019) Empowering People and Ensuring Inclusiveness and Equality 9-19 July 2019 | UN Headquarters, New York

- **Miscellaneous**

[IISD](#) ENB: The Hidden Costs of American Food 26 June 2019 | Washington, DC, US

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Registration [here](#)

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Abstracts: 30 July 2019 – email to [ELA Secretariat](#)

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019

For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /

Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256

More [information](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Webber Wentzel: Carbon Tax Breakfast: Update, risks & innovative opportunities

Webber Wentzel, together with M&G, will be hosting a breakfast forum to unpack key issues related to the new Carbon tax laws which have now come into effect. This development impacts all businesses and industries in South Africa.

Date: 9 July 2019

Time: 08:30-11:00

Venue: Webber Wentzel, 90 Rivonia Road, Sandton, Johannesburg

Seats are limited and there is no fee for attending this event for Webber Wentzel clients

[RSVP](#)

Imbewu: Carbon Tax Workshop

Date: 16 July 2019

Time: 08h30 to 13h00

To register or for more information, contact [Lulu](#) / 011 214 0660 / [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 8 - 12 July 2019
- **CEM-01.1.1 The fundamentals of environmental management**
Date: 15 - 19 July 2019
- **CEM-05.3.1: Environmental risk assessment and management**
Date: 12 - 16 August 2019
- **CEM-02.1.1: Environmental law (Master class)**
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A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

No endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 30 July – 1 August in Nelspruit
- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria

Registration [here](#)

Digitisation of the Water Sector

CBSS has committed ourselves to the digitisation of the water sector, and have launched our first App, called WaterMonster, which takes field sampling into the future – it captures all your field observations, field measurements, location, and a photo of your sampling location on your cellphone, and when you click “submit”,

an email containing all your data is delivered to your inbox. In addition, when you have to take a number of samples, you can get a summary excel-spreadsheet containing all the datasheets at whatever frequency you specify. Download the app from the GooglePlay [Store](#) and play around with it. More details available on the CBSS website, [here](#)

In order to further the digitisation and digitalisation of the water sector, CBSS is launching a new data visualisation service, called Leguaan, which converts water monitoring data into interactive graphs and reports, quickly, and with no effort from your side. Just send us your lab reports, and you will receive verified graphs drawn with your data – and any type of graph can be generated, from time-series and box-and-whisker-plots to Mauchino-salt balances, and sparklines. Some examples of the interactive graphs are available [here](#), and all the details of how the Leguaa service works, are available [here](#)

DST, ASSAf and SAYAS: Annual Young Scientists Conference: Migration, Displacement and Mobility in Africa: Complex Issues in Current Times: Call for Abstracts

Date: 28 – 29 October 2019

Venue: Johannesburg, Gauteng

Deadline for abstracts: 31 July 2019

Further explanations of the sub-themes can be accessed on the ASSAf [website](#) or [here](#)

Conference Participation and Application: Access the application [form](#)

The application form should be completed and emailed to [Edith](#) or Tel: +27 (0)12 349 6614 by Wednesday, 31 July, 2019. There is no registration fee to attend the conference. Further information about the conference will be circulated to successful applicants.

NEWS

National

- **Biodiversity**

Venter Z “Lion bone trade under spotlight as SPCA slams exports quota” [News24](#) 25 June 2019

“Most people have no idea that this is the world's most poached animal” [News24](#) 29 June 2019

Kings S “Kalahari will become too hot for birds” [Mail & Guardian](#) 28 June 2019 [subscription/newspaper needed]

- **Climate change and energy**

Gosling M “Water scarcity is the new normal in the face of climate change: [News24](#) 28 June 2019

Mkhwanazi S “Legal battle over oil reserve sale continues” [IOL](#) 30 June 2019

- **Local government**

Kretzmann S “Pharmaceuticals and industrial chemicals found in fish caught off Cape Town’s coast City’s waste is ending up in its fish” [GroundUp](#) 25 June 2019

“Mashaba says 'no waste pickers' road sign is not official, urges residents to report illegal signs” [News24](#) 29 June 2019

- **Mining**

Cowan K “'Dishonest' Bosasa boss Gavin Watson ordered to pay back millions in BEE mining shares” [News24](#) 27 June 2019

- **Waste and water**

Wambui C “'Peace ambassadors' ease water conflicts in drought-prone Kenya” [Place](#) 27 June 2019

“Great Fish River pollution: Water and sanitation dept takes local municipality to court” [News24](#) 25 June 2019

Ngubane N “Pietermaritzburg municipality lets water go to waste, but residents have to queue at the tap 100 people to one tap in Pavilion informal settlement” [GroundUp](#) 27 June 2019

- **Miscellaneous**

“Editorial: Pollution blame game” [Mail & Guardian](#) 28 June 2019

Kings S “Breath, death and data: The air in our cities is killing us” [Mail & Guardian](#) 28 June 2019

International

- **Biodiversity, animal rights and culture**

[Place](#): Solsvik T “Better satellite images to help save rainforests, Norway says” 25 June 2019

“Watch: Malaysia seizes over 5 000 smuggled terrapins” [News24](#) 28 June 2019

Cagle S “Heatwave cooks mussels in their shells on California shore” [The Guardian](#) 29 June 2019

Moss S “Hello exotic egrets, farewell mountain butterflies as fauna revolution hits UK” [The Guardian](#) 29 June 2019

Bennetts M “Russia criticised for 'dumping' trapped whales at sea” [The Guardian](#) 28 June 2019

Cox L “Minister grants woodlands protection after years of delay by predecessors” [Australia] [The Guardian](#) 28 June 2019

Harvey F “Eel smuggling arrests rise 50% in Europe-wide crackdown” [The Guardian](#) 27 June 2019

Chingono N “Lift 'unfair' ban on ivory trade, southern African leaders urge summit” [The Guardian](#) 26 June 2019

- **Climate change and energy**

Gerrard MB “The heat is on, New York: A new [climate law](#) is a major landmark, but now requires work and sacrifice” [New York Daily News](#) 23 June 2019

According to Prof Gerrard, it is one of the strongest climate laws ever enacted anywhere in the world. It has legally binding requirements for zero-emissions electricity by 2040 and an 85% reduction from 1990 economy-wide greenhouse gas levels by 2050, with an objective of net zero.

[EcoWatch](#): “‘Historic Moment’ for Indigenous People at Climate Talks, New Climate Leader Says” 25 June 2019

“Trump dismisses need for climate change action: ‘We have the cleanest water we’ve ever had, we have the cleanest air’” [The Independent](#) 29 June 2019

Weston P “Saudi-led group of oil-producing countries gets major climate report scrubbed from UN negotiations The landmark IPCC report was blocked from formal UN climate talks at Bonn this week” [The Independent](#) 28 June 2019

Dmitracova O “UK to get its biggest carbon capture plant in 2021, trapping 22,000 cars worth of emissions Government also signs law to reduce UK greenhouse gas emissions to net zero by 2050” [The Independent](#) 27 June 2019

Carrington D “Climate apartheid’: UN expert says human rights may not survive” [The Guardian](#) 25 June 2019 – see also United Nations on Human rights and climate change [here](#)

Savage M “End onshore windfarm ban, Tories urge” [The Guardian](#) 30 June 2019

Wilson J “How Republicans killed Oregon’s climate crisis bill – by fleeing the state” [The Guardian](#) 29 June 2019

McCurry J “Trade wars, tweets and western liberalism: G20 summit wraps up in Osaka” [The Guardian](#) 29 June 2019

Milman O “US generates more electricity from renewables than coal for first time ever” [The Guardian](#) 26 June 2019

“Zambia clean energy project wins international climate award for finance innovation” [IOL](#) 28 June 2019

Shi XL “Ontario top court upholds government’s carbon pollution tax” [The Jurist](#) 30 June 2019

- **Mining**

Pidd H “Anti-fracking activists breached injunction, judge rules” [The Guardian](#) 28 June 2019

- **Waste, Water and Chemicals**

“Watch: In Russia, nation-wide grudge grows over Moscow’s waste” [News24](#) 28 June 2019

Dennis TE “Scientists discover 56 lakes beneath Greenland ice sheet which could be home to ‘extreme life’ ‘These lakes could provide important targets for direct exploration,’ expert says” [The Independent](#) 26 June 2019

“The Observer view on the water industry being unfit to face the challenge of global heating” [The Guardian](#) 30 June 2019

Blair G “Residents of America’s Cancer Town confront chemical plant owner in Japan” [The Guardian](#) 26 June 2019

- **Miscellaneous**

[Place](#): Kirui D “Kenyan tribe divided over women's land rights after landmark ruling” 25 June 2019

[Place](#): Pullella P “Venice must be put on UN danger list, ban cruise ships – conservationists” 24 June 2019

[ABC News](#): Collins B “High Court to determine Aboriginal right to exclude public from popular camping beaches” 26 June 2019

Jong HN: Customary land map, a first for Indonesia, launches to mixed reception” [Mongabay](#) 26 June 2019

“World's indigenous people gather in New Zealand” [RNZ](#) 26 June 2019

Clery D “Divisive giant telescope cleared for construction on Hawaiian peak” [Science](#) 25 June 2019

Holden E “People of color live with 66% more air pollution, US study finds” [The Guardian](#) 27 June 2019

Carrington D “Action on air pollution works but far more is needed, study shows” [The Guardian](#) 26 June 2019

Gallmeyer C “EU Court rules on air pollution standards” [The Jurist](#) 27 June 2019

Ross J “San Francisco to ban e-cigarettes lacking FDA approval” [The Jurist](#) 26 June 2019

Winkels L “France [court](#) holds government liable in air pollution case” [The Jurist](#) 25 June 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Johannesburg: Senior Lecturer (Law and Fourth Industrial Revolution (4IR))

Closing date: 11 July 2019

More [information](#)

University of Johannesburg: Lecturer in Social Protection and Social Security Law) (nGAP)

Closing date: 11 July 2019

More [information](#)

University of Pretoria: Lecturer law: Administrative law, Socio-economic rights

Closing date: 15 July 2019

More [information](#)

University of Pretoria: Lecturer/Senior Lecturer: Policy Studies, Education Law or Education Leadership and Management

Closing date: 12 July 2019

More [information](#)

University of the Free State: Head of UFS Law Clinic

Closing date: 12 July 2019

More [information](#)

International

Netherlands: Master's and Training Courses Orange Knowledge Programme

More [information](#)

Fulbright Visiting Scholar Program: Independent Postdoctoral research at a U.S. academic institution

Deadline for applications: 01 October 2019

[Read more](#)

Germany Master's: Development related Post-graduate Courses

Various fields of study and various deadline depending on the course of study

Read [more](#)

Germany: Master's Helmut Schmidt Programme

Master scholarships for public policy and good governance in Germany in the field of social sciences, political sciences, law, economics and public administration

Deadline: 31 July 2019

Read [more](#)

Egypt: Bachelor British University in Egypt

Bachelor scholarship applications: 30 July 2019

Read [more](#)

India: Training Courses: Indian Technical and Economic Cooperation Programme

Postgraduate opportunities to study various courses in India.

Various deadlines for different training programmes

Read [more](#)

Postdoctoral position at the Department of Environmental Law of Faculty of Law of Charles University, Prague, Czech Republic

With the aim of constant research development and academic relationships strengthening, let me inform you about the new postdoctoral position at the Department of Environmental Law of Faculty of Law of Charles University. We are seeking highly qualified postdoctoral candidates interested in environmental law research, mainly focusing on the legal issues related to climate change as our very new topic of postdoctoral research is titled "Climate Change and the Law".

Young academics will work on their project concerning climate change at the Department of Environmental Law for a period of 2 years maximum. The payment of PostDoc researchers will be 2.000,- EUR per month and person.

Academics eligible for PostDoc positions must have received a PhD degree no more than 10 years prior to the application deadline and cannot be awarded a degree in law of professor prior to the application deadline.

Applications for the positions opening from the January 1st, 2020 must be submitted till July 21st, 2019. The applicant should provide an Application Form and Letter of Reference (both attached), a detailed CV, list of publications and copy of university diploma. For more information, please see the University [webpage](#) and [email](#) the Department of Environmental Law to obtain the application and reference forms.

University of Bergen Faculty of Law PhD position in Law

More [information](#)

University of Amsterdam, Department of History, European Studies and Religious Studies: Assistant professor of Political and Legal Governance of the EU

More [information](#)

University of California Santa Cruz Department of Environmental Studies Lecturer Pool (Ongoing) in Environmental Studies Department

More [information](#)

University of California Santa Cruz Legal Studies Program: Lecturer Pool (Ongoing) in Legal Studies Program

More [information](#)

Australian National University's Crawford School of Public Policy: Three positions for research projects on energy transition

The emphasis is on applied research with policy impact, in a collaborative environment. Applications are open until end of August.

More [information](#)

Germany: Training Course: Short term Grants and Scholarships: 2019

Short term grants in Germany in German language and cultural studies

Deadline for scholarships applications: 15 August 2019

Read [more](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 25

5 July 2019

LEGISLATION

NOTICES

Petroleum Products Act 120 of 1977 - GN R956 in GG 42555 of 2 July 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers amended with effect from 3 July 2019

Petroleum Products Act 120 of 1977 - GN R957 in GG 42555 of 2 July 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 3 July 2019

Petroleum Products Act 120 of 1977 - GN R958 in GG 42555 of 2 July 2019 - Regulations in respect of petroleum products published in GN R851 in GG 42507 of 4 June 2019 substituted with effect from 3 July 2019

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R28 in GG 42562 of 5 July 2019 - Referral of matters to existing Special Investigating Unit in respect of the affairs of the Department of Water and Sanitation

National Environmental Management Act 107 of 1998 - GNs 960 & 961 in GG 42561 of 5 July 2019 - Notice of the requirement to submit a report generated by the national web based environmental screening tool

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Structures Act 117 of 1998 and Local Government: Municipal Finance Management Act 56 of 2003 - LAN 139 in PG 4262 of 1 July 2019 - Kouga Municipality - Revision of tariffs in respect of water, sanitation, refuse, electricity and environmental management fee published with effect from 1 July 2019

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 141 in PG 4262 of 1 July 2019 - Makana Local Municipality - Draft Spatial Development Framework - for comment

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 85 in PG 2096 of 4 July 2019 - Jozini Local Municipality - Building Regulations and Building By-law, 2018

CASES

National

Minister of Mineral Resources v Stern and Others; Treasure the Karoo Action Group and Another v Department of Mineral Resources and Others (1369/2017; 790/2018) [2019] [ZASCA](#) 99 (4 July 2019)

Summary: Statute – whether Minister of Mineral Resources empowered by s 107(1) of the Mineral and Petroleum Resources Development Act 28 of 2002 to make the Regulations for Petroleum Exploration and Production, 2015 (the Petroleum regulations) – Petroleum regulations regulate process and requirements of application for environmental authorisation under the National Environmental Management Act 107 of 1998 (NEMA) and set a regulatory framework and norms and standards for management of environmental impacts of petroleum exploration and production – Minister of Environmental Affairs empowered by NEMA to make regulations regarding these matters – Minister of Mineral Resources not empowered to make regulations regarding environmental matters – impractical to sever invalid regulations from the Petroleum regulations – Petroleum regulations set aside in their entirety.

PUBLICATIONS

International

2019 9(3) [Climate Law](#) Special Issue: Implementing the Paris Agreement: Lessons from the Global Human Rights Regime

Eckstein Gabriel *et al* “Conferring legal personality on the world’s rivers: A brief intellectual assessment” 2019 *Water International*
DOI: [10.1080/02508060.2019.1631558](#)

ICLEI “ICLEI in the Urban Area” ([Report](#) June 2019)

Anderson WB “Synchronous crop failures and climate-forced production variability” 2019 5(7) [Science Advances](#) DOI: 10.1126/sciadv.aaw1976

Brancalion PHS “Global restoration opportunities in tropical rainforest landscapes” 2019 5(7) [Science Advances](#) DOI: 10.1126/sciadv.aav3223

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[The Conversation](#): Mead L “South Africa Launches Green Transport Strategy” 2 July 2019

- **Mining**

[GroundUp](#): Ryan C “Billions in mining royalties intended for the poor squandered, stolen or diverted Corruption Watch report finds revised Mining Charter isn’t working” 1 July 2019

- **Water and waste**

[The Conversation](#): Haddaway NR *et al* “Technology can make collecting and analysing evidence for policy easier” 1 July 2019

[GroundUp](#): Chriume J “Rubbish piles up outside expensive dump site” 3 July 2019

- **Miscellaneous**

[GroundUp](#): Mutandiro K “Women and unemployed young men dodge trains to scavenge for coal” 3 July 2019

[The Conversation](#): Shackleton C “Smallholder crop farming is on the decline in South Africa. Why it matters” 3 July 2019

[The Conversation](#): Fourie W “South Africa’s first SDG report card: how to move beyond ticking boxes” 3 July 2019

Africa

- **Biodiversity and protected areas**

[The Conversation](#): Bradshaw CJA and Di Minin E “African countries and the state of their environments: the best and the worst” 27 June 2019

[The Conversation](#): Chazdon R “High-value opportunities exist to restore tropical rainforests around the world – here’s how we mapped them” 3 July 2019

- **Climate change and energy**

[The Conversation](#): Makonese T “Quick-fix solutions to Zimbabwe’s huge electricity crisis” 1 July 2019

[The Conversation](#): Benson Wahlén C “North Africa Adopts 2019-2020 Roadmap for SDG Implementation” 2 July 2019

- **Mining**

[The Conversation](#): Obura D “Court stops construction of Kenya’s coal power plant. Here’s why” 28 June 2019

International

- **Biodiversity, parks and culture**

[IISD](#) ENB: 9th Trondheim Conference on Biodiversity 2-5 July 2019 | Trondheim, Norway

[IISD](#) ENB: Romeo R “Mountain Sustainability: Turning Competing Interests into a Shared Vision” 4 July 2019

- **Climate Change and Energy**

[Sustainable Code](#): “Pedestrian Mobility Chapter” Chapter 4.3

[IISD](#) SDG Knowledge Hub: Mead L “G20 Meetings Urge Energy Transitions for Sustainable Growth” 4 July 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Bonn Climate Talks Make Progress on Article 6, Loss and Damage, Agriculture, but Disappoint Many on Science” 4 July 2019

[IISD](#) SDG Knowledge Hub: Wagner L “True Costs of Food Event Discusses Links with Climate, SDGs” 4 July 2019

[The Conversation](#): Cloke H “Heatwave ‘completely obliterated’ the record for Europe’s hottest ever June” 3 July 2019

Sabin Centre Climate Law [Blog](#): Wentz J “New draft guidance on climate change and NEPA reviews unlikely to significantly affect agency practice or judicial interpretation of NEPA obligations” 24 June 2019

Sabin Centre Climate Law [Blog](#): Wentz J “Four important points about EPA’s affordable clean energy rule” 20 June 2019

Sabin Centre Climate Law [Blog](#): Wentz J “trump administration’s efforts to roll back climate protections haven’t gotten far and may not last, new report reveals” 18 June 2019

[The Conversation](#): Mead L “G20 Countries Seek to Accelerate Energy Efficiency Progress through Cooperation” 2 July 2019

- **Local government**

[Place](#): Davies S “No guilt trip: In space-starved cities, a 'fairer' type of home sharing emerges” 2 July 2019

[Place](#): Tabary Z “All aboard: The double-decker buses housing London’s homeless” 1 July 2019

[Place](#): Chandran R “Doing the ‘I turn’ Japan taps tourism to lure city dwellers to emptying villages” 26 June 2019

[Place](#): Suliman A “Cities can be ‘antidote’ to extremism, says London mayor” 25 June 2019

ICLEI 2019 Resilient Cities Congress: [Highlights](#)

[City Talk](#): Rettberg S “How design thinking and landscape architecture can help cities regain their resilience” 26 June 2019

[City Talk](#): Rettberg S “From rubbish to resource: Building resilient urban food systems” 27 June 2019

[City Talk](#): Rettberg S “South American visions for nature-based resilience” 28 June 2019

- **Water, waste and chemicals**

International Water Law [Blog](#)

The mission of the International Water Law Project (IWLP) is to serve as the premier resource on the Internet for international water law and policy issues. Its purpose is to educate and provide relevant resources to the public and to facilitate cooperation over the world's fresh water resources. As the subject evolves and develops, the IWLP will continue to update its pages and databases. We welcome and appreciate contributions and submissions including new publications, URLs, news stories, cases, corrections, and comments.

- **Miscellaneous**

[INECE](#): "INECE Compliance Conversation - Session 1 Notes: Addressing Emissions from Secondhand Car Imports in Africa and Asia" (took place 15 February 2019)

[INECE](#): "Video Recording - Collecting and Reporting Evidence of Environmental Law Violations: Tools That Work for Citizens" (Whistleblowers and Citizen-Driven Enforcement Discussion Series) 13 June 2019 [subscription needed]

[INECE](#): "Video Recording & Slides - Enforcing Maritime Laws: The Role of Private Citizens" (Whistleblowers and Citizen-Driven Enforcement Discussion Series) 17 April 2019

[INECE](#): Ugbodaga K "Sanwo-Olu Declares State of Emergency on Environment, Traffic Management" 30 May 2019

[INECE](#): Jeantet D and Savarese M "Brazil Reduces Top Environment Council, Trims Independents" 30 May 2019

[IISD](#) SDG Knowledge Hub: Bachelet M "The Ripple Effect of Rights-based Approaches: Creating Waves of Positive Change" 4 July 2019

[IISD](#) SDG Knowledge Hub: Fishman A "SDG Knowledge Weekly: G20 Summit and the Environment" 4 July 2019

[IISD](#) SDG Knowledge Hub: Global Environment Pact Recommendations Forwarded to UNGA" 4 July 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM "Global Environment Pact Recommendations Forwarded to UNGA" 4 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C "Fourth Edition of SDG Index and Dashboards Highlights Performance Gaps on SDGs 12, 13, 14, 15" 4 July 2019

[Science](#): Service RF "This former playwright aims to turn solar and wind power into gasoline" 3 July 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)
27-28 September 2019 (ELA Conference and AGM)
Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal
Abstracts: 30 July 2019 – email to [ELA Secretariat](#)

IAIAsa Gauteng Branch: Incorporating Biodiversity and Wetland Offsets into the EIA process

Date: Wednesday 24 July 2019
Time: 08h30 - 12h30
Venue: Sunset Boma, 79 Main Road (R55), Blue Hills, Midrand
The invitation is available [here](#)
A Map to the venue is available [here](#)
To register for the IAIAsa GP Branch event, follow the following [link](#)
Registration closes 17:00 Monday 22 July 2019 (if you register and cannot attend, please note penalties)

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019
Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province
Draft [Programme](#)
Registration [here](#)

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019
Venue: Old Senate Hall, F4 North-West University, Potchefstroom
Registration is free, but transport and accommodation costs are for the participant's own account
Abstract deadline: 16 August 2019
Submission of abstracts [here](#)
More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019
For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /
Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256
More [information](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Imbewu: Carbon Tax Workshop

Date: 16 July 2019

Time: 08h30 to 13h00

To register or for more information, contact [Lulu](#) / 011 214 0660 / [website](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-01.1.1 The fundamentals of environmental management**
Date: 15 - 19 July 2019
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- 3 – 5 September in Pretoria

Registration [here](#)

Digitisation of the Water Sector

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DST, ASSAf and SAYAS: Annual Young Scientists Conference: Migration, Displacement and Mobility in Africa: Complex Issues in Current Times: Call for Abstracts

Date: 28 – 29 October 2019

Venue: Johannesburg, Gauteng

Deadline for abstracts: 31 July 2019

Further explanations of the sub-themes can be accessed on the ASSAf [website](#) or [here](#)

Conference Participation and Application: Access the application [form](#)

The application form should be completed and emailed to [Edith](#) or Tel: +27 (0)12 349 6614 by Wednesday, 31 July, 2019. There is no registration fee to attend the conference. Further information about the conference will be circulated to successful applicants.

2019 joint Biodiversity Information Management Forum (BIMF) and Foundational Biodiversity Information Programme (FBIP) Forum

Dates: 20-22 August 2019 (will include a Postgraduate Forum on the 19th of August 2019)

Venue: Roodevalley Faircity Hotel, Pretoria and.

Registration for the Forum is free to all delegates. Accommodation for delegates is available at Roodevalley Faircity Hotel and a limited number will be sponsored by the funders. Travel support is available for Postgraduate students, postdoctoral fellows and early career scientists. Please see attached announcements for more details. Please note that we have extended the deadline for abstracts to 12 July 2019 and should be submitted to BIMF_FBIP@sanbi.org.za.

To register, please follow this [link](#)

International

West Virginia Law Review Symposium RFP: Tensions between state and local governments

Date: 27-28 February 2020

The West Virginia Law Review invites you to participate in its annual legal Symposium issue. This year, the United States's fourth oldest law review will be highlighting the tensions between state and local governments. The Symposium editors are now accepting a select preemption such as: energy facility siting; local ordinances on discrimination, minimum wage, and gun regulations; consumer laws; the West Virginia home rule pilot program; and other related issues. The symposium is intended to develop legal scholarship in state and local government law and stimulate discussion between students, academics, and practitioners.

Abstracts of 250-500 words should be submitted through the Google [Form](#). Abstracts must be submitted by September 3, 2019. Applicants should expect that the Symposium Editors may request further information or the opportunity to discuss the proposal in further detail. Proposals will be reviewed on a rolling basis with final decisions expected no later than the end of September.

For more information about WVLR please visit our [website](#).

XVII World Water Congress Call for Abstracts, Special Sessions & Side Events

Date: May 2020

Place: Daegu, Republic of Korea

More [information](#)

IAIA20: Strengthening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness

Dates: 26-29 May 2020

Place: Seville, Spain. Proposals are now being accepted for conference sessions as well as training courses to be held in conjunction with the conference.

More information on the [website](#)

Proposals for sessions are being accepted through **10 July 2019**.

Proposals for training courses are being accepted through **12 July 2019**.

Webinar: Clean Energy Solutions Center, in partnership with the Collaborative Labeling and Appliance Standards Program (CLASP) and the Efficiency for Access Coalition, invite you to attend this free webinar.

Date and Time: 9 July 2019

Time: 09:00 a.m. Washington D.C. | 15:00 Brussels

[Registration](#)

Helsinki Summer Seminar on International Law 2019: International Environmental Law: Process as Decline

Dates: 26 August 2019 – 30 August 2019

Place: Helsinki, Finland Erik Castrén Institute

More [information](#)

NEWS

National

- **Climate change and energy**

Gosling M “SA's energy blueprint in limbo as key stakeholders deadlock” [fin24](#)

28 June 2019 [Legalbrief Environmental 2 July 2019]

- **Mining**

Mabuza E “Exploration for petroleum by fracking cannot go ahead, SCA rules”

[Timeslive](#) 4 July 2019

Nicolson G “Mpumalanga coal mines blatantly flout environment laws - report”

[Daily Maverick](#) 4 July 2019 – find the report [here](#) [provided by Reece Alberts]

- **Waste and water**

Water: Cradock sued over Great Fish River pollution

The Water and Sanitation Department is taking legal action against the Inxuba Yethemba municipality in the Eastern Cape for allegedly polluting the Great Fish River. According to a Daily Dispatch report, the department said the waste water treatment works in Cradock is non-functional 'and all that is done is adding some chlorination to the effluent'. 'Some settling of solids occurs in the tanks, but this

results in an untreated overflow to the Great Fish River,' it said. It first issued a directive to the Chris Hani district municipality in October 2016 to apply for authorisation for the waste water treatment works and to stop pollution from occurring and to rehabilitate the affected area. 'The district municipality submitted an action plan which was not approved as it did not adhere to the requirements of the directive. Two more notices were issued in mid-2018 to submit an action plan with immediate actions to address the status of the non-compliance with the WWTW. No response was received,' said the department. The department referred the matter to its compliance, monitoring and enforcement (CME) unit for an application for a court interdict. 'The CME is awaiting outstanding reports to secure a successful application from the Eastern Cape office,' he said.

Full Daily Dispatch report (subscription needed) [Legalbrief Environmental 2 July 2019]

"Govt reviewing its policy on single-use plastics – Creecy" [News24](#) 4 July 2019

International

- **Biodiversity, animal rights and culture**

Japan withdrew from the International Convention for the Regulation of Whaling

Japan withdrew from the International Convention with effect from 1 July 2019 [RJL/JAC/32626 of 1 July 2019]. Prof Wil Burns of the Institute for Carbon Removal Law and Policy, Berkeley (USA), states that it would be "interesting to see how Japan argues that it is complying with UNCLOS Arts. 65, or maybe it simply won't bother. Because Japan's commercial whaling quota for this year is actually lower than the harvest for 'scientific whaling' in the past few years, there's not a lot of substantive impact to this decision, but it's disheartening to see pretty open flouting of UNCLOS." [Email list: Envlawprofessors]

"Norway grants 10.3 Million EUR to ensure indigenous forest rights" [Place](#) 2 July 2019

Davis N "Ancient city of Babylon heads list of new Unesco world heritage sites" [The Guardian](#) 5 July 2019

Holden E "Trump to claim US is environmental leader in spite of ripping up protections" [The Guardian](#) 3 July 2019

Chan N "House Committee demands internal documents in World Wide Fund human rights investigation" [The Jurist](#) 2 July 2019

- **Climate change and energy**

Helmore E "Alaska: temperatures rival Miami amid 'unprecedented' heatwave" [The Guardian](#) 5 July 2019

Carrington D "Tree planting 'has mind-blowing potential' to tackle climate crisis" [The Guardian](#) 4 July 2019

Laville S "Governments and firms in 28 countries sued over climate crisis – report" [The Guardian](#) 4 July 2019

Taylor M “National Trust to divest £1bn portfolio from fossil fuels” [The Guardian](#) 4 July 2019

Towie N “Saltwater Kimberley: is WA's marine wilderness safe?” [The Guardian](#) 3 July 2019

Starr S “After brutal spring floods, US farmers face big losses” [Place](#) 5 July 2019

- **Local government**

“E-scooters: a transport 'tsunami' flooding cities worldwide” [Place](#) 5 July 2019

- **Mining**

Chandran R “India's top court sides with indigenous people over illegal mining fallout” [Place](#) 4 July 2019

“DR Congo army will remove 2,000 illegal miners from Glencore site” [Aljazeera](#) 2 July 2019 [Legalbrief 4 July 2019]

- **Waste, Water and Chemicals**

Carrow D “The Roundup Trials” [The Jurist](#) 5 July 2019

Chandran R “Fears of evictions as Bangladesh gives rivers legal rights” [Place](#) 4 July 2019

- **Miscellaneous**

Smithers R “Toilet paper is getting less sustainable, researchers warn” [The Guardian](#) 5 July 2019

Lamb K “Jakarta residents to sue government over severe air pollution” [The Guardian](#) 2 July 2019

Allison S “Running in the world’s most polluted city” [The Guardian](#) 2 July 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of the Free State: Unit for Institutional Change and Social Justice, Gender Equality and Anti-Discrimination Office: Senior Officer (Post level 9) Job ID: 2898

Closing date: 12 July 2019

More [information](#)

Rhodes University: Private law or Adjectival law

Closing date: 22 July 2019

More [information](#)

Members of the Environmental Law Association may subscribe to
[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 26

12 July 2019

LEGISLATION

BILLS

Draft National Ports Amendment Bill, 2019 Gen Notice 372 in GG 42574 of 11 July 2019 - for comment

Independent System and Market Operator Bill, 2019 – Gen Notice 378 in GG 42576 of 12 July 2019 - private member's bill name change to Independent Electricity Management Operator Bill, 2019

NOTICES

National Water Act 36 of 1998 – Gen Notice 383 in GG 42576 of 12 July 2019 - Authorisation of the continued application of the general authorisation published in GN 665 in GG 36820 of 6 September 2013, until the new general authorisation for waste related activities is gazetted

Mineral and Petroleum Resources Development Act 28 of 2002 - GN 977 in GG 42576 of 12 July 2019 - Proposed further investigations to confirm the results of previous geoscientific surveys on geochemical anomalies in or under land for the possible exploration and exploitation thereof – for comment

Natural Scientific Professions Act 27 of 2003 - South African Council for Natural Scientific Professions (SACNASP) - BN 111 in GG 42576 of 12 July 2019 - Recommended consultation fees

National Energy Regulator Act 40 of 2004 - National Energy Regulator of South Africa (NERSA) – GN 968 in GG 42569 of 9 July 2019 - Ppublic hearing on City of Tshwane Municipality's application for a tariff increases of 13.07% and tariff restructuring

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R33 in GG 42577 of 12 July 2019 – Amendment of Proc R21 in GG 41771 of 13 July 2018 regarding referral of matters to existing Special Investigating Unit in respect of the affairs of the Office of the state attorney published

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R35 in GG 42577 of 12 July 2019 – Referral of matters to existing Special Investigating Unit in respect of the affairs of Madibeng Local Municipality

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R36 in GG 42577 of 12 July 2019 – Referral of matters to existing Special Investigating Unit in respect of the affairs of the National Department of Agriculture, Forestry and Fisheries

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R38 in GG 42577 of 12 July 2019 – Referral of matters to existing Special Investigating Unit in respect of the affairs of the South African Heritage Resources Agency

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R39 in GG 42577 of 12 July 2019 - Referral of matters to existing Special Investigating Unit in respect of the affairs of the Free State Department of Human Settlements

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R43 in GG 42577 of 12 July 2019 – Amendment of Proc R18 in GG 40810 of 25 April 2017 regarding referral of matters to existing Special Investigating Unit in respect of the affairs of the Thabazimbi Local Municipality

Special Investigating Units and Special Tribunals Act 74 of 1996 - Proc R44 in GG 42577 of 12 July 2019 – Amendment of Proc R27 in GG 41915 of 21 September 2018 regarding referral of matters to existing Special Investigating Unit in respect of the affairs of the • National Department of Water and Sanitation

Plant Breeders' Rights Act 15 of 1976 - GN 970 in GG 42576 of 12 July 2019 - South African Plant Variety Journal

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 191 in PG 4265 of 8 July 2019 - Enoch Mgijima Local Municipality - Municipal Spatial Planning and Land Use Management By-law

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 88 in PG 2097 of 4 July 2019 - Ethekeini Local Municipality - Outdoor Advertising By-law, 2018

Limpopo

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 98 in PG 3016 of 12 July 2019 - Blouberg Local Municipality - Municipal Spatial Development Framework 2019-2024

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 99 in PG 3016 of 12 July 2019 - Molemole Local Municipality - Municipal Spatial Development Framework 2019-2024

Gauteng

Rationalisation of Local Government Affairs Act 10 of 1998 - LAN 1265 in PG 216 of 10 July 2019 - City of Johannesburg Metropolitan Municipality - Amendment of the Joburg Market By-laws – for comment

Local Government: Municipal Systems Act 32 of 2000 - LAN 1289 in PG 216 of 10 July 2019 - Merafong City Local Municipality Electricity By-laws, 2019 - Amendment to the adoption of tariff of charges

Western Cape

Department of Environmental Affairs and Development Planning - PN 76 in PG 8121 of 5 July 2019 - Draft Western Cape Biodiversity Bill, 2019 - extension of commenting period

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 57976 in PG 8124 of 5 July 2019 - Bergrivier Local Municipality - By-law relating to the Management and Use of the Berg River Estuary - commences 1 September 2019

Sea-Shore Act 21 of 1935 - PN 79 in PG 8125 of 12 July 2019 – Bredasdorp - Lease with the Pearly Beach Seafarm (Pty) Ltd for the installation of three intake and five effluent pipelines below the high-water mark of the sea at Pearly Beach - for comment

CASES

National

Clear Away Property Investments CC v Maquassi Hills Local Municipality (kpm14/2018) [2019] ZANWHC 34 (4 July 2019)

“[2] The applicant owns a residential property that contains 44 units. During 2014, the respondent offered to install prepaid electricity meters at the property. The applicant was informed that the prepaid meters would be installed and operated at no cost. In September 2014, the respondent installed a meter in each unit.

[3] From June 2014 to June 2017, the respondent charged the applicant for electricity based on the bulk meter located on the property instead of levying charges based on the prepaid meters that had been installed. In June 2017, the respondent adjusted the applicant’s account (for the period June 2014 – June 2017) by removing the consumption charges that had been levied on the bulk meter. However, the respondent went on to add a monthly prepaid basic charge of R227.26 per prepaid meter for the period. This resulted in a total amount of R314 823.96 being charged to the applicant’s account.

[4] On 20 July 2017, the applicant addressed a letter of demand to the respondent asking for the prepaid basic charges to be removed from the account and for the prepaid meters to be removed from the property. To date, the charges in question have not been removed from the account and the prepaid meters have not been removed from the property.”

Wilkinson and Another v National Director of Public Prosecutions and Others (50395/2016) [2019] ZAGPPHC 229 (5 June 2019)

“Summary: Criminal law - Constitutionality of reverse onus provisions - provincial ordinances on nature conservation - application premature - reverse onus provisions justified – rhino horns”

“[51] Reverse onus provisions are generally only introduced when every other measure previously in place was not able to achieve the objective and are generally rationally proportionate, where competing interests are outweighed against each other.

[52] I agree with the respondents' submissions that the reverse onus provisions contained in the Provincial Ordinances are justified in light of the serious concerns regarding the conservation of our wildlife, and in this case, the rhinoceros. The implementation of reverse onus provisions would have the effect of imposing deterrent measures and would enable Government to act in the public interest both domestically and internationally.

[53] Although the presumption of innocence is sacrosanct, the right to a fair trial is not absolute. A balance should be struck between an accused's right to a fair trial and the interest of the public, in effectively combatting and prosecuting same. I have considered the gravity of the harm resulting from rhino poaching and the frequency of the occurrences of rhino poaching, the difficulty of the prosecution in making proof of fact, as well as the relative ease with which the applicants may disprove the facts. I am satisfied that the reverse onus provisions in the Provincial Ordinances in the context of environmental governance are justifiable.

[54] I therefore conclude that the reverse onus provisions are justified by virtue of section 36 of the Constitution, more particularly, that these provisions are reasonable and proportionate, as no lesser intrusive means exists to achieve the objective and the manner in which the trial is to be conducted.”

PUBLICATIONS

International

Peter Newell & Andrew Simms “Towards a fossil fuel non-proliferation treaty” 2019 [Climate Policy](#) DOI: 10.1080/14693062.2019.1636759

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[News24](#): “Watch: Pilots fight rhino-poachers from the skies in Kruger” 12 July 2019

- **Water, waste and chemicals**

[Place](#): Harrisberg K “Baptism by toxic water: Mine waste, sewage threaten South Africa's worshippers” 11 July 2019

[The Conversation](#): Ryan P “Plastic poses a major environmental threat: but is it being over-stated?” 11 July 2019

- **Miscellaneous**

[The Conversation](#): Walwyn DR “Why South Africa should revert to greater protection for some of its industries” 10 July 2019

Africa

- **Biodiversity and protected areas**

[The Independent](#): Dalton J “Endangered rhino numbers ‘soar by 1,000%’ in Tanzania after crackdown on poaching gangs” 11 July 2019

- **Climate change and energy**

[The Independent](#): Twiggs H “Kenyan tea farmers are planting trees to save the great British cuppa” 11 July 2019

[The Guardian](#): McVeigh K “Kenya’s first coal plant construction paused in climate victory” 11 July 2019

[The Guardian](#): Jones R “Solar power: how investing can help to change lives” 6 July 2019

[IOL](#): Witten L “#NewsByte: How Africa is leading the way in solar power generation” 12 July 2019

- **Local government**

[The Conversation](#): Di Nunzio M “Addis Ababa’s street hustlers helped build the city – now they’re being pushed out” 8 July 2019

- **Mining**

[BusinessDay](#): Home A “What is the human cost of mining cobalt in DRC?” 13 July 2019

[Science](#): Jacobs JP “Are dinosaur fossils ‘minerals’? The Montana Supreme Court will decide high stakes case” 10 July 2019

- **Water, waste and chemicals**

[The Guardian](#): Barlow P “Tanzania leads the fight against plastic” 11 July 2019

[The Guardian](#): Cordall SS “‘Inside, the fish are black’: the pollution tainting Tunisian beaches” 9 July 2019

- **Miscellaneous**

[Science](#): Kupferschmidt K “Is the Western mind too WEIRD to study?” 11 July 2019

International

- **Air Quality**

[The Guardian](#): Gardiner B “It can’t be left to Europe’s cities to clean up noxious air” 12 July 2019

- **Biodiversity, parks and culture**

[Place](#): Packham C “Australia promises national vote on recognition of indigenous people by 2022” 10 July 2019

[The Guardian](#): Stone J “Brexit Party MEP says Royal Navy should attack EU fishing boats” 12 July 2019

[The Independent](#): Weston P “Turtles born at key breeding ground will all be turned female by climate change, study predicts ‘What surprised us was how even the low emissions scenario has detrimental effects for this population’” 11 July 2019

[The Independent](#): Beech H “The real victims of the palm oil industry are orangutans” 11 July 2019

[Science](#): Rochmyaningsih D “Courting controversy, scientists team with industry to tackle one of the world’s most destructive crops” 11 July 2019

[The Guardian](#): Harvey F “Great Barrier Reef hard coral cover close to record lows” 11 July 2019

[IISD](#) SDG Knowledge Hub: Tsioumani E “Trondheim Conference Focuses on Post-2020 Global Biodiversity Framework” 11 July 2019

[The Conversation](#): Lazare J “‘Free Willy’ law spotlights contradictions in how Canadians see animal rights” 8 July 2019

- **Climate Change and Energy**

[The Guardian](#): Ambrose J “Electric cars could form battery hubs to store renewable energy” 11 July 2019

[The Guardian](#): Harvey F “Global heating: London to have climate similar to Barcelona by 2050” 10 July 2019

[The Guardian](#): Editorial “The Guardian view on the climate emergency: a dangerous paralysis” 10 July 2019

[The Guardian](#): Wilson A “Dutch airline KLM calls for people to fly less” 11 July 2019

[Science](#): Service RF “Giant batteries and cheap solar power are shoving fossil fuels off the grid” 11 July 2019

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Managing Transformations for Sustainable Development” 11 July 2019

[IISD](#) SDG Knowledge Hub: Mead L “Coalition Issues Call to Action on Climate and Health in Preparation for UN Climate Summit” 11 July 2019

- **Local government**

[Place](#): Rowling M “Despite funding loss, cities vow to continue resilience push” 9 July 2019

[Place](#): Taylor M “World's major cities to face 'unknown' climate conditions by 2050” 11 July 2019

[Place](#): Rowling M “Chennai needs more water? Try saving it at home, official urges” 12 July 2019

[Phys.org](#): Rosen J “City dwellers can have an outsized impact on curbing global warming” 11 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén “SDSN Report: US Cities Perform Best on SDGs 6 and 15, Worst on 2 and 7” 11 July 2019

- **Mining**

[Place](#): Chandran R “Analysis-Court battles underline complexity of India's myriad land laws” 10 July 2019; also see [Reuters](#) and [NDTV](#) reports

- **Water, waste and chemicals**

[Place](#): Ebrahim ZT “As water disappears, parched southern Pakistan farmers march north” 8 July 2019

[Place](#): Starr R “After brutal spring floods, US farmers face big losses” 5 July 2019

[The Guardian](#): Smithers R “Fast fashion: Britons to buy 50m 'throwaway outfits' this summer” 11 July 2019

[The Guardian](#): Kuo L “‘A sort of eco-dictatorship’: Shanghai grapples with strict new recycling laws” 12 July 2019

- **Miscellaneous**

[Place](#): Wulforth E “Justice out of reach for two in three, report says” 8 July 2019

[The Independent](#): Weston P “Avocado, coffee and citrus fruits ‘threaten global food security’” 11 July 2019

The Guardian [Video](#): Toussaint-Strauss J *et al* “It's time we stopped treating soil like dirt – video” 11 July 2019

[Science](#): Clery D “Update: Hawaii governor says construction of controversial giant telescope will begin soon” 11 July 2019

[IISD](#) SDG Knowledge Hub: Koski J “From Top-Down to Bottom-Up: Three Steps to Improving Public Participation in the 2030 Agenda” 11 July 2019

[IISD](#) SDG Knowledge Hub: Paul D “ECOSOC Deliberates on Inclusiveness, Equality for Reaching 2030 Agenda” 11 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “World Bank Report Illustrates Benefits of Resilient Infrastructure” 11 July 2019

IISD SDG Knowledge Hub: Blevins B and Hook E “Trends.Earth: An Open Spatial Data Tool to Support Country Reporting Needs for SDGs 11 and 15” 9 July 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Western Cape in collaboration with IMEL: The role of the SDGs in further developing environmental law principles

Guest Speaker: Prof Friedrich Soltau – Senior Sustainable Development Officer, United Nations, Department of Economic and Social Affairs, New York

Date: **17 July 2019**

Time: 18:00-19:00

Venue: Oliver Tambo Moot Court, 5th floor Kramer Law Building, Middle Campus, UCT
Register by **15 July 2019** by contacting [Tendai Bonga](#)

ELA Gauteng in collaboration with Faculty of Law, University of Pretoria: Film screening: Jozi Gold: A story of wealth, greed and poisonous mountains

Date: 2 August 2019

Venue: Law Auditorium, Law Building, University of Pretoria

Time: 10h30 to 12h00

RSVP by [email](#) by **30 July 2019**

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Abstracts: 30 July 2019 – email to [ELA Secretariat](#)

IAIAsa Gauteng Branch: Incorporating Biodiversity and Wetland Offsets into the EIA process

Date: Wednesday 24 July 2019

Time: 08h30 - 12h30

Venue: Sunset Boma, 79 Main Road (R55), Blue Hills, Midrand

The invitation is available [here](#)

A Map to the venue is available [here](#)

To register for the IAIAsa GP Branch event, follow the following [link](#)

Registration closes 17:00 Monday **22 July 2019** (if you register and cannot attend, please note penalties)

IAIAsa Western Cape Branch: Enhancing Professionalism of ECOs, Environmental Managers and Auditors Technical Workshop

Date: 23 July 2019

Time: 7:30-13:00

Venue: ESKOM Hall, Brackenfell

More [information](#)

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Registration [here](#) - early bird registration until 18 July 2019

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019

For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /

Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256

More [information](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

CBSS Water Governance Training Courses

No endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 30 July – 1 August in Nelspruit
- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 3 - 5 September 2019, in Pretoria – more information [here](#)
- 22 - 24 October 2019, in Durban – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations.

Registration [here](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-05.3.1: Environmental risk assessment and management**
Date: 12 - 16 August 2019
- **CEM-02.1.1: Environmental law (Master class)**
Date: 12 - 16 August 2019
- **CEM-02.1.2: Environmental law - integrated waste management**
Date: 26 – 30 August 2019
- **CEM-05.2.1: The roles and responsibilities of and environmental control officer**
Date: 26 - 30 August 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

International

African Society of International Law Call for papers: International Environmental law in Africa (in South Africa)

Dates: 25-26 October 2019

Venue: School of Law, University of KwaZulu Natal (Durban campus)

Deadline for abstracts: 15 July 2019

AfSIL invites submission of abstracts from practitioners and academics in the field of international law, economics and or political science interested in the following specific topics (in preparing the contributions, prospective authors are encouraged to (i) focus on specific issues affecting African countries, and (ii) look at the intersection of international, regional and domestic law):

I. Re-framing: Concepts, principles and legal frameworks of International Environmental Law from an African perspective

- Decolonising International Environmental Law
- International Environmental law and sustainable development
- Rethinking *regional* responses to *global* problems
- International Environmental Law and the Anthropocene

II. Reflecting: The implementation of International Environmental Law in Africa today

- Assessing the impact of regional and sub-regional mechanisms for implementing

International Environmental Law

- Implementing International Environmental Law: Economic challenges and solutions
- Holding non-state actors and multinational corporations to account
- International Environmental Law in domestic courts in Africa
- The prosecution of international eco-crimes before the African Court of Justice and

Human Rights

- International Environmental Law and other legal regimes (i.e. human security, investment, trade)

III. Redressing: Specific environmental challenges facing Africa today

- Biodiversity
- Climate change
- Marine Environmental Law

- Hazardous waste and illegal dumping
- Disaster response
- Climate refugees
- Water security
- Desertification

Guidelines for the Submission of Abstracts

AfSIL invites abstracts (between 500-700 words) from scholars, practitioners and policy makers. Authors will be selected based on their abstracts submitted in response to this Call for Papers. Abstracts must be received by 15 July, 2019. Authors selected for the conference must submit a draft paper between 5000 and 9000 words by 1st September 2019.

Abstracts should be submitted in English or French via email to afsil2019@gmail.com or yenkong.ngangjohhodu@manchester.ac.uk (copying info@afsil-sadi.org) along with the author's name, affiliation and contact details. Please indicate in the subject line of the email with which Theme your abstract corresponds. Selection of papers will be based on abstracts as assessed through a blind process by a three-person committee.

Call for Papers – The Inaugural University of Nairobi and Oxfam Strategic Litigation in Africa Colloquium Theme: “Strategic Legal Mechanisms for Delivering Social and Economic Justice in Africa Conference”

Dates: 2 – 4 October 2019

Place: University of Nairobi, Main Campus

The school of law, University of Nairobi and Oxfam International are pleased to issue this call for papers.

Strategic litigation has been employed in a variety of jurisdictions to advance public policy goals of organised interests as well as those of individuals. Consisting of selection of an individual and suitable test case which is tried in a court of law, strategic litigation usually has as its objective the inducement and advocacy of broader changes in society that may help advance the rights of marginalised groups. Perfectly suited for areas of law that have evaded the attention of policymakers and legislators, it seeks to identify gaps in law, clarify the law, fill in legislative gaps, initiate law making and even set legal precedents in an area of law. Consequently, successful litigation may well jolt a government into action for the welfare of the citizenry, guarantee the rights of a marginalised group or simply inspire law making in an otherwise neglected area.

Furthermore, recognising that the use of strategic litigation is growing in many parts of the continent, litigators in different countries often face similar challenges when seeking to use the law as a tool for social change. There is a paucity of cross-country conversations about how rules of procedure and substantive norms are being advanced or hindered in litigation; and there is a need to introduce conversations on what is working and what is not.

Strategic litigation brought by lawyers and legal advocacy organisations play a role, not only in the courts in which the matters take place, but also within public discourse surrounding human rights issues raised. Strategic litigation may also cause burdens on courts and have unintended negative consequences if they are not well planned, coordinated or brought prematurely.

This international conference brings together strategic litigation practitioners, scholars/researchers, activists and policy makers to interrogate and examine the use of strategic litigation in Africa as a tool to drive social, political and legal

reform, empower communities to influence decisions that affect their lives, and drive access to justice. The conference will also be focused on legal strategies for successful strategic litigation in Africa as a means to bring together relevant stakeholders to share their challenges, successes and strategies in this field. As earlier observed the Conference is aimed at both practitioners (lawyers and NGOs) who are engaged in public interest litigation and scholars who study and analyse the impact of these cases, all of whom seek to ensure that strategic litigation has the maximum social impact possible.

At this time, the convenors of the conference seek submissions of abstracts covering (but are not limited to) the following broad areas for consideration;

- Development of meaningful strategies for strategic litigation and the coordination of strategic litigation between intervening organisations and stakeholders;
- Reviewing the role of interveners in strategic litigation: Do their arguments really matter?
- Developing effective policy and legal advocacy strategies in addition to strategic litigation;
- Case analyses to extract lessons from successful as well as unsuccessful public interest litigation across various substantive areas;
- Does strategic litigation really deliver social justice for communities or is it a mere academic exercise;
- Gendered dimensions of strategic litigation; and
- An analysis of how strategic litigation has been used or can be employed to hold corporations accountable for human rights violations in the communities they work in.

Abstracts of papers in Microsoft Word format should be of no more than 350 words and must be submitted by [email](#) to by **July 24, 2019**.

Panel proposals will also be accepted and are due on July 24, 2019. The abstracts must be accompanied by a brief biography of not more than 125 words, along with the affiliation of the author(s). Participants will receive notification of acceptance by August 7, 2019. Persons will then be required to submit their completed papers as an attachment in Microsoft Word format to the above email address by the firm deadline of September 5, 2019. These papers will then be posted online for other participants to access prior to the conference, so that the colloquium can be more interactive, and participants devoted more to the discussions than to exposition of the written papers.

Following the acceptance of abstracts, presenters will be given specific guidelines for developing their draft papers. Papers presented will be considered for a book publication.

Contacts: For submissions and any clarifications, or if you wish to receive updates regarding the Conference, please send an [email](#).

Frankfurt School – UNEP Collaborating Centre for Climate & Sustainable Energy Finance Online courses

Two online courses for finance professionals to build the necessary capacities for the ongoing transformation in the renewable energy sector and to make the world more climate-resilient.

- [The Certified Expert in Climate & Renewable Energy Finance \(CECRF\)](#)
- [The Certified Expert in Climate and Adaption Finance \(CECAF\)](#)

After the successful launch of our Certified Expert in Sustainable Finance (in German or English) in March 2019, we are glad to announce that this course will start again on 1st of September. In this course you will learn to understand the major drivers and constraints of transforming the financial system into a more sustainable one. The course will enable financial professionals, consultants and advisors to integrate Sustainable Finance (incl. ESG) aspects into their work and to provide new tools for advising clients and business partners. Real life business cases round up the course and provide best practices and lessons learned: Participants who register until 15th July receive the Early Bird Discount.

NEWS

National

- **Air quality**

Gerber J “Greenpeace wants more urgency from government to avoid 'airpocalypse'” [News24](#) 12 July 2019

- **Biodiversity**

Kings S “Nature’s Nocturne: Unfettered human sprawl drives animals into the night” [Mail & Guardian](#) 10 July 2019

- **Climate change and energy**

Cronje J “Forensic probe into 2015 sale of strategic fuel stocks complete – Mantashe” [fin24](#) 10 July 2019 [Legalbrief 11 July 2019]

Sguazzin A, Kew J and Burkhardt P “Eskom gets rescue option as PIC proposes debt-equity swap” [fin24](#) 11 July 2019

Ntshongwana Y “Government’s multi-million rand filling station stands empty for years” [GroundUp](#) 11 July 2019

Smith C “Mantashe: SA will get nuclear at a cost it can afford” [fin24](#) 11 July 2019

“Nation needs to work together against climate change – Creecy” [News24](#) 11 July 2019

- **Local government**

Stone S “Smart RDP houses are not the future, they are the present” [City Press](#) 9 July 2019 [provided by CLES]

- **Mining**

Mathe T “Gwede keeps options open despite anti-fracking ruling” [Mail & Guardian](#) 12 July 2010 [subscription/newspaper needed to read]

“South Africa plans to #MakeEnergyWork with new oil and gas policy” [Engineering News](#) 9 July 2019

- **Waste and water**

Mabuza E “Calls to use water sparingly as dam levels drop in the Eastern Cape” [TimesLive](#) 12 July 2019

Gedye L “Kropz’s ‘irregular’ water licence” [Mail & Guardian](#) 13 July 2019

Hedley N “Astral says 15 people in hospital after Gauteng plant ammonia leak” [News24](#) 12 July 2019

- **Miscellaneous**

Nombembe P “SA has lost the spirit of 'Oom Gov', says Dikgang Moseneke” [TimesLive](#) 10 July 2019 [Legalbrief Forensic 11 July 2019]

Khumalo S “Unions: ArcelorMittal jobs bloodbath could be first of many” [News24](#) 12 July 2019

International

- **Biodiversity, animal rights and culture**

“Orcas loaded onto trucks as Russia releases more from 'whale jail’” [News24](#) 12 July 2019

Somerville E and Finley B “‘Forgotten dinosaurs’ returning from edge of extinction after sightings in US rivers” [The Independent](#) 11 July 2019

Cockburn H “Salmon farms in UK 'at serious risk' after closures due to environmental damage” [The Independent](#) 10 July 2019

“New [App](#) to discover nature and get children into nature” [The Guardian](#) 12 July 2019

Cox L “Koala and kangaroo culling considered as numbers become 'overabundant’” [The Guardian](#) 12 July 2019

Carrington D “Improve contraception access to tackle wildlife crisis, urges campaign” [The Guardian](#) 11 July 2019

“Thousands of wild animals seized in smuggling crackdown” [The Guardian](#) 10 July 2019

Towie N “Australian gulls found to carry antibiotic-resistant superbugs” [The Guardian](#) 9 July 2019

- **Climate change and energy**

Koltonowski A “UN [report](#) warns climate change undermines global poverty reduction” [The Jurist](#) 11 July 2019

Zubizarreta T “UN rights expert warns climate disasters now occurring once per week, calls for new regulation and investment” [The Jurist](#) 9 July 2019

“Arctic wildfires emitted as much CO2 in June as Sweden does in a year” [The Guardian](#) 12 July 2019

Ambrose J “E.ON UK to supply 3.3m customers with 100% renewable electricity” [The Guardian](#) 9 July 2019

Brown P “Weatherwatch: heatwaves test limits of nuclear power” [The Guardian](#) 8 July 2019

Cox L “Australia's emissions reach the highest on record, driven by electricity sector” [The Guardian](#) 8 July 2019

Morton A “Fuelling the climate crisis: why LNG is no miracle cure for Australia's coal addiction” [The Guardian](#) 6 July 2019

Frykberg M “UN secretary-general hails Mozambique's 'moral authority' after deadly cyclones” [IOL](#) 12 July 2019

Waldman S “Trump White House shelves ‘adversarial’ review of climate science” [Science](#) 9 July 2019

Waldman S “Trump officials deleting mentions of ‘climate change’ from U.S. Geological Survey press releases” [Science](#) 8 July 2019

- **Mining**

Ambrose J “Cuadrilla to restart fracking at site in Lancashire” [The Guardian](#) 11 July 2019

Smith H “Turkey rejects claims it is drilling illegally for gas off Cyprus” [The Guardian](#) 11 July 2019

Smee H “Mineworkers fear 'reprisals' for raising safety concerns amid spike in deaths” [The Guardian](#) 9 July 2019

El Husseini R “How has war affected Syria's oil and gas sector?” [Mail & Guardian](#) 10 July 2019

Stringer D and Biesheuvel T “The world's biggest diamond mine is closing” [News24](#) 13 July 2019

Lungai E “Chinese arrested over gold mining” [Kenya] *Extractives Baraza* 10 July 2019

- **Waste, Water and Chemicals**

Holden E “Trump administration to approve pesticide that may harm bees” [The Guardian](#) 12 July 2019

- **Miscellaneous**

Carrington D “Billions of air pollution particles found in hearts of city dwellers” [The Guardian](#) 12 July 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Cape Town: Lecturer/ Senior Lecturer: Commercial Law

Closing date: 16 August 2019

More [information](#)

North-West University (Potchefstroom Campus) SARChI Chair in Cities, Law and Environmental Sustainability: Researcher Fixed-Term Contract (01 September 2019 – 31 August 2021)

Closing date: 2 August 2019

More [information](#)

International

University of Antwerp: Researcher in SDG Implementation for Local Authorities

Closing date: 31 July 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 27

19 July 2019

LEGISLATION

NOTICES

Marine Living Resources Act 18 of 1998 - GN 989 in GG 42584 of 19 July 2019
- Recognition of the Nearshore Crayfishers Association as an interest group for the West Coast rock lobster sector in terms of s. 8 of the Act

National Water Act 36 of 1998 - GN 998 in GG 42584 of 19 July 2019 - Reserve determination of water resources for the Inkomati catchment

National Nuclear Regulator Act 47 of 1999 - GN 991 in GG 42584 of 19 July 2019
- Fees for nuclear authorisations payable to the Regulator for the period 1 April 2019 to 31 March 2020

National Ports Act 12 of 2005 – Gen Notices 390 in GG 42585 of 19 July 2019 - Proposed amendments to the National Ports Regulations, 2007 - for comment

PROVINCES

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 150 in PG 4268 of 15 July 2019 - Matatiele Local Municipality - Waste Management By-laws 2018

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 98 in PG 2102 of 18 July 2019 - Umvoti Local Municipality - Cemetery, Crematoria and Undertakers By-law, 2017; Electricity Supply By-laws; By-law relating to Impoundment and Waste Management By-laws, 2016

Spatial Planning and Land Use Management Act 16 of 2013 - MN 94 in PG 2102 of 18 July 2019 - Mkhambathini Local Municipality - Spatial Development Framework (SDF) (June 2019)

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 – LAN 104 in PG 3018 of 19 July 2019 - Fetakgomo Tubatse Local Municipality - Draft Spatial Development Framework – for comment

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 57999 in PG 8126 of 15 July 2019 - Overberg District Municipality - Municipal Health By-law

North West

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 87 in PG 8033 of 16 July 2019 - Lekwa-Teemane Local Municipality - Spatial Development Framework – for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 93 in PG 8033 of 16 July 2019 - Moses Kotane Local Municipality - Solid Waste By-law

CASES

National

National Energy Regulator of South Africa and Another v PG Group (Pty) Limited and Others (CCT131/18) [2019] [ZACC](#) 28 (15 July 2019)

Summary: Gas Act 48 of 2001 — Monopoly — maximum pricing decision — tariff decision — pricing regulation - Promotion of Administrative Justice Act 3 of 2000 —administrative decision — rationality

International

County of Maui v. Hawaii Wildlife Fund et al Case No 18-260 Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit - [Brief](#) for Amici Curiae Law Professors in Support of Respondents

Amici curiae are thirty-seven law professors and scholars who teach, research, and publish in the subject areas of environmental and natural resources law. They submit this amicus brief to assist the Court in determining how best to interpret the Clean Water Act, and to aid the Court in considering the scope of activities regulated under the Act's NPDES permits.

PUBLICATIONS

National

Sonnekus JC "Voortdurende inbreukmaking op 'n watergebruiksreg – verjaring, maar van welke remedie?" 2019 *Tydskrif vir die Suid-Afrikaanse Reg* 575

Scott J "The "obscure" doctrine of *vetustas* – ensuring equitable relief in modern times" 2019 *Journal of South African Law* 592

De Villiers B "The duty on organs of state to cooperate: *bundestreue*, cooperative government and the supply of electricity in a culture of non-payment" 2019 *Journal of South African Law* 605

International

Lavey WG "Toolkit for Integrating Climate Change into Ten High-Enrollment Law School Courses" 2019 49 [Environmental Law](#) 513-586

2019 [Environmental Law Review](#) (Lewis & Clark Law School) available online

Johannes Feldmann , Anders Levermann, Matthias Mengel "Stabilizing the West Antarctic Ice Sheet by surface mass deposition" 2019 5(7) [Science Advances](#) DOI: 10.1126/sciadv.aaw4132

Gao M *et al* "Seasonal prediction of Indian wintertime aerosol pollution using the ocean memory effect" 5(7) [Science Advances](#) DOI: 10.1126/sciadv.aav4157

2019 [Transnational Environmental Law](#) 8(2) – new issue

Molina MC, Bucca M and Macy MW "It's not just how the game is played, it's whether you win or lose" 2019 5(7) [Science Advances](#) DOI: 10.1126/sciadv.aau1156

The [Journal of Human Rights and the Environment](#) invites contributions on the following themes:

Vol 11.2: Animal Rights (*submissions by 1st Jan 2020*)

Vol 12.1: New Materialisms (*submissions by 1st March 2020*)

Vol 12.2: The concept of equity in environmental law (*submission by 1st Sept 2020*)

Kaswan A "Energy, Governance, and Market Mechanisms" 2018 72 [Miami L. Rev.](#) 476 "

Leal-Arcas R "A paradigm shift in the governance of sustainable development: Citizens' empowerment," in Hinojosa Martinez, L. and P.J. Martin Rodriguez (eds) *International markets regulation and the erosion of the European political and social model* (Thomson Reuters 2019) – available [here](#)

Call for Book Chapter Proposals: Earth System Law: Standing on the Precipice of the Anthropocene Edited by: T. Cadman, M. Hurlbert, A. Simonelli

We invite book chapter proposals to be considered for inclusion in a forthcoming scholarly edited volume.

Description

This book will explore the emerging concept of earth system law, an emerging area populated by multiple disciplines including law, science, and ethics. Earth system law challenges the premise that humans are separate from nature and recognizes instead that humanity is now a global geophysical force, a unique species with the ability to intentionally shape the Earth system.

Building on the work of the earth system governance project, earth system law is a social institution that plays an increasingly important, but sometimes questionable and often ineffective, role in addressing the pressing problems of

earth system governance, from the local to the global. This book will explore and interrogate the foundations for earth system law and its relationship to sustainable development in the context of the Earth's interdependent socio-ecological systems, as we move forward in the Anthropocene. Suggested questions and themes are:

The analytical dimensions of earth system law What is earth system law? How do conventional legal discourses translate into earth system law? What theoretical, methodological, and analytical frameworks inform earth system law? What are the theoretical and practical links, if any, between the Anthropocene, earth system law and earth system governance both in a normative and an epistemic sense?

The normative dimensions of earth system law How do we deal with the fundamentally static and anthropocentric nature of law and lawyers? How can earth system law address intra, intergenerational, and inter-species issues, as well as geographical regions and countries that law often itself has created and maintains? How can earth system law ensure that resource use, investment, technology and governance institutions become sustainable? How can earth system law address socio-ecological injustices among and between species, geographical regions, countries and across generations?

The transformative dimensions of earth system law What pathways should earth system law develop to ensure it makes a positive transformational contribution to earth system governance? What contribution can earth system law make to help legal systems adapt to the new realities of the Anthropocene?

Deadlines Abstracts Due: November 15, 2019 Notification of Acceptance: December 31, 2019 Chapter Draft Due: March 31, 2020 Review comments received April 28, 2020 Revised chapters; July 30, 2020 Expected Publication Date: October, 2020

Submission Details Proposed book chapters should be between 6000-8000 words. Authors wishing to submit a manuscript should [email](#) a short topic proposal for their book chapter. Alternative [email](#) by 01 Sept 2019. Submissions must be original contributions and not under consideration for publication at another outlet at the same time.

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Miscellaneous**

[The Conversation](#): Bradlow D “Why central banks need to take human rights more seriously” 14 July 2019

[The Conversation](#): Clark NL “South Africa’s state owned companies: a complex history that’s seldom told” 18 July 2019

[The Conversation](#): Roberts B “South Africans are upbeat about new technologies, but worried about jobs” 17 July 2019

[The Conversation](#): Bradlow D “Why central banks need to take human rights more seriously” 14 July 2019

[The Conversation](#): Clark NL “South Africa’s state owned companies: a complex history that’s seldom told” 18 July 2019

Africa

- **Biodiversity and protected areas**

[Science](#): Frederick E “Hungry elephants fight climate change one mouthful at a time” 15 July 2019

- **Climate change and energy**

[The Conversation](#): Auerbach J “Mauritius needs stewardship, not leadership, to keep global respect” 15 July 2019

- **Local government**

[Science](#): Wadman M “First Ebola case in African border metropolis could be a ‘game-changer,’ WHO leader warns” 15 July 2019

[Science](#): Wadman M “World Health Organization declares Ebola outbreak an international emergency” 17 July 2019

- **Mining**

[Extractives Baraza](#): “Kenya’s Petroleum Ministry on the spot” 17 July 2019

[Extractives Baraza](#): “Congo raises the stakes on illegal mining” 17 July 2019

International

- **Biodiversity, parks and culture**

[Science](#): Pennisi E “Boosting genetic diversity may save vanishing animal populations. But it may also backfire” 16 July 2019

[Place](#): Taylor M “Malaysian activists urge lawmakers to get tough on forests losses” 17 July 2019

[Place](#): Moloney A “Ecuador tribe wins legal battle over the Amazon” 12 July 2019

[Centre for Biological Diversity](#): “Petition Seeks to Remove Snail Darter From Endangered Species List, Marking Conservation Success - Famous Fish Now Recovered, Swimming in Four States” 16 July 2019

- **Climate Change and Energy**

[The Conversation](#): Lenferna A “Vast subsidies keeping the fossil fuel industry afloat should be put to better use” 15 July 2019

[Centre for Progressive Reform](#): Kaswan A “Carbon Pricing: Essential but Insufficient” July 2019 | See also a [Blog](#) on this

[Wharton](#) Risk Management and Decision Processes Center: Listen to ideas on “Climate Risk Solutions: Solutions to Climate Risks: Proposals from Across the University of Pennsylvania” Summer 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “ICAO/FAO Initiative Links Soil Management to Reduced Emissions in the Aviation Sector” 18 July 2019

IISD SDG Knowledge Hub: Benson Wahlén C “IOC Assembly Welcomes Progress on SDG 14 Indicators, Supports Cooperation on Ocean-Climate Nexus” 18 July 2019

[IISD](#) SDG Knowledge Hub: Mead L “REN21 Report Calls for “Ambitious and Sustained” Policies to Make Energy Systems Sustainable” 18 July 2019

- **Local government**

[Science](#): Perkins S “Major U.S. cities are leaking methane at twice the rate previously believed” 19 July 2019

[Place](#): Ryan K Endless kiddie tunes to spikes in doorways - eight ways cities shun the homeless” 17 July 2019

[Place](#): Rowling M “Water-smart green roofs and plazas make a splash in Rotterdam” 16 July 2019

[Place](#): Chandran R “Phnom Penh poor uprooted as lakes filled in for malls, flats” 15 July 2019

[PrepareCentre](#): Heatwave Guide for Cities 2019

[ICLEI](#): “Thirty-seven mayors commit to collective responsibility for creating sustainable African capital cities” 15 July 2019

[ICLEI](#): “Two US cities have joint Climate Action Plan” 2 July 2019

[ICLEI](#): “Climate conference sparks German Mayors to call on national government for greater climate support” 11 July 2019

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Mead L “Japan, UNEP Partner on New Mercury Project” 18 July 2019

[IISD](#) SDG Knowledge Hub: Paul D “SIWI Policy Briefs Highlight Water Diplomacy, Water Resource Management in Achieving SDGs” 18 July 2019

[IISD](#) SDG Knowledge Hub: Paul D “SIWI Launches Source-to-Sea [Guide](#) for Practitioners” 18 July 2019

- **Miscellaneous**

[IISD](#) ENB: Coverage of Selected Side Events at the 2019 High-Level Political Forum (HLPF 2019) - 9-18 July 2019 | UN Headquarters, New York

- [Interface](#) (SPI) to Integrate Climate Change, Resilience, and the SDGs
- The [Digital Revolution](#) and Sustainable Development: Opportunities and Challenges

[IISD](#) ENB: Twenty-fifth Annual Session of the International Seabed Authority 15-26 July 2019 | Kingston, Jamaica

[Science](#): Sokol J Debate intensifies over speed of expanding universe” 19 July 2019

[Science](#): Stokstad E “Devastating banana disease may have reached Latin America, could drive up global prices” 17 July 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Institutional Finance Update: Addressing Climate-relevant Expenditures and Funding Gaps” 18 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “2019 [SDG Report](#) Urges Deeper, More Ambitious Response” 18 July 2019

[IISD](#) SDG Knowledge Hub: Risse N “UN Member States Agree on International Migration Review Forum Modalities” 18 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Civil Society Report Provides Guidance on Crafting ‘Spotlight Reports’” 18 July 2019

[The Conversation](#): Forster T “IMF says it cares about inequality. But will it change its ways?” 17 July 2019

[The Hill](#): Mintz JL Trump trashes the natural world and calls it 'environmental leadership” 17 July 2019

[UNDP](#): “Widening inequality: a universal issue” 18 July 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Gauteng in collaboration with Faculty of Law, University of Pretoria: Film screening: Jozi Gold: A story of wealth, greed and poisonous mountains

Date: 2 August 2109

Venue: Law Auditorium, Law Building, University of Pretoria

Time: 10h30 to 12h00

RSVP by [email](#) by 30 July 2019

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Abstracts: 30 July 2019 – email to [ELA Secretariat](#)

IAIAsa North-West Branch: Workshop on EIA, EMF and Biodiversity Sector Plan

Date: 16 August 2019

Time: 10:00 - 12h30

Venue: North-West University Mahikeng Campus, Room 261 Building A1

To register for the IAIAsa NW Branch event, follow the following [link](#)

Registration closes 13 August 2019

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Registration [here](#) - early bird registration until 18 July 2019

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019

For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /

Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256

More [information](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-05.3.1: Environmental risk assessment and management**
Date: 12 - 16 August 2019
- **CEM-02.1.1: Environmental law (Master class)**
Date: 12 - 16 August 2019
- **CEM-02.1.2: Environmental law - integrated waste management**
Date: 26 – 30 August 2019
- **CEM-05.2.1: The roles and responsibilities of and environmental control officer**
Date: 26 - 30 August 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

No endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 30 July – 1 August in Nelspruit
- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria

- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 3 - 5 September 2019, in Pretoria – more information [here](#)
- 22 - 24 October 2019, in Durban – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations.

Registration [here](#)

Local Government Sustainable Development Goals (SDGs) Symposium: “South Africa’s Reflections on Progress Made towards Leaving No One Behind”

Date: 25 - 26 July 2019

Venue: Durban International Convention Centre (ICC), Durban, KwaZulu-Natal

Draft [programme](#)

More [information](#)

International

Sixth meeting of the Task Force on Access to Information under the Aarhus Convention

Date: 2 - 4 October 2019

Venue: Salle XXII, Palais des Nations Geneva, Switzerland.

More [information](#) (including the background documents for download)

Building Momentum for Energy Efficiency through Voluntary Targets and Improvement Programs (Webinar)

Date: 23 July 2019: 17:00 Los Angeles | 18:00 Denver

24 July: 08:00 Shanghai | 10:00 Sydney

You can register now for this webinar at the following corrected URL [link](#)

NEWS

National

• Biodiversity

Criminal: SCA grants rhino poachers leave to appeal

The SCA has granted the three members of the Ndlovu rhino poaching gang leave to appeal their effective 25-year prison sentences as well as certain aspects of their conviction. A Daily Dispatch report says it granted the three leave to appeal the admission into evidence key items seized in a police raid which led to their conviction on 55 charges relating to the poaching of 13 rhino over three years in the Eastern Cape. Without that evidence, the entire case against the three men effectively dissolves and their conviction would fall away. That key evidence was also used to weave together a complex web of circumstantial evidence. Without it, the men would never have been connected or convicted of any of the 13 poaching incidents. The men challenged the admissibility of the evidence on the grounds that the police search and seizure was illegal as they had not waited for an arrest warrant before raiding the three men’s room. The SCA ruled that their

appeal against conviction would be limited to whether or not the court had correctly admitted the evidence obtained as a result of the unlawful search. On sentence, it ordered that the appeal would be limited to whether the cumulative effect of 25 years was 'shockingly inappropriate'. It ruled the appeal should be heard by a full Bench of three judges of the Eastern Cape High Court (Makhanda).
Daily Dispatch [report](#) Legalbrief 19 July 2019

- **Climate change and energy**

- Litigation: Eskom turned to court to get protesters removed**

"Eskom was forced to obtain an urgent court order to evict protesters who took over its power distribution centre for Gauteng after the police refused to intervene, says a *Netwerk24* report. Eskom said in its urgent application that the distribution centre in Menlyn, Pretoria, came under siege from residents who demanded that their electricity supply be reconnected. The Eskom managers refused, according to the court papers, after which about 20 protesters took over the centre overnight when Eskom personnel fled for their safety. Thomas Tshabalala, Eskom's distribution safety manager for Gauteng, described the particular distribution centre as the 'nerve system' for distribution to the entire province which then faced a real risk of a total blackout. After the court order was granted, the police removed the protesters. Protesters from Winterveld have also been interdicted from storming the client service centre in Ga-Rankuwa again. The centre remains closed after protesters assaulted personnel and vandalised the building. Eskom said in a statement last week that it would not reconnect electricity to defaulting areas.

Full Netwerk24 report (subscription needed) [Legalbrief 18 July 2019]

Magubane K "Mantashe on energy plan: My department is no lobby group" [fin24](#) 16 July 2019 [Legalbrief 16 July 2019]

Gous N "Former Eskom employee sentenced to 12 years for stealing copper cable" [TimesLive](#) 19 July 2019

Debut B "Industry and campaigners spar over carbon tax" [Mail & Guardian](#) 17 July 2019

- **Local government**

Singh O "Durban celebrates as cable thief sentenced to 15 years" [TimesLive](#) 17 July 2019 [Legalbrief 18 July 2019]

Damba-Hendrik N "The land is "unsuitable for habitation" says municipality, but thousands live on it" [GroundUp](#) 19 July 2019

- **Mining**

Yeld J "State approves Tormin's massive West Coast mining expansion" [GroundUp](#) 15 July 2019

- **Waste and water**

Ensor L "Water sector needs urgent attention to avoid collapse, says Lindiwe Sisulu" [TimesLive](#) 16 July 2019 [Legalbrief 16 July 2019]

“Basic Education department to eradicate pit latrines in three years” [Polity](#) 16 July 2019 [Legalbrief 16 July 2019]

International

- **Biodiversity, animal rights and culture**

“Petition Seeks to Remove Snail Darter from Endangered Species List, Marking Conservation Success: Famous Fish Now Recovered, Swimming in Four States” [Centre for Biological Diversity](#) 16 July 2019

Gumede M “Empty nets as overfishing and climate change sap Lake Malawi” [Mail & Guardian](#) 15 July 2019

“Iceland tries to bring back trees razed by the Vikings” [News24](#) 20 July 2019

Dalton J “Mice ‘will die slowly and in agony’ from poison in mass extermination by RSPB” [The Independent](#) 20 July 2019

Weston P “Bird attacks on humans becoming more common, experts warn” [The Independent](#) 18 July 2019

Barkham P “Release of non-native game birds in UK to be challenged in court” [The Guardian](#) 18 July 2019

McCarthy Holliday E “Federal appeals court affirms district map was racially motivated against Navajo Nation” [The Jurist](#) 17 July 2019

Winkels L “Indonesia lawmakers approve bill allowing jailing of foreign researchers conducting research without permit” [The Jurist](#) 16 July 2019

“PM wants tougher foreign land ownership rules” [Iceland] [RUV](#) 18 July 2019

- **Climate change and energy**

Kikwete J “Africans must wake up and act” [Mail & Guardian](#) 19 July 2019

Kenya opens Africa's largest wind power project” [Aljazeera](#) 20 July 2019

Onu E “Nigeria to privatize 10 electricity utilities” [fin24](#) 20 July 2019

Woodward A “Antarctica is melting so fast that scientists are proposing shooting artificial snow out of cannons to slow it down” [News24](#) 19 July 2019

Cockburn H “Scotland generating enough wind energy to power two Scotlands” [The Independent](#) 20 July 2019

Calder S “Electric dreams: at last a glimpse of reality” [The Independent](#) 20 July 2019

Ambrose J “Crown backs down and ‘refines’ plans for offshore wind auction” [The Guardian](#) 19 July 2019

Fuller G “Pollutionwatch: soot study shows harm from open waste burning” [The Guardian](#) 18 July 2019

- **Local government**

Favre L “U.S. Cities Trail EU Counterparts on Meeting U.N. Development Goals” [U.S.News](#) 18 July 2019

“Delhi's unauthorised colonies' residents to get land ownership soon: Kejriwal” [The New Indian Express](#) 18 July 2019”

Isaacson G “NY Governor Signs off on Harlem Land Transfer” [USA] [MHN](#) 18 July 2019

- **Mining**

Ndlovu R “Zimbabwe miners told to pay utility bills in foreign currency” [fin24](#) 16 July 2019 [Legalbrief Forensic 18 July 2019]

“Central African panel recommends closure of 4 Chinese gold mines” [Mail & Guardian](#) 13 July 2019

- **Waste, Water and Chemicals**

Lan L and Martin D “Shanghai leads battle against China's rising mountain of trash” [Mail & Guardian](#) 15 July 2019

Cockburn H “Costa Rica to completely ban polystyrene due to environmental impact” [The Independent](#) 19 July 2019

Laville S “Southern Water must pay for its pollution spills, watchdog told” [The Guardian](#) 18 July 2019

- **Miscellaneous**

“Africa: One in Four People in Africa Have to Pay Bribes to Access Services, Corruption Barometer Shows (Afrobarometer)” [AllAfrica](#) 11 July 2019 [Legalbrief Forensic 18 July 2019]

Cockburn H “Cigarette butts causing ‘serious damage to environment’, study on impact to plant growth reveals” [The Independent](#) 19 July 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Cape Town: Lecturer/ Senior Lecturer: Commercial Law

Closing date: 16 August 2019

More [information](#)

North-West University (Potchefstroom Campus) SARCHI Chair in Cities, Law and Environmental Sustainability: Researcher Fixed-Term Contract (01 September 2019 – 31 August 2021)

Closing date: 2 August 2019

More [information](#) / contact Prof [Anel du Plessis](#)

NWU South African Research Chair in Cities, Law and Environmental Sustainability Postdoctoral Fellow

More [information](#)

Varsity College: Independent Contractor Lecturer Law Sandton Campus

More [information](#)

UKZN College of Law: Student Counsellor Full Day (1 post)

Closing date: 28 July 2019

More [information](#)

UKZN College of Law: Student Counsellor Half Day (1 post)

Closing date: 28 July 2019

More [information](#)

Nelson Mandela University: Associate Professor/ Senior Lecturer (Criminal and Procedural Law)

Closing date: 28 July 2019

More [information](#)

International

Charles University France Department of Environmental Law, Faculty of Law: Post-doctoral fellowship: Climate Change and the Law (2 years)

Closing date: 21 July 2019

Application form, CV, Letter of reference, list of publications, copy of degrees

More [information](#) or [email](#) for more information

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 28

26 July 2019

LEGISLATION

BILLS

Draft National Health Insurance Bill, 2019 - GN 1014 in GG 42598 of 26 July 2019 - for comment

NOTICES

Commissions Act 8 of 1947 - Proc 47 in GG 42596 of 26 July 2019 - Terms of reference of the Commission of Inquiry into allegations of impropriety regarding the Public Investment Corporation (PIC)

PROVINCES

Eastern Cape

Eastern Cape Environmental Management Bill - PN 205 in PG 4273 of 22 July 2019 - for comment

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996, Local Government: Local Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Okhahlamba Planning and Land Use Management By-law - MN 99 in PG 2104 of 25 July 2019 - Okhahlamba Local Municipality: - Establishment of Municipal Planning Tribunal (MPT)

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Local Systems Act 32 of 2000 - LAN 41 in PG 3069 of 19 July 2019 - Steve Tshwete Local Municipality - Amended Prohibition and Control over the Discharge of Fireworks By-laws

Western Cape

Constitution of the Republic of South Africa, Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013; Western Cape Land Use Planning Act 13 of 2014 and Saldanha Bay

Municipal Land Use Planning By-law, 2015 - LAN 58028 in *PG* 8131 of 26 July 2019 - Saldanha Bay Local Municipality - Municipal Spatial Development Framework (MSDF)

Disaster Management Act 57 of 2002 - LAN 58035 in *PG* 8131 of 26 July 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of drought disaster for a further month from 1 August 2019 to 31 August 2019

Disaster Management Act 57 of 2002 - LAN 58036 in *PG* 8131 of 26 July 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of disaster as a result of a devastating fire in the Imizamo-Yethu informal settlement situated in Hout Bay for a further month from 1 August 2019 to 31 August 2019

North West

Spatial Planning and Land Use Management Act 16 of 2013: City of Matlosana Local Municipality: Notice of intention to review the Spatial Development Framework (SDF), 2019 published (LAN 101 in *PG* 8039 of 23 July 2019)

Free State

Disaster Management Act 57 of 2002 - PN 34 in *PG* 35 of 19 July 2019 - Mokokare Local Municipality - Declaration of a local state of disaster due to severe floods

Constitution of Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 - PNs 37-45 & 47-49 in *PG* 38 of 19 July 2019 - Mangaung Metropolitan Municipality - Rationalised By-Laws Volume 1: Parking By-law, Libraries By-law, Noise Control By-law, Swimming Pools By-law, Public Streets By-law, Cemeteries By-law, Events By-law, Control of Collections By-law, Informal Settlements By-law, Environmental Health Services By-laws, Keeping of Animals, Poultry and Bees By-law, and Unsightly and Neglected Buildings and Premises By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 46 in *PG* 38 of 19 July 2019 - Mangaung Metropolitan Municipality - Rationalised By-Laws Volume 1: Outdoor Advertising By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PNs 50-62 in *PG* 39 of 19 July 2019 - Mangaung Metropolitan Municipality - Rationalised By-Laws Volume 2: Informal Trading By-law, Electricity Supply By-law, Building Regulations By-law, Public Nuisance By-law, Disaster Risk Management By-law, Water Services By-law, Fresh Produce Market By-law

Spatial Planning and Land Use Management Act 16 of 2013 - PN 66 in *PG* 41 of 26 July 2019 - Masekanyana Local Municipality - Appointment of new members to the Municipal Planning Tribunal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 68 in PG 42 of 26 July 2019 - Setsoto Local Municipality - Draft Standard Business Regulations By-law - for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 69 in PG 42 of 26 July 2019 - Setsoto Local Municipality - Draft Public Passenger and Goods Transportation By-law - for comment

Gauteng

Gauteng Transport Authority Act 2 of 2019 – Gen Notice 1142 in PG 237 of 19 July 2019 – date of commencement to be proclaimed

CASES

National

De Lange NO v Minister of Water and Environmental Affairs 2019 (4) SA 445 (SCA)

Prescription—Extinctive prescription—Commencement—Claim based on delict—No ongoing infringement of right where conditions for its exercise not met or right not exercised—Claim based on losses resulting from government's failure to maintain irrigation scheme—When water supply ended, plaintiff stopped exercising his right, which was conditional—Hence no ongoing infringement—Claim prescribed—National Water Act 36 of 1998, ss 22–27 and 39; Prescription Act 68 of 1969, s 12(3).

Water—Right to water—Infringement—Not infringed on ongoing basis where, as in present case, conditions for exercising such right not met or right not exercised—National Water Act 36 of 1998, ss 22–27 and 39.

Public Protector v South African Reserve Bank (CCT107/18) [2019] ZACC 29 (22 July 2019)

Summary: Public Protector Act 23 of 1994 - personal costs - punitive costs - representative litigant - personal indemnity exceeded – accountability

International

Defenders of Wildlife; Sierra Club; Virginia Wilderness Committee v. United States Department of The Interior; United States Fish and Wildlife Service [Case No 18-2090](#) Delivered 26 July 2019 United States Court Of Appeals For The Fourth Circuit

“In 2017, the U.S. Fish and Wildlife Service (“FWS”) issued a Biological Opinion in connection with the proposed Atlantic Coast Pipeline, which will transport natural gas from West Virginia to Virginia and North Carolina. That Opinion, required by the Endangered Species Act, concluded that the proposed pipeline will not jeopardize the continued existence of several endangered and threatened species that are likely to be impacted by pipeline construction. As relevant here, the Biological Opinion concluded that the pipeline will not jeopardize four species: the rusty patched bumble bee, clubshell, Indiana bat, or Madison Cave isopod. However, because FWS anticipated the incidental taking, i.e., harassing or killing, of those

species, the agency issued an Incidental Take Statement with its Biological Opinion, setting limits on the number of each species that the pipeline could legally take. Petitioners challenged the take limits imposed by the 2017 Incidental Take Statement. After reviewing that agency action, we determined that FWS's take limits were arbitrary and capricious. Accordingly, we vacated the Incidental Take Statement. Shortly after our decision, FWS issued a new Biological Opinion and Incidental Take Statement. Petitioners now challenge the findings of both of those agency actions. Specifically, Petitioners assert that FWS improperly determined that pipeline construction will not jeopardize the rusty patched bumble bee or the clubshell, and they challenge the validity of the take limits imposed for the Indiana bat and the Madison Cave isopod. Because we find that FWS arbitrarily reached its no-jeopardy conclusions and failed to correct the deficiencies in the take limits that we identified in the previous appeal, we grant the petition and vacate the 2018 Biological Opinion and Incidental Take Statement."

PUBLICATIONS

International

Power for All "Powering Jobs Census 2019: The Energy Access Workforce" ([Report](#) July 2019)

Hedden-Nicely D and Caldwell LK "Indigenous Rights and Climate Change: The Influence of Climate Change on the Quantification of Reserved Instream Water Rights for American Indian Tribes" 2020 [Utah. L. Rev.](#) (forthcoming)

Hedden-Nicely D "Law and Science Series No. 1: The Contemporary Methodology for Claiming Reserved Instream Flow Water Rights to Support Aquatic Habitat" 50 [Envtl. L. Rev.](#) (forthcoming)

Hedden-Nicely D "The Historical Evolution of the Methodology for Quantifying Federal Reserved Instream Water Rights for American Indian Tribes" 50 [Envtl. L. Rev.](#) (forthcoming)

Hodas D "US Climate Change Adjudication: The Epic Journey from a Petition for Rulemaking to National Greenhouse Gas Regulation" in *Courts and the Environment* ([Edward Elgar](#), 2018)

2019 4(1) [Energy Review](#) now available

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Local government**

[The Conversation](#): Patel O "Pasha 28: What it will take to build the toilets of the future" 24 July 2019

- **Mining**

[Mining Weekly](#): James N “Concerns remain around ‘much improved’ 2019 mine rehab financial provision regulations” 19 July 2019 [Legalbrief Environmental 23 July 2019]

Africa

- **Climate change and energy**

[The Conversation](#): Bakshi Baishali “Climate and mortality rates in Kenya, Mali, and Malawi: what we found” 23 July 2019

[Place](#): Taylor L “‘This is our land’: Uncertain future for Ugandans facing eviction from wildlife reserve” 23 July 2019

- **Local government**

[Mail & Guardian](#): Ziervogel G and Joubert L “Day Zero: Lessons for cities in Global South” 26 July 2019

- **Miscellaneous**

[The Conversation](#): Soodyall Himla “How Africa’s science academies can help drive sustainable development” 24 July 2019

- **Water, waste and chemicals**

[Video](#): Street Surfers [Legalbrief Environmental 23 July 2019]

International

- **Biodiversity, parks and culture**

[The Conversation](#): Sims D “Sharks: one in four habitats in remote open ocean threatened by longline fishing” 24 July 2019

[Place](#): Ore A “Tasmania's Aboriginal groups divided over new place naming policy” 22 July 2018

[IISD](#) SDG Knowledge Hub: Mwangi W “FAO Develops Assessment Tools to Support Effective Community Forest Conservation” 25 July 2019

[Place](#): Chandran R “Explainer-India's top court to rule on eviction of millions from forests” 23 July 2019

[Place](#): Teixeira F “They exist: rare clip shows uncontacted tribe under threat in Brazil” 23 July 2019

[Science](#): Camero L “These squirrel-size monkeys helped bring Peru’s Amazon back to life” 25 July 2019

[Science](#): Rochmyaningsih D “Indonesia’s strict new biopiracy rules could stifle international research” 24 July 2019

[Science](#): Camero K “Ocean acidification could boost shell growth in snails and sea urchins” 23 July 2019

- **Climate Change and Energy**

[Development Asia](#): Handbook on Battery Energy Storage System

[IISD](#) SDG Knowledge Hub: Lee H “Climate Action and Sustainable Development are Inseparable” 23 July 2019

[IISD](#) SDG Knowledge Hub: Mead L “Universities Declare Climate Emergency Ahead of Climate Action Summit” 23 July 2019

[The Guardian](#): Helmore E “‘Unprecedented’: more than 100 Arctic wildfires burn in worst ever season” *The Independent* 26 July 2019

[The Conversation](#): Davidson H “Australia must help protect Pacific from climate change, PNG prime minister says” 26 July 2019

[Science](#): Gronewold N “Boris Johnson’s stance on climate change has flip-flopped” 25 July 2019

[Science](#): Perkins S “Ancient global climate events rippled unevenly across the globe” 24 July 2019

- **Local government**

[Place](#): Mersie A “In New York, a diverse, new group works the soil” 26 July 2019

[Urban Institute](#): “Opportunity Zoning” 25 July 2019

[Place](#): Batha E “Top tourism spots crack down as they become victim of own success” 23 July 2019

[Place](#): Dieppa IS “Vibrant neighbourhood or tourist magnet? Puerto Rico shows hidden cost of urban renewal” 24 July 2019

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Paul D “UN-Water Urges Managing Water for Climate Resilience” 25 July 2019

[IISD](#) SDG Knowledge Hub: Deregibus I “Water and Waste: Opportunity Knocks” 23 July 2019

[The Guardian](#): Lartey J and Laughland O “Residents of US Cancer Town diagnosed at ‘highly unusual’ rates, study says” 25 July 2019

- **Miscellaneous**

[West Virginia University](#): “Professors McGinley and Weise fought to disclose federal opioid data” 23 July 2019

[The Regulatory Review](#): Mintz J “The Coming Decline of Anti-Regulatory Conservatism” 22 July 2019

[BloombergEnvironment](#): Parenteau Patrick “Insight: From *Chevron* to *Rapanos*, Stevens Left Indelible Environmental Mark” 24 July 2019

[UN](#): Green Industry Platform

[UN](#): Green Finance Platform

[IISD](#) SDG Knowledge Hub: Ledaba AM “UNGA Looks to Next Steps to Bolster International Environmental Law” 25 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Nobel Laureates, Leading Personalities Urge Immediate Action on Oceans” 25 July 2019

[IISD](#) SDG Knowledge Hub: Paul D “UNESCO Finds 125 Countries Provide for Access to Information” 25 July 2019

[Place](#): Elks S “Space jam? Companies risk clutter, conflict in race for the skies” 25 July 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Gauteng in collaboration with Faculty of Law, University of Pretoria: Film screening: Jozi Gold: A story of wealth, greed and poisonous mountains

Date: 2 August 2019

Venue: Law Auditorium, Law Building, University of Pretoria

Time: 10h30 to 12h00

RSVP by [email](#) by 30 July 2019

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Abstracts: 30 July 2019 – email to [ELA Secretariat](#)

IAIAsa North-West Branch: Workshop on EIA, EMF and Biodiversity Sector Plan

Date: 16 August 2019

Time: 10:00 - 12h30

Venue: North-West University Mahikeng Campus, Room 261 Building A1

To register for the IAIAsa NW Branch event, follow the following [link](#)

Registration closes 13 August 2019

IAIAsa: Annual Conference: The Role of IEM in the Economic Revival of South Africa

Dates: 21-23 August 2019

Venue: ATKV Klein Kariba, Bela-Bela, Limpopo Province

Draft [Programme](#)

Registration [here](#) - early bird registration until 18 July 2019

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019

For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /

Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256

More [information](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-05.3.1: Environmental risk assessment and management**
Date: 12 - 16 August 2019
- **CEM-02.1.1: Environmental law (Master class)**
Date: 12 - 16 August 2019
- **CEM-02.1.2: Environmental law - integrated waste management**
Date: 26 – 30 August 2019
- **CEM-05.2.1: The roles and responsibilities of and environmental control officer**
Date: 26 - 30 August 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#) 27 – 29 August in Stellenbosch

- 3 – 5 September in Pretoria
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 3 - 5 September 2019, in Pretoria – more information [here](#)
- 22 - 24 October 2019, in Durban – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

Stellenbosch University: The Law Trust Chair in Social Justice: Leveraging the Sustainable Development Goals (SDG's) and the Global Human Rights Agenda to advance Social Justice

The conference aims to address the question: To what extent can academia advance the global Social Justice Agenda and leverage social justice research that participants are already engaged in, with reference to the SDG's and the Global Human Rights Agenda

Venue: Hazendal Wine Estate, Bottelary Rd, Stellenbosch

Date 29 – 31 August 2019

Abstracts: 2 August 2019

[Registration](#)

International

WIT Workshop on Disaster Risk Management in Smart City Planning

Dates: 2–4 June 2020

Place: New Forest, UK

Course [website](#)

10th International Forum on Energy for Sustainable Development: “Translating Targets into Actions”

Dates: 7-8 October 2019

Venue: United Nations Conference Centre in Bangkok, Thailand.

The Forum is co-organized by the five United Nations Regional Commissions and the Ministry of Energy of the Kingdom of Thailand. Experts from the energy sector, representatives from governments, UN entities, international organizations and other stakeholders will discuss major issues and demonstrate actions to achieve the SDG7 and meet commitments to mitigate climate change. There will be a series of roundtables, parallel sessions and side events about energy issues like renewable energy, energy efficiency, clean cooking and access to electricity.

Information of the Forum and registration details will be posted and updated regularly [here](#) Should you require further information, please contact [Energy Division](#), ESCAP.

9th Nigeria Alternative Energy Expo Conference

Date: 15-17 October 2019

Venue: Yar Adu Centre in Abuja, Nigeria

Topics to be covered in the Nigeria Alternative Energy Expo 2019 conference include: solar, wind, waste to energy, sustainable solutions in emerging countries, project and policy updates, energy efficiency, minigrid, storage, climate change, financing, EV, smart cities, community-scale energy projects, smart-grid, sustainable development indicators and indexes, sustainable development goals etc.

Abstracts close 16 August 2019 - All potential speakers' abstracts will be reviewed by the Conference Technical Programme Committee. Submit [here](#)

More [information](#)

SOAS London: PhD and Online Masters in Energy, Environment and Climate Policy

At SOAS, we recognise the need for informed professionals with the interdisciplinary skills and understanding to tackle the challenges of the 21st Century. In response to these challenges, we've designed a range of online qualifications, which not only delivers teaching in the areas of sustainable development, poverty reduction, the global economy and climate policy, but also provides tools for development for the future.

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- [MSc Global Energy and Climate Policy](#)
- [MSc Sustainable Development](#)

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At the Centre for Development, Environment and Policy (CeDEP) we've recently launched our first PhD with specialist study in the following areas:

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- sustainable and nutrition-sensitive food systems and agriculture-health linkages
- agricultural, energy and climate policy.

A key feature of our research is an emphasis on interdisciplinarity, as students are encouraged to blend concepts, tools and methods from across disciplines, e.g. economics and nutrition; politics and geography. SOAS students benefit from CeDEP's strong links with other University of London members such as the London School of Hygiene and Tropical Medicine, and cross-college institutions including the London International Development Centre (LIDC) and the London Centre for Integrative Research in Agriculture and Health (LCIRAH).

- [MPhil / PhD in Development, Environment & Policy](#)

Find the programme that meets your needs and fits around your personal and professional commitments.

NEWS

National

- **Biodiversity**

Marine: R28m worth of abalone confiscated in 2018 – Minister

"The Department of Environmental Affairs has confiscated abalone and rock lobster worth about R28m on the Western Cape coastline in the 2018-19 financial year. According to a Cape Times report, Environmental Affairs Minister Barbara Creecy revealed this in a written response to a parliamentary question from the IFP's Narend Singh. Singh had enquired about the progress the department has made in the fight against abalone poaching along the Western Cape coastline. He also wanted to know what additional steps had been taken by the Department in co-operation with SAPS, law enforcement agencies and other specialised environmental law enforcement bodies to eradicate abalone poaching. Creecy said there has been an increase in the number of enforcement operations conducted on the coastal communities of Gansbaai, Kleinbaai, Franskraal and Pearly Beach. She said 10 operations took place in the Overberg area in the Western Cape under Initiative Five of Operation Phakisa. The operations were a

combination of proactive and reactive operations aimed at disrupting illegal activities and apprehending poachers, she explained.”

Full Cape Times report (subscription needed) Legalbrief Environmental 23 July 2019

- **Climate change and energy**

Litigation: Trillian appeals order to repay Eskom's R600m

“The now-defunct Trillian Capital Partners company has applied for leave to appeal a High Court ruling ordering it to repay Eskom its portion of R1.7bn in unlawful payments emanating from state capture-linked deals, says a *Scorpio* report on the *Daily Maverick* site. It says the move effectively suspends the execution of Eskom’s much-heralded 18 June victory for repayment – thereby delaying recovery of R600m in taxpayers’ money. But Eskom has hit back. It wants Trillian to open its books, to provide full particulars of income, property, bank accounts, money held on its behalf in trust accounts or by pay agents, and all other assets, with the necessary supporting documents, including verified bank statements. At the very least, Eskom wants Trillian to put up security for nearly R600m by paying it into a ring-fenced attorneys’ trust account until such time as all appeals are completed. ‘Eskom should not have to engage in a lengthy and costly appeal process with Trillian, without any assurance that Trillian can satisfy the court order,’ it argues. That is, in part, because Trillian is embroiled in litigation or other state capture controversies to the tune of about R1bn, including the Eskom claim, says the report. Transnet has issued summons against two subsidiaries, Trillian Asset Management and Trillian Financial Advisory, for a total of R134m, while the company is also a respondent in a R239m lawsuit brought against Regiments Capital by the Transnet Second Defined Benefit Fund following a series of controversial interest rate swaps. Both matters are pending. Furthermore, the company’s sole representative, CEO Eric Wood, is engaged in complex litigation involving his former partners at Regiments Capital after a fallout triggered by a Gupta bid to buy Regiments in 2015. Trillian has until 30 July to file its response.”

Full report on the *Daily Maverick* site Legalbrief 26 July 2019

Local government: KZN municipalities owe Eskom more than R300m

“A total of 31 municipalities in KZN are in a precarious position, sitting with debt of more than R300m to Eskom while consumers owe municipalities R20bn. The *Mercury* reports Ingonyama Trust land owes rates to municipalities totalling R535m. KZN Co-operative Governance & Traditional Affairs MEC Sipho Hlomuka yesterday painted a dismal picture of the state of some of the province’s municipalities, saying those in crisis ‘need urgent attention as they are clear candidates for mandatory provincial intervention’. ‘We need our finger on the pulse of the challenges in order to offer relevant prescriptions. We have noted with concern, for instance, that more than 20 municipalities have tabled draft unfunded budgets for the 2019/20 financial year.’ He said in some cases, draft budgets were projected as funded but the final budget was unfunded. ‘This is a serious red flag for us.’ Speaking about unauthorised, irregular, fruitless and wasteful expenditure, Hlomuka said municipalities had reported a total of R4.3bn by May this year. Hlomuka said this figure could be higher and they will be analysing the annual financial statements of municipalities when it is submitted to the AG on 31 August.”

Full report in *The Mercury* (subscription needed) Legalbrief 26 July 2019

Steyn L “Ismail Momoniat says SA miners have bigger worries than carbon tax” [BusinessDay](#) 25 July 2019 [Legalbrief 25 July 2019]

“Eskom to fight energy regulator in court for higher tariff – report” [fin24](#) 27 July 2019

- **Local government**

Local government: Municipal interventions resisted, MPs told

“Interventions at ailing municipalities in terms of section 139 of the Constitution are not effective and these mechanisms must be reviewed urgently, Deputy Minister of Co-operative Governance, Park Tau, told MPs. According to a Beeld report, Tau and DG Dan Mashitisho briefed the Co-operative Governance Select Committee on the government’s interventions at 40 dysfunctional municipalities. Mashitisho said they had met fierce resistance from politicians and local officials. In some cases, the resistance ‘borders on illegal activity’ such as destroying documents, he added. The majority of the municipalities under administration are in North West (13), followed by KZN (10), Mpumalanga (5), the Free State (3), and then Gauteng, the Eastern Cape and Limpopo. Mashitisho says the respective provincial governments are not able to monitor performance or to provide the necessary interventions. ‘Provinces tend to appoint only one person as administrator – someone without the necessary specialist financial knowledge and human resources support.’ Tau said all three spheres of government would have to arrive at a collective solution to review the current constitutional mechanisms.” Full Beeld report (subscription needed) Legalbrief 24 July 2019

- **Mining**

Yeld J “Supreme Court of Appeal sends coal company packing” [GroundUp](#) 23 July 2018

Sibusiso Mdlalose “Newcastle residents say coal mine puts them in danger” [GroundUp](#) 22 July 2019

Ledwaba L “Mining companies against communities: These families are victims of scramble for land” [City Press](#) 26 July 2019

Broughton T “Landmark silicosis settlement made order of court” [The Independent](#) 26 July 2019

Sguazzin A and Narayanan A “Dubai business, Nehawu eye mines once owned by Guptas – source” [fin24](#) 28 July 2019

- **Waste and water**

Pollution: Ship owner found liable for PE oil spill

“The owner of a vessel from which about 400l of oil spilled into the ocean off Port Elizabeth has been found to be liable, the SA Maritime Safety Authority (Samsa) said. A Cape Times report notes that the spill occurred in Algoa Bay on 6 July, while bunkering services company SA Marine Fuels was refuelling the MV Chrysanthi S. Samsa, which conducted an investigation, said the vessel’s owner had been found liable for the disaster. ‘It appears that the oil spill occurred after one of the fuel tank valves was not properly closed, leading to a vast amount of fuel accidentally spilling out on to the vessel and into the sea. At the time, the

vessel had been supplied with as much as 1 300 metric tons of fuel,' said Samsa's regional manager Bongi Stofile. Stofile added that the owners, Golden Flower Navigation Incorporated, had accepted liability. The MV Chrysanthi S had been held during the investigation. Unfortunately, marine wildlife was affected by the spill, particularly sea birds and penguins. Last week, 90 African penguins, nine penguin chicks, three penguin eggs, 12 Cape gannets and five Cape cormorants drenched in oil had been rescued and were being cleaned, Stofile said." Full Cape Times report (subscription needed) Legalbrief Environmental 23 July 2019

Marine: Nahoon beach sewage spill worries locals

"Thousands of litres of raw sewage spewed into the Nahoon River last week, leaving a stinking, concentrated slick of black-blue water in the stretch of river beneath the N2 and North East Expressway bridges, said Nahoon Estuary Management Forum member Eric Jones. A Daily Dispatch report notes that Jones said sewage spillage into the river happened regularly, but the latest environmental disaster was the worst. 'It's thousands of litres of raw sewage flowing into the river and with it come all kinds of water-borne diseases. No one should be boating or using the river with a spill of this magnitude,' said Jones. He said the spills occurred due to regular blockages at the Nompumelelo settlement. While there were other points where sewage flowed into the river, the forum believed 80% of it was coming from the stormwater pipes which run under the N2. 'It happens when the system gets clogged up at Nompumelelo and overflows into the stormwater system, and finds its way into the river,' said Jones. He said the spill had been reported to the Department of Environmental Affairs and the Department of Water & Sanitation and water samples had been taken." Full Daily Dispatch report (subscription needed) Legalbrief Environmental 23 July 2019

International

- **Biodiversity, animal rights and culture**

Dalton J "Native American tribe sues aquarium for keeping veteran killer whale Lolita captive for 50 years" [The Independent](#) 26 July 2019

Watts J "Amazon deforestation accelerating towards unrecoverable 'tipping point'" [The Guardian](#) 26 July 2019

Witten L "NewsByte: Botswana's tricky elephant conservation conundrum" [IOL](#) 25 July 2019

Cox L "Extreme weather has damaged nearly half Australia's marine ecosystems since 2011" [The Guardian](#) 27 July 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Mead L "Companies Commit to Increase Ambition Ahead of UN Climate Action Summit" 25 July 2019

Davenport C and Tabuchi H "Automakers, Rejecting Trump Pollution Rule, Strike a Deal With California" [New York Times](#) 25 July 2019

Dalton J "Climate experts warn against 'business as usual' as heatwaves become 'new normal'" [The Independent](#) 26 July 2019

Buncombe A "Honduras: Where climate change and mass migration have created a village of women" [The Independent](#) 26 July 2019

Weston P "Underwater glacial melting up to 100 times faster than thought, study finds" [The Independent](#) 25 July 2019

Bayens C "Trump administration removes quarter of all climate change references from government websites" [The Independent](#) 25 July 2019

Weston P "New global warming study definitively proves climate deniers wrong" [The Independent](#) 24 July 2019

Weston P "Risk of mass extinctions as climate changes faster than animals adapt, study finds" [The Independent](#) 24 July 2019

Snaith E "Renewable energy providing more electricity than coal and nuclear power combined in Germany" [The Independent](#) 24 July 2019

Ambrose J "EIB plans to cut all funding for fossil fuel projects by 2020" [The Guardian](#) 26 July 2019

Tapper J "Experts call for ban on glass skyscrapers to save energy in climate crisis" [The Guardian](#) 28 July 2019

Steyn L "Sasol's Lake Charles nightmare deepens as further delays threaten" [BusinessLive](#) 26 July 2019

- **Mining**

Vedanta granted court order blocking plan by Zambia to sell KCM" [BusinessDay](#) 23 July 2019 [Legalbrief Forensic 25 July 2019]

Iannucci E "Fracking gets a lifeline in WA" [Mining Weekly](#) 16 July 2019

Philips D "Amazon gold miners invade indigenous village in Brazil after its leader is killed" [The Guardian](#) 28 July 2019

- **Water, waste and chemicals**

Price M "Sea of Galilee earthquakes triggered by excessive water pumping" [Science](#) 26 July 2019

- **Miscellaneous**

Watts J "Make environmental damage a war crime, say scientists" [The Independent](#) 24 July 2019

Burgen S "Mallorca residents call for cruise ship limit of one a day in Palma" [The Guardian](#) 25 July 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Cape Town: Lecturer/ Senior Lecturer: Commercial Law

Closing date: 16 August 2019

More [information](#)

North-West University (Potchefstroom Campus) SARChI Chair in Cities, Law and Environmental Sustainability: Researcher Fixed-Term Contract (01 September 2019 – 31 August 2021)

Closing date: 2 August 2019

More [information](#) / contact Prof [Anel du Plessis](#)

[Apply](#)

NWU South African Research Chair in Cities, Law and Environmental Sustainability Postdoctoral Fellow

More [information](#)

University of the Free State Qwaqwa Campus: Senior Officer Unit for Institutional Change and Social Justice Gender Equality and Anti-Discrimination Office

Closing date: 15 August 2019

More [information](#)

International

Researcher in SDG Implementation for Local Authorities University of Antwerp Belgium

Closing date: 31 July 2019

More [information](#)

Penn State Law in University Park: tenured or tenure-track faculty in the 2019-20 academic year

This is part of a multi-year strategic hiring plan, and we will consider both entry level and lateral candidates. Lateral candidates may be at the assistant, associate, or full professor levels.

One of our searches will consider candidates in all subject areas, but we have a particular interest in those with research or teaching interests in criminal procedure and business law (including both domestic and international business). In addition, Penn State Law will be making two interdisciplinary hires. The first is a joint hire with the Penn State Institutes of Energy and the Environment for a position in energy and/or environmental law. The second is a joint hire with Penn State's Institute for CyberScience, College of Engineering, and School of International Affairs on law and big data; for this position, we will consider scholars, interested in any area of the law, who incorporate big data into their research.

Candidates must have a J.D., Ph.D., or equivalent degree, a distinguished academic record, and demonstrated potential to produce outstanding scholarship. Penn State Law will be attending the AALS faculty recruitment conference, and entry level candidates are strongly encouraged to participate in the AALS Faculty Appointments Register. Lateral candidates should submit a current CV, four letters of reference, teaching evaluations, and [email](#) a draft work-

in-progress. Specific inquiries should be addressed to the chair of the Appointments Committee, Professor [Sam Thompson](#).

Penn State Law is located on Penn State's University Park, Pennsylvania campus. For more information, please visit our [website](#) at. Penn State is an equal opportunity, affirmative action employer and is committed to providing employment opportunities to all qualified applicants without regard to race, color, religion, age, sex, sexual orientation, gender identity, national origin, disability or protected veteran status.

Netherlands: Master's and Training Courses

Closing dates: 5 September (3 closing dates per year)

More [information](#)

United States: Postdoctoral Fellows: Fulbright

Closing date: 1 October 2019

More [information](#)

Germany: Development related Postgraduate study (DAAD)

More [information](#)

Germany Short term grants

More [information](#)

Postdoctoral Research Fellow in the Centre for Social Responsibility in Mining (CSRM) University of Queensland, Centre for Social Responsibility in Mining (CSRM)

Closing date: 13 August 2019

More [information](#)

PhD Research Position in the Field of Governance KU Leuven Division of Bioeconomics

Closing date: 20 August 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 29

2 August 2019

LEGISLATION

BILLS

Draft Promotion of Access to information Amendment Bill, 2019 - GN 1015 in GG 42604 of 31 July 2019 - for comment

NOTICES

Statistics South Africa – Gen Notice 412 in GG 42608 of 2 August 2019 - Consumer Price Index, Rate (Base Dec 2017 = 100): June 2019: 4.5

Constitution of the Republic of South Africa, 1996 - Proc 48 in GG 42601 of 30 July 2019 - Transfer of administration and powers and functions entrusted by legislation to certain cabinet members

Marine Living Resources Act 18 of 1998 - GN 1019 in GG 42608 of 2 August 2019 - Commencement date of the next fishing allocation process, the proposal to review the application forms for the allocation of fishing rights, as well as the proposed review of various policies

Marine Living Resources Act 18 of 1998 - GN 1020 in GG 42608 of 2 August 2019 - Withdrawal of notice regarding the proposed resource split in the traditional linefish and squid fishing sectors and proposed reclassification of white mussel, oysters and hake handline fishing as small-scale fishing species

Marine Living Resources Act 18 of 1998 - GN 1021 in GG 42608 of 2 August 2019 - Abolishing of the Fisheries Transformation Council

National Nuclear Regulator Act 47 of 1999 - GN 1017 in GG 42608 of 2 August 2019 - Fees for nuclear authorisations payable to the National Nuclear Regulator of South Africa for the period 1 April 2019 to 31 March

Council for the Built Environment Act 43 of 2000 - GN 1025 in GG 42608 of 2 August 2019 - Scope of work for categories of registration of the quantity surveying profession

Standards Act 8 of 2008 – Gen Notice 413 in GG 42608 of 2 August 2019 - Amendment of South African National Standards

Superior Courts Act 10 of 2013 – Gen Notice 400 in GG 42605 of 31 July 2019 - Directive 1/2019: Determination of the date for Judiciary Day

Superior Courts Act 10 of 2013 – Gen Notice 401 in GG 42605 of 31 July 2019 Directive 2/2019 - Determination of sittings of the specific courts

PROVINCES

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 167 in PG 4277 of 29 July 2019 - Kouga Local Municipality - Declaration of a local state of drought disaster as published under LAN 81 in PG 4226 of 15 April 2019 extended for a further month

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 172 in PG 4277 of 29 July 2019 - King Sabata Dalindyebo Local Municipality - Coffee Bay Local Spatial Development Framework/Precinct Plan: Executive Summary

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 173 in PG 4277 of 29 July 2019 - King Sabata Dalindyebo Local Municipality - Mqanduli & Viedgesville Local Spatial Development Framework: Executive Summary

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 174 in PG 4277 of 29 July 2019 - King Sabata Dalindyebo Local Municipality - Draft Local Spatial Development Framework for the Mthatha Nodal Area: Executive Summary

National Environmental Management: Protected Areas Act 57 of 2003 - PN 219 in PG 4280 of 31 July 2019 – Declaration to declare a protected environment: Indalo Protected Environment

Disaster Management Act 57 of 2002 - GN 1023 in GG 42608 of 2 August 2019 - Amathole District Municipality - Declaration of municipality as a drought disaster area

KwaZulu-Natal

Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Finance Management Act 56 of 2003 - PN 104 in PG 2105 of 1 August 2019 - Dr Nkosazana Dlamini Zuma Local Municipality - Final IDP, SDF, Budget and Tariffs of charges for 2019/2020 financial year

Spatial Planning and Land Use Management Act 16 of 2013 - PN 108 in PG 2105 of 1 August 2019 - Zululand District Municipality - Commencement of the Joint Municipal Planning Tribunal and its members

National Environmental Management Act 107 of 1998 - PN 109 in PG 2105 of 1 August 2019 - Umgungundlovu District Municipality - Environmental Management Framework

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Overstrand Local Municipality - LAN 58061 in PG 8132 of 2 August 2019 - By-law Relating to Trees

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58053 in PG 8134 of 2 August 2019 - Swartland Local Municipality - Draft By-law relating to Municipal Land Use Planning and Filming By-law

North West

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 109 in PG 8045 of 30 July 2019 - Lekwa-Teemane Local Municipality - Establishment of Municipal Planning Tribunal (MPT) and appointment of members

Free State

Spatial Planning and Land Use Management Act 16 of 2013 - PN 73 in PG 49 of 2 August 2019 - Phumelela Local Municipality: - SPLUMA Tariffs

Gauteng

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 1200 in PG 247 of 31 July 2019 - Mogale City Local Municipality – Review of the Spatial Development Framework (SDF) and intention to adopt a single Land Use Scheme (LUS)

CASES

National

Gordhan v Public Protector and Others (48521-19) [2019] [ZAGPPHC](#) 311 (29 July 2019)

“[1] The applicant, Pravin Jamnadas Gordhan ["Gordhan"] is on an urgent basis seeking that the remedial orders in paragraph 8 of the Public Protector's report No 3 6 of 2019 /20 ["the Report"] of 5 July 2019 be suspended pending the final determination of Part B of this application. The first respondent, the Public Protector ["the PP"], and the second respondent, Busisiwe Mkhwebane ["Mkhwebane"] are to be interdicted from enforcing the remedial order pending the determination of Part B of this application. [For ease of reference I refer to the PP and Mkhwebane as the PP]. In Part B Gordhan is seeking the review and setting aside of the PP's report from which the remedial action flows.”

National Energy Regulator of South Africa and Another v PG Group (Pty) Limited and Others 2019 [ZACC](#) 28

Summary: Gas Act 48 of 2001 - Monopoly - maximum pricing decision - tariff decision - pricing regulation

Promotion of Administrative Justice Act 3 of 2000 - administrative decision - rationality

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[The Conversation](#): Harvey R “Captive lion breeding in South Africa: the case for a total ban” 30 July 2019

[The Conversation](#): Fitchett J and Grab S “We tracked South Africa’s sardine run over 66 years: here’s what we found” 30 July 2019

- **Climate Change and Energy**

[The Conversation](#): Ting MB “How Liquefied Natural Gas could change South Africa’s fortunes” 28 July 2019

- **Local government**

[The Conversation](#): Collins M “A unique picture of migration patterns in South Africa can help urban planning” 31 July 2019

Africa

- **Biodiversity**

[News24](#): Zietsman G “As Tanzania's Selous Game Reserve gets split in half, Nat Geo highlights their favourite national parks - including Kruger” 2 August 2019

- **Local government**

[Place](#): Foroudi L “As garbage piles up in Tunisian cities, waste pickers demand recognition” 1 August 2019

- **Mining**

[The Conversation](#): Verpoorten M, Stoop N and Van der Windt P “The way that minerals are mined affects conflict in eastern Congo” 29 July 2019

- **Miscellaneous**

[Mail & Guardian](#): Corey-Boulet R “Going green: Ethiopia's bid to plant four billion trees” 31 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Southern Voice Case Studies Analyze SDGs 4, 7, 8 in Six Countries” 30 July 2019

International

- **Biodiversity, parks and culture**

[TedTalk](#): Wiersema Annecoos “Tiger penis & rhino horn: the world of illegal wildlife trade” 30 July 2019

[Place](#): Chandran R “In dragons vs. tourists fight, Indonesian villagers to lose out” 31 July 2019

[Place](#): Biron CL “Analysis-That river has rights: new strategy to protect planet” 31 July 2019

[Place](#): Taylor M “Malaysia working to tighten laws on forest protection, says minister” 31 July 2019

[Science](#): Camero K “Yellowstone grizzly bears are again listed as threatened” 1 August 2019

[Science](#): Escobar H “Deforestation in the Amazon is shooting up, but Brazil’s president calls the data ‘a lie’” 28 July 2019

[The Conversation](#): Hayward M and Bump JK “Some good conservation news: India’s tiger numbers are going up” 29 July 2019

- **Climate Change and Energy**

[Place](#): Malo S “As sea levels rise, homes continue to sprout in US flood zones” 31 July 2019

[IISD](#) SDG Knowledge Hub: Mead L “NGOs Call for a “Renewable Future for Rivers, Climate and People” 1 August 2019 - find the report [here](#)

[The Conversation](#): McKie R “Climate denial: Donald Trump mimics criminal behaviour when justifying his stance” 30 July 2019

- **Local government**

[Place](#): Suliman A “Britain’s one-pound homes more than a gimmick, say owners” 30 July 2019

[CityLab](#): Jacobs T “Living Near Trees, Not Just Green Space, Improves Wellbeing” 30 July 2019

[Place](#): Dominguez JA “Spanish homeless camp in tourist hotspot to demand housing” 31 July 2019

- **Miscellaneous**

[Place](#): Chandran R “Philippines is world’s deadliest nation for land rights: campaign group” 30 July 2019

[The Jurist](#): Zubizarreta T “Supreme Court allows Trump administration to begin border wall construction with Defense Department funds” 29 July 2019

[Science](#): Cohen J “To feed its 1.4 billion, China bets big on genome editing of crops” 29 July 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “NAP Global Network Explores Country Perspectives on Aligning National Policy Processes Under Global Agendas” 1 August 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNEP GEO-6 Special Report Outlines Emerging Risks from Industrial Development” 1 August 2019

[IISD](#) SDG Knowledge Hub: Mead L “2019 Earth Overshoot Day Reaches Earliest Date Ever” 1 August 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution – Abstract submission date extended

Dates: 26 September 2019 (Student Conference)
27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Abstracts: **5 August 2019** – email to [ELA Secretariat](#)

Registration for student conference [here](#)

Registration for ELA Annual conference [here](#)

Registration closes 13 September 2019

IAIAsa North-West Branch: Workshop on EIA, EMF and Biodiversity Sector Plan

Date: 16 August 2019

Time: 10:00 - 12h30

Venue: North-West University Mahikeng Campus, Room 261 Building A1

To register for the IAIAsa NW Branch event, follow the following [link](#)

Registration closes 13 August 2019

Public Lecture: The precautionary principle in wildlife law and policy – what it means and what it doesn't by Assoc. Prof Arie Trouwborst

Date: 11 September 2019

Venue: Educational centre, SANBI, Pretoria

Time: 13:00 – 15h30

Dr Andy Blackmore will lead in the afternoon with a presentation on the public trust in the context of the South African constitution and the importance of the public trust in decision-making. Prof Trouwborst is from Tilburg University, the Netherlands.

Participants are encouraged to think about *practical situations* where uncertainty plays a role with regard to concrete issues in wildlife conservation and sustainable use. Following the presentation, there will be an opportunity to table these situations, and to discuss what an appropriate application of the precautionary principle might entail in each case. Linking the general tenets of the precautionary principle to these concrete issues will hopefully lead to increased clarity as to what the principle entails in practice and what it doesn't. Please circulate this invitation to your membership and one you think would be interested in attending.

Please send an [email](#) if you will be attending on or before 2 September 2019.

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019

For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /

Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256

More [information](#)

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-05.3.1: Environmental risk assessment and management**
Date: 12 - 16 August 2019
- **CEM-02.1.1: Environmental law (Master class)**
Date: 12 - 16 August 2019
- **CEM-02.1.2: Environmental law - integrated waste management**
Date: 26 – 30 August 2019
- **CEM-05.2.1: The roles and responsibilities of and environmental control officer**
Date: 26 - 30 August 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 27 – 29 August in Stellenbosch
- 3 – 5 September in Pretoria
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 3 - 5 September 2019, in Pretoria – more information [here](#)
- 22 - 24 October 2019, in Durban – more information [here](#)
- 12 - 14 May 2020, in Nelspruit – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

NEWS

National

- **Biodiversity**

Stakeholder user needs survey on the State of Environment

The 1997 White Paper on Environmental Management Policy requires the Department of Environment, Fisheries and Forestry to "...report periodically on the state of the South African environment in order to:

- Provide accurate, timely and accessible information about the condition and prospects of the South African environment;
- Increase public understanding of environmental issues;
- Report on the effectiveness of policies and programmes designed to respond to environmental change, including progress towards achieving environmental standards and targets."

Attached find the [link](#) and complete the Stakeholder user needs survey on the State of Environment

Deadline for the survey is 26 August 2019 at 18:00pm.

"Minister Creecy honours rangers on World Ranger Day 2019 at Kruger National Park" [DEA Website](#) 31 July 2019 [provided by Inge Snyman]

"Department of Environment, Forestry and Fisheries reports back on rhino poaching in first six months of 2019" [DEA Website](#) 31 July 2019 [provided by Inge Snyman]

- **Climate change and energy**

Alfreds D "Cold, wet weather the 'most normal' winter in years, says SAWS" [News24](#) 2 August 2019

Carrie T "Ambitious plans underway for homegrown South African climate change model" [GroundUp](#) 29 July 2019

Hedley N "Standard Bank adopts policy on funding coal-fired power projects" [BusinessLive](#) 31 July 2019 [Legalbrief 1 August 2019]

- **Mining**

Butler B and Morton A "BHP could quit Minerals council after clashes over climate policy" [The Guardian](#) 3 August 2019

- **Miscellaneous**

Legislation: Environmental tax incentive Bill out for comment

"A draft Income Tax Amendment Bill aimed at giving effect to 2019/20 Budget announcements on environmental tax incentives was released yesterday for comment. According to an accompanying explanatory memorandum, the proposed new statute seeks to extend the duration of existing energy efficiency savings incentives until 31 December 2022, when the first phase of carbon tax implementation is scheduled to end. The draft Bill also seeks to avoid 'a double benefit scenario' in which 'the same emission reductions' not only 'lower carbon

tax liability for a taxpayer under the Carbon Tax Act' but also qualify the emitter to an income tax exemption under section 12K of the Income Tax Act.”
Read full report in Legalbrief Policy Watch [Legalbrief 31 July 2019]

International

- **Biodiversity, animal rights and culture**

Chan N “UN Human Rights Chief criticizes Brazil’s failure to preserve indigenous lands” [The Jurist](#) 31 July 2019

“Watch | Icebreaker salvages lost beluga whale recordings” [News24](#) 2 August 2019

“Ghana 'exports rosewood timber illegally to China'” [BBC News](#) 30 July 2019 [Legalbrief 1 August 2019]

Shikongo A “No bail for suspected lion killers” [Namibian](#) 31 July 2019 [Legalbrief 2 August 2019]

Barkham P “‘We are silencing the natural world’: can the turtle dove be saved?” [The Guardian](#) 3 August 2019

- **Climate change and energy**

“Palau tells Australia to step-up on climate change” [News24](#) 2 August 2019

Friedman L “Republicans fear backlash from voters over Trump’s dismissal of climate change” [The Independent](#) 3 August 2019

Perrone A “July was hottest month ever recorded on Earth, preliminary data shows” [The Independent](#) 2 August 2019

Humans contributed up to 3°C of recent European heatwaves” [BusinessLive](#) 2 August 2019

Weston P “Climate change laws must be extended to protect the whole environment, think tank says” [The Independent](#) 1 August 2019

Sharman J “Greenland’s ice sheet melting so fast it has caused global sea levels to rise 0.5mm in just a month” [The Independent](#) 2 August 2019

McKie R “We must transform food production to save the world, says leaked report” [The Guardian](#) 4 August 2019

Vidal J “Offsetting carbon emissions: ‘It has proved a minefield’” [The Guardian](#) 2 August 2019

- **Local government**

Osborne C “US Army tests IoT for the battlefield in smart cities” [ZDNet](#) 1 August 2019

- **Mining**

“U.N. rights boss urges Brazil to preserve Amazon from mining” [Extractives Baraza](#) 31 July 2019

“Mineral-rich Ecuadorean province requests popular referendum on mining”
[Extractives Baraza](#) 31 July 2019

- **Water, waste and chemicals**

McCutcheon C “Jury Skepticism of Regulators’ Science Evident in Roundup Trials”
[Bloomberg Environment](#) 1 August 2019

“Watch | ‘I like plastic’: Pakistan’s toxic ‘love affair’ with waste” [News24](#) 2 August 2019

- **Miscellaneous**

“Humanity’s next test: Feed 10 billion without ruining Earth” [News24](#) 2 August 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Cape Town: Lecturer/ Senior Lecturer: Commercial Law

Closing date: 16 August 2019

More [information](#)

NWU South African Research Chair in Cities, Law and Environmental Sustainability Postdoctoral Fellow

More [information](#)

University of the Free State Qwaqwa Campus: Senior Officer Unit for Institutional Change and Social Justice Gender Equality and Anti-Discrimination Office

Closing date: 15 August 2019

More [information](#)

Rhodes University: Senior Lecturer/ Associate Professor in the Faculty of Law - private law or adjectival law

Closing date: 19 August 2019

More [information](#)

North-West University: Junior Lecturer/Lecturer: Law with language qualifications

Closing date: 23 August 2019

More [information](#)

North West University: Junior Lecturer in Private Law (Mahikeng Campus)

Closing date: 16 August 2019

More [information](#)

North-West University: Junior Lecturer Street Law; Indigenous Law; Practical Legal Training and Moot Court (Potchefstroom Campus)

Closing date: 16 August 2019

More [information](#)

North-West University: Lecturer/Senior Lecturer Commercial Law, Banking Law, Administration of Estates and Company Law (Potchefstroom Campus)

Closing date: 23 August 2019

More [information](#)

North-West University: Associate Professor / Professor (Potchefstroom Campus)

Closing date: 16 August 2019

More [information](#)

CCMA: Senior Researcher – employment opportunity

The position of a Senior Researcher will be in the CCMA National Office's Business Research and Knowledge Unit.

The deadline for applications is 12 August 2019 – to be [emailed](#)

For additional information about the position, please contact Ms [Boitumelo Rakau](#), Manager of the Business Research and Knowledge Unit..

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

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LEGISLATION

BILLS

National Health Insurance Bill, 2019 [B11-2019]

NOTICES

Plant Breeders' Rights Act 15 of 1976 - GN 1043 in GG 42622 of 8 August 2019
- Receipt of applications for plant breeders' rights

Petroleum Products Act 120 of 1977 - GN R1038 in GG 42618 of 6 August 2019
- Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers

Petroleum Products Act 120 of 1977 - GN R1039 in GG 42618 of 6 August 2019
- Regulations in respect of petroleum products

Petroleum Products Act 120 of 1977 - GN R1040 in GG 42618 of 6 August 2019
- Regulations in respect of the single maximum national retail price for illuminating paraffin

PROVINCES

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 48 in PG 3074 of 2 August 2019 - Steve Tshwete Local Municipality - City Improvement District By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 49 in PG 3074 of 2 August 2019 - Steve Tshwete Local Municipality - Problem Building By-law, 2018

Northern Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Finance Management Act 56 of 2003 - MN 50 in PG 2286 of 2 August 2019 - Mohokare Local Municipality - Integrated Development Plan (IDP) 2019/2020

Gauteng

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 1200 in PG 252 of 7 August 2019 - Mogale City Local Municipality - Review of the Spatial Development Framework ('SDF') and adoption of a single Land Use Scheme ('LUS') – for comment

CASES

National

National Council of the Society for Prevention of Cruelty to Animals v Minister of Environmental Affairs and Others (86515/2017) [2019] ZAGPPHC 337 (6 August 2019)

"[1] These proceedings relate to the process by which South Africa sets annual export quotas for trade in lion bone, bone pieces, bone products, claws skeletons, skulls and the like for commercial purposes which are derived from captive breeding operations in South Africa. This application is not about the captive lion breeding industry as a whole and the debates that have emerged at both the national as well as at an international level concerning its existence and continuance.

[2] The Applicant seeks to review and have declared unlawful and constitutionally invalid the decisions of the First Respondent of the 28 June 2017 and 7 June 2018 in which the quotas for the exportation of lion bone were determined at 800 and 1500 lion skeletons respectively. All the Respondents oppose the relief sought."

International

Animal Legal Defense Fund v. United States, [No. 6:18-cv-01860](#) (D. Or. July 31, 2019)

"The federal district court for the District of Oregon dismissed a lawsuit in which two nonprofit organizations and six individuals claimed that climate change and the government's failure to protect them from climate change violated their constitutional rights. The court ruled that the plaintiffs failed to allege the particularized harm necessary for standing because climate change is "a diffuse, global phenomenon that affects every citizen of the world." The court further ruled that it lacked jurisdiction to make the "policy decisions" that would be required to grant the relief sought by the plaintiffs, which related to federal policies on fossil fuels, agriculture, logging, and family planning. In addition, the court found no basis for the plaintiffs' assertions of a fundamental right to wilderness and therefore found that they failed to state a claim upon which relief could be granted. The court distinguished the district court's decisions in *Juliana*, writing that the *Juliana* plaintiffs "did not object to the government's role in just *any* pollution or climate change, but rather *catastrophic* levels of pollution or climate change." The court also said the right to a "stable climate system" at issue in *Juliana* was narrower than the right to wilderness for which the plaintiffs advocated in this case." [Summary Sabin Centre for Climate Change Law]

PUBLICATIONS

National

Van Niekerk B “Indiscriminate hunting in the Karoo” 2019 19(24) [Without Prejudice](#)

International

IPPC “Climate Change and Land” ([Report](#) August 2019)

Yonglong Lu *et al* “Forty years of reform and opening up: China's progress toward a sustainable path” [Science Advances](#) 7 August 2019

Himmler Tobias *et al* “A 160,000-year-old history of tectonically controlled methane seepage in the Arctic” 2019 5(8) [Science Advances](#) DOI: 10.1126/sciadv.aaw1450

2019 *Environmental Law Reporter* – find new edition [here](#)

Pauw Pieter, Mbeva Kennedy & van Asselt Harro “Subtle differentiation of countries’ responsibilities under the Paris Agreement” 2019 [Palgrave Communications](#) 59(86) [provided by Andrew Gilder]

2019 51(2) *The Journal of Legal Pluralism and Unofficial Law* is now available – focusing on Cities and the contestation of human rights between the global and the local [provided by Anel du Plessis]

Ahmad Nadia “Energy for Metropolis” 2019 73 [University of Miami Law Review](#) 258

Ruple John C “The Trump Administration and Lessons Not Learned from Prior National Monument Modifications” 43 [Harvard Environmental Law Review](#) 1 (2019)

Keiter Robert B “Toward a National Conservation Network Act: Transforming Landscape Conservation on the Public Lands into Law” 42 [Harvard Environmental Law Review](#) 61 (2018)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

[IAIAsa](#) International Best Practice Principles: Teaching Impact Assessment Special Publication Series No. 10 December 2018

Africa

- **Biodiversity**

[Science](#): Pennisi E “The world’s biggest frogs build their own ponds” 8 August 2019

[Science](#): Frederick “Animal friendships change with the weather in African savanna” 6 August 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Campbell JV “No Sustainable Development Without Indigenous Peoples” 8 August 2019

[News24](#): “A crack in the desert is expected to become the world's next ocean” 11 August 2019

International

- **Biodiversity, parks and culture**

[CIEL](#) “Authorized to Steal: Organized Crime Networks Launder Illegal Timber from the Peruvian Amazon” (July 2019)

[Interpol](#): “Wildlife Trafficking: Organized Crime Hit Hard by Joint INTERPOL-WCO Global Enforcement Operation” 10 July 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “EC Adopts Framework of Five Priority Actions to Protect, Restore Forests” 8 August 2019

[Place](#): Beh Lih Yi and Shanshan Chen “Young Taiwanese reconnect with indigenous roots to heal trauma” 8 August 2019

[IFL Science](#): McCall R “Land Managed by Indigenous Peoples have the Greatest Levels of Biodiversity” 7 August 2019

University of Utah S.J. Quinney College of Law Environmental Law Program - The Wallace Stegner Center for Land, Resources, and Environment

Video, 90 minutes: [2018 Wallace Stegner Lecture](#): John D. Leshy, "Debunking the Creation Myths of America's Public Lands"

[The Independent](#): Watts S “Plight of the pachyderms: How data, technology and women have eliminated Tsavo’s poaching problem” 11 August 2019

- **Climate change and energy**

[Mondag](#): Shearman “European Union: European Commission Publishes Guidelines on Reporting Climate-Related Information” 29 June 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “IISD [Report](#) Showcases How Countries Implement Clean Energy Swaps” 8 August 2019

[Science](#): Stokstad E “Bioenergy plantations could fight climate change—but threaten food crops, U.N. panel warns” 8 August 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Climate Emergency Fund Established to Support Climate Activists” 6 August 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Momentum for Change [Report](#) Showcases Practical, Replicable, Scalable Climate Solutions” 6 August 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “IRENA [Report](#) Finds 5% Increase in Renewable Energy Compared to 2016” 6 August 2019

Climate Law [Blog](#): Wentz J “New Draft Guidance on Climate Change and NEPA Reviews Unlikely to Significantly Affect Agency Practice or Judicial Interpretation of NEPA Obligations” 24 July 2019

[IISD](#) ENB: Summary of the 50th Session of the Intergovernmental Panel on Climate Change (IPCC-50) 2-7 August 2019 | Geneva, Switzerland

“On Wednesday afternoon, 7 August 2019, the 50th session of the Intergovernmental Panel on Climate Change (IPCC-50) adopted the Summary for Policymakers (SPM) of the Special Report on Climate Change and Land (SRCCL) and accepted the underlying report. The SRCCL represents the first ever comprehensive look at the whole land-climate system, addressing land as a critical resource, desertification and land degradation, food security, and land and climate change responses.”

[TEDxOcala](#): Ahmad Nadia “Unearthing Clean Energy” 2016

- **Local government**

[IISD](#) SDG Knowledge Hub: Paul D “City of Almaty Considers Measures to Promote Circular Economy” 6 August 2019

[IISD](#) SDG Knowledge Hub: Leone F “City Leaders Boost Role of Voluntary Local Reviews of 2030 Agenda” 6 August 2019

- **Mining**

[IISD](#) SDG Knowledge Hub: Wagner L “ISA Talks Consider Development of Regulations on Deep-seabed Mining” 8 August 2019” 8 August 2019

- **Water, waste and chemicals**

[Science](#): Camero K “This tiny insect could be delivering toxic pesticides to honey bees and other beneficial bugs” 5 August 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Event Considers Links Among Gender, Climate and Chemicals” 8 August 2019

[The Guardian](#): McKie R “Britain’s 2,800 dams: why were they built and how safe are they?” 4 August 2019

- **Miscellaneous**

[Science](#): Popkin G “Forecasters fear 5G wireless technology will muck up weather predictions” 7 August 2019

[Place](#): Magdaleno J “In wealthy Silicon Valley, a \$500 million plan to save threatened farmland” 8 August 2019

BRICS Legal Forum 2018: Conference [presentations](#)

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “IMO Promotes “Sustainable Shipping for a Sustainable Planet” 6 August 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)
27-28 September 2019 (ELA Conference and AGM)
Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal
Registration for student conference [here](#)
Registration for ELA Annual conference [here](#)
Registration closes 13 September 2019

IAIAsa North-West Branch: Workshop on EIA, EMF and Biodiversity Sector Plan

Date: 16 August 2019
Time: 10:00 - 12h30
Venue: North-West University Mahikeng Campus, Room 261 Building A1
To register for the IAIAsa NW Branch event, follow the following [link](#)
Registration closes 13 August 2019

Public Lecture: The precautionary principle in wildlife law and policy – what it means and what it doesn't by Assoc. Prof Arie Trouwborst

Date: 11 September 2019
Venue: Educational centre, SANBI, Pretoria
Time: 13:00 – 15h30

Dr Andy Blackmore will lead in the afternoon with a presentation on the public trust in the context of the South African constitution and the importance of the public trust in decision-making. Prof Trouwborst is from Tilburg University, the Netherlands.

Participants are encouraged to think about *practical situations* where uncertainty plays a role with regard to concrete issues in wildlife conservation and sustainable use. Following the presentation, there will be an opportunity to table these situations, and to discuss what an appropriate application of the precautionary principle might entail in each case. Linking the general tenets of the precautionary principle to these concrete issues will hopefully lead to increased clarity as to what the principle entails in practice and what it doesn't. Please circulate this invitation to your membership and one you think would be interested in attending.

Please send an [email](#) if you will be attending on or before 2 September 2019.

University of Pretoria Department of Public Law: Short Course in Environmental Law

Course Date: 19 – 23 August 2019
For dates, registration, costs etc contact the Course coordinator [Dolly Mabuza](#) /
Tel: +27 (0)12 434 2576 / +27 (0)66 202 4256
More [information](#)

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.2: Environmental law - integrated waste management**

Date: 26 – 30 August 2019

- **CEM-05.2.1: The roles and responsibilities of and environmental control officer**

Date: 26 - 30 August 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 27 – 29 August in Stellenbosch (registration closes 13 August 2019)
- 15-17 October in Pretoria (registration closes 3 September 2019)
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 22 - 24 October 2019, in Durban (registration closes 8 October 2019)– more information [here](#)
- 12 - 14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

UCT Law@Work Short Courses: Environmental Law Primer: What Every Business Leader Should Know

DATE: 25-26 September 2019

For more information send an [email](#) or consult the [website](#)

The Smart City Initiatives in South Africa and Paving a Way to Support Cities to Address Frontier Issues Using New and Emerging Technologies

Date: 21 August 2019

Time: 8:30 – 14:30

Venue: Future Africa Conference Centre, University of Pretoria, Gauteng

RSVP: Click [here](#) to register by 12:00 on 16 August 2019

The Programme will be sent to participants.

Konrad Adenauer Foundation (KAS) in cooperation with Jacana Media and Exclusive Books book launch of Elections 2019: Change and Stability in South Africa's Democracy

Date: Monday, 19 August 2019

Time: 18:00 for 18:30

Venue: Exclusive Books Sandton, Sandton City, Rivonia Road

[RSVP](#)

International

IUCN World Commission on Environmental Law (WCEL) 2nd World Environmental Law Congress Environmental Law 2030 and Beyond

Venue: Supreme Court of the State of Rio de Janeiro, Brazil

Dates: 25-29 March 2020

The general theme of the Congress is, a departure from the common approach in previous events to reflect primarily on past or present developments and issues.

To prepare the panels for the 2nd World Environmental Law Congress, WCEL welcomes the submission of abstracts for short articles that will be organized around the following thematic tracks and panel topics:

- Sustainable Urban Environment in Times of Climate Change and Biodiversity Crisis
- Ocean, Islands & Coastal Zone Crisis
- Species & Ecosystem Extinction Crisis, Convention of Biological Diversity Post-2020, Sustainable Use of Soil and Habitat Protection
- Enhancing the Practice of the Environmental Rule of Law

Abstracts on other topics will be considered on a case-by-case basis.

The deadline for submission of abstracts is 1 September 2019. [Email](#) the Abstract Submission Form. The submissions will be reviewed by a WCEL committee.

The deadline for short articles based on the selected abstracts is 15 January 2020. Panel presentations will be based on the abstracts and facilitate feedback for authors' revisions of the final papers.

The final versions of the papers are due shortly after the Congress, no later than 10 April 2020. WCEL plans to publish the proceedings and papers online.

The Congress registration fees for panellists with selected abstracts will be waived. Panellists are responsible for air fare, lodging, and other expenses.

We warmly welcome your submission and look forward to your contributions to the Congress.

If you have questions, please feel free contact the [Secretariat](#).

BRICS Legal Forum

14 – 16 October 2019

Rio De Janeiro, Brazil

For more information on the Brazil Forum, Please [click here](#) to be taken to the website.

NEWS

National

- **Biodiversity and culture**

Grobler R “Finally: A solution to get rid of the beetle that is killing SA's trees” [News24](#) 10 August 2019

Phakathi B “Delay in fishing rights allocation welcomed by Cosatu and industry” [BusinessLive](#) 7 August 2019 [Legalbrief 8 August 2019]

“High Court rules in favour of lions and NSPCA” [National Council of SPCAs](#) 6 August 2019 [provided by Inge Snyman]

- **Climate change and energy**

Environmental: Thyspunt again considered for nuclear site

“The plan to build a nuclear reactor at Thyspunt near Cape St Francis has been reignited, with public hearings for an installation site licence scheduled to take place this year. **The Herald** reports Eskom is pushing ahead with the legislative processes in case the Thyspunt site is ever needed in the future. The announcement of the public hearings comes two years after Eskom and the Department of Environmental Affairs said a nuclear reactor would be built at Duynfontein – near Koeberg in Cape Town – instead of the originally preferred site at St Francis Bay. However, the National Nuclear Regulator placed an advertisement in the *Kouga Express* on 18 July calling for public hearings for the nuclear installation site licence. Anti-nuclear coalition Thyspunt Alliance has vowed to continue fighting any possibility of a reactor at Thyspunt, but Jeffreys Bay’s Thyspunt Nuclear Development Forum has welcomed the news. Since the publication of the advert, the public hearings have been postponed from the end of September to an unscheduled date in November.”

Full report in The Herald (subscription needed) [Legalbrief 5 August 2019]

Arnoldi M “Fight over compliance with minimum emission standards set to intensify” [Engineering News](#) 2 August 2019 [Legalbrief Environmental 6 August 2019]

- **Local government**

Legislation: Cape Town hosts hearings on draft beach by-law

“The City is expected over the next four weeks to host eight public hearings where residents and interested parties can learn more about the new draft by-law intended to protect Cape Town’s beaches. A Cape Argus report notes that residents and other stakeholders will be able to gain insight on the City draft by-law aimed at protecting Cape Town beaches. ‘The draft by-law will assist us to better manage our coastline and enable law enforcement on activities that may

have a damaging impact on the coastal environment,' said Marian Nieuwoudt, mayoral committee member for spatial planning and environment. The draft by-law is available for public comment until 2 September on the City's web sites, at all sub council offices, as well as at libraries across Cape Town."

Full Cape Argus report (subscription needed) Legalbrief Environmental 6 August 2019

Conservation: Cape Town prioritises biodiversity

"The approval of the Local Biodiversity Strategy and Action Plan (LBSAP) by council is another critical milestone in the protection of the Cape's biodiversity. A Cape Times report notes that the plan is a guiding strategy and action plan to achieve optimal management of biodiversity and ecosystem services on a local government level. Mayor Dan Plato said Cape Town's biodiversity was irreplaceable and of international importance. 'We're aware of the threat facing our abundant plant kingdoms and we're working with our partners such as CapeNature, SANParks and other conversation bodies to mitigate these risks. Together with our conservation partners, the City's primary response to halt any loss of our natural heritage has been to develop a finescale conservation plan called the BioNet, which indicates the critical conservation priority areas,' Plato said. 'The plan sets solid objectives to achieving conservation targets and is aligned to the City's integrated development plan and our environmental strategy (2017),' Plato said."

Full Cape Times report (subscription needed) [Legalbrief Environmental 6 August 2019]

- **Mining**

Litigation: R50m Wild Coast settlement dispute resolved?

"The battle over a R50m land claim settlement awarded to a rural community after it was forcibly removed to make way for the Wild Coast Sun hotel created by magnate Sol Kerzner appears to have been settled, according to a report in The Sunday Independent. The Land Claims Court ruled last month that it had no jurisdiction over the dispute between members and beneficiaries of the uMgungundlovu Communal Property Association (CPA), which includes the mineral-rich Xolobeni, which is also subjected to legal battles over mining in the area on the border between the Eastern Cape and KZN. Executive committee members of the uMgungundlovu CPA had been taken to the Land Claims Court by beneficiaries calling themselves the Concerned Land Claimants, who sought to stop the CPA's executives from accessing and operating its bank account. According to court papers, the concerned group wanted Agriculture, Land Reform & Rural Development Minister Thoko Didiza to take over control and management of the CPA's affairs pending the election of a new or interim committee. In response, the CPA's executives maintained that the application was an abuse of process as it related to historical grievances with no basis in fact or law. Land Claims Court Acting Judge MP Canca found that there was a long history of ill-will between members of the concerned group and CPA executive committee elected in 2014 amid accusations of misuse of development funds despite comprehensive financial controls being in place. The concerned group's application was unsuccessful on technical grounds and not merits, the acting judge found. Thamsanqa Malusi, of Richard Spoor Attorneys, for the CPA, reportedly told

Independent Media that the group had not indicated whether it would take the matter further.

Full report in The Sunday Independent (subscription needed)

Environmental: Petroleum firm withdraws KZN fracking bid

AgriSA and Moolman & Pienaar Attorneys – acting for farmers in some of the major exploration applications – have welcomed a victory in the anti-fracking fight after a US-linked petroleum firm withdrew its application to explore for oil and gas on KZN farms. The Mercury reports Hans-Jurie Moolman – acting for a landowner affected by an exploration right application lodged on farms owned by Normandien Farms and other farmers – said they had recently learned that petroleum firm Rhino Oil and Gas Exploration SA had withdrawn its exploration rights application for Normandien Farms. He said another law firm acting for Normandien Farms, which had been preparing for an appeal it had lodged in the Constitutional Court regarding the matter, had been informed of the withdrawal by Petroleum Agency SA (Pasa). Respondents in the matter were Pasa, Rhino Oil and Gas and the Minister of Mineral Resources. Rhino Oil and Gas has also lodged a separate exploration right application with Pasa to explore for oil and gas on almost 6 000 farms covering more than 1m hectares of prime farmlands and environmentally sensitive areas, including the uKhahlamba Drakensberg World Heritage Site.

Full report in The Mercury (subscription needed) Legalbrief 7 August 2019

James N “Aspasa calls for more oversight, increased awareness of legislation” [Mining Weekly](#) 31 July 2019 [Legalbrief Environmental 6 August 2019]

- **Water and sanitation**

General: Limpopo water transfer project on hold pending EIA appeal

“The Department of Water and Sanitation (DWS) has confirmed that work on the R12.3bn Mokolo-Crocodile Water Augmentation Project Phase 2A (MCWAP-2A) project will not commence while there is an appeal against the project’s environmental impact assessment (EIA) authorisation. A Mining Weekly report notes that in June, the Trans-Caledon Tunnel Authority (TCTA) announced that it had commenced with the implementation of MCWAP-2A, which is designed to transfer water largely to support mining and energy activities in the Limpopo Province, including Eskom’s Medupi coal-fired power station. In April, however, Earthlife Africa and groundWork lodged an appeal against the EIA authorisation issued to the DWS in December 2018 by the then Department of Environmental Affairs, now the Department of Environment, Forestry and Fisheries (DEFF). In their notice of appeal, prepared by the Centre for Environmental Rights, Earthlife Africa and groundWork called on the Minister to review and set aside the authorisation owing to the project’s high environmental impacts, including the project’s climate impact as a result of it supporting the coal industry in the province. DWS spokesperson Sputnik Ratau said in terms of the legislation, the next step was for the DEFF to decide on the appeals and to respond. The project, Ratau says, is at the preparation stage, with the tender-design and documentation phase having commenced.”

Full Mining Weekly report Legalbrief Environmental 6 August 2019

- **Miscellaneous**

Legislation: Environmental tax incentive Bill out for comment

A draft Income Tax Amendment Bill aimed at giving effect to 2019/20 Budget announcements on environmental tax incentives was released last week for comment. According to an accompanying explanatory memorandum, the proposed new statute seeks to extend the duration of existing energy efficiency savings incentives until 31 December 2022, when the first phase of carbon tax implementation is scheduled to end. The draft Bill also seeks to avoid ‘a double benefit scenario’ in which ‘the same emission reductions’ not only ‘lower carbon tax liability for a taxpayer under the Carbon Tax Act’ but also qualify the emitter to an income tax exemption under section 12K of the Income Tax Act.”

Read full report [Legalbrief Environmental 6 August 2019]

International

- **Biodiversity, animal rights and culture**

Escobar H “Brazilian institute head fired after clashing with nation’s president over deforestation data” [Science](#) 4 August 2019

Ore A “Ban tourists to protect sacred sites, say Australia's indigenous people” [Place](#) 9 August 2019

Volcovici V “U.S. has lost 24 million acres of natural land in 16 years - independent report” [Place](#) 6 August 2019

Kamau J “Kenya: Time Is Ripe to Fight for Return of African Artefacts” [allAfrica](#) 7 August 2019

Carrington D “Giant river animals on verge of extinction, report warns” [The Guardian](#) 10 August 2019

- **Climate change and energy**

Children to approach the International Court of Justice to pronounce on climate justice – support needed

“Next week the leaders of 18 Pacific Islands Forum (PIF) countries will meet in Tuvalu. Among the agreed matters scheduled for their consideration is the possibility of an advisory opinion of the International Court of Justice (ICJ) on the obligations of states under international law to protect present and future generations against the adverse effects of climate change.

Professor Tony Oposa’s movement (I Am Climate Justice) and the organisation, Pacific Island Students Fighting Climate Change, have been campaigning for this proposal to be placed on the 2019 PIF agenda. The Government of Vanuatu did so at the 2019 Pacific Islands Forum Foreign Ministers Meeting. We were successful in this first step. Now we are seeking your help.

Do you support the proposition that “an advisory opinion of the ICJ on the obligations of states under international law to protect present and future generations against the adverse effects of climate change (precise question yet to be decided) is an initiative worthy of full and detailed consideration by members of the Pacific Island Forum”?

If you do support that statement, and would like to help make it happen by adding your name to a list of supportive experts, PISFCC would be very grateful if you could send an email to [Solomon Yeo](#) indicating your support. More detail about this campaign (including a full briefing document) and this organisation can be found on the [website](#).

“Tear the system to the ground’: Brisbane climate protesters chant, block street – video” [The Guardian](#) 6 August 2019

Harvey C “Europe’s record heat melted Swiss glaciers” [Science](#) 5 August 2019

Bangladesh is a world leader in climate change adaptation. This is how it did it

Bangladesh is more vulnerable to climate change than almost any other place on earth. But it has a plan to fight back against the increasingly unpredictable forces of Mother Nature.

They say that necessity is the mother of innovation. No country better demonstrates that principle in action than Bangladesh.

The South Asian nation is more vulnerable to climate change than almost any other place on earth. In the most recent [World Risk Index](#), which evaluates how susceptible 172 countries are to natural disasters like earthquakes, cyclones and floods, Bangladesh came in at number nine.

Which is why, while the rest of the world debates climate change, Bangladesh is already having to learn how to adapt to it. "What Bangladesh has achieved in the practice of adaptation is nothing short of miraculous," former United Nations secretary-general Ban Ki-moon said recently. Here's how - and why - one of the poorest and most densely populated countries has become arguably the global leader in climate change adaptation.

Read more [here](#) [IAIAsa Newsletter August 2019]

Lyons K “Pacific Islands Forum: Tuvalu children welcome leaders with a climate plea” [The Guardian](#) 11 August 2019

Cox L “Farmers call for national strategy on climate change and agriculture” [The Guardian](#) 8 August 2019

Winkels L “UN report on climate change calls for immediate action” [The Jurist](#) 8 August 2019

- **Local government**

Factbox: Chandran R “Seven capital cities that were built from scratch” [Place](#) 8 August 2019

Davies S “Nose for a problem: Barcelona tests first global odour map” [Place](#) 5 August 2019

Naing S “Royal capital to 'smart city': Myanmar's Mandalay gets high-tech makeover, sparks 'spy' fears” [Place](#) 4 August 2019

“Sydney's desalination plant set to expand as drought continues” [The Guardian](#) 11 August 2019

- **Mining**

High Court: Gráinséir S “Environmental activists granted injunction restraining the implementation of legislation” [Irish Legal News](#) 24 July 2019 [Source INECE Newsletter 8 August 2019]

Bacchi U “Kyrgyzstan halts work at Chinese gold mine after clashes” [Place](#) 7 August 2019

- **Water, waste and chemicals**

“Colombia’s Megahydro Project ‘has gone \$1bn over budget’” [CIOB CGR](#) 24 July 2019 [Source INECE Newsletter 8 August 2019]

Banjeri A “Food for ... Trash? India's First 'Garbage Cafe' to Offer Meals for Plastic” [Thomas Reuters Foundation](#) 24 July 2019

Litigation: Mkhwebane challenges 'intrusion by courts'

“Public Protector Busisiwe Mkhwebane is seeking to appeal another interim interdict, this one granted to Water & Sanitation Minister Gugile Nkwinti in May, and which she describes as an 'intrusion by courts'. A Mail & Guardian report by Franny Rabkin notes that with the focus largely on the back-and-forth over reports implicating Public Enterprises Minister Pravin Gordhan and President Cyril Ramaphosa, the Nkwinti appeal has largely flown under the radar. In this case, the Public Protector has applied for leave to appeal to a full Bench of the High Court or to the SCA, arguing that ‘in reality’ the case will take so long to be finally determined that it is – in effect – a final court order. The report found that, when he was Land Minister, Nkwinti abused his position to benefit his friend, Errol Velile Present. In 2011, the Rural Development & Land Reform Department bought a farm worth R97m and, after a referral from Nkwinti, handed its management to Present and a business partner. Because Nkwinti and Present were ‘acquaintances’, the report said that the Minister had violated the Executive Ethics Code and the Constitution. She directed the President to take action against Nkwinti. The Minister went to court on the eve of the public announcement of the report to interdict its release. Yet, by the time he obtained his interdict from Gauteng High Court (Pretoria) Judge Cassim Sardiwalla, the report had been sent to the Presidency and the complainant and had already found its way into the public domain.” Legalbrief Forensic 8 August 2019

Waste: Malawi greens win thin plastic production ban battle

“Environmentalists in Malawi are celebrating having won the battle of a thin plastic production ban following a landmark Supreme Court ruling. A Nyasa Times report notes that the Supreme Court dismissed an appeal by plastic manufacturers who said they were not properly consulted on the implications of the ban and the harm it would do to their businesses. But the Supreme Court said the plastic manufacturers were given sufficient warning time to prepare for the halt of plastic production. The court's decision makes production of thin plastics under 60 microns in thickness illegal with immediate effect. Manufacturers who disobey the order face fines, closure of factories and seizure of their products. The government effected the ban on plastics using the 1999 Environmental Regulation Act on the management and disposal of wastes. At least 75 000 tons of plastic is produced each year in Malawi of which 80% is single-use plastic which cannot be recycled.” Full Nyasa Times report [Legalbrief Environmental 6 August 2019]

Badsah E “Suspected 'pollution incident' turns River Frome tributary blue” [The Guardian](#) 10 August 2019

- **Miscellaneous**

Magubane K “Solidarity asks Minister Patel to intervene in ArcelorMittal retrenchments” [fin24](#) 7 August 2019

Sullivan BK, Mathis M and Hirtzer M “UN report warns climate change may lead to food shortages” [fin24](#) 10 August 2019

Ferguson D “‘Greta effect’ leads to boom in children’s environmental books” [The Guardian](#) 11 August 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Cape Town: Lecturer/ Senior Lecturer: Commercial Law

Closing date: 16 August 2019

More [information](#)

NWU South African Research Chair in Cities, Law and Environmental Sustainability Postdoctoral Fellow

More [information](#)

University of the Free State Qwaqwa Campus: Senior Officer Unit for Institutional Change and Social Justice Gender Equality and Anti-Discrimination Office

Closing date: 15 August 2019

More [information](#)

Rhodes University: Senior Lecturer/ Associate Professor in the Faculty of Law - private law or adjectival law

Closing date: 19 August 2019

More [information](#)

North-West University: Junior Lecturer/Lecturer: Law with language qualifications

Closing date: 23 August 2019

More [information](#)

North West University: Junior Lecturer in Private Law (Mahikeng Campus)

Closing date: 16 August 2019

More [information](#)

North-West University: Junior Lecturer Street Law; Indigenous Law; Practical Legal Training and Moot Court (Potchefstroom Campus)

Closing date: 16 August 2019

More [information](#)

North-West University: Lecturer/Senior Lecturer Commercial Law, Banking Law, Administration of Estates and Company Law (Potchefstroom Campus)

Closing date: 23 August 2019

More [information](#)

North-West University: Associate Professor / Professor (Potchefstroom Campus)

Closing date: 16 August 2019

More [information](#)

Economic Development Consultant (presence in Africa) - Cape Town

More [information](#)

International

Plans to hire an entry-level/junior lateral faculty position at University of Minnesota Law School

The University of Minnesota Law School plans to fill one tenure-track junior (entry-level or junior lateral) faculty position, to begin in the 2020-21 academic year. Applicants should hold a J.D. or degree of equivalent rank and should demonstrate outstanding potential in scholarship and teaching. We welcome applications from candidates across all areas of law. People of color, women, individuals with disabilities, members of the LGBTQ community, and other candidates who will contribute to the cultural and intellectual diversity of the faculty are strongly encouraged to apply. The University of Minnesota is an equal opportunity employer. Candidates should apply via the AALS Faculty Appointments Register or by emailing a letter of interest and CV to Professor [Francis Shen](#), Chair of the Appointments Committee,. Email applications should include the applicant's research agenda, list of preferred courses to teach, and references. Applicants are encouraged to apply by August 30, 2019.

Indiana University Robert H. McKinney School of Law seeks a visiting faculty member to hold the Robert H. McKinney Family Chair in Environmental Law for the Spring 2020 semester with the possibility of continuing through Fall 2020.

The law school invites applicants with the type of academic profile suitable for a titled position.

The law school is committed to achieving excellence through intellectual diversity and encourages applications from persons of color, women, persons with disabilities, the LGBTQ+ community, veterans, and members of other groups that are under-represented on university faculties. The law school is an Equal Opportunity/Affirmative Action [institution](#) with a strong commitment to inclusion and offers domestic partner benefits. For more information about the school, please visit [here](#).

Interested candidates should submit a CV and cover letter to [Vice Dean](#) Mike Pitts. Individuals who require a reasonable accommodation in order to participate in the application process should give Vice Dean Pitts adequate notice. Applications will be reviewed on a rolling basis with September 15 as the deadline for all applications.

Consultants sought to conduct studies for a hydropower project in Madagascar

Deadline date: 19 August 2019

In Madagascar, the Ministry of Energy, Water and Hydrocarbons (MEEH) intends to embark on the development of Fanovana hydroelectric project.

MEEH seeks to appoint a consultant to conduct an Environmental and Social Impact Assessment (ESIA), an Environmental and Social Management Plan (ESMP) and the Action Plan Resettlement (PAR) related to the Fanovana Hydroelectric Development.

For more information on how to submit a letter of interest, visit [here](#). [IAIAsa Newsletter August]

USF (University of Glasgow) Postdoctoral Research Fellowships 2019

The USF is pleased to announce that applications are now being accepted for up to five new Postdoctoral Research Fellowship awards. The awards are designed to enable the fellows to design and undertake up to three years of dedicated Urban Studies research at any eligible institution of higher education across the globe.

Please visit the [USF website](#) for more information on this award, including eligibility requirements, Further Particulars and application forms.

Climate and Energy Fellowship, Stanford Law School

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 31

16 August 2019

LEGISLATION

NOTICES

National Water Act 36 of 1998 - GN 1069 in GG 42636 of 16 August 2019 - Proposed Foxwood dam and its environmental impact assessment – for comment

National Water Act 36 of 1998 - GN 1070 in GG 42636 of 16 August 2019 - Pongola-Mzimkhulu Water Management Area - Limiting the use of water from Umhlathuze (Goedertrouw) water supply system in KZN in terms of item 6 of Schedule 3 of the Act for irrigation, industrial and domestic purposes

National Environmental Management: Waste Act 59 of 2008 - GN 1077 in GG 42645 of 16 August 2019 - Applications for the exclusion of waste streams or a portion of such waste streams from the definition of waste for the purposes of beneficial use - for comment and GN 535 in GG 42376 of 3 April 2019 withdrawn

PROVINCES

Mpumalanga

National Environmental Management: Protected Areas Act 57 of 2003 - PN 115 in PG 3077 of 9 August 2019 - Intention to exclude an area as part of an existing Mabola Protected Environment

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 51 in PG 3077 of 9 August 2019 - Steve Tshwete Local Municipality - Adoption of Spatial Development Framework, 2018

Spatial Planning and Land Use Management Act 16 of 2013 - Proc 39 in PG 3077 of 9 August 2019 - City of Mbombela Local Municipality - Draft Land Use Management Scheme available for inspection

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – Gen Notice 56 in PG 3079 of 16 August 2019 - Chief Albert Luthuli Local Municipality: Business By-law, 2019

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 – Gen Notice 57 in *PG* 3079 of 16 August 2019 - Chief Albert Luthuli Local Municipality - Prevention and Suppression of Nuisance By-law, 2019

Western Cape

Western Cape Land Use Planning Act 3 of 2014 = PN 86 in *PG* 8139 of 13 August 2019 - Department of Environmental Affairs and Development Planning - Greater Cape Metro Regional Spatial Implementation Framework as a Provincial Regional Spatial Development Framework

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 3 in *PG* 4287 of 12 August 2019 - Walter Sisulu Local Municipality - Air Pollution By-law; Funeral Parlours, Cemeteries and Crematoria By-laws, 2007 [sic]; Prevention of Public Nuisances and Keeping of Animals By-law; and Refuse Removal, Refuse Dumps and Solid Waste Disposal By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 3 in *PG* 4287 of 12 August 2019 - Walter Sisulu Local Municipality - Outdoor Signs (Advertising and other) By-laws, 2007 [sic]

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 3 in *PG* 4287 of 12 August 2019 - Walter Sisulu Local Municipality - By-law relating to Abattoirs

Free State

Spatial Planning and Land Use Management Act 16 of 2013 - PN 79 in *PG* 54 of 16 August 2019 - Tokologo Local Municipality - Adoption of the Spatial Development Framework (SDF)

PUBLICATIONS

International

Craig Robin Kundis "Drought and Public Necessity: Can a Common-Law 'Stick' Increase Flexibility in Western Water Law?" 2018 6 *Texas A&M Law Review* 78-105

Owen JR *et al* Global mining induced displacement and resettlement (MIDR) events [dataset](#) (Centre for Social Responsibility in Mining. University of Queensland Brisbane 2019)

World Resources Institute, World Bank, UNEP, and UNDP "How can the world feed nearly 10 billion people by 2050 while also advancing economic development, protecting and restoring forests, and stabilizing the climate?" ([Report](#) August 2019)

Bergmann Melanie *et al* “White and wonderful? Microplastics prevail in snow from the Alps to the Arctic” 2019 5(8) Science Advances DOI: 10.1126/sciadv.aax1157

ICLEI “Global Smart Solution Report 2019: City challenges and innovations” ([Report](#) August 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

EAPASA [Website](#) – Expression of interest by 31 August 2019; registration application by 12 October 2019

Africa

- **Biodiversity**

[Science](#): Pennisi E “The best way to help cows and zebras? Make them live together” 13 August 2019

- **Climate change and energy**

[Place](#): Rowling M “Smart gas cooking seeks to break African cities' dirty charcoal habit” 6 August 2019

- **Local government**

[ICLEI](#) City Talk: Wessel M “A Game Changing Approach to Help African Cities Better Manage Their Natural Assets” 13 August 2019

- **Water, waste and chemicals**

[The Conversation](#): Cuthbert MO “Groundwater reserves in Africa may be more resilient to climate change than first thought” 7 August 2019

[UNDP](#): Kjellén M “Climate change reveals underlying threats to urban water” 10 July 2019 [UNDP 16 August 2019]

- **Miscellaneous**

[UNDP](#): African migrants in Europe trade one hardship for another [UNDP Newsletter 16 August 2019]

International

- **Biodiversity, parks and culture**

[U.S. Forest Service](#): “Current Revisions to NEPA Procedures (36 CFR 220)” August 2019

[IAIA](#): Marine Biodiversity Challenge – feedback from the IAIA 2019 Conference [IAIA Newsletter 16 August 2019]

[IAIA](#): Indigenous Peoples Key Citations [IAIA Newsletter 16 August 2019]

[IAIA](#): Best Practice Principles: Respecting Indigenous Peoples and Traditional Knowledge [IAIA Newsletter 16 August 2019]

[UNDP](#): “Protecting wildlife in Misiones” 8 August 2019

[Place](#): Foroudi L “Battle of Carthage: Tunisia demolishes homes to protect ancient site” 14 August 2019

[Science](#): Pennisi E “An ecologist with an eye toward forecasting the future” 15 August 2019

[Science](#): Pennisi E “Fiddler crabs produce more carbon dioxide than their marshy homes can handle” 15 August 2019

[Science](#): Galvis S “Colombia confirms that dreaded fungus has hit its banana plantations” 12 August 2019

[Science](#): Aton A “New Trump rules would curb U.S. endangered species protections” 12 August 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Fishman A “SDG Knowledge Weekly: Climate Action, Governance, and National and Regional Assessments” 15 August 2019

[IISD](#) SDG Knowledge Hub: Mead L “Wind and Solar Will Provide 50% of Electricity in 2050, BNEF [Report](#) Finds” 15 August 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNFCCC [Report](#) Spotlights Trends in Climate Action” 15 August 2019

[The Conversation](#): Lowry D “New research shows that Antarctica’s largest floating ice shelf is highly sensitive to warming of the ocean” 14 August 2019

[Science](#): Earis M “Climate expert at CDC poised to file whistleblower complaint over treatment” 14 August 2019

[Science](#): Mayes K “Vanishing Arctic ice will open the way for more science voyages, analysis suggests” 12 August 2019

[The Guardian](#): “Alpine climbing routes crumble as climate crisis continues” 16 August 2019

- **Local government**

[Moneyweb](#): Harrisberg K “Even in cities, natural signs can warn of floods, researchers find” 7 August 2019

[Capital and Main](#): Buhl L “Rising Sea Levels Leave Coastal Cities With Hard Choices” 12 August 2019

[ICLEI](#): “Sustainable urban innovation in the age of automation” 13 August 2019

[ICLEI](#): “Heatwaves are inevitable. Their detriment to city dwellers is not” 31 July 2019

[ICLEI](#): “Indonesia and Lao cities exchange insights on low emission development strategies” 1 August 2019

[The Guardian](#): Spencer P “How to build a climate-proof home that never floods” 17 August 2019

- **Mining**

[University of Queensland](#): “New mining resettlement dataset sets the standard” 12 August 2019 [Also see **PUBLICATIONS**]

[University of Queensland](#): “Australian plants extracting high-value metals from mining wastes” 16 July 2019

IAIA: *IAIA Special Symposium* Improving Impact Assessment and Management in the Mining Sector EBRD Headquarters London, UK 4-5 December 2018 – Proceedings [available](#)

[GroundUp](#): Wicomb W “What Appeal Court’s fracking judgment means” 14 August 2019

- **Water, waste and chemicals**

University of Utah S.J. Quinney College of Law Environmental Law Program -- the Wallace Stegner Center for Land, Resources, and Environment: 2017 Wallace Stegner Lecture: Eric Freyfogle “Water, Community, and the Culture of Owning” [Video \(60 minutes\)](#)

University of Queensland Sustainable Minerals [Institute](#):

[Place](#): Kijewski J “New report: Proposed Myanmar dam could displace thousands” 14 August 2019

[The Guardian](#): Franklin-Wallis O “Plastic recycling is a myth’: what really happens to your rubbish?” 17 August 2019

- **Miscellaneous**

[IAIA](#): IAIA Professional Development Program – online training [IAIA Newsletter 16 August 2019]

[IAIA](#): Best practice guidelines [IAIA Newsletter 16 August 2019]

[Podcast](#): The ethical implications of artificial intelligence [IAIA Newsletter 16 August 2019]

[UNDP](#): Sahel a region of opportunities [UNDP Newsletter 16 August 2019]

[UNDP](#): Leurs B, Begovic M and Joffres K “Developing a global ‘immune response’ to 21st century challenges” 31 July 2019 [UNDP Newsletter 16 August 2019]

[Place](#): Elks S “Arctic cruises accused of leaving indigenous people in the cold” 13 August 2019

[Science](#): Kornei K “Mystery’ volcano that cooled the ancient world traced to El Salvador” 16 August 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

KwaZulu Natal ELA Branch Event: Environmental Law Association Kwazulu-Natal Region Seminar Announcement

Dr Friedrich Soltau, Sustainable Development Officer in the Division for Sustainable Development, United Nations Department of Economic and Social Affairs will be delivering a seminar on the Sustainable Development Goals for the first ELA KZN event of 2019. Dr Soltau is a graduate of UCT and spent some time lecturing at UCT in the Law Faculty before moving to the UN.

Date: Thursday 29th August 2019

Time: 18h00

Venue: Board Room, School of Law, Howard College, Durban.

Please **RSVP by Thursday 22 August 2019**. Space is limited, so it will be first-come-first served.

RSVP and any queries/request for directions [Michael Kidd](#). Please write 'ELA SDG Event' in the subject line.

North-West ELA Branch and IAIAasa Joint Event: Energy Management: Lessons for environmental management and impact assessment – Save the date!

Date: 12 September 2019

Time: 12:00-17:00

Venue: North-West University (Potchefstroom campus)

Free to ELA and IAIAasa members/R250 for non-members

For more information contact [Germarié Viljoen](#)

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Registration for student conference [here](#)

Registration for ELA Annual conference [here](#)

Registration closes 13 September 2019

Public Lecture: The precautionary principle in wildlife law and policy – what it means and what it doesn't by Assoc. Prof Arie Trouwborst

Date: 11 September 2019

Venue: Educational centre, SANBI, Pretoria

Time: 13:00 – 15h30

Dr Andy Blackmore will lead in the afternoon with a presentation on the public trust in the context of the South African constitution and the importance of the public trust in decision-making. Prof Trouwborst is from Tilburg University, the Netherlands.

Participants are encouraged to think about *practical situations* where uncertainty plays a role with regard to concrete issues in wildlife conservation and sustainable use. Following the presentation, there will be an opportunity to table these situations, and to discuss what an appropriate application of the precautionary principle might entail in each case. Linking the general tenets of

the precautionary principle to these concrete issues will hopefully lead to increased clarity as to what the principle entails in practice and what it doesn't. Please circulate this invitation to your membership and one you think would be interested in attending.

Please send an [email](#) if you will be attending on or before 2 September 2019.

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.2: Environmental law - integrated waste management**
Date: 26 – 30 August 2019
- **CEM-05.2.1: The roles and responsibilities of and environmental control officer**
Date: 26 - 30 August 2019
- **CEM-03.2.1 Occupational health and safety management systems (ISO 45001)**
Date: 2 - 6 September 2019
- **CEM-06.4.1 Water Quality Monitoring**
Date: 2 - 4 September 2019
- **CEM-03.6.2 Documenting Management Systems**
Date: 10 - 12 September 2019
- **CEM-06.6.1 Climate Change Management**
Date: 16 - 20 September 2019
- **CEM-03.1.1 Environmental Management Systems**
Date: 16 - 20 September 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Faculty of Law North-West University: Prof Arie Trouwborst: Comeback carnivores and supranational law – how wolves (*Canis lupus*) are returning to Sweden, Germany, France and the Benelux under the banner of European integration

Date: 10 September 2019

Venue: Old Senate Hall, NWU Potchefstroom Campus

Time: 13h00-14h00 [RSVP](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 15-17 October in Pretoria (registration closes 3 September 2019)
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 22 - 24 October 2019, in Durban (registration closes 8 October 2019)– more information [here](#)
- 12 - 14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

LLM Environmental Law and Governance @NWU Potchefstroom

This sought-after [programme](#) offers a range of modules presented by established scholars and experts from practice. Compulsory seminars are presented in block sessions in Potchefstroom on alternate Fridays and Saturdays throughout the year. 50% of this LLM qualification comprises of research and the writing of a mini-dissertation.

An [MPhil](#) qualification is also available for non-lawyers.

[Read more](#) about the programme or [e-mail](#) the Programme Coordinator, Professor Michelle Barnard.

Applications for 2020 close on 31 October 2019

[Apply](#) for the programme or [e-mail](#) us if you have any enquiries on the application process.

Remember to submit a separate [bursary](#) application form.

Symposium in Honour of Justice Edwin Cameron

Date: Wednesday, 4 September 2019

Time: 10:00am for 10:30am

Venue: Chalsty Auditorium, Wits School of Law, Braamfontein Campus West
Alumni Cocktail Function, 5:30pm

Please join us for an alumni cocktail function, taking place directly after the symposium

Alumni Cocktail Function | 5:30pm | Rembrandt Gallery, Braamfontein Campus West hosted by Redi Tlhabi and Professor Wesahl Domingo

RSVP: by 2 September to Kelebogile.Tadi@wits.ac.za

Imbewu: Environmental Law Update Workshop

Date: Tuesday 22 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

International

Webinar: Resilient Energy Platform & Power Sector Resilience Planning in Lao PDR

The Clean Energy Solutions Center, an initiative of the Clean Energy Ministerial, will host this free webinar:

DATE: 21 August 2019

TIME: 09:30 GMT | 05:30 Washington, D.C. | 03:30 Denver | 11:30 Brussels | 16:30 Vientiane | 19:30 Canberra

Register [here](#)

IAIA20: Smartening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness

Date: 26-29 May 2020

Place: Seville, Spain.

Mark your calendars for 26 August for the opening of abstract submissions. Abstracts are invited from 26 August – 31 October 2019.

IAIA Online training course on Foundations of Impact Assessment

Date: 16 September - 6 December 2019

Apply by 27 August for a space

Learn about principles and methods of EIA, as well as review processes and study management. Participants learn at their own pace over the 12-week period, including one-on-one interaction with the trainer.

More [information](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Conservation: Sokhulu community and iSimangaliso at loggerheads

“The Maphelane Nature Reserve, which is located within the iSimangaliso Wetland Park outside Mtubatuba, has been closed to the public since last year due to community protests and flooding. According to a report in The Mercury, the nature reserve is situated on the banks of the Umfolozi River mouth, and is the southernmost resort in the iSimangaliso Wetland Park. The park is SA’s first world heritage site. Ezemvelo KZN Wildlife supplies the conservancy staff at the reserve. The Sokhulu farming community, whose farms were flooded, blocked the entrance and exit to the reserve last year after failed attempts to get iSimangaliso to open the river mouth. Ezemvelo spokesperson Musa Mntambo said all the role players needed to meet. ‘Ezemvelo is ready to meet with the community any time,’ he said. Petros Mlaba, the chair of the Sokhulu Farmers’ Committee, said engagements with iSimangaliso were ongoing. ‘We have had a lot of gatherings and meetings with iSimangaliso, but there is no resolution,’ said Mlaba. iSimangaliso’s spokesperson Bheki Manzini said the Sokhulu farmers had presented a memorandum to the Department of Environmental Affairs, Forestry and Fisheries, demanding the linking of the Msunduze River, which converges with the Umfolozi River, to the sea. Manzini said iSimangaliso, together with other

affected parties, were looking into the matter jointly.” Full report in The Mercury (subscription needed) [Legalbrief Environmental 13 August 2019]

Gerber J “366 rhino 'poachers' arrested in Kruger National Park since start of 2018” [News24](#) 12 August 2019 [Legalbrief Environmental 13 August 2019]

Steyn LL “Joburg Zoo sues animal rights groups for viral video showing traumatised elephants” [IOL](#) 15 August 2019 [Legalbrief 16 August 2019]

“Watch | Gentle giraffes threatened with 'silent extinction'” [News24](#) 27 August 2019

- **Climate change and energy**

Creamer M “Govt initiates fresh look at South Africa’s carbon-emission yardsticks” [Mining Weekly](#) 5 August 2019 [Legalbrief Environmental 13 August 2019]

- **Local government**

De Villiers J “These SA cities have the healthiest finances - with Paarl and Middelburg topping the list” [Business Insider](#) 16 August 2019

Dumba-Hendrik N “Day zero in Butterworth” [GroundUp](#) 14 August 2019 - read also [here](#)

- **Mining**

Pheto B “Africa’s richest tribe hauled to court for unpaid debt of R5.8m” [TimesSelect](#) 13 August 2019 [Legalbrief 13 August 2019]

Mabuza E “Cameras allowed in court for Aurora directors' pollution case in November” [TimesLive](#) 7 August 2019 [Legalbrief 13 August 2019]

Sguazzin A “Big test for mining project part-owned by Patrice Motsepe’s ARC: West Coast environmentalists welcome the Water Tribunal hearing about the Elandsfontein Kropz mine, on which the company has spent \$120m” [BusinessLive](#) 15 August 2019 [Legalbrief 16 August 2019]

Malope L “Mathunjwa wants traditional authority to take mines” [City Press](#) 16 August 2019

- **Water, sanitation and chemicals**

Govender S “Noxious fumes from Durban resin plant leave hundreds of residents ill” [TimesLive](#) 17 August 2019

International

- **Biodiversity, animal rights and culture**

Tairo A “Tanzania: Govt Bans UAE Firm From Hunting for Violation of Rules” [AllAfrica](#) 10 August 2019 [Legalbrief 13 August 2019]

“Norway blocks €30m deforestation subsidy to Brazil” [News24](#) 16 August 2019

Boyle K “Trump administration changes implementation of Endangered Species Act” [The Jurist](#) 13 August 2019

Perrone A “Unprecedented heatwave 'kills thousands of fish' in Alaska” [The Independent](#) 17 August 2019

Rodell A “Why an Australian suburb was demolished to save tiny penguins” [The Independent](#) 17 August 2019

Tobias J “Trump administration reverses decision to use 'cyanide bombs' to kill wild animals” [The Guardian](#) 15 August 2019

- **Climate change and energy**

“American Bar Association Urges Broad Range of Actions to Reduce U.S. Greenhouse Gas Emissions ‘to Net Zero or Below’” [JohnDernbach.com Blog](#) 12 August 2019

“Australia offers climate funding to Pacific islands” [News24](#) 14 August 2019

Beament E and Weston P “Fracking boom has ‘dramatically increased’ global methane emissions, study warns” [The Independent](#) 15 August 2019

Weston P “Europe has space for enough wind turbines to power the entire world, study finds” [The Independent](#) 14 August 2019

- **Local government**

“ICLEI endorses National Park City launch in London, emphasizing the importance of building CitiesWithNature” [ICLEI CBC](#) August 2019

Carell S “Dundee's green revolution: council-run charging hubs and electric cabs” [The Guardian](#) 16 August 2019

- **Mining**

“Sierra Leone community's suit against diamond miner shows activist trend” [Mining Weekly](#) 5 August 2019 [Legalbrief Environmental 13 August 2019]

Watson P “‘Shocking’ decision to resume fracking in Lancashire condemned by campaigners” [The Independent](#) 16 August 2019

- **Water, waste and chemicals**

“Watch | Could Mexico cactus solve world's plastics problem?” [News24](#) 7 August 2019

“Indonesia ships back tons of Australian waste” [News24](#) 14 August 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

North-West University: Junior Lecturer/Lecturer: Law with language qualifications

Closing date: 23 August 2019

More [information](#)

North-West University: Lecturer/Senior Lecturer Commercial Law, Banking Law, Administration of Estates and Company Law (Potchefstroom Campus)

Closing date: 23 August 2019

More [information](#)

The South African Research Chair in Property Law (SARCPL) in the Faculty of Law at Stellenbosch University: LLM (2 years), LLD (3 years) and Postdoctoral research fellowship (2 years)

For more information, please visit our [website](#)

For enquiries: Dr [Mpho Tiale](#) (Postdoctoral fellow at the SARCPL), 021 808 2882, CL Marais Building, Crozier Street, Stellenbosch Central, 7600.

Full advert

International

University of Florida Levin College of Law multiple professors, across an array of fields

To hire, over the next several years as part of the university's quest to become a top five public research institution. The University of Florida, located in Gainesville, FL, is currently the eighth best public research institution in the nation and the flagship university of the third largest state. In addition to seeking candidates for tenured and non-tenure-track positions, advertised separately, the Levin College of Law seeks highly qualified candidates for tenure-track positions. The Appointments Committee welcomes applications from tenure-track candidates in all areas of law. Successful candidates will have a publication record, strong scholarly potential, a commitment to excellence in teaching, and enthusiasm for creating an inclusive environment for all students. Candidates must also have a JD, PhD, or equivalent degree in a related field. In reviewing applications, the Appointments Committee will consider long-term teaching needs in large enrollment classes, environmental law, health law, tax, and law and technology.

Application materials should include a cover letter, a resume which includes at least three references, a list of publications, and up to three pieces of scholarly work. Materials may be uploaded [here](#). The Appointments Committee will also review the AALS Faculty Appointments Registrar. For further information, applicants may contact Professors Daniel Sokol and Michael Wolf at P.O. Box 117620, Gainesville, FL 32611 or [email](#).

IUCN WILDLEX Fellowship WILDLEX Fellow

Duty Station: Environmental Law Centre, Bonn, Germany

The IUCN Environmental Law Centre (ELC), located in Bonn, Germany, is an outposted unit of IUCN headquarters working on conceptual development of law as well as technical assistance, capacity building and information dissemination. It works closely with the World Commission on Environmental Law, a network of environmental law and policy experts from all regions of the world who volunteer their knowledge and services to IUCN activities, and with the IUCN Academy of Environmental Law, a network of universities and law schools committed to advancing environmental legal research, teaching and scholarship.

Description

The WILDLEX Fellow will support and assist in collecting, reviewing and analyzing cases for a repository of wildlife-related law, with focus on Africa and Asia.

The WILDLEX Fellow will be responsible for:

- Collecting, reviewing, briefing and uploading legal cases to WILDLEX
- Consolidating case information into database for quantitative analysis
- Conducting analysis to determine characteristics and trends of cases
- Developing charts and figures illustrating preliminary findings
- Writing up a report of preliminary findings
- Manage and keep updated WILDLEX website

Position requirements

The following qualifications are required:

- Currently pursuing graduate qualification in law, such as JD or Master's Degree
- Strong writing and communication skills in English
- Proficiency with Excel and Microsoft Word
- Proficiency in French and/or Mandarin (additional Asian or African languages a plus)

Contact: [Ning Li](#) - Programme Officer, Environmental Law Centre

**10th Australian Workshop on Acid and Metalliferous Drainage (AMD) 2020:
Minimising AMD risk across the mining life cycle**

Date: 23 - 26 March 2020

Venue: Dubbo Regional Theatre and Convention Centre

More [information](#)

Members of the Environmental Law Association may subscribe to

[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

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LEGISLATION

ACTS

Administrative Adjudication of Road Traffic Offences Amendment Act 4 of 2019
GG 42648 of 19 August 2019 – commencement to be proclaimed

Protection, Promotion, Development and Management of Indigenous Knowledge
Act 6 of 2019 - GG 42647 of 19 August 2019 – commencement to be proclaimed

POLICY

Department of Environmental Affairs - GN 1090 in GG 42657 of 23 August 2019
- The Approach to a Spatial Management System for South Africa's Marine
Planning Areas – for comment

NOTICES

Constitution of the Republic of South Africa, 1996 - Proc 49 in GG 42657 of 23
August 2019 - Transfer of administration and powers and functions entrusted by
legislation to certain cabinet members

Public Finance Management Act 1 of 1999 - GNs 1097 & 1098 in GG 42657 of
23 August 2019 - Borrowing powers of Umgeni Water and Rand Water

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1104 in
GG 42660 of 22 August 2019 - Non-detriment findings for *Diceros bicornis* (black
rhinoceros) - for comment

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1105 in
GG 42660 of 22 August 2019 - Non-detriment findings for *Ceratotherium simum
simum* (white rhinoceros) - for comment

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1106 in
GG 42660 of 22 August 2019 - Non-detriment findings for *Aloe ferox* (bitter aloe)
- for comment () (p64)

National Energy Regulator Act 40 of 2004 - GN 1083 in GG 42650 of 19 August 2019 - National Energy Regulator of South Africa (NERSA) - Draft NERSA Rules for Licensable Distribution Areas of Supply – for comment

Standards Act 8 of 2008 – Gen Notice 451 in GG 42657 of 23 August 2019 - Amendment of South African National Standards

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - GN 1089 in GG 42657 of 23 August 2019 - General discharge authorisation in terms of s. 69 (2) of the Act - for comment

PROVINCES

Limpopo

Spatial Planning and Land Use Management Act 16 of 2013 - PN 138 in PG 3027 of 16 August 2019 - Greater Letaba Local Municipality - : Notice of the intention to review and expand the Spatial Development Framework

NORTHERN CAPE

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 86 in PG 2290 of 19 August 2019 - !Kheis Local Municipality - Intention to compile an all-inclusive Land Use Management Scheme (LUMS)

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 87 in PG 2290 of 19 August 2019 - Kai! Garib Local Municipality - Intention to compile an all-inclusive Land Use Management Scheme (LUMS)

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 88 in PG 2290 of 19 August 2019 - Ga-Segonyana Local Municipality - Intention to compile Precinct plan for the Agri-Hub in Kuruman

Western Cape

Western Cape Local Government Laws Rationalisation Act 3 of 2017 - Proc 7 in PG 8141 of 23 August 2019 – commences 1 January 2021

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58104 in PG 8141 of 23 August 2019 - City of Cape Town Informal Trading By-law: City of Cape Town (Tygerberg District): Informal Trading Plan for Delft: Wards 13, 20, 24 and

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58107 in PG 8141 of 23 August 2019 - City of Cape Town Informal Trading By-law: City of Cape Town (Southern District): Informal Trading Plan for Lentegeur: Ward 76

Eastern Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 4 in PG 4293 of 19 August 2019 - Walter Sisulu Local Municipality - Authorisation for the promulgation of Municipal By-laws: Air Pollution By-law; Funeral Parlours, Cemeteries and Crematoria By-

laws, 2007 [sic]; Prevention of Public Nuisances and Keeping of Animals By-law; and Refuse Removal, Refuse Dumps and Solid Waste Disposal By-law published

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 4 in PG 4293 of 19 August 2019 - Walter Sisulu Local Municipality - Authorisation for the promulgation of Outdoor Signs (Advertising and other) By-laws, 2007[sic]

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - Proc 4 in PG 4293 of 19 August 2019 - Walter Sisulu Local Municipality - Authorisation for the promulgation of Municipal By-laws: By-law relating to Abattoirs

Disaster Management Act 57 of 2002 - LAN 199 in PG 4293 of 19 August 2019: Kouga Local Municipality - Declaration of a local state of drought disaster as published under LAN 81 in PG 4226 of 15 April 2019 extended for a further month

KwaZulu Natal

Spatial Planning and Land Use Management Act 16 of 2013 - MN 107 in PG 2113 of 22 August 2019 - uMgungundlovu District Municipality - Establishment of a Joint Municipal Planning Tribunal (JMPT) and appointment of members

CASES

Kemm and Others v Minister of Energy and Others (88891/2018) [2019] ZAGPPHC 350 (16 August 2019)

“[1] This application was brought before Coon as a matter of urgency and it was initially enrolled to be heard on 17 January 2019. At the hearing of the matter on 17 January 2019 the application was struck from the urgent roll because the urgency was not established during the hearing. The application was then re-enrolled for hearing on 10 and 11 June 2019 as a special motion. Apart from bringing the application on an urgent basis, the applicants sought the following substantive relief:

1. an order reinstating them as directors of NESCA;
2. an order declaring unlawful and setting aside the notices and subsequent decision of their removal and the suspension of Tshelane by the Minister.”

PUBLICATIONS

National

De Villiers Jan-Harm "Law and the question of the animal: a critical discussion of national society for the prevention of cruelty to Animals v Minister of Justice and Constitutional Development" 2019 136(2) *South African Law Journal*

Van Heerden CN and Badenhorst PJ "Conflict resolution between holders of prospecting or mining rights and owners (or occupiers) of land or traditional communities: what is not good for the goose is good for the gander" 2019 136(2) *South African Law Journal*

Nkrumah B "Opening Pandora's box: a legal analysis of the right to food in South Africa" 2019 52 *De Jure* 47 <http://dx.doi.org/10.17159/2225-7160/2019/v52a3>

Gebrehiwot T, Cornelius S and Korsten L "Impact of global food and agriculture laws on Africa's food security" 2019 52 *De Jure* 85 <http://dx.doi.org/10.17159/2225-7160/2019/v52a5>

International

Ruhl JB and McGinn T "The Roman Public Trust Doctrine: What Was It, and Does It Support an Atmospheric Trust?" Available at SSRN: <https://ssrn.com/abstract=3440244>

Duboz R *et al* "Systems Thinking in Practice: Participatory Modeling as a Foundation for Integrated Approaches to Health" 2018 *Frontiers in Veterinary Science* <https://doi.org/10.3389/fvets.2018.00303>

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Mail & Guardian](#): Williams DS "The manifestation of climate injustice" 13 August 2019 [Legalbrief Environmental 20 August 2019]

- **Miscellaneous**

[The Conversation](#): Gillwald A "South Africa is caught in the global hype of the fourth industrial revolution" 20 August 2019

Africa

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Mead L "UNDP, GEF Project to Advance SDGs, Climate Goals in Guinea Through Improved Monitoring" 20 August 2019

[Place](#): Peyton N "With reservoirs at risk, Sierra Leone capital confronts water crisis" 19 August 2019

[Mail & Guardian](#): Allison S "Africa's climate is getting worse for farming, survey reports" 19 August 2019

- **Mining**

[The Conversation](#): Oteng-Yeboah A "Ghana's pact with China to explore bauxite threatens a unique forest" 18 August 2019

[Place](#): Peyton Nellie and Tholley Richmond "No pot of gold for locals as China mines Sierra Leone" 22 August 2019

[Extractives Baraza](#): "How to achieve better extraction and safer mining methods" 21 August 2019

- **Water, waste and chemicals**

[The Conversation](#): Teferi Taye M Ethiopia's future is tied to water – a vital yet threatened resource in a changing climate” 22 August 2019

[Mail & Guardian](#): Allison S ” Bid to clean Africa’s most toxic town” 23 August 2019

- **Miscellaneous**

[The Conversation](#): Elfversson Emma “How government bias can fuel communal conflicts in Africa” 18 August 2019

[The Conversation](#): Jones S and Tvedten I “Mozambique case study shows that poverty is about much more than income” 20 August 2019

International

- **Biodiversity, parks and culture**

[Science](#): Stokstad E “Scientists say sustainable forestry organizations should lift ban on biotech trees” 23 August 2019

[Place](#): Chandran R “Thai minister vows to make resolving land claims in forests 'top priority'” 21 August 2019

[Place](#): Chandran R “Seven Indian land laws that give special rights to people, places” 20 August 2019

[IISD](#): Cites COP 18 17-28 August 2019 | Geneva, Switzerland

[IISD](#) SDG Knowledge Hub: Paul D “Pacific Islands Forum Issues Strongest-ever Statement on Climate, Cites Security Threat” 20 August 2019

- **Climate change and energy**

[Science](#): Owens B “Climate facts subject to rules on partisan advertising in Canada” 20 August 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “BASIC Ministers Urge UNFCCC to Send “Crucial Signal” on New Climate Finance Goal” 20 August 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP-FI, GCA Cite Adaptation as “Biggest Investment Opportunity of This Generation” 20 August 2019

- **Local government**

[Place](#): Chandran R “Flat-packed cities: wooden skyscrapers sprout over concrete concerns” 21 August 2019

[Place](#): Bacchi U “Park life boosts morale as much as Christmas, survey shows” 20 August 2019

[Forbes](#): Winkless L “We’re Running Out Of Sand... And Cities Are To Blame” 22 August 2019

[The Conversation](#): Aravindan A “Protecting Singapore from rising sea levels could cost S\$100 bln” 18 August 2019

[The Conversation](#): Chun C “Sydney's water supply falling at fastest rate on record due to drought” 16 August 2019

- **Mining**

[Extractives Baraza](#): “Western Australia ANNOUNCES new guidance for minesite rehabilitation” 20 August 2019

[The Conversation](#): Nawaz R and Sharif A “Fossil fuel drilling could be contributing to climate change by heating Earth from within” 19 August 2019

- **Water, waste and chemicals**

[Place](#): Goering L “More deals, less conflict? Cross-border water planning key, report warns” 22 August 2019

[IISD](#) SDG Knowledge Hub: “World Bank Launches Sustainable Development Bond on SDGs 6 and 14” 22 August 2019

[IISD](#) SDG Knowledge Hub: Mead L Avellán”T and Schmachtel D “Dry Toilets: An Approach to Provide Safe Sanitation and Sustainable Sewage Treatment?” 20 August 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Leone F “Easy to Say, Difficult to Achieve: Experts Discuss Forging a Fair, Green Economy” 22 August 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “OECD Economic Growth Report Addresses Environmental Sustainability” 22 August 2019

[IISD](#) SDG Knowledge Hub: Weigelt j and Müller A “If Not Now, When? UNCCD COP 14 Must Adopt an Ambitious Resolution on Land Tenure” 22 August 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

KwaZulu Natal ELA Branch Event: Environmental Law Association Kwazulu-Natal Region Seminar Announcement

Dr Friedrich Soltau, Sustainable Development Officer in the Division for Sustainable Development, United Nations Department of Economic and Social Affairs will be delivering a seminar on the Sustainable Development Goals for the first ELA KZN event of 2019. Dr Soltau is a graduate of UCT and spent some time lecturing at UCT in the Law Faculty before moving to the UN.

Date: Thursday 29th August 2019

Time: 18h00

Venue: Board Room, School of Law, Howard College, Durban.

Please **RSVP by Thursday 22 August 2019**. Space is limited, so it will be first-come-first served.

RSVP and any queries/request for directions [Michael Kidd](#). Please write ‘ELA SDG Event’ in the subject line.

North-West ELA Branch and IAIAsa Joint Event: Energy Management: Lessons for environmental management and impact assessment – Save the date!

Date: 12 September 2019

Time: 12:00-17:00

Venue: North-West University (Potchefstroom campus)

Free to ELA and IAIAsa members/R250 for non-members

For more information contact [Germarié Viljoen](#)

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Registration for student conference [here](#)

Registration for ELA Annual conference [here](#)

Registration closes 13 September 2019

Public Lecture: The precautionary principle in wildlife law and policy – what it means and what it doesn't by Assoc. Prof Arie Trouwborst

Date: 11 September 2019

Venue: Educational centre, SANBI, Pretoria

Time: 13:00 – 15h30

Dr Andy Blackmore will lead in the afternoon with a presentation on the public trust in the context of the South African constitution and the importance of the public trust in decision-making. Prof Trouwborst is from Tilburg University, the Netherlands.

Participants are encouraged to think about *practical situations* where uncertainty plays a role with regard to concrete issues in wildlife conservation and sustainable use. Following the presentation, there will be an opportunity to table these situations, and to discuss what an appropriate application of the precautionary principle might entail in each case. Linking the general tenets of the precautionary principle to these concrete issues will hopefully lead to increased clarity as to what the principle entails in practice and what it doesn't. Please circulate this invitation to your membership and one you think would be interested in attending.

Please send an [email](#) if you will be attending on or before 2 September 2019.

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-03.2.1 Occupational health and safety management systems (ISO 45001)**
Date: 2 - 6 September 2019
- **CEM-06.4.1 Water Quality Monitoring**
Date: 2 - 4 September 2019
- **CEM-03.6.2 Documenting Management Systems**
Date: 10 - 12 September 2019
- **CEM-06.6.1 Climate Change Management**
Date: 16 - 20 September 2019
- **CEM-03.1.1 Environmental Management Systems**
Date: 16 - 20 September 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Faculty of Law North-West University: Prof Arie Trouwborst: Comeback carnivores and supranational law – how wolves (*Canis lupus*) are returning to Sweden, Germany, France and the Benelux under the banner of European integration

Date: 10 September 2019

Venue: Old Senate Hall, NWU Potchefstroom Campus

Time: 13h00-14h00 [RSVP](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 15-17 October in Pretoria (registration closes 3 September 2019)
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 22 - 24 October 2019, in Durban (registration closes 8 October 2019)– more information [here](#)
- 12 - 14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

Imbewu: Environmental Law Update Workshop

Date: Tuesday 22 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu Registration](#)

ASSAf Innovation for Inclusive Development (IID) Seminar Series on The Smart City Initiatives in South Africa and Paving a Way to Support Cities to address Frontier Issues Using New and Emerging Technologies

Date: 03 September 2019 Time: 8:30 – 14:30

Venue: St George's Hotel, 58 Goede Hoop Avenue, Doornkloof, Rietveldam, Pretoria Refreshments will be served afterwards

RSVP: Click [here](#) to register by 12:00 on 02 September 2019

The Programme will be sent to participants.

7th Annual Spring Law Conference: Reflections on South Africa @ 25: Law, politics, society and development

Venue: Misty Hills Country Hotel, Muldersdrift, Gauteng Province,

Dates: 17-20 September 2019

The following aspects should be considered in respect of the abstracts: maximum 350 words, Arial, point 11 font size. Also include five keywords.

Deadline for submission of abstracts: 16 August 2019

Abstracts should be sent to: springlaw@unisa.ac.za and mkhomme1@unisa.ac.za

Closing date for registration is 30 August 2019

Enquiries: Ms [Liz Mkhomazi](#) / el: +27 (0)12 433 9480 - alternatively send enquiries to this [email](#).

The 14th Annual Conference of the Southern African Energy Efficiency Confederation

14 – 15 November 2019

Venue: Farm Inn, Silver Lakes, Pretoria, South Africa

[Registration](#)

Webber Wentzel Mining Sector Group for The Mining Round-Up Seminar

The seminar includes breakfast and features a series of brief legal updates on a number of key mining related regulatory issues affecting your business. Topics will include: Mining Charter, Strike Law, Environment, Mine Health and Safety, Mine Communities and Sustainable Mining.

Date: 17 September 2019

Time: 08:00 for breakfast with the seminar starting at 09:00

Venue: Webber Wentzel Offices | 90 Rivonia Road | Sandton | Johannesburg

The formal invitation will follow in the next few weeks

International

6th Annual Future Environmental Law Professors Workshop

Date: Friday, September 13, 2019

Venue: Elisabeth Haub School of Law at Pace University!

[Registration](#)

Asser Institute: Call for Contributions: City reports on International Law

More [information](#)

Water Law Works-in-Progress Scholarship Workshop: Call for abstracts:

Date: July 21, 2020

The University of Utah S.J. Quinney College of Law Wallace Stegner Center for Land, Resources, and the Environment and the Rocky Mountain Mineral Law Foundation are co-sponsoring the first-ever Water Law Works-in-Progress Scholarship Workshop for law professors.

Date: July 23-25, 2020

Place: Salt Lake City

To apply to be part of the workshop: Submit your abstract of 250-500 words to [Robin Kundis Craig](#), by Friday, January 17, 2020. Initial invitations to present will be sent by the end of January 2020.

Guidelines and consents: Projects should be true works in progress i.e., articles that you will be working on in Spring and Summer 2020.

We seek a mix of participants in terms of both geography and seniority as well as in terms of the water law topics discussed. Participants agree to acknowledge the Workshop, the Rocky Mountain Mineral Law Foundation, and the University of Utah S.J. Quinney College of Law Wallace Stegner Center for Land, Resources, and the Environment when they publish the article that they present at the Workshop. Participants agree to send a reprint or the PDF of the published version of their presented article to the Rocky Mountain Mineral Law Foundation. Participants agree to allow the RMMLF Journal to re-publish their presented article if the Journal Board selects that article for republication, assuming copyright permission can otherwise be obtained from the original publisher.

Upcoming online training course: "Foundations of IA

Apply by **27 August** to participate in IAIA's "**Foundations of Impact Assessment**" online training course.

This 12-week course starts 16 September 2019 and includes one-on-one communication with an experienced trainer using online tools. The course fee is US\$595, and a limited number of bursaries are available (see [this post](#) for details).

The **Foundations course** is designed for early-career professionals with some EIA experience. With over 16 topics in 5 units, this course covers the basic principles and objectives of EIA, its core concepts and methods, and the fundamentals of EIA review processes and study management. Each topic is comprised of a reading, a quiz, and an assignment, and each unit ends with an online conference call with the trainer. Some topics also include videos of experienced EIA practitioners discussing the application of various topics in their practice.

This course is part of IAIA's Professional Development Program (PDP), a series of trainer-supported online courses. Find out more [here](#). **University of Dundee: Elements of a 'European', 'International', 'Global' Climate Consensus after Paris?**

Date: 27th and 28th September 2019

Venue: Dalhousie Building, University of Dundee

Further Information: Contact the [CPD team](#)

NEWS

National

- **Biodiversity, protected areas and culture**

Environmental: Comment sought on rhino, bitter aloe findings

“‘Non-detriment findings’ in respect of the black rhino, white rhino and the bitter aloe were gazetted yesterday for scientific input. Protected under the 1975 Convention on International Trade in Endangered Species of Wild Fauna and Flora, each appears to be thriving in SA’s generally favourable conservation conditions. However, while trade in legally sourced white rhino horn is not considered to be detrimental to the species’ survival in the wild, the same does not apply to the horn of the black rhino. International trade in the bitter aloe is considered to pose a low-to-moderate risk to its survival, plant numbers having increased overall across its ‘relatively large’ distribution range.”

Read full report in Legalbrief Policy Watch 23 August 2019

- **Climate change and energy**

Winning A “Splitting Eskom could take four years” [BusinessLive](#) 24 August 2019

Faku D “Kriel in Mpumalanga now the world’s second-largest sulphur dioxide hotspot” [IOL](#) 20 August 2019

- **Local government**

Kretzmann S “Coastal Bylaw intends to push back Beachfront property spread” [GroundUp](#) 19 August 2019

- **Mining**

Secombe A “Legal challenge against Mining Charters two and three continues” [BusinessLive](#) 21 August 2019

General: Illegal mining at Blaauwbosch under the spotlight

“The hazardous effects of illegal mining at an abandoned coal mine in Blaauwbosch Village in Newcastle in the KZN inland has forced more than 50 families to relocate. A Cape Argus report notes that, despite repeated threats from the Newcastle municipality and Department of Mineral Resources to shut down the mine, groups of elderly men and women continue to mine for coal and sand in a bid to put food on their table. Professor Jasper Knight of the School of Geography, Archaeology and Environmental Studies Department, said the issue of illegal mining had a devastating effect on the environment and community. He said there were a range of hazards that had serious health implications. ‘Illegal mining often takes place where it should not, and the illegal miners flout laws and legislation. Illegal mining impacts on water, soil and vegetation. It can also disturb the land surface,’ he warned. Knight said the structural collapses could be attributed to movement in the soil and ‘mine walls’ not being supported by proper structure. For many residents, financially unable to move to other areas, they had to contend with poor health conditions and homes that could fall apart at any moment.” Full Cape Argus report (subscription needed) Legalbrief Environmental 20 August 2019

Energy: Mines push for solar power fast-tracking

“Gold Fields CEO Nick Holland believes the government must expedite the licensing of large solar projects planned by large industrial companies so that they can reduce their exposure to job-destroying tariff hikes and give Eskom space to deal with its operational issues. Business Day reports that an example of the damage from Eskom’s steep tariff hikes is the looming loss of more than 90 000 jobs at the end of the three-year tariff structure, which will increase electricity costs to 30% more than they were in 2018. Eskom increased tariffs for large industrial users such as mining companies by 523% since 2006 as the state utility struggled to keep its fleet of ageing power plants generating electricity, to fund the construction of new mega power plants that have run hugely over budget, and to pay interest on R440bn of debt. One of the most pressing cost pressures in the gold industry is that of electricity, which for Gold Fields is forecast to double to R1bn at its South Deep mine in the next five years. The report notes Gold Fields, Anglo American Platinum, Sibanye-Stillwater and Orion Minerals are among many industrial users of electricity seeking permits to install large solar arrays on or near their mines in order for third parties to supply cheaper electricity.”

Full Business Day report (subscription needed) Legalbrief Environmental 20 August 2019

- **Water, sanitation and chemicals**

Mhlangu I “Tshwane ordered to provide clean water to Hammanskraal” [SowetanLive](#) 21 August 2019

Gosling M “Desalination plant battle: City of Cape Town hits back, asks court to dismiss R50m lawsuit” [News24](#) 21 August 2019

James N “Climate change could lead to tighter water quality regulations – SRK” [Mining Weekly](#) 14 August 2019

Kockot F “Disaster fund needed to clean KZN river spill” [GroundUp](#) 18 August 2019

Harper P “Rivers die after oil, chemical spill” [Mail & Guardian](#) 23 August 2019

International

- **Biodiversity, animal rights and culture**

Butler RA “Satellite images from Planet reveal devastating Amazon fires in near real-time” [Mongabay](#) 22 August 2019

“More than 2000 tigers killed and trafficked this century — report” [Mail & Guardian](#) 21 August 2019

Kammon K “Los Angeles to build world's largest wildlife bridge across 10-lane freeway” [The Guardian](#) 21 August 2019

SADC Council of Ministers Formally Adopts *AHEAD* Guidelines on Commodity-Based Trade (CBT) of Beef for Managing Foot and Mouth Disease Risk

“With this [Southern African Development Community](#) formal endorsement, the region's [Council of Ministers](#) urged Member States to implement the [Guidelines](#) to improve the livestock sector's access to markets while facilitating land-use planning that has the potential to address conflicts at the livestock / wildlife interface that have been unresolved for the past 70 years. For more details, see this [link](#). The *Guidelines* are in the process of being reformatted with a SADC logo, and will also be translated into SADC's other official languages, French and Portuguese.” [AHEAD Update- July / August / September 2019]

All Five KAZA Countries Send Representatives to the June, 2019 KAZA Animal Health Sub-Working Group meeting in Victoria Falls, Zimbabwe

“The five-nation KAZA Treaty (2011) allows for the establishment of specialist advisory groups (Working Groups - WGs) to advise the KAZA Joint Management Committee (JMC) on their areas of specialisation, represent different sectors of society in the KAZA developmental process, and facilitate exchange of information on matters of mutual interest among the partner states. One such group, the Animal Health Sub-Working Group (AHSWG) under the official auspices of the Conservation WG, is now actively addressing veterinary challenges across KAZA through a cross-sectoral, integrated approach. *AHEAD* has been honored to continue to support the KAZA Secretariat to facilitate Animal Health Sub-Working Group meetings, enabling the leaders of wildlife and livestock veterinary efforts across KAZA to focus on the following (illustrative, not exhaustive) objectives:

- Facilitate sustainable, integrated land use & livelihoods in KAZA;
- Improve epidemiological understanding & ability to mitigate disease risks across the landscape;
- Improve speed & accuracy of local disease diagnostics;
- Improve wildlife forensics capacity;
- Ensure fencing decisions are based on sound cross-sectoral cost / benefit analysis.

For more details on the AHSWG, including meeting agendas, presentations, report-outs, etc., see [here](#). [AHEAD Update- July / August / September 2019]

“Ban on sending wild elephants to zoos a step closer” [Mail & Guardian](#) 19 August 2019

Joseph R “Rhino trade in the heart of darknets” [Mail & Guardian](#) 8 August 2019

Weston P “‘Rhinos of the ocean’ will go extinct without urgent protection, conservationists warn” [The Independent](#) 24 August 2019

Weston P “Amazon rainforest fires: Jair Bolsonaro sends Brazilian army to put out huge blaze as G7 leaders hold emergency talks” [The Independent](#) 24 August 2019

Cockburn H “Amazon rainforest fires and deforestation approaching disastrous irreversible tipping point, scientists warn” [The Independent](#) 23 August 2019

Dalton J “Attempts to reopen global elephant ivory trade fail” [The Independent](#) 22 August 2019

- **Climate change and energy**

“What the Climate Crisis Means for Land Rights” [Climate Institute](#) 20 August 2019

“Seoul to fine Volkswagen over 'illicit' emissions devices” [Mail & Guardian](#) 20 August 2019

“African Energy Chamber to discuss energy deals with Chinese investors in Beijing visit” [IOL](#) 22 August 2019

- **Local government**

Ferguson D “Messing about with the river: water firms accused of draining the Cam dry” [The Guardian](#) 24 August 2019

- **Mining**

“South America’s glaciers may have a bigger problem than climate change” [Mining Weekly](#) 14 August 2019

Liganga L and Philemon L “Tanzania to open first gold refinery plant in October: official” [IOL](#) 24 August 2019

Weston P “Second earthquake stops work at UK's only fracking site just days after largest tremor recorded” [The Independent](#) 24 August 2019

- **Water, waste and chemicals**

Watts J “Microplastics in water: no proof yet they are harmful, says WHO” [The Guardian](#) 22 August 2019

- **Miscellaneous**

Nambiar V “India court cites noise pollution to ban disc jockey performances” [The Jurist](#) 23 August 2019

Zubizarreta T “California Supreme Court rules San Diego should have considered environmental impact of marijuana zoning ordinance” [The Jurist](#) 22 August 2019

Tisdall S “Trump’s bid to buy Greenland shows that the ‘scramble for the Arctic’ is truly upon us” [The Guardian](#) 24 August 2019

Cox L “Australia taking six years to list threatened habitats under environment laws” [The Guardian](#) 20 August 2019

Laughland E “School at centre of Guardian's Cancer Town series may move students due to air pollution” [The Guardian](#) 24 August 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Pretoria: Lecturer: Department of Mercantile Law

Closing date: 6 September 2019

More [information](#)

University of Pretoria: Senior Lecturer/Associate Professor/Professor (One position): Department of Mercantile Law

Closing date: 6 September 2019

More [information](#)

Senior Associate – Mine and Occupational Health & Safety

Vogelpath-De Jongh Legal Recruitment

More [information](#)

Varsity College: Lecturer: Law (Independent Contractor) - Waterfall campus

More [information](#)

International

Environmental Law Profs [Blog](#): New academic positions in USA

The University of Tulsa College of Law

Invites applications from both entry-level and experienced faculty for possible tenure-track or visiting faculty positions beginning in the 2020-2021 academic year. We seek candidates with superior academic records whose performance to date has demonstrated excellence in scholarship and teaching or a strong potential to excel as scholars and teachers. The areas of interest may include, but are not necessarily limited to, civil procedure, property, business law, transactional law, Indian law, energy and natural resource law, contracts, and other first year and required courses. The University of Tulsa College of Law, as an equal opportunity/affirmative action employer, is committed to equality of opportunity in its employment of faculty and staff, without discrimination on the ground of race, color, religion, national origin, gender, age, disability, or sexual orientation. Members of under-represented groups are strongly encouraged to apply. If you would like to learn more about the College generally, you may visit our website at www.law.utulsa.edu. Please submit letters of interest and résumés to Prof. Robert Spoo, Chair, Appointments Committee, University of Tulsa College of Law, 3120 E. 4th Place, Tulsa, OK 74104, or by [email](#).

[Postdoctoral Scholar in Energy and Environmental Policy](#)

University of Calgary, School of Public Policy

[Postdoctoral Scholar in Energy and Environmental Policy \(Climate Policy or Energy Regulation\)](#)

University of Calgary, School of Public Policy

[Research Associate at the Institute for International and Comparative Public Law](#)

Universität Münster, Institute for International and Comparative Public Law

[Lecturer / Senior Lecturer in Law](#)

University of the West of England, Bristol - Bristol Law School

[Lecturer in Law](#)

University of Leicester - Leicester Law School

[Postdoctoral Research Assistant in Competition Law](#)

Queen Mary University of London - School of Law

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 33

30 August 2019

LEGISLATION

BILLS

Draft Housing Consumer Protection Bill, 2019, published for comment (GN 1118 in GG 42669 of 30 August 2019)

NOTICES

Statistics South Africa – Gen Notice 457 in GG 42669 of 30 August 2019 - Consumer Price Index, Rate (Base Dec 2016 = 100): July 2019: 4.0

Public Service Act, 1994 (Proclamation 103 of 1994) - Proc 50 in GG 42669 of 30 August 2019 - Schedule 2 amended

National Environmental Management Act 107 of 1998 - GN R 1116 in GG 42669 of 30 August 2019 - Notice of the requirement to submit a report generated by the national web based environmental screening tool published in GN 961 in GG 42561 of 5 July 2019 withdrawn

National Environmental Management: Air Quality Act 39 of 2004 - GN 1113 in GG 42669 of 30 August 2019 - Publication for comment of notice of intention to repeal the following Regulations and notices made in terms of the Atmospheric Pollution Prevention Act 45 of 1965 - Fuel Burning Appliances in Dwelling Houses

National Environmental Management: Air Quality Act 39 of 2004 - GN 1113 in GG 42669 of 30 August 2019 - Publication for comment of notice of intention to repeal the following Regulations and notices made in terms of the Atmospheric Pollution Prevention Act 45 of 1965 - GN 1114 in GG 42669 of 30 August 2019 - Smoke Control Regulations and Smoke Control Zone Orders

National Environmental Management: Air Quality Act 39 of 2004 - GN 1113 in GG 42669 of 30 August 2019 - Publication for comment of notice of intention to repeal the following Regulations and notices made in terms of the Atmospheric Pollution Prevention Act 45 of 1965 - GN 1115 in GG 42669 of 30 August 2019 - Regulations relating to the Inspection of Premises in a Dust Control Area and Dust Control Areas

PROVINCES

Limpopo

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Notice 94 in PG 3030 of 30 August 2019 - Vhembe District Municipality - Bioregional Plan - for comment

Western Cape

Disaster Management Act 57 of 2002 - LAN 58116 in PG 8142 of 30 August 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of drought disaster for a further month from 1 September 2019 to 30 September 2019

Disaster Management Act 57 of 2002 - LAN 58117 in PG 8142 of 30 August 2019 - City of Cape Town Metropolitan Municipality - Extension of the declaration of a local state of disaster as a result of a devastating fire in the Imizamo-Yethu informal settlement situated in Hout Bay for a further month from 1 September 2019 to 30 September 2019

Gauteng

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 869 in PG 266 of 28 August 2019 - City of Johannesburg Metropolitan Municipality - Notice of draft Precinct Plan for Southern Farms - for comment

Eastern Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-law: Dr Beyers Naudé Local Municipality - PN 238 in PG 4295 of 26 August 2019 - Appointment of members to serve on the Municipal Planning Tribunal

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management By-law - PN 239 in PG 4295 of 26 August 2019 - Makana Local Municipality - Notice of appointment of members to serve on the Appeal Tribunal for a period of three years

Spatial Planning and Land Use Management Act 16 of 2013 - PN 241 in PG 4295 of 26 August 2019 - Department of Co-operative Governance and Traditional Affairs - Draft Provincial Spatial Development Framework – for comment

KwaZulu Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MN 110 in PG 2114 of 29 August 2019 - Edumbe Local Municipality - Electricity Supply By-law 2018/2019

CASES

National

National Council of The Society for Prevention of Cruelty to Animals v Minister of Environmental Affairs and Others (86515/2017) [2019] [ZAGPPHC](#) 367 (26 August 2019)

“[1] These proceedings relate to the process by which South Africa sets annual export quotas for trade in lion bone, bone pieces, bone products, claws skeletons, skulls and the like for commercial purposes which are derived from captive breeding operations in South Africa. This application is not about the captive lion breeding industry as a whole and the debates that have emerged at both the national as well as at an international level concerning its existence and continuance.

[2] The Applicant seeks to review and have declared unlawful and constitutionally invalid the decisions of the First Respondent of the 28 June 2017 and 7 June 2018 in which the quotas for the exportation of lion bone were determined at 800 and 1500 lion skeletons respectively. All the Respondents oppose the relief sought.”

Mining and Environmental Justice Community Network of South Africa and Others v Minister of Environmental Affairs and Others 2019 (5) SA 231 (GP)

“Environmental law—Protected areas—Prohibition on mining and prospecting activities in protected areas without ministerial consent—Nature of ministerial discretion—Minister’s duties to act in procedurally fair and transparent manner, and to take relevant considerations into account—National Environmental Management: Protected Areas Act 57 of 2003, ss 48(1)(b) and 48(4); Promotion of Administrative Justice Act 3 of 2000, s 6(2).”

Uzani Environmental Advocacy CC v BP Southern Africa (Pty) Ltd 2019 (5) SA 275 (GP)

“Environmental law—Environmental legislation—Enforcement—Private prosecution—Whether permissible after application made for rectification of unlawful commencement or continuation of listed activities—National Environmental Management Act 107 of 1998, ss 24G and 33.

Environmental law—Environmental legislation—Enforcement—Private prosecution—Requirements for instituting—Consultation between applicant and national prosecuting authority—What constitutes ‘consultation’—National Environmental Management Act 107 of 1998, s 33; Criminal Procedure Act 51 of 1977, s 8(2).

Environmental law—Environmental legislation—Enforcement—Rectification of unlawful commencement or continuation of listed activity—Effect of application for rectification on private prosecution for unlawful commencement of listed activity—Status of rectification report—National Environmental Management Act 107 of 1998, s 24G.”

Wilkinson and Another v National Director of Public Prosecutions and Others 2019 (2)
“Indictment and charge—Objection to charge—Proper forum for ventilating objection is court sitting in trial—Removal of criminal proceedings to civil courts deprecated—Criminal Procedure Act 51 of 1977, s 85.

Environmental offences—Rhino horn—Evidence—Reverse-onus provisions in various provincial ordinances—Obiter: reverse-onus provisions in question reasonable, proportionate and justified under s 36 of Constitution.”

City of Johannesburg v Berger and Another 2019 (2) SACR 319 (GJ)

“Animal—Protection of—Domestic animals—Dogs and cats being kept on property in contravention of zoning bylaws and local authority seeking order for charitable organisation to cease operations on site—Grant of order might involve putting down some of 200 animals housed at site—Court embarking on weighing-up exercise and holding that order could be postponed pending finalisation of rezoning application.”

PUBLICATIONS

International

Putting Regions on Track for Carbon Neutrality by 2050 D3.3: Report on regional and local energy priorities Authors: Andriana Stavrakaki et al (C-Track 50 Project [Report](#) August 2019)

Brunori Margherita “Protecting access to land for indigenous and non-indigenous communities: A new page for the World Bank?” 2019 *Leiden International Law Journal* DOI: <https://doi.org/10.1017/S0922156519000232>

Damm Philipp and Riegner Michael “The World Bank’s Environmental and Social Safeguards and the evolution of global order” 2019 *Leiden International Law Journal* DOI: <https://doi.org/10.1017/S0922156519000293>

Houghton Ruth “Looking at the World Bank’s safeguard reform through the lens of deliberative democracy” by Ruth Houghton

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

[Science](#): Nordling L “Great white sharks have suddenly disappeared from one of their favorite hangouts” 30 August 2019

[News24](#): Brophy S “Where are SA's great white sharks? Right here, says Marine Dynamics” 30 August 2019

[Science](#): Hand E “Shock and thaw? Earth’s oldest asteroid impact may have helped lift the planet out of a deep freeze” 27 August 2019

- **Climate change and energy**

[NRF Science Matters](#): The rise of severe cyclones in the South Indian Ocean July 2019

[NRF Science Matters](#): Birds of a feather flock together? July 2019

[NRF Science Matters](#): Feature: Young science communicators and climate change July 2019

[Mail & Guardian](#): Titley D “Why is climate change’s 2°C of warming limit so important?” 31 August 2019

[Daily Maverick](#): Walters R “Putting deniers on ice: Inside the mind of a climate geek (Part One)” 29 August 2019

- **Water, waste and chemicals**

[NRF Science Matters](#): Janse van Rensburg Susan “Where is all the water gone?” July 2019

- **Miscellaneous**

[Daily Maverick](#): Heywood M “Thuli Madonsela re-emerges as a catalytic converter for social justice” 30 August 2019

Africa

- **Biodiversity, protected areas and culture**

[Science](#): Price M “Stunning ancient skull shakes up human family tree” 28 August 2019

[Science](#): Enserink M “Is setting a deadline for eradicating malaria a good idea? Scientists are divided” 27 August 2019

[The Guardian](#): Gomera M and Ash N “Elephants in the room” 30 August 2019

- **Climate change and energy**

[Place](#): Suliman A “From Yemen to South Sudan, climate and water stress seen worsening conflict” 28 August 2019

- **Water, waste and chemicals**

[Reuters](#): Goering L “More people, less water? Scientists see risks on upper Nile” 28 August 2019

[Climate links](#): Hydropower in Tanzania: Planning for Resiliency (August 2019)

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Ledaba AM “High-level Meeting Commits Financial and Technical Support for African Food Security” 27 August 2019

International

- **Biodiversity, protected areas and culture**

[IISD](#) ENB: 1st Meeting of the Open-ended Working Group on the Post-2020 Global Biodiversity Framework 27-30 August 2019 | UN Office, Nairobi, Kenya

[Place](#): Stall L “From beaches to Bieber: 6 locations closing after tourism overload” 27 August 2019

[Survival](#): “Uncontacted tribes now threatened by Amazon fires” 28 August 2019

[Science](#): Escobar H “‘A little bit of everything is burning.’: A NASA scientist dissects Amazon fires” 30 August 2019

[Science](#): Escobar H “There’s no doubt that Brazil’s fires are linked to deforestation, scientists say” 26 August 2019

[Science](#): Pennisi E “NSF’s huge ecological observatory is open for business. But tensions remain” 29 August 2019

[Science](#): Pennisi E “No microbiome is an island, unprecedented survey of Hawaiian valley reveals” 28 August 2019

- **Climate change and energy**

[IISD](#) ENB: 14th Session of the Conference of the Parties to the UN Convention to Combat Desertification (COP 14) Restore Land, Sustain Future 2-13 September 2019 | New Delhi, India

[Vermont Law School](#): Hothouse Earth Podcasts: The new climate migration episode features Professors Carmen Gonzalez and Barry Hill, with discussion on the intersection of climate justice, international law, and immigration law. There are also Hothouse Earth episodes on the America First Energy Plan, regulatory rollbacks, takings and the border wall, and the Farm Bill, and we’ll have more climate and environmental justice episodes coming this fall.

[IISD](#) SDG Knowledge Hub: Mead L “G7 Summit Discusses Inequalities, Global Environmental Challenges” 29 August 2019

[IISD](#) SDG Knowledge Hub: Wagner L “LAC Climate Week Considers Energy and Industry Transition, Nature-based Solutions” 29 August 2019

[World Resources Institute](#): Harris N *et al* “Hundreds of US Communities Are Making Climate Action Plans, but Few Include Forests” 19 August 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “Doha Amendment 14 Ratifications from Entry into Force” 27 August 2019

- **Local government**

Texas A&M University School of Law [Blog](#): “Notable Natural Resources Legislation From The 86th Texas Legislative Session” 10 August 2019

[Place](#): Berton E “Tokyo named world's safest city, Amsterdam tops Europe ranking” 29 August 2019

[CNN](#): “Baby Shark’ is being used as a powerful tool to control” 30 August 2019

[MyLonden](#): A day without cars in central London could show the way to a vehicle-free future 18 August 2019

[The Guardian](#): Ryder G “Faith and freelancers: why churches are turning into co-working spaces” 28 August 2019

ICLEI City Talk [Blog](#): “Asian cities act on biodiversity on the road to 2020” 27 August 2019

ICLEI City Talk [Blog](#): “The case of Toluca, Mexico: Integrating ecosystems services in urban planning” 27 August 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “BRICS Ministers Commit to Urban Environmental Management, Global Climate and Biodiversity Issues” 27 August 2019

- **Water, waste and chemicals**

[IISD](#) ENB: 31st UN-Water Meeting 23-24 August 2019 | Stockholm, Sweden

- **Miscellaneous**

Texas A&M University School of Law [Blog](#): “Is regulatory rollback making environmental lawyers obsolete?” 10 August 2019

[Science](#): Kumar M “Ancient farmers irreversibly altered Earth’s face by 3000 years ago” 30 August 2019

[Science](#): Reilly S “EPA’s controversial ‘secret science’ plan still lacks key details, advisers say” 28 August 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “UNEP, UN Human Rights Office Partner to Protect Environmental Human Rights Defenders” 27 August 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “WRI Proposes ‘Menu of Solutions’ to Achieve Sustainable Food Systems” 27 August 2019 – find WRI Report [here](#)

[IISD](#) SDG Knowledge Hub: Ledaba AM “OECD [Publications](#) Forecast Next Decade of Agricultural Trends” 27 August 2019 – find other report [here](#)

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

North-West ELA Branch and IAIAsa Joint Event: Energy Management: Lessons for environmental management and impact assessment – Save the date!

Date: 12 September 2019

Time: 12:00-17:00

Venue: North-West University (Potchefstroom campus)

Free to ELA and IAIAsa members/R250 for non-members

For more information contact [Germarié Viljoen](#)

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)
27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Registration for student conference [here](#)

Registration for ELA Annual conference [here](#)

Registration closes 13 September 2019

Public Lecture: The precautionary principle in wildlife law and policy – what it means and what it doesn't by Assoc. Prof Arie Trouwborst

Date: 11 September 2019

Venue: Educational centre, SANBI, Pretoria

Time: 13:00 – 15h30

Please send an [email](#) if you will be attending on or before 2 September 2019.

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

Abstract deadline: 16 August 2019

Submission of abstracts [here](#)

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-03.6.2 Documenting Management Systems**

Date: 10 - 12 September 2019

- **CEM-06.6.1 Climate Change Management**

Date: 16 - 20 September 2019

- **CEM-03.1.1 Environmental Management Systems**

Date: 16 - 20 September 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Faculty of Law North-West University: Prof Arie Trouwborst: Comeback carnivores and supranational law – how wolves (*Canis lupus*) are returning to Sweden, Germany, France and the Benelux under the banner of European integration

Date: 10 September 2019

Venue: Old Senate Hall, NWU Potchefstroom Campus

Time: 13h00-14h00 [RSVP](#)

Imbewu: Environmental Law Update Workshop

Date: Tuesday 22 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 15-17 October in Pretoria (registration closes 3 September 2019)
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 22 - 24 October 2019, in Durban (registration closes 8 October 2019) – more information [here](#)
- 12 - 14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

University of Johannesburg: 7th Annual Spring Law Conference: Reflections on South Africa @ 25: Law, politics, society and development

Venue: Misty Hills Country Hotel, Muldersdrift, Gauteng Province,

Dates: 17-20 September 2019

The following aspects should be considered in respect of the abstracts: maximum 350 words, Arial, point 11 font size. Also include five keywords.

Deadline for submission of abstracts: 16 August 2019

Abstracts should be sent to: springlaw@unisa.ac.za and mkhomme1@unisa.ac.za

Closing date for registration is 30 August 2019

Enquiries: Ms [Liz Mkhomazi](#) / el: +27 (0)12 433 9480 - alternatively send enquiries to this [email](#).

Webber Wentzel Mining Sector Group for The Mining Round-Up Seminar

The seminar includes breakfast and features a series of brief legal updates on a number of key mining related regulatory issues affecting your business. Topics will include: Mining Charter, Strike Law, Environment, Mine Health and Safety, Mine Communities and Sustainable Mining.

Date: 17 September 2019

Time: 08:00 for breakfast with the seminar starting at 09:00

Venue: Webber Wentzel Offices | 90 Rivonia Road | Sandton | Johannesburg

The formal invitation will follow in the next few weeks

SAEEC Workshop: Practical applications and implications of the Carbon Tax Act

Date: 16 September 2019

Time: 08:30 for 09:00-13:30

Venue: SANEDI, Upper Grayston Office Park, 152 Ann Crescent, Strathaven, Sandton [Registration](#)

The 14th Southern African Energy Efficiency Confederation Conference

Date: 14 - 15 November 2019

Venue: Farm Inn, Silverlakes, Pretoria, Gauteng, South Africa

More [information](#)

[Registration](#)

NWU Faculty of Law: Colloquium on Innovations in Mercantile Law

Date: 19 September 2019

Place: Potchefstroom Campus of the North-West University.

The theme of the colloquium touches on the Fourth Industrial Revolution and associated developments that could impact the teaching, practice and research in Trade/Mercantile Law specifically, but also the law in general. While this colloquium falls within the Trade, Finance and Innovation research project of the NWU, I am certain that it (and the themes) would be of interest to almost all academic staff members.

Since this is a colloquium and not a conference, we will focus less on the presentation of formal papers (which will be few and short), and rather on the facilitation of discussion about the themes and issues among all participants and attendees.

Due to logistical constraints, we might have to limit the number of attendees, so please register at the link below as soon as possible.

Register link - [Click here](#)

NWU Public lecture: Smart cities within a developing economy the promises and pitfalls - Prof Crisna du Plessis

Date: Wednesday 18 September 2019

Time: 11:30

Place: NWU Faculty of Engineering Conference Room N1A - G03

Please RSVP using the following [link](#) before 6 September 2019

The Faculty of Law, Stellenbosch University and the South African Research Chair in Property Law: Discussions about the Presidential Advisory Panel on Land Reform and Agriculture Report

Should section 25 of the Constitution be amended? When should expropriation without compensation be allowed?

25 September 2019

Time: 8:30 - 14:00

Venue: STIAS 10 Marais Road, Stellenbosch, 7600

RSVP ([here](#)) by 19 September 2019 OR via [email](#)

10th Annual Eco Health & Wellbeing Conference

Date: 10-11 October 2019

Venue: The Bram Fischer Auditorium, 3rd floor Calabash Building, Florida Campus, Gate 4, Pioneer Street, Florida, Roodepoort

More information : Ms [Yolandi Jordaan](#) Administrator (Ecohealth & Wellbeing Conference 2019) / 082 553 6463 / Conference Chairperson: Prof [Elize van Eeden](#)

2019 Integrated Coastal Management Lekgotla

Date: 10-11 September 2019

Venue: River Club, Liesbeek Avenue, Observatory Rd, Observatory, Cape Town

More [information](#)

Financing the Future: The Global Climate Divest-Invest Summit

Date: 10 - 11 September 2019

Place: Cape Town

More [information](#)

International

CLP Brisbane Conference 2020 – Call for Panels + Conference website

Attached is the Call for Panels for the International Conference of the Commission on Legal Pluralism in collaboration with the University of Queensland's TC Beirne School of Law and Centre for Public, International and Comparative Law: Knowledge, Power and the Politics of Difference - Looking at Legal Pluralism "from Down-under".

Please email your panel proposals to (for the attention of Prof [Jennifer Corrin](#)) by no later than 30 September 2019.

This call for panels will be followed by a call for individual PAPERS in November 2019. [View Download](#)

The CLP Brisbane Conference 2020 also has its own website, which can be checked [here](#).

Seventh GGKP Annual Conference: Achieving Global Energy Transformation

Dates: 21-22 October 2019

Venue: InterContinental Seoul Coex Seoul, Republic of Korea

For details about the GGKP Annual Conference visit [here](#)

For information about Global Green Growth Week 2019 visit [here](#)

Join the discussion on Twitter: [#GGKP7](#) [#GGGW2019](#) [#KIREC2019](#)

Contact the [organisers](#) for more information

Institute for Carbon Removal Law and Policy Webinar Series: The Brazilian Amazon Fires: What Do They Mean for the Climate?

Date: 3 September 2019

Time: 12pm-1pm EST

Click the [Eventbrite](#) page to register

National

- **Biodiversity, protected areas and culture**

Viljoen B "Scales of justice: Mpumalanga man jailed for keeping pangolin in a drum at home" [News24](#) 29 August 2019 [Legalbrief 30 August 2019]

"Alleged Athlone lion 'smugglers' granted R5 000 bail - and one is Najwa Petersen's son" [News24](#) 29 August 2019 [Legalbrief 30 August 2019]

Wild S "Groups of people are wandering SA's mountains, 'hacking' down alien trees for sport" [News24](#) 1 September 2019

“Southern African nations threaten to quit wildlife trade monitor” [News24](#) 1 September 2019

- **Climate change and energy**

“Grape harvesting season reveals effect of climate change” [IOL](#) 30 August 2019

“Parliament committee opposes plans to cut jobs at SA Nuclear Energy Corporation” [IOL](#) 29 August 2019

“SA utility Eskom says Medupi station's last unit synchronised to the grid” [IOL](#) 28 August 2019

“Kriel in Mpumalanga now the world's second-largest sulphur dioxide hotspot” [IOL](#) 20 August 2019

“SA govt lacking 'vision and urgency' on the climate crisis – Greenpeace” [News24](#) 31 August 2019

Matavire M “SA looks to gas for power” [News24](#) 1 September 2019

Barron C “Coal 'to power SA for years to come'” [BusinessLive](#) 1 September 2019

Flam F “The name we give this epoch will be an epitaph for millions” [Business Times](#) 1 September 2019

“Oceans turning from friend to foe, warns landmark UN climate report” [News24](#) 30 August 2019

“Farmers and animals struggle in drought-hit Botswana” [News24](#) 30 August 2019

“Sasol 'urged to ditch Cornell'” [BusinessLive](#) 1 September 2019

Molelekoa Sekgabo “Sasol's Lake Charles project is proving to be painful for investors” [Business Day](#) 30 August 2019

- **Local government**

Kretzman S “Rising sea levels already causing problems for Cape Town” [GroundUp](#) 30 August 2019

Chiguvare B “Limpopo villagers demand compensation before relocation for road” [GroundUp](#) 23 August 2019

- **Mining**

Secombe A “Anglo American SA faces class-action lawsuit: The miner faces allegations by Zambians ill with lead poisoning at the old Kabwe mine, but Anglo denies responsibility” [BusinessLive](#) 23 August 2019 [Legalbrief 26 August 2019]

Rutledge C “Prejudicial entry barriers for artisanal miners can and must be lifted” [Business Day](#) 30 August 2019

Criminal: Task team set up to tackle illegal mining

“The announcement of a first special police task team to address illegal mining in the Free State Goldfields has been widely welcomed, Volksblad reports. Police Minister Bheki Cele announced the 12-member team in Welkom, adding that similar teams will be deployed countrywide to investigate these crimes. Cele said

so-called zama-zamas are out of control and illegal mining activities cost the country R41bn last year. Trade unions in the mining sector have been calling for task teams for a long time. Solidarity's Paul Mardon says their first request to police authorities was made in 2009. 'We are elated that the government is now taking the problem of illegal mining seriously.'

Full Volksblad report (subscription needed) Legalbrief 29 August 2019

- **Water, sanitation and chemicals**

Hendricks A "Farmworkers want 67 pesticides banned" [GroundUp](#) 29 August 2019

"Return to sender: Malaysia seeks origin of tons of plastic waste" [News24](#) 30 August 2019

Singh O "'Convenient' fire burns toxic waste stockpile" [Sunday Times](#) 1 September 2019

- **Miscellaneous**

Nkosi Sipho "Cut red tape to prevent small business staying informal" [Business Day](#) 30 August 2019

International

- **Biodiversity, animal rights and culture**

Sharman J "Amazon fires: Brazil bans land clearance blazes for 60 days" [The Independent](#) 29 August 2019

Gregory A "Amazon fires: 'Worst is still to come' despite Bolsonaro claiming crisis is under control" [The Independent](#) 29 August 2019

"Fires not the only threat facing Amazon" [News24](#) 31 August 2019

Esfandiar S "Children in Brazil are struggling to breathe because of all the smoke from the Amazon fires" [News24](#) 31 August 2019

Watts J "Amazon fires 'extraordinarily concerning', warns UN biodiversity chief" [The Guardian](#) 30 August 2019

Cockburn H "Almost 100 whales driven into shallow bay before being dragged onshore and slaughtered in Faroe Islands" [The Independent](#) 30 August 2019

McVeigh K "World's fastest shark added to list of vulnerable species to regulate trade" [The Guardian](#) 31 August 2019

- **Climate change and energy**

Cockburn H "Climate crisis: Great Barrier Reef has deteriorated to 'critical point' amid warming seas and pollution, major report says - Warning comes as Australia's greenhouse gas emissions reach highest level for seven years" [The Independent](#) 30 August 2019

Cockburn H "Climate crisis: Rising sea levels and catastrophic storm surges could displace 280m people, UN warns" [The Independent](#) 29 August 2019

Cockburn H "Climate crisis: UK cannot reach net zero emissions 'if ministers remain fixed on economic growth'" [The Independent](#) 29 August 2019

Cockburn H "Climate crisis: Trump to roll back Obama-era pollution regulations for oil and gas drilling designed to reduce methane emissions" [The Independent](#) 29 August 2019

Sundler S "EPA proposes rollback of methane regulations" [The Jurist](#) 30 August 2019

Bryant M "Hundreds of young people join Greta Thunberg in climate protest outside UN" [The Guardian](#) 30 August 2019

Bershidsky L "Taxing short, cheap flights makes sense - former transport minister" [News24](#) 31 August 2019

Nicholls-Lee D "Flight risk: can we take the carbon out of air travel?" [The Guardian](#) 31 August 2019

Ambrose J "Share of coal in UK's electricity system falls to record lows" [The Guardian](#) 30 August 2019

- **Local government**

Moore R "Where are the architects who will put the environment first?" [The Guardian](#) 31 August 2019

Fuller G "Pollutionwatch: why efforts to tackle air pollution can backfire" [The Guardian](#) 29 August 2019

- **Mining**

Boyle K "China lawmakers approve new law allowing local governments to tax resources" [The Jurist](#) 27 August 2019

Judge: Fast-tracking new Chaco suit is 'totally unrealistic'

"A federal judge said he is in no rush to halt new oil and gas drilling near New Mexico's prized Chaco Culture National Historical Park.

Chief Judge William Johnson for the U.S. District Court for the District of New Mexico smacked down environmental and tribal groups' request for a temporary restraining order that would prevent the Bureau of Land Management from moving forward on about 255 recent drilling permits near the park.

He said judicial vacancies on the court and more urgent cases will keep him from deciding whether a preliminary or permanent injunction is an appropriate course of action. Diné Citizens Against Ruining Our Environment, WildEarth Guardians and other organizations filed the case earlier this month." King P [E&E News](#) 29 August 2019 [registration needed]

Mangirazi N "Silver lining in Zim gold mines is a silent killer" [Sunday Times](#) 1 September 2019

Secombe A "Anglo American SA faces class-action lawsuit" [Business Day](#) 23 August 2019 [Legalbrief Forensic 29 August 2019]

- **Water, waste and chemicals**

Bell B “EPA allowed to delay power plant waste regulations” [The Jurist](#) 29 August 2019

Hebmore E “Can fashion keep its cool ... and help save the planet?” [The Guardian](#) 31 August 2019

Paul K “Vaping’s other problem: are e-cigarettes creating a recycling disaster?” [The Guardian](#) 27 August 2019

Frykberg M “Over 2 million Kenyans face starvation as food crisis continues” [IOL](#) 29 August 2019

“More than 3 million people in Zimbabwe in need of urgent food aid” [IOL](#) 26 August 2019

- **Miscellaneous**

DeLorenzo T “US Steel sued over Superfund law violations” [The Jurist](#) 27 August 2019

“There's something in the air – as pollution gets worse, the prevalence of mental health conditions may rise” [News24](#) 26 August 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Pretoria: Lecturer and Coordinator: Law and Language

Closing date: 11 September 2019

More [information](#)

University of the Western Cape South African-German Centre for Transnational Criminal Justice: Professor / Associate Professor

Closing date: 16 September 2019

More [information](#)

University of the Free State Unit for Institutional Change and Social Justice Gender Equality and Anti-Discrimination Office: Senior Officer

Closing date: 13 September 2019

More [information](#)

Varsity College: Deputy Head of School (Law) - National Office (Midrand or Cape Town)

More [information](#)

United Nations: Intern - Programme Management [Temporary]

Closing date: 10 September 2019

More [information](#)

International

Energy Saving Trust London Office

Our co-manager of the Low Energy Inclusive Appliances Programme & co-Secretariat of the Efficiency for Access Coalition, for a Partnership Marketing & Communications Manager has a position in their London office:

More [information](#)

Japan: Master's and Internship Programme ABE Initiative and SDGs Global Leadership Programme

Masters and doctoral programme

Closing date: 30 September 2019

More [information](#)

Japan: Research Fellowships: UNESCO/Keizo Obuchi Research Fellowship

Fellowship for candidates who have completed their Master's and intend to do research in Japan in one of the following fields: Environment with particular focus on Disaster Risk Reduction; Intercultural Dialogue; Information and Communication Technologies; Peaceful Conflict Resolution

Closing date: 24 November 2019

More [information](#)

United Kingdom Masters: Chevening Scholarship: 2020/21

Fully funded scholarship for outstanding emerging leaders in the United Kingdom

Closing date: 5 November 2019

More [information](#)

Netherlands: Master's and Training Courses: Orange Knowledge Programme

Closing date: Depend on programme

More [information](#)

United States: Postdoctoral Fellows: Fulbright Visiting Scholar Program

Independent Postdoctoral research at a U.S. academic institution

Deadline for applications: 01 October 2019

More [information](#)

Germany: Master's: Development Related Postgraduate Courses

Master's scholarship in Germany in various fields of study.

Various deadlines depending on the course of study

[Read more](#)

India: Training Courses Indian Technical and Economic Cooperation Programme

Postgraduate opportunities to study various courses in India.

Various deadlines for different training programmes

[Read more](#)

Members of the Environmental Law Association may subscribe to
[*Legalbrief Environmental*](#)
and the
[*South African Journal of Environmental Law and Policy*](#).
Discount available for ELA members.

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POLICY

National Treasury Discussion [Paper](#) on Stimulating Economic Growth, August 2019

LEGISLATION

BILLS

Draft Marine Pollution (Prevention of Pollution from Ships) Amendment Bill, 2019
– Gen Notice 476 in GG 42688 of 6 September 2019 - for comment

NOTICES

Petroleum Products Act 120 of 1977 - GN R1132 in GG 42679 of 3 September 2019 - Regulations in respect of petroleum products published in GN R1039 in GG 42618 of 6 August 2019 substituted with effect from 4 September 2019

Petroleum Products Act 120 of 1977 - GN R1133 in GG 42679 of 3 September 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1038 in GG 42618 of 6 August 2019 substituted with effect from 4 September 2019

Petroleum Products Act 120 of 1977 - GN R1134 in GG 42679 of 3 September 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 4 September 2019

National Environmental Management: Air Quality Act 39 of 2004 - GN R1136 in GG 42684 of 6 September 2019 - Draft amendments to the National Greenhouse Gas Emissions Reporting Regulations, 2016 - for comment

Standards Act 8 of 2008 – Gen Notice 473 in GG 42684 of 6 September 2019 - Amendment of South African National Standards

National Environmental Management: Waste Act 59 of 2008 - GN 1135 in GG 42681 of 4 September 2019 - Draft National Norms and Standards for Organic Waste Composting - for comment

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58127 in PG 8144 of 6 September 2019 - Hessequa Local Municipality - Public Amenities By-law

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 58118 in PG 8145 of 6 September 2019 - Central Karoo District Municipality - Draft Municipal Spatial Development Framework (MSDF) – for comment

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000, Spatial Planning and Land Use Management Act 16 of 2013 and Municipal Planning By-law, 2015: Cape Agulhas Local Municipality - LAN 58130 in PG 8145 of 6 September 2019 - Appointment of member to serve on the Municipal Planning Tribunal

KwaZulu Natal

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - MN 115 in PG 2116 of 5 September 2019 - Ray Nkonyeni Local Municipality - Hibiscus Coast Municipality Planning and Land Use Management By-law, 2015

CASES

International

Sheikh Asim Farooq v. Federation of Pakistan etc. W.P. No. 192069/2018 ([Lahore High Court](#) of Pakistan Aug. 30, 2019)

Pakistan Court Ordered Government to Uphold Legal Obligations to Protect Forests and Plant Trees in Cities

Members of civil society filed suit against Pakistan (impleading several departments including the Planning and Development Department, Punjab Environmental Protection Department, and Housing & Urban Development Department) for failure to plant, protect, manage, preserve, and conserve the trees and forests in Punjab in violation of statutory obligations and petitioners' constitutional rights. Petitioners requested a writ of mandamus under Article 199 of Pakistan's Constitution and alleged the government's conduct violated statutory obligations (discussed below) and fundamental rights guaranteed under Article 9 (right of life liberty), Article 14 (right of dignity), Article 26 (right of access to public places of entertainment), and Article 38(b) (provision of available leisure places) of the Constitution." [Sabin Center for Climate Change Law summary]

PUBLICATIONS

International

2019 *Wire'sWater* 6(6) September/October 2019 issue available [online](#)

Brandon JA, Jones W and Ohman MD "Multidecadal increase in plastic particles in coastal ocean sediments" 2019 5(9) [Science Advances](#) DOI: 10.1126/sciadv.aax0587

Giomi F *et al* "Oxygen supersaturation protects coastal marine fauna from ocean warming" 2019 5(9) [Science Advances](#) DOI: 10.1126/sciadv.aax1814

McCrone A *et al* "Global Trends in Renewable Energy Investment [report](#) 2019" (September 2019)

2019 [Bioenergy magazine](#) Issue 8 new feature articles on bioenergy technology and developments from around the world.

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Daily Maverick](#): Chasan E and Freitas G Jr "Global warming is already costly for meat and dairy producers" 6 September 2019

- **Local government**

NWU [Video](#): On the DST/NRF Research Chair in Cities, Law and Environmental Sustainability

[GroundUp](#): Wayland D "Proper shelter can change a person completely" 6 September 2019

- **Mining**

[Daily Maverick](#): Bloom K "Stealing the crust III: Universal lessons from a local mining fraud" 8 September 2019

- **Miscellaneous**

Environmental Assessment Practitioners Association of South Africa

[EAPASA CPD Press Release](#) and [EAPASA Continuing Professional Development Guidelines](#)

The guidelines have been uploaded onto the EAPASA [website](#)

Read also the first [Newsletter](#).

[Mail & Guardian](#): "What does 'fourth industrial revolution' even mean?" 6 September 2019

Africa

- **Biodiversity, protected areas and culture**

[The Conversation](#): Ryan P, Ludynia K and Pichergru L “Ships’ risky fuel transfers are threatening African Penguins” 3 September 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Mead L “TICAD7 Highlights Business-based Solutions for SDGs, Climate Goals in Africa” 5 September 2019

[The Conversation](#): Cormack Z “How Kenya’s mega wind power project is hurting communities” 3 September 2019

- **Mining**

[Extractives Baraza](#): “Zambia mining firms say mineral royalties should be capped” 4 September 2019

- **Water, waste and chemicals**

[Place](#): Bhalla N “Kenya evicts forest dwellers to save country’s ‘water tower’” 5 September 2019

[The Conversation](#): Stowell A “How potential of massive e-waste dump in Ghana can be harnessed” 3 September 2019

[The Conversation](#): Lwasa S “Uganda offers lessons in tapping the power of solid waste” 2 September 2019

[Hurriyet Daily News](#): “‘Garbage men of nature’ play key role on environment” 7 September 2019

- **Miscellaneous**

[Place](#): Njagi K “Tricked by family members, widows in rural Kenya left landless” 5 September 2019

[IISD](#) SDG Knowledge Hub: Kiragu-Wissler S, Patt N and Stiem-Bhatia L “Securing Access to Farm Land through Community-led Lease Agreements: Realizing the SDGs in Western Kenya” 5 September 2019

International

- **Biodiversity, protected areas and culture**

[Science](#): Wade L “In search of the ‘white jaguar’: Archaeologists travel deep into the jungle to find a lost Maya city” 5 September 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “IUCN Discusses Policy Convergence on Forest and Land Restoration” 5 September 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Talks on High Seas Treaty Address Marine Genetic Resources, Environmental Impact Assessments” 5 September 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Working Group Identifies Elements for the Post-2020 Global Biodiversity Framework” 5 September 2019

[IISD](#) SDG Knowledge Hub: Wagner L “CITES Parties Revise Trade Rules for Dozens of Threatened Wildlife Species” 5 September 2019

[The Conversation](#): Reid D “The Amazon fire crisis has been 500 years in the making – as Brazil’s indigenous people know only too well” 3 September 2019

- **Climate change and energy**

[Science](#): Service RF “Crystalline nets harvest water from desert air, turn carbon dioxide into liquid fuel” 3 September 2019

[Place](#): Chandran R “Asian cities turn to electric vehicles in anti-pollution drive” 6 September 2019

[IISD](#) SDG Knowledge Hub: Risse N “SEI Paper Examines Coherence Between Paris Agreement NDCs, 2030 Agenda” 5 September 2019

[Mail & Guardian](#): Galvin M and Bond P “As Bolsonaro incinerates the Amazon, urgent action is needed for climate justice” 5 September 2019

[The Independent](#): Baynes C “Oil and gas companies investing £40bn in projects that 'undermine' fight against climate change” 7 September 2019

[The Independent](#): Beament E and Weston P “Public underestimates threat of climate crisis and plastic pollution, study finds” 5 September 2019

- **Mining**

[The Guardian](#): Ellis-Peterson H “Out of the jungle and into a death trap: the fate of Malaysia’s last nomadic people” 7 September 2019

- **Water, waste and chemicals**

[Science](#): Vogel G “€100 million German insect protection plan will protect habitats, restrict weed killers, and boost research” 6 September 2019

[Science](#): Pennisi E “Sturdy as they are, giant trees are particularly susceptible to these three killers” 4 September 2019

[Place](#): Baptiste C “Weird waste: from sandy syringes to space junk” 5 September 2019

[IISD](#) SDG Knowledge Hub: Mead L “IUCN Calls for Holistic Approach to Plastic Footprint Measurement” 5 September 2019

[The Independent](#): Weston P “From the Stone Age to the Plastic Age: Pollution in fossil record gives scientists name for modern era” 5 September 2019

[The Guardian](#): Gilbert S “Humans, the environment and the global water crisis - in pictures” 4 September 2019

- **Miscellaneous**

[Science](#): Clery D “Stalled in Hawaii, giant telescope faces roadblocks at its backup site in the Canary Islands” 3 September 2019

[Place](#): Bacchi U “‘Our territory, our history’: Georgian monastery spotlights post-Soviet border troubles” 4 September 2019

[Place](#): Suliman A and Elks S “As rooster wins noise pollution case, 10 unusual neighbour disputes” 5 September 2019

[IISD](#) SDG Knowledge Hub: Leone F “Time to Move from Reporting to Review: Partners Consider National SDG Follow-up” 5 September 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)
27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Registration for student conference [here](#)

Registration for ELA Annual conference [here](#)

Registration closes 13 September 2019

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-06.6.1 Climate Change Management**

Date: 16 - 20 September 2019

- **CEM-03.1.1 Environmental Management Systems**

Date: 16 - 20 September 2019

- **CEM-02.2.1 Occupational health and safety law**

Date: 1 - 3 October 2019

- **CEM-02.1.7a Environmental law - Mine closure and rehabilitation**

Date: 7 - 11 October 2019

- **CEM-06.8.1 Integrated land management**

Date: 1 - 4 October 2019

- **CEM-06.1.1 Dangerous goods and hazardous substances management**
Date: 7 - 9 October 2019
- **CEM-02.2.1 Mine health and safety law**
Date: 14 - 16 October 2019
- **CEM-02.1.1 Environmental law (Master class)**
Date: 14 - 18 October 2019
- **CEM-05.1.1 Environmental impact assessment for practitioners**
Date: 21 - 25 October 2019
- **CEM-06.6.1 Climate change management**
Date: 28 October - 1 November 2019
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 4 - 8 November 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Imbewu: Environmental Law Update Workshop

Date: Tuesday 22 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 15-17 October in Pretoria (registration closes 3 September 2019)
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 22 - 24 October 2019, in Durban (registration closes 8 October 2019) – more information [here](#)
- 12 - 14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

NWU Public lecture: Smart cities within a developing economy the promises and pitfalls - Prof Crisna du Plessis

Date: Wednesday 18 September 2019

Time: 11:30

Place: NWU Faculty of Engineering Conference Room N1A - G03

Please RSVP using the following [link](#) before 6 September 2019

Webber Wentzel Mining Sector Group for The Mining Round-Up Seminar

The seminar includes breakfast and features a series of brief legal updates on a number of key mining related regulatory issues affecting your business. Topics will include: Mining Charter, Strike Law, Environment, Mine Health and Safety, Mine Communities and Sustainable Mining.

Date: 17 September 2019

Time: 08:00 for breakfast with the seminar starting at 09:00

Venue: Webber Wentzel Offices | 90 Rivonia Road | Sandton | Johannesburg

The formal invitation will follow in the next few weeks

SAEEC Workshop: Practical applications and implications of the Carbon Tax Act

Date: 16 September 2019

Time: 08:30 for 09:00-13:30

Venue: SANEDI, Upper Grayston Office Park, 152 Ann Crescent, Strathaven, Sandton [Registration](#)

The 14th Southern African Energy Efficiency Confederation Conference

Date: 14 - 15 November 2019

Venue: Farm Inn, Silverlakes, Pretoria, Gauteng, South Africa

More [information](#)

[Registration](#)

NWU Faculty of Law: Colloquium on Innovations in Mercantile Law

Date: 19 September 2019

Place: Potchefstroom Campus of the North-West University.

The theme of the colloquium touches on the Fourth Industrial Revolution and associated developments that could impact the teaching, practice and research in Trade/Mercantile Law specifically, but also the law in general. While this colloquium falls within the Trade, Finance and Innovation research project of the NWU, I am certain that it (and the themes) would be of interest to almost all academic staff members.

Since this is a colloquium and not a conference, we will focus less on the presentation of formal papers (which will be few and short), and rather on the facilitation of discussion about the themes and issues among all participants and attendees.

Due to logistical constraints, we might have to limit the number of attendees, so please register at the link below as soon as possible.

Register link - [Click here](#)

The Faculty of Law, Stellenbosch University and the South African Research Chair in Property Law: Discussions about the Presidential Advisory Panel on Land Reform and Agriculture Report

Should section 25 of the Constitution be amended? When should expropriation without compensation be allowed?

25 September 2019

Time: 8:30 - 14:00

Venue: STIAS 10 Marais Road, Stellenbosch, 7600

RSVP ([here](#)) by 19 September 2019 OR via [email](#)

10th Annual Eco Health & Wellbeing Conference

Date: 10-11 October 2019

Venue: The Bram Fischer Auditorium, 3rd floor Calabash Building, Florida Campus, Gate 4, Pioneer Street, Florida, Roodepoort

More information : Ms [Yolandi Jordaan](#) Administrator (Ecohealth & Wellbeing Conference 2019) / 082 553 6463 / Conference Chairperson: Prof [Elize van Eeden](#)

International

Webinar, Sustainable Energy for Essential Humanitarian Services: Outline of Energy Solutions and a Case Study on Solar Pumping

Date: 19 September 2019

Time: 3:00 Pm CEST ([check your local time](#))

[More information](#)

Register [here](#)

ICLEI Europe, DG ENER and the European Committee of the Regions ENVE Commission: Implementing the Paris Agreement: EU cities and regions in energy transition

Forms part of this year's "European Week of Regions and Cities"

Date: 9 October 2019

Time: 14:30 - 17:00

Venue: Rue Belliard 101, 1040 Brussels - Committee of the Regions - JDE building, Room JDE 51

For more information and to register (open until 27 September) click [here](#).

Regulatory Delivery Online Course | 50% off for the first 50 registrants

Join the Florence School of Regulation for our new 8-week online course on Regulatory Delivery! Only 10 seats left at the discounted price!

This course will share optimal governance models experienced in Europe for the energy transition while comparing them with innovative initiatives in South America, Asia, and Africa. During the course, you will review increasingly complex infrastructure regulation due to public policies promoting the sustainable development goals, liberalisation, decarbonisation social justice, and digitalisation.

You can find more information below, on the [course webpage](#) or get in touch if you would like to learn more.

FS-UNEP Renewable Energy Finance online course just started – Register until 30th September

Frankfurt School – UNEP Collaborating Centre for Climate & Sustainable Energy Finance is offering again two online courses for finance professionals to build the necessary capacities for the ongoing transformation in the renewable energy sector and to make the world more climate-resilient.

- [The Certified Expert in Climate & Renewable Energy Finance \(CECRF\)](#)
- [The Certified Expert in Climate and Adaption Finance \(CECAF\)](#)

After the successful launch of our **Certified Expert in Sustainable Finance** (in German or English) in March 2019, we are glad to announce that this course just started again this week. In this course you will learn to understand the major drivers and constraints of transforming the financial system into a more

sustainable one. The course will enable financial professionals, consultants and advisors to integrate ESG (Environmental, Social, Governance) aspects into their work and to provide new tools for advising clients and business partners. Real life business cases round up the course and provide best practices and lessons learned:

- [The Certified Expert in Sustainable Finance \(CESFi\)](#)

The flexible part-time training concept is implemented through the training platform Frankfurt School Development Finance e-Campus. After successful completion of one of the courses (each 6 ECTS credits), participants will receive a Certificate by Frankfurt School, one of the leading business universities in Europe.

Registrations are still possible until 30th September 2019.

Find out more about the Centre's activities, research and project at the [FS-UNEP Centre webpage](#).

National

- **Biodiversity, protected areas and culture**

"Scientists have found fossilised baby sea turtle tracks for the first time ever off SA's Cape South Coast – and they're 100,000 years old" [Business Insider](#) 7 September 2019

Majola G "Cultural and creative industries in KZN provide job opportunities for youth" [IOL](#) 8 September 2019

- **Mining**

Dludla S "Marikana mining communities have appeal dismissed" [IOL](#) 8 September 2019

Skiti S and Jika T "Big deal over 'strange' coal mine meeting" [Mail & Guardian](#) 6 September 2019

- **Water, sanitation and chemicals**

Caboz J "200 tons of 'plastic road' will be laid on a stretch of the N3 in KwaZulu-Natal soon, to see if it can last under South Africa's harsh sun" [Business Insider](#) 8 September 2019

Maeko T "Tito tackles the water crisis" [Mail & Guardian](#) 6 September 2019 [subscription/newspaper needed]

Sizani M "Addo canal claims more lives" [GroundUp](#) 3 September 2019

International

- **Biodiversity, animal rights and culture**

Teixeira F "Indigenous tribes fear hard year ahead after Amazon fires" [Place](#) 4 September 2019

"Pope Francis calls on Madagascans to protect rainforest ahead of huge Sunday mass" [France24](#) 7 September 2019

Horowitz J “For Pope Francis, a Perfect Moment for an Unsettling Warning on the Environment” [New York Times](#) 7 September 2019

Weston P “National Trust defends killing wasps in its cafe despite catastrophic insect declines” [The Independent](#) 8 September 2019

- **Climate change and energy**

Boyle K “DOJ investigating automakers over California emissions agreement: reports” [The Jurist](#) 6 September 2019

Weston P “Hundreds of climate sceptics to mount international campaign to stop net-zero targets being made law” [The Independent](#) 7 September 2019

Weston P “‘Staggering failure to act’: Government attacked for allocating just £30m to zero-carbon goal” [The Independent](#) 6 September 2019

“Russia Is Warming Disproportionately Fast, Environment Ministry Says” [The Moscow Times](#) 4 September 2019

Cockburn H “Asia's growing coal use could negate global climate change progress, UN says” [The Independent](#) 6 September 2019

Sherman J “Purple hills vanish from British countryside as climate change blamed for preventing heather from flowering” [The Independent](#) 6 September 2019

Moss S “Nuclear power station could destroy wildlife haven I’ve loved since childhood” [The Guardian](#) 7 September 2019

McKie R “Brexit is stalling Britain from taking vital action on climate crisis, says expert” [The Guardian](#) 7 September 2019

Gammon K “Marine heatwave hits Pacific, raising fears of a new hot 'blob'” [The Guardian](#) 8 September 2019

Cox L “‘Dead things everywhere’: is Australia facing the summer from hell?” [The Guardian](#) 6 September 2019

Milman O “Trump turns lights off on Obama-era rules for energy efficient bulbs” [The Guardian](#) 5 September 2019

“German environment minister says government must act on climate now” [DW](#) 7 September 2019

- **Local government**

“‘The seas came up to our doors’: Hurricane Dorian leaves trail of destruction in Bahamas – video” [The Guardian](#) 7 September 2019

- **Mining**

Hodal K “‘Most renewable energy companies’ linked with claims of abuses in mines” [The Guardian](#) 5 September 2019

Oltermann P and Ambrose J “UK facing EU outrage over ‘timebomb’ of North Sea oil rigs” [The Guardian](#) 4 September 2019

- **Water, waste and chemicals**

Carrington D “Phosphate fertiliser 'crisis' threatens world food supply” [The Guardian](#) 6 September 2019

Morton A “Seven tonnes of marine plastic pollution collected on remote Arnhem Land beach” [The Guardian](#) 6 September 2019

- **Miscellaneous**

“Africa's Three Richest Men Have More Wealth Than the Poorest 650 Million People Across the Continent” *allAfrica* 3 September 2019 – find the Oxfam Report [here](#) [Legalbrief Forensic 5 September 2019]

“Ailing Eskom faces emissions violations, could shut plants” [TimesLive](#) 4 September 2019

Boffey D “Road rage: Norway goes to polls split over environmental policies” [The Guardian](#) 8 September 2019

“Catherine McKenna: Canada environment minister given extra security” [BBC News](#) 8 September 2019

“Court Digest: Major environment hearings of the week (September 2-6)” [DowntoEarth](#) 8 September 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Fort Hare: Senior Lecturer: Competition Law / Mercantile Law

Closing date: 16 September 2019

More [information](#)

University of Fort Hare: Lecturer (4 Posts): Private Law, Public Law, Competition/ Mercantile Law and/or Adjectival Law

Closing date: 16 September 2019

More [information](#)

University of Pretoria: Junior Legal Advisor- Legal Services

Closing date: 19 September 2019

More [information](#)

International

University of Denver Sturm College of Law seeks applications from entry-level and lateral candidates

The University of Denver Sturm College of Law seeks applications from entry-level and lateral candidates for one or more full-time, tenure-track faculty positions at the rank of Assistant, Associate, or Professor of Law, to begin in August 2020. We seek candidates with J.D. or Ph.D. degrees (or their equivalent), outstanding academic records, relevant professional experience, and the capacity to make outstanding contributions in the areas of scholarship, teaching, and service. Although we welcome candidates across all subject matter areas and methodological perspectives, we anticipate particular interests in administrative law, alternative dispute resolution, environmental and natural

resources law (including energy law), evidence, international law, professional responsibility, property, tax, and veterans advocacy. A leader in experiential and interdisciplinary legal education, Denver Law (www.law.du.edu) is located in one of the nation's most dynamic and iconic cities. Interested persons should send a cover letter, resume (including at least three references), teaching statement, and research agenda to Professor José Roberto (Beto) Juárez Jr., Chair, Faculty Appointments Committee (bjuares@law.du.edu). The University of Denver is committed to enhancing the diversity of its faculty and staff and encourages applications from members of historically underrepresented minority groups, women, members of the LGBTQ community, persons with disabilities, and veterans. The University is an equal opportunity/affirmative action employer.

Members of the Environmental Law Association may subscribe to
[Legalbrief Environmental](#)
and the
[South African Journal of Environmental Law and Policy](#).
Discount available for ELA members.

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LEGISLATION

NOTICES

National Water Act 36 of 1998 - GN 1171 in GG 42704 of 13 September 2019 - Upper Vaal Water Management Area: Prohibiting and limiting the use of water from the Liebenbergsvlei River in terms of item 6 of Schedule 3 of the Act for agricultural purposes

National Environmental Management Act 107 of 1998 - GN 1150 in GG 42693 of 10 September 2019 - Regulations to Phase-out the Use of Persistent Organic Pollutants, 2019

Promotion of Access of Information Act 2 of 2000 – Gen Notices 478-491 in GG 42697 of 13 September 2019 0 Submission of descriptions in terms of s. 15 (1) by the: Department of Small Business Development; Limpopo Department of Social Development; Free State Provincial Government: Office of the Premier; Free State Department of Provincial Treasury; Free State Department of Public Works and Infrastructure; Free State Department of Sport, Arts, Culture and Recreation

- Free State Department of Social Development
- Free State Department of Police, Roads and Transport
- Free State Department of Human Settlements
- Free State Department of Health
- Free State Department of Education
- Free State Department of Economic and Small Business Development, Tourism and Environmental Affairs
- Free State Department of Co-operative Governance and Traditional Affairs
- Free State Department of Agriculture and Rural Development

Gas Regulator Levies Act 75 of 2002 & Petroleum Pipelines Levies Act 28 of 2004 - GN 1153 in GG 42697 of 13 September 2019 - Proposed levy on the piped-gas and petroleum pipeline industries for 2020/21 - for comment

Special Economic Zones Act 16 of 2014 - GN 1170 in GG 42703 of 13 September 2019 - Designation of the O R Tambo Special Economic Zone

National Environmental Management: Air Quality Act 39 of 2004 - GN 1154 in GG 42697 of 13 September 2019 - Draft amendments to the National Greenhouse Gas Emissions Reporting Regulations, 2016 - for comment

National Environmental Management: Waste Act 59 of 2008 - GN 1151 in GG 42695 of 11 September 2019 - Completion of consideration of section 28 (1) Industry Waste Tyre Management Plans submitted to the Minister for approval

PROVINCES

KwaZulu Natal

KwaZulu-Natal Planning and Development Act 6 of 2008 - PN 120 in PG 2117 of 12 September 2019 - Norms and Standards to regulate the impact of Tourism Development upon landscape character in a specified area (Kwasani Subregion) in the uKhahlamba-Drakensberg region

North West

Constitution of the Republic of South African, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 178 in PG 8057 of 10 September 2019 - Rustenburg Local Municipality - Water Services By-law

CASES

National

Dykema v Malebane and Another [2019] [ZACC](#) 33

“Summary: Chapters V and VI of the Development Facilitation Act 67 of 1995 — suspension of declaration of invalidity — expiration of suspension without remedial legislation being passed — legal consequences

Status of applications submitted but not finalised before the expiration of suspension — valid and ‘pending’ in terms of the Spatial Planning and Land Use Management Act 16 of 2013 — fall to be disposed of in the manner prescribed by section 60”

PUBLICATIONS

National

Department of Environment, Forestry and Fisheries “2018/2019 National Environmental Compliance and Enforcement [Report](#)” (10 September 2019)

International

Flatt VB and Zerbe RO “Climate Change Common Law Nuisance Suits: A Legal-Efficiency Analysis” 2019 [Environmental Law](#), forthcoming

Flatt VB “Disclosing the Danger: State Attorney Ethics Rules Meet Climate Change” 2019 [Utah Law Review](#), forthcoming

Flatt VB “Will the Means Justify the End of Environmental Law? Environmental Law Must Undergo Reasoned Legislative Debate” 2019 9 [*Arizona Journal of Environmental Law & Policy*](#)

Marques A “Case study: Welsh coal-exit – A policy package for regional economic regeneration” ([Report](#) Potential | Energy Savings and Decarbonization 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

Webber Wentzel [eAlert](#): “Proposed amendments of the National Greenhouse Gas Emission Reporting Regulations” 12 September 2019

- **Miscellaneous**

Webber Wentzel [e-alert](#): “Overhaul of air quality management framework on the horizon” 5 September 2019

“Law enforcement agencies accused of 'dragging feet on high-profile corruption cases”” [IOL](#) 11 September 2019 [Legalbrief Forensic 12 September 2019]

Africa

- **Climate change and energy**

[Place](#): Goldsmith B and Accheri C “Flight to the future: One land's quest to defuse climate 'timebomb”” 10 September 2019

International

- **Biodiversity, protected areas and culture**

[Science](#): Cornwall W “Mountains hidden in the deep sea are biological hot spots. Will mining ruin them?” 12 September 2019

[Science](#): Pennisi E “Common pesticide makes migrating birds anorexic” 12 September 2019

[Science](#): Grimm D “U.S. EPA to eliminate all mammal testing by 2035” 10 September 2019

[Science](#): Rochmyaningsih D “A dam threatens the world's rarest ape. Why are some conservationists suddenly on board?” 10 September 2019

[Place](#): Taylor M “China's love of stinky durian 'next big threat' to Malaysian rainforest” 12 September 2019

- **Climate change and energy**

[Science](#): Appenzeller T “Global warming has made iconic Andean peak unrecognizable” 11 September 2019

[IISD](#) SDG Knowledge Hub: Mead L “Global Commission Calls for Urgent Action on Climate Adaptation, Cites Economic Returns on Investment” 12 September 2019

[The Guardian](#): Davies A, Smee B and Allam A “I don't know how we come back from this': Australia's big dry sucks life from once-proud towns” 13 September 2019

- **Local government**

[Science](#): Enserink M “In the world’s highest city, a lack of oxygen ravages the body” 12 September 2019

[Place](#): Fagenson Z “Purgatory in paradise: Bahamas tent cities to house Dorian survivors” 11 September 2019

[Place](#): Chandran R “Charities forced to step in as Hong Kong's poor struggle for homes” 9 September 2019

[Place](#): Werr P “'Blindsided by the beauty': architects struggle to save Cairo's historic heart” 11 September 2019

[Place](#): Elks S “Conflict and disaster force millions from their homes” 12 September 2019

- **Mining**

[Place](#): Chandran R “Mapping project seeks to secure 'invisible' indigenous lands” 13 September 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “[Report](#) Breaks Down UN Development Funding to Enable “Hard Choices” 12 September 2019

[IISD](#) SDG Knowledge Hub: Laurenson A “Coalition on Sand and Dust Storms Launched at UNCCD COP 14” 12 September 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Student and Annual Conference: 25 Years of Environmental Law under a new Constitution

Dates: 26 September 2019 (Student Conference)

27-28 September 2019 (ELA Conference and AGM)

Venue: Salt Rock Hotel, Salt Rock, KwaZulu-Natal

Registration for student conference [here](#)

Registration for ELA Annual conference [here](#)

Registration closed 13 September 2019 (contact Secretariat for late registration)

Department of Environment, Forestry and Fisheries (DEFF) Implementation of South Africa's post-2020 Climate Change Mitigation System.

This includes the design, an approach and methodology for setting emission limits through the carbon budgets and Sector Emissions Targets (SETs) in South Africa.

Date: 25 September 2019.

We will communicate the necessary documentation and the exact venue (around Pretoria) in due course. Please confirm your participation to [Mr Mashudu Mundalamo](#) / 012 399 9164) on or before 20 September 2019.

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

NWU: Centre for Environmental Management Short Courses

- **CEM-02.2.1 Occupational health and safety law**
Date: 1 - 3 October 2019
- **CEM-02.1.7a Environmental law - Mine closure and rehabilitation**
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A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

Imbewu: Environmental Law Update Workshop

Date: Tuesday 22 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 15-17 October in Pretoria (registration closes 3 September 2019)
- 27 - 29 August 2019, near Stellenbosch, Western Cape – more information [here](#)
- 22 - 24 October 2019, in Durban (registration closes 8 October 2019)– more information [here](#)
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Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Ian Player – Magqubu Ntombela Annual Lecture: “Facing the harsh realities of Climate Change”

The Durban Natural Science Museum invites you to the 10th Ian Player – Magqubu Ntombela Annual Lecture.

Date: 18 September 2019

Venue: Durban Exhibition Centre (Coast of Dreams) – parking at Gate D

Time: 17h30 for 18h00

Dress code: Smart RSVP to: [Busisiwe Gumede](#) or [Theshnie Naidoo](#) by 16 September 2019

For enquiries please contact Busisiwe (0313112249) or Theshnie above (031 3224211)

International

EEP Africa Knowledge Exchange Forum Clean Energy for Productive Use and Green Growth

Date: 4 December 2019

Place: Arusha, Tanzania

More [information](#)

[Register](#)

Second annual Academy of Food Law and Policy conference

Date: Tuesday 10 December 2019

Venue: Georgia State University College of Law.

For those who have not yet registered, check out the [conference page](#)

Right to a Healthy Environment: Researchathon

Date: 10-30 September 2019

Prizes!!! International Recognition!!!

As the UN Special Rapporteur on human rights and the environment, I am preparing a report for the Human Rights Council on good practices in implementing the right to a safe, clean, healthy and sustainable environment. There are currently more than 150 UN member nations where this right enjoys some form of legal recognition at the national level—in the constitution, in legislation, or as a party to a legally binding regional treaty that explicitly includes the right to a healthy environment.

One of my goals for the report is to include at least one good practice from each of these 150+ nations. I am defining “good practice” broadly, as any law, policy, program, institution or other government measure that contributes to improved environmental protection.

The right to a safe, clean, healthy and sustainable environment includes procedural and substantive elements. Procedural elements include the right of access to environmental information, public participation in environmental impact assessments and other decision-making processes affecting the environment, and access to justice/effective remedies when a person’s rights are being violated or threatened. Substantive elements include clean air, clean water and adequate sanitation, healthy and sustainably produced food, a non-toxic environment in which to live, work, study and play, healthy ecosystems, and a safe climate. Related cross-cutting issues include gender equity, prioritizing vulnerable populations, protecting environmental human rights defenders, and imposing responsibilities on businesses.

This [Google Sheet](#) includes a list of the 150+ nations where the right to a healthy environment is recognized at the national level. Please select one nation, and place your name in the box beside it, committing to email me 1-3 good practices for that nation by September 30. I am [David Boyd](#).

Your email submission should include

1. Name of the country
2. Your name
3. Title of the good practice(s)
4. A concise 1-2 paragraph description of the good practice(s)
5. Any evidence that this good practice is contributing to improved environmental protection
6. From one to five references that describe the good practice or its effects

****An example can be found on the following page. Useful sources include Google Scholar, Ecolex, INFORMEA, and Google. Submissions can be made in English/Spanish/French****

Every person who completes a submission will have their name recognized in the UN report and entered in a draw for five great prizes, including autographed books and gift certificates!

EXAMPLE: Good Practices in Implementing the Right to a Healthy and Sustainable Environment

1. Nation

Canada (note this is a hypothetical example, since Canada is not yet among the 150+ nations that legally recognize this fundamental human right!)

2. Name of submitter

David Boyd

3. Title of the good practice

Eliminating coal-fired electricity generation

4. Description of the good practice

The Canadian government enacted a regulation pursuant to the *Canadian Environmental Protection Act, 1999* that effectively requires all coal-fired electricity generating facilities to close down by 2030 (subject to several exceptions). Facilities can continue to operate if they implement carbon capture and storage systems, or in certain circumstances where provinces reach equivalency agreements with the federal government to implement other measures that ensure equal reductions in greenhouse gas emissions.

Canada, along with the United Kingdom, also created the Powering Past Coal Alliance, a coalition of dozens of governments and businesses that have pledged to eliminate or avoid dependence on coal-fired electricity.

5. Evidence of improved state of the environment

Elimination of coal-fired electricity generation has already resulted in a substantial improvement in air quality in the province of Ontario and will have similar positive impacts in other provinces. There will also be a major reduction in Canada's greenhouse gas emissions as coal is replaced by a combination of renewables (mainly wind and solar) and natural gas.

6. References

Reduction of carbon dioxide emissions from Coal-fired Generation of Electricity Regulations, SOR/2012-167, as amended. <https://pollution-waste.canada.ca/environmental-protection-registry/regulations/view?Id=116>

Webinar on mini-grid sustainability and local social enterprise

Join our [webinar](#) this month on mini-grid sustainability!

Date: 17 September 2019

Time: 8 AM EDT / 2 PM CEST / 7 PM Jakarta

[Register here](#)

National

- **Biodiversity, protected areas and culture**

Sguazzin A "Elephant hunts start in Botswana with cautious pricing approach" [fin24](#) 14 September 2019

"The battle against wildlife poachers is increasingly high-tech" [News24](#) 13 September 2019

Mozambique sentences two rhino poachers for their wildlife crimes in SA" [INECE Newsletter](#) September 11 September 2019

- **Climate change and energy**

- **General: Activists set for legal action on electricity tariffs**

“Social activists are gearing for a battle with the City of Cape Town over its electricity tariffs, and are prepared to drag them to the courts if necessary. Civic organisation Stop CoCT said it was considering taking legal action against the city for its home-user and surcharge rates, says a Cape Argus report. This comes after the city met the National Energy Regulator (Nersa) and the organisation, which had disputed the city’s electricity tariffs. Stop CoCT founder Sandra Dickson said the city did not address their concerns because the person they had sent to the meeting could not answer their questions. For months, the organisation has been asking questions around the discrepancy between the city’s implemented tariffs across all blocks versus what Nersa publishes as approved tariffs on their website. Since 2016, the city’s implemented electricity tariffs have been between 2% and 18% higher than the Nersa-approved tariffs, notes the report.

Full Cape Argus report (subscription needed) Legalbrief 12 September 2019

- **Mining**

Kockott F “Go-ahead for controversial oil project off KZN coast” [GroundUp](#) 11 September 2019

Ngubeni S “Xolobeni mining ruling compromises the state” *Mail & Guardian* 13 September 2019

- **Water, sanitation and chemicals**

Kockott F “Oil spill: Willowton agrees to community demands” [GroundUp](#) 10 September 2019

Etheridge J “Court rules in favour of SANParks with Constantia man who sold mountain water” *News24* 14 September 2019

- **Miscellaneous**

“Department of Environment, Forestry and Fisheries releases 2018/19 National Environmental Compliance and Enforcement Report at annual summit” [DEA Website](#) 10 September 2019

International

- **Biodiversity, animal rights and culture**

Sample I “Scientists use IVF procedures to help save near-extinct rhinos” [The Guardian](#) 11 September 2019

Carrington D “Badger cull in England extended to ‘unimaginable scale’” [The Guardian](#) 11 September 2019

Rankin J “Europe’s marine sanctuaries are no more than ‘paper parks’” [The Guardian](#) 11 September 2019

“Watch | Fighting forest fires: Indonesia fires surge” [News24](#) 13 September 2019

- **Climate change and energy**

Brown T “Global Commission calls for investment against climate change” [The Jurist](#) 11 September 2019

Borges M “UN rights chief delivers global update focusing on role of climate change” [The Jurist](#) 10 September 2019

“UN sounds alarm over climate change's impact on human rights” [Mail & Guardian](#) 9 September 2019

Ambrose J “Global renewable energy initiative aims to bring a billion people in from the dark” [The Guardian](#) 13 September 2019

McCurry J “Japan should scrap nuclear reactors after Fukushima, says new environment minister” [The Guardian](#) 12 September 2019

McKay H “In photos: Climate change takes hold in fastest-warming town on the planet” [The Independent](#) 14 September 2019

Gregory A “Spain floods: Six killed and thousands evacuated as motorists trapped in submerged tunnels” [The Independent](#) 14 September 2019

Mindock C “Greta Thunberg marches in front of White House with American students over climate change crisis” [The Independent](#) 13 September 2019

Cranley E “The world's largest oil plant in Saudi Arabia was attacked by 10 explosive drones ahead Aramco's plans for the biggest listing ever” [Business Insider](#) 14 September 2019

- **Local government**

Barber M “US House approves bill requiring carbon monoxide detectors in public housing” [The Jurist](#) 12 September 2019

Fuller G “Pollutionwatch: how skilful driving can reduce toxic fumes” [The Guardian](#) 12 September 2019

- **Mining**

“Uganda: Tax deal keeps Uganda oil on ice for a while” *AllAfrica* 7 September 2019 [Legalbrief 10 September 2019]

“The Florida Activist Is 78. The Legal Judgment Against Her Is \$4 Million - Environmental activists fear that Maggy Hurchalla's case against a rock-mining company could have First Amendment ramifications” [New York Times](#) 8 September 2019

- **Water, waste and chemicals**

Sundier S “Trump administration repeals waterway protections” [The Jurist](#) 13 September 2019

Cockburn H “‘It’s unusual’: Hundreds of fish found dead after UK river dries up” [The Independent](#) 13 September 2019

Weston P “Highest levels of mercury ever recorded are found in blubber of dolphins in English Channel” [The Independent](#) 12 September 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

NWU CLES - KAS PhD Scholarship 2020-2022 Call for applications

Closing date for applications: 30 September 2019.

For more information contact [Anel du Plessis](#) / [website](#) / [facebook](#)

University of Johannesburg: Senior Manager: Law Clinic

Closing date: 26 September 2019

More [information](#)

Head of Programme (HOP) – Law School

Worldview Consulting

More [information](#)

International

[Postdoctoral Scholar in Energy and Environmental Policy \(Climate Policy or Energy Regulation\)](#)

University of Calgary, School of Public Policy

[Postdoctoral Scholar in Energy and Environmental Policy](#)

University of Calgary, School of Public Policy

[Research Associate at the Institute for International and Comparative Public Law](#)

Universität Münster, Institute for International and Comparative Public Law

[Research Fellow/Postdoctoral Fellow \(2 posts\) in the Centre for Chinese and Comparative Law](#)

City University of Hong Kong - Centre for Chinese and Comparative Law

United Nations Adviser (Anti-Money Laundering and Counter-Financing of Terrorism)

More [information](#)

Commonwealth Master's Scholarships

Closing date: 30 October 2019

More [information](#)

Mexican Government Merit Scholarship

Bachelor's, Master's, Doctoral, Graduate Research and Postdoctoral Fellowships in various fields.

Deadline for scholarship application: 27 September 2019

[Read more](#)

Japan: Master and Doctoral Scholarship Programme ABE Initiative and SDGs Global Leadership Programme

Master's degree and internship programme for the ABE Initiative

Master's and doctoral degrees for the SDGs Global Leadership Programme

Deadline for scholarship application: 30 September 2019 [Read more](#)

Japan: UNESCO/Keizo Obuchi Research Fellowship

Fellowship for candidates who have completed their Master's and intend to do research in Japan in one of the following fields: Environment with particular focus on Disaster Risk Reduction; Intercultural Dialogue; Information and Communication Technologies; Peaceful Conflict Resolution

Deadline for scholarship applications: 24 November 2019

[Read more](#)

Warsaw University of Life Sciences Scholarship

Master's scholarship in General Horticulture at the Warsaw University of Life Sciences.

Deadline for scholarship applications: 30 November 2019

[Read more](#)

Netherlands Orange Knowledge Programme

Master's and short course programmes in the Netherlands in a wide range of fields.

Various deadlines depending on the course of study

[Read more](#)

Indian Technical and Economic Cooperation Programme

Postgraduate opportunities to study various courses in India.

Various deadlines for different training programmes

[Read more](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 36

20 September 2019

LEGISLATION

ACTS

Public Audit Excess Fee Act 20 of 2019 – Gen Notice 506 in GG 42712 of 20 September 2019 – commences 1 April 2020

NOTICES

Magistrates' Courts Act 32 of 1944 - GN 1215 in GG 42716 of 19 September 2019 - Designation of courts for the implementation of Mediation Rules published under GN 508 in GG 42344 of 28 March 2019 withdrawn

Minister of Higher Education, Science and Technology - GN R1221 in GG 42720 of 20 September 2019 - Memorandum of agreement to commit to the transfer of land to enable the rapid development of District Six and Cape Peninsula University of Technology

South African Geographical Names Council Act 118 of 1998 - GN 1220 in GG 42719 of 20 September 2019 - Approval of official geographical names

National Heritage Resources Act 25 of 1999 - GNs 1175 & 1176 in GG 42712 of 20 September 2019 - South African Heritage Resources Agency - Declaration of the Ohlange Heritage Site, Inanda, Ethekwini, KwaZulu-Natal; and the Bushmanskloof Rock Painting Landscape, Clanwilliam, Western Cape as National Heritage Sites

Promotion of Access to Information Act 2 of 2000 - GN 1217 in GG 42717 of 19 September 2019 - Designation of courts published and GN 585 in GG 26332 of 14 May 2004 withdrawn with effect from 1 October 2019

Promotion of Administrative Justice Act 3 of 2000 - GN 1216 in GG 42717 of 19 September 2019 - Designation of courts published with effect from 1 October 2019

Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 - GN 1218 in GG 42717 of 19 September 2019 - Designation of courts published and GN R859 in GG 32516 of 28 August 2009 as amended by GN R34 in GG 38411 of 22 January 2015 withdrawn with effect from 1 October 2019

CASES

National

Global Environmental Trust and Others v Tendeles Coal Mining (Pty) Ltd and Others (11488/17P) [2019] ZAKZPHC 62 (17 September 2019)

Order of the court: (a) The Centre for Environmental Rights is granted leave to intervene in these proceedings as *amicus curiae*.

(b) The applicants and the Centre for Environmental Rights are granted leave to appeal to the Supreme Court of Appeal.

(c) The costs of the application for leave to appeal will be costs in the appeal.

PUBLICATIONS

International

Promethium Carbon and Climate Legal *Synthesis Report: Carbon pricing approaches in Eastern and Southern Africa* ([Report](#) September 2019)

This is a report submitted under the Collaborative Instruments for Ambitious Climate Action (CI-ACA), showing commitment of countries participating in climate change initiatives and how they have positioned their contributions towards the goals set out in the Paris Agreement. [Provided by Andrew Gilder]

Beiser-McGrath Liam F and Bernauer Thomas “Could revenue recycling make effective carbon taxation politically feasible?” 2019 [Science Advances](#) 5(9) DOI: 10.1126/sciadv.aax3323

Zhu J, Poulsen CJ and Tierney KE “Simulation of Eocene extreme warmth and high climate sensitivity through cloud feedbacks” 2019 [Science Advances](#) 5(9) DOI: 10.1126/sciadv.aax1874

Bevacqua E “Higher probability of compound flooding from precipitation and storm surge in Europe under anthropogenic climate change” 2019 [Science Advances](#) 5(9) DOI: 10.1126/sciadv.aaw5531

Chawla K and Arunabha G “Greening New Pastures for Green Investments” [Issue Brief](#) (New Delhi: Council on Energy, Environment and Water September 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Water, waste and chemicals**

Webber Wentzel [eAlert](#): “Regulations to phase out the use of persistent organic pollutants” 19 September 2019

Africa

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Mead L “Mitigation Finance Update: Solar, Wind Projects Help Achieve Climate Goals in World’s Regions” 19 September 2019

[Tableau public](#): Power Africa UDAID data services: Enabling Environment Tracker – tracking access to electricity per country in Sub-Saharan Africa

- **Mining**

[Extractives Baraza](#): “Handling Community Related Grievances in Kenya's Mining Sector”

[Extractives Baraza](#): “Mining firms in Tanzania on the spot over royalty fees” 17 September 2019

[Place](#): Place: Harrisberg K “‘This is our home’: Kenya islanders demand say in foreign-backed projects” 14 September 2019

- **Miscellaneous**

[Place](#): Chandran R “Hi-tech mapping has good intentions for land rights but can backfire” 20 September 2019

[The Independent](#): Hodges C “Beyond words: Our planet’s problems, caught on camera” 17 September 2019

[Science](#): Cornwall W “Artificial intelligence could predict El Niño up to 18 months in advance” 18 September 2019

International

- **Air quality**

[IAIA](#): DiGiovanni Franco and Coutinho Miguel “Guiding Principles for Air Quality Assessment Components of Environmental Impact Assessments” February 2019

[Place](#): Elks S “Posh pollution - the exclusive London neighbourhoods with toxic air” 17 September 2019

[IISD](#) ENB: 11th High Level Assembly of the Climate and Clean Air Coalition to Reduce Short-Lived Climate Pollutants (CCAC) 22 September 2019 | New York, US

- **Biodiversity, protected areas and culture**

[IISD](#) SDG Knowledge Hub: Wagner L “UNCCD COP Stresses Contributions of Land Restoration to Addressing Climate, Biodiversity Challenges” 19 September 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “Business Leaders Call for Policy Shifts to Scale-up Land Restoration” 19 September 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNCCD’s Global Mechanism Reflects on LDN Target Setting, Recommends Transformative Action” 17 September 2019

[IISD](#) SDG Knowledge Hub: Baldwin-Cantello W “Turning the New York Declaration on Forests to New York Action on Forests” 19 September 2019

[Place](#): Taylor M “Interview-It's not just the Amazon: Indonesia urged to stop deadly fires” 18 September 2019

[The Guardian](#): Winegard T “People v mosquitos: what to do about our biggest killer” 20 September 2019

[Science](#): Lovett RA “Wilderness areas halve the risk of extinction for plants and animals” 18 September 2019

[Science](#): Cornwall W “Is ‘The Blob’ back? New marine heat wave threatens Pacific” 17 September 2019

- **Climate change and energy**

[The Bulletin](#) of Atomic Scientists: Drolette D “Tilting towards Windmills” 18 September 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “UN Treaty Bodies, Experts Urge Protecting Human Rights by Addressing Climate Change” 19 September 2019

[IISD](#) SDG Knowledge Hub: Mead L “World Bank: Power Sector Reform in Developing Countries Requires New Strategies” 19 September 2019

[Place](#): Rodriguez S “In Costa Rica, indigenous farmers change along with the climate” 19 September 2019

Worldbank: World Bank webinar on the State and Trends of Carbon Pricing, 2019 – proceedings to be found [here](#) [Provided by Andrew Gilder]

The UNFCCC now has a platform where individuals and business can offset their carbon footprint (e.g. household, flight or events GHG emissions). You can choose the project you want to purchase CER's from. [Provided by Andrew Gilder] See:

- <https://offset.climateneutralnow.org/>
- <https://offset.climateneutralnow.org/uncertification>
- <https://offset.climateneutralnow.org/howtooffset>
- <https://offset.climateneutralnow.org/improved-cook-stove-project-1-nkhata-bay-district-malawi-9933->

[The Guardian](#): Carrington D and Levett C “The climate crisis explained in 10 charts” 19 September 2019

[DevelopmentAsia](#): “Expanding District Heating for Greater Energy Efficiency and Cleaner Air” (September 2019)

IAPA Journal [Podcast](#): Kollmus A “How Researchers Change the World” – she discusses why having awareness and knowledge about climate change is not always enough for people to behave in a pro-environmental way.

[UNDP](#): “Young people and climate: Fighting for a stolen future”

[IISD](#) ENB: 51st Session of the Intergovernmental Panel on Climate Change (IPCC-51) 20-23 September 2019 | Principality of Monaco

[IISD](#) ENB: UN Summits Week 2019 23-27 September 2019 | UN Headquarters, New York

The [Global Subsidies Initiative \(GIS\)](#) together with the [Friends of Fossil Fuel Subsidy Reform](#) (FFFSR) have just launched a [social media campaign “Stop Fossil Fuel Subsidies”](#) for the 10th anniversary of the [G20 Pittsburgh Statement](#) to remind leaders about their related commitment. For the next 10 days they will be releasing videos calling for urgent removal of fossil fuel subsidies.

They would like to kindly ask all of you for your support in promoting this campaign organically by sharing the social media content with your networks.

You can find our first social media posts here:

[Twitter](#)

[Facebook](#)

[LinkedIn](#)

You can also follow the campaign using the hashtag #stopfossilsubsidies

[IISD](#) SDG Knowledge Hub: Anderson L “Drought [Toolbox](#) Launched at UNCCD COP 14” 17 September 2019

[The Guardian](#): Milman O “The silenced: meet the climate whistleblowers muzzled by Trump” 17 September 2019

- **Local government**

[IISD](#) SDG Knowledge Hub: Bilsky E “Three years of local and regional government reporting to the HLPF: How to accelerate the localization process” 19 September 2019

[Place](#): Chandran R “Interview student architects to help build 5 mln cheap homes in Pakistan” 19 September 2019

[Place](#): Moloney A “Armed with tech tools, Colombian cities combat mosquito-borne diseases” 16 September 2019

[Place](#): Suliman A “Millions in England one pay cheque away from homelessness” 19 September 2019

[IISD](#) SDG Knowledge Hub: Mead L “Global Forum Recommends Harnessing Digital Revolution for Green, Smart, Sustainable Cities” 17 September 2019

- **Mining**

[IAIA](#) Blog: Smyth E “Are you a hedgehog or a fox?” September 2019

- **Water, sanitation and chemicals**

[IISD](#) SDG Knowledge Hub: Paul D “UN Rapporteur Introduces Framework to Manage Mega-Project Impacts on Water and Sanitation Access” 19 September 2019

[Place](#): Lopez O “Water wars: Indigenous locals go up against Mexico City airport” 17 September 2019

[Science](#): Service RF “Can the world make the chemicals it needs without oil?” 19 September 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Leone F “Global Sustainable Development [Report](#) Depicts Humanity at a Crossroads” 19 September 2019

[IISD](#) SDG Knowledge Hub: Fishman A “ILO Report Calls for Integration of Decent Work, Sustained Growth and Environmental Integrity” 19 September 2019

[CPR Blog](#): Mintz J “Abolition of Supplemental Environmental Projects: A Damaging Retreat for Environmental Enforcement” 18 September 2019

[Science](#): Reilly S “EPA signals retreat from controversial ‘secret science’ rule” 19 September 2019

[IAIA](#): Blackly J and Russel J “Trends, Issues and Insights in Cumulative Effects Assessment: A Review of International Academic Literature 2008-2018” September 2019

[UNDP](#): Eziakonwa A and Modéer U “Why multilateralism matters” 11 September 2019

[UNDP](#): “New UNDP-Switzerland agreement to boost crisis prevention and recovery efforts” 12 September 2019

[IISD](#) SDG Knowledge Hub: Risse N “SDG Acceleration Actions Grow to 51 One Week Before Summit” 17 September 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Indigenous Peoples Update Finds “Persistent Invisibility” in Official Statistics” 17 September 2019 – find report [here](#)

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

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More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

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The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

International

Webinar: Scaling Micro-grid Deployment in Sub-Saharan Africa: Spotlight on the Role of Batteries

The Clean Energy Solutions Center invites you to attend this informative and free webinar.

Date: Thursday, September 26, 2019

Time: 09:00 Washington | 13:00 Accra | 14:00 Lagos | 15:00 Brussels

Registration [Link](#)

The Network for Environmental Compliance and Enforcement (INECE) and the Australasian Environmental Law Enforcement and Regulators network (AELERT) announce their first joint conference

Date: 10-13 March 2020

Place: Adelaide, South Australia

More information on the [website](#)

IAIA20: Smartening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness - Call for abstracts

Date: 26-29 May 2020

Place: Seville, Spain

Abstracts are invited until 31 October 2019

Registration will open 1 October 2019

More [information](#)

National

- **Biodiversity**

Mitchley A “Two Czech Republic nationals found guilty of trafficking succulent plant species” [News24](#) 21 September 2019

- **Climate change and energy**

Bulbulia T “Renergen appoints drilling contractor for Virginia gas project” [Engineering News](#) 11 September 2019 see also [Forbes](#) on release of methane gas [provided by Nicola Botha]

Kings S “M&G joins global climate reporting network” [Mail & Guardian](#) 17 September 2019

Gertholtz L “For communities in South Africa, climate change is now” [Mail & Guardian](#) 17 September 2019

- **Mining**

Kockott F “Coal mine next to game reserve faces legal challenge” [GroundUp](#) 19 September 2019

Larkin P “Planned new coal plants seen as threat to 26 'frontier countries'” [IOL](#) 20 September 2019

Ndlendle S Leaders, ministers, experts to meet at African Oil & Power conference” [IOL](#) 17 September 2019

- **Water, sanitation and chemicals**

Washinyira T “Tender dispute disrupts City of Cape Town’s waste recycling” [GroundUp](#) 18 September 2019

- **Miscellaneous**

“More to NQF Amendment Act” [BizCommunity](#) 13 September 2019 [Provided by Andrew Gilder]

International

- **Biodiversity, animal rights and culture**

Holden E “US and Canada have lost three billion birds since 1970” [The Guardian](#) 20 September 2019

“Bolivia wildfires burn more than 4 million hectares – NGO” [News24](#) 20 September 2019

- **Climate change and energy**

Borges M “Con Edison and other utilities challenge Trump plan to weaken carbon emissions rule” [The Jurist](#) 17 September 2019

McCarthy-Holliday E “Federal appeals court upholds Clean Air Act ‘good neighbor’ standards” [The Jurist](#) 16 September 2019

Barr S “The best Global Climate Strike signs from protests around the world” [The Independent](#) 20 September 2019

Chapman B “Offshore wind energy price plunges 30 per cent to a new record low” [The Independent](#) 20 September 2019

Cockburn H “Offshore wind ‘could power six million more homes’ after Crown Estate announces major auction of seabed rights” [The Independent](#) 19 September 2019

Weston P “Brexit threatens EU climate action, research warns” [The Independent](#) 19 September 2019

Weston P “Mammoth ice slabs in Greenland could cause sea levels to rise by additional three inches” [The Independent](#) 19 September 2019

Oliver M *et al* “Global climate strike: Greta Thunberg and school students lead climate crisis protest – live updates” [The Guardian](#) 20 September 2019

“Climate scientists prepare for largest ever Arctic expedition” [The Guardian](#) 20 September 2019

Ambrose J “Google signs up to \$2bn wind and solar investment” [The Guardian](#) 20 September 2019

Martin S “Nuclear energy: Nationals MPs welcome AWU support for domestic industry” [The Guardian](#) 19 September 2019

Cox L “Australia could produce 200% of energy needs from renewables by 2050, researchers say” [The Guardian](#) 19 September 2019

LaVille S “‘Greenwashing’: fossil fuel execs to hold invite-only forum at UN climate summit” [The Guardian](#) 18 September 2019

Milman O “UN hosts drive to suck back carbon and reverse climate change” [The Guardian](#) 17 September 2019

Bawden A “The NHS produces 5.4% of the UK’s greenhouse gases. How can hospitals cut their emissions?” [The Guardian](#) 18 September 2019

“‘No Planet B’: Thousands join global climate protest across Asia-Pacific” [News24](#) 20 September 2019

“Hordes of dead fish pile up on drought-stricken Greek lake” [News24](#) 19 September 2019

“Russia vows to help Uganda develop nuclear energy” [IOL](#) 18 September 2019

“Advice to the Supreme Court: Court of Appeal judgment in the climate case Urgenda can be upheld” [De Rechtspraak](#) 13 September 2019

“Refugees from rising seas: No place to call home” [News24](#) 21 September 2019

- **Local government**

DeLorenzo T “Trump administration revokes California automobile emission waiver” *The Jurist* 19 September 2019, read also the Bloomberg [article](#)

“Watch | Melting snowcaps spell trouble for world's highest capital” [News24](#) 20 September 2019

“Reduce waste, save money: Poorest city goes green in France” [News24](#) 20 September 2019

- **Mining**

Ambrose J “Back the global fracking ban, campaigners urge UN” [The Guardian](#) 20 September 2019

- **Water, waste and chemicals**

Karmini N and Ibrahim A “Indonesia to send ‘contaminated’ waste back to West It must go back to its country of origin within 90 days” [The Independent](#) 19 September 2019

Cockburn H “‘Nobody knows what’s triggered it’: Scientists struggle to explain strangely shaped Antarctic ozone hole” [The Independent](#) 18 September 2019

Jenkins R “70% of Britons back single-use plastic ban, poll claims” [The Independent](#) 17 September 2019

Bendix A “A 25-year-old's mission to clean up the Great Pacific Garbage Patch has yielded a new discovery — and it means the plastic problem is even worse than we thought” [Business Insider](#) 20 September 2019

- **Miscellaneous**

Carrington D “Air pollution particles found on foetal side of placentas – study” [The Guardian](#) 17 September 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

NWU CLES - KAS PhD Scholarship 2020-2022 Call for applications

Closing date for applications: 30 September 2019.

For more information contact [Anel du Plessis](#) / [website](#) / [facebook](#)

Pearson Part Time Law Lecturer (Day class) Vanderbijlpark

Closing date: 26 September 2019

More [information](#)

Wits School of Governance: Head of School

Closing date: 7 October 2019

More [information](#)

University of Stellenbosch: Faculty of law – Post-doctoral fellowship

Closing date: 18 October 2019

More [information](#)

International

Call for PhD Applicants!

For 2020, the [Department of Environmental Sciences and Policy](#), Central European University (CEU), seeks applications for a PhD position to work in protected areas management effectiveness (PAME) evaluation in the [Kruger-to-Canyons Biosphere Reserve](#) (K2C) area in South Africa. In collaboration with K2C, this student would develop a long-term PAME evaluation program for the region, comprising a mosaic of protected areas including national, provincial, and private reserves, and across a variety of institutions.

The PhD position will last for 3 years, commencing in September 2020, and be funded by the CEU as part of its [Doctoral Scholarship Program](#). Additional research funding may also be available for eligible students, as well as logistical support in the field. Specific department PhD program application requirements can be found [here](#), and CEU requirements [here](#). Please note that applications will only be accepted for 2020/2021 when admissions opens in the Fall (usually in October), so please watch this site for details [<https://www.ceu.edu/apply>].

A draft summary of the primary aims and research questions of the study are provided below, although some flexibility can be negotiated with the successful candidate.

Primary Research Aims

1) Identify the management and governance models, including management objectives, which currently exist within protected areas within the Kruger-to-Canyons (K2C) Biosphere Reserve and what tools are being utilized to track both their effectiveness and impacts.

2) Identify scope for improving the current monitoring and evaluation of PAME in the K2C to address both individual and network level impacts.

Research Questions

1. How has the PA network developed within the K2C landscape (historical context) and where is it headed?
2. What management and governance models currently exist within the PA network within the K2C Biosphere Reserve?
3. What management objectives are PAs pursuing within the K2C Biosphere Reserve?
4. What management effectiveness evaluation tools (or other means of M&E) are currently being utilized in the K2C, and for what reason?
5. To what degree does current M&E translate into management for improved effectiveness?
6. What network level impacts does the protected area network have within the K2C?
7. How can the current suite of management effectiveness tools be expanded on/improved?

Please contact [Prof. Brandon P. Anthony](#) if you require more information.

Lecturer/Senior Lecturer Position

Edith Cowan University's School of Science (Australia) is seeking to appoint a Lecturer or Senior Lecturer in the field of Environmental Management. In particular, we welcome applications from candidates who have a proven ability to work collaboratively across sectors or disciplines and in particular with industry, government and NGOs.

The Role

The School is looking for someone who has a successful track record in teaching and research and with knowledge and experience in Environmental Management, including, but not limited to, environmental impact and risk assessment, environmental systems and auditing, project management methods and sustainability assessment and reporting.

The successful candidate will be expected to pursue independent research and supervise postgraduate students, deliver and develop teaching at postgraduate and undergraduate levels, and undertake leadership and administrative duties in teaching or other university activities commensurate with the level of the appointment.

Skills and Experience

You must have a PhD and experience in teaching and research. A strong research track record in Environmental Management as evidenced by publications and grants as well as experience in the supervision of postgraduate students is essential. A demonstrated understanding of the investigation, measurement and management of pollutants in the environment, and risk assessment processes is also required.

The successful applicant will also demonstrate personal attributes that are congruent with the University's values of Integrity, Respect, Rational Inquiry and Personal Excellence.

Benefits & Remuneration

This part-time, ongoing position attracts remuneration of ALEVB \$99,043 - \$117,312 or ALEVC \$120,961 - \$139,228 plus 17% University superannuation contribution.

ECU supports a work/life balance for staff. Benefits such as flexible working arrangements may also be negotiated to meet your personal circumstances.

For information on the benefits of working at ECU, please visit our Employment Opportunities website.

Contact

Interested applicants are encouraged to call Professor Ray Froend on (08) 6304 5563 for more information.

Closing Date: Thursday, 10th October 2019 at 11:30 pm WAST.

How to Apply

Please upload your CV along with a statement outlining your suitability for the role, with a particular focus on items 1.2, 2.2, 3.1, and 3.5 in the selection criteria. Please Note: Applications Will Be Accepted from Australian and International Applicants.

More [information](#)

ECU is a diverse and inclusive workplace reflecting the differences in society. Specific strategies and initiatives are in place to address under representation of specific groups. Applications are encouraged from suitably qualified people from all backgrounds. Aboriginal and Torres Strait Islander people are strongly encouraged to apply.

Members of the Environmental Law Association may subscribe to

[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 37

27 September 2019

LEGISLATION

NOTICES

Statistics South Africa – Gen Notice 515 in GG 42725 of 27 September 2019 - Consumer Price Index, Rate (Base Dec 2016 = 100) - August 2019: 4.3

Promotion of Access to Information Act 2 of 2000 - Gen Notice 511-513 in GG 42725 of 27 September 2019 - Publication of descriptions submitted in terms of s. 15 (1) - Senqu Municipality; Limpopo Department of Economic Development, Environment and Tourism and Limpopo Department of Co-operative Governance, Human Settlements and Traditional Affairs

Special Economic Zones Act 16 of 2014 - GN 1222 in GG 42722 of 20 September 2019 - Proposed extension of the O R Tambo International Airport Special Economic Zone to incorporate the Tshwane Automotive Hub Special Economic Zone - for comment

PROVINCES

Gauteng

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 1798 in PG 294 of 25 September 2019 - City of Ekurhuleni Metropolitan Municipality - Spatial Planning and Land Use Management (SPLUMA) By-law

Northern Cape

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 101 in PG 2298 of 23 September 2019 - Notice of intention to declare nature reserves - Karas, Areb, Marietjie van Niekerk and Smorgenskadu Nature Reserves

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - MN 64 in PG 2298 of 23 September 2019 - Gamagara Local

Municipality – Review of the Spatial Development Framework (SDF) and new Land Use Management Scheme (LUMS) - for comment

CASES

National

Telkom SA SOC Ltd v City of Cape Town (1038/2018) [2019] [ZASCA](#) 121 (25 September 2019)

Summary: Erection of telecommunications infrastructure – public servitude in favour of licensee in terms of s 22(1)(a) of the Electronic Communications Act 36 of 2005 – whether entitling licensee to enter upon land and erect telecommunications infrastructure contrary to zoning provisions in municipal by-laws without obtaining consent to rezoning from municipality in terms of those by-laws – whether by-laws requiring such rezoning and consent unconstitutional – whether municipal policy in respect of the erection of telecommunications infrastructure an encroachment upon a national sphere of legislative competence.

International

Song Lei vs The Director of Public Prosecutions & Others (Consolidated Criminal Appeals No.16 A of 2016 & 16 of 2017) [2019] [TZCA](#) 265; (30 August 2019) [Legalbrief Environmental 24 September 2019]

Tanzania - organised crime – smuggling of rhino horns - sentencing

PUBLICATIONS

National

Field Tracy-Lynn *State Governance of Mining, Development and Sustainability* ([Edward Elgar](#) 2019)

Millar D and Wright CY “Statement on Air Pollution and Health” 2019 115 *South African Journal of Science* (SAJS) DOI: <https://doi.org/10.17159/sajs.2019/6823>

Claassen J et al “Research and innovation cooperation in the South Atlantic Ocean” 2019 115 *South African Journal of Science* (SAJS) DOI: <https://doi.org/10.17159/sajs.2019/6114>

Haywood LK and Wright CY “Private sector contribution to SDG 3: Health and Well-being – a South African case study” 2019 115 *South African Journal of Science* (SAJS) DOI: <https://doi.org/10.17159/sajs.2019/6452>

Wright CY, Chersich M and Mathee A “National Health Insurance and climate change: Planning for South Africa’s future” 2019 115 *South African Journal of Science* (SAJS) DOI: <https://doi.org/10.17159/sajs.2019/5800>

Tshehla C and Wright CY “15 Years after the National Environmental Management Air Quality Act: Is legislation failing to reduce air pollution in South Africa?” 2019 115 *South African Journal of Science* (SAJS) DOI: <https://doi.org/10.17159/sajs.2019/6100>

“Spatial variability of PM10, PM2.5 and PM chemical components in an industrialised rural area within a mountainous terrain” 2019 115 *South African Journal of Science (SAJS)* DOI: <https://doi.org/10.17159/sajs.2019/6174>

Rakhee Lakhraj-Govender and Grab S “Rainfall and river flow trends for the Western Cape Province, South Africa” 2019 115 *South African Journal of Science (SAJS)* DOI: <https://doi.org/10.17159/sajs.2019/6028>

International

Pestalozzi J, Bieling C, Scheer D *et al* “Integrating power-to-gas in the biogas value chain: analysis of stakeholder perception and risk governance requirements” 2019 *Energ Sustain Soc* 99(38) <https://doi.org/10.1186/s13705-019-0220-5> Alternatively, you can access the manuscript [here](#)

Ruhl JB and Salzman JE “American Idols” [Environmental Forum](#) (May-June 2019) 19-32 UCLA School of Law, Public Law [Research Paper](#)

Filho L *et al* (eds) *Indigenous Amazonia, Regional Development and Territorial Dynamics: Contentious Issues* The Latin American Studies Book Series 1st ed. (2020 Edition Springer is available for [presale](#) in Amazon.com)

Trnka M “Mitigation efforts will not fully alleviate the increase in water scarcity occurrence probability in wheat-producing areas” 2019 [Science Advances](#) 5(9) DOI: 10.1126/sciadv.aau2406

Leal-Arcas R *et al* “Towards a carbon-free, decentralized, and democratized system of energy generation” 2020 [Connecticut Journal of International Law](#) 35(1) forthcoming

Leal-Arcas R *et al* “Energy decentralization and decarbonization: The case of Romania and Malta” 2019 *Queen Mary School of Law Legal Studies Research Paper* No. 320/2019

“TCFD: An update on corporate disclosure following the second status report 2019” (Datamaran [Report](#) September 2019) [provided by Andrew Gilder ClimateLegal]

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, national parks and culture**

The Conversation [Podcast](#): “Pasha 36: The sounds of our ancestors” 18 September 2019

Department of Environment, Forestry and Fisheries: Environmental geographic information systems ([EGIS](#)) [from presentation of Kristen Youens and Adrian Pole (ELA Conference)]

- **Climate change and energy**

[The Conversation](#): Mfundza Muller S and Muller M “South Africa is planning more regulators: this is a bad idea” 25 September 2019

CP Daily, Carbon Pulse's free [newsletter](#) [provided by Andrew Gilder ClimateLegal]

[Mail&Guardian](#): Kings S and Wild S "All actions to counter climate change matter" 27 September 2019

- **Water, waste and chemicals**

[Mail&Guardian](#): Saba A "Billions spent, and a boy has died, but Giyani's taps are still dry" 27 September 2019 [subscription/newspaper needed]

- **Mining**

[Extractives Baraza](#): "Eurafrican Diamond Corp to mine Marsfontein gravels in South Africa" 25 September 2019

[Extractives Baraza](#): "Indian rare earth miner v. mineral targets African assets" 25 September 2019

Africa

- **Local government**

[Place](#): Mukeredzi T "Tap for trash: App seeks to clean up Zimbabwe's waste-clogged cities" 23 September 2019

[The Conversation](#): Titeca K "Failed state? How the DRC continues to deliver public services" 25 September 2019

- **Mining**

[Extractives Baraza](#): "Locals demand fast compensation for Fluorspar mining land" 25 September 2019

[Extractives Baraza](#): Bogere J "Kenya's Legal Framework on Gender Equality in the Petroleum Sector: How Much Do You Know?" 26 September 2019

[The Conversation](#): Botchwey G and Crawford G "Lifting the lid on Ghana's illegal small-scale mining problem" 25 September 2019

- **Miscellaneous**

[IISD](#) ENB: High-level Dialogue on Financing for Development Highlights Thursday, 26 September 2019 | UN Headquarters, New York

[Place](#): Bhalla N "Ethiopian photographer spotlights impact of water scarcity on women" 24 September 2019

International

- **Biodiversity, protected areas and culture**

[Place](#): Bacchi U "Analysis-Hands off our cultural heritage, say world's indigenous people" 21 September 2019

[The Conversation](#): Plön S and Lavery S "Dugongs: looking to the gentle sea creature's past may guard its future" 25 September 2019

[IISD](#) SDG Knowledge Hub: Anderson L “ECCA30 to Restore 30 Million Hectares of Degraded Land in Europe” 26 September 2019

[IISD](#) SDG Knowledge Hub: Anderson L “Germany and World Bank Partner to Stop Deforestation” 26 September 2019

[IISD](#) SDG Knowledge Hub: Anderson L “Nature-based Solutions to Climate Change a Missed Opportunity: IUCN, University of Oxford Report” 26 September 2019

[Place](#): Chandran R “Palm oil, pineapples threaten Southeast Asia's indigenous lands” 24 September 2019

[Science](#): Stokstad E “Connecting fragmented pieces of habitat can help endangered species recover” 26 September 2019

[Science](#): Cornwall W “How a salmon scientist got hooked into a battle over the world's largest gold mine” 26 September 2019

[Science](#): Frederick E “An unlikely savior for California's coastal ecosystems: orphaned sea otters” 23 September 2019

- **Climate change and energy**

[IISD](#) ENB: UN Summits Week 2019 23-27 September 2019 | UN Headquarters, New York

[IISD](#) ENB: 51st Session of the Intergovernmental Panel on Climate Change (IPCC-51) 20-23 September 2019 | Principality of Monaco

[IISD](#) SDG Knowledge Hub: Verkuijl C “To Boost Climate Ambition, We Need to Close the “Production Gap” 23 September 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “Global Commission Launches Year of Action to Accelerate Climate Change Adaptation” 26 September 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén “‘Net-Zero Asset Owner Alliance’ Commits to Carbon-neutral Portfolios by 2050” 26 September 2019

[IISD](#) SDG Knowledge Hub: “First Youth Climate Summit Elevates Youth Demands for Action” 26 September 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “Chile Launches Climate Ambition Alliance” 26 September 2019 “

[IISD](#) SDG Knowledge Hub: Kosolapova E “Call for Action Seeks to Raise Ambition on Adaptation and Resilience” 26 September 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “Global Coalition Commits to 3% Annual Global Increase in Energy Efficiency” 26 September 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “NDC Partnership Launches Climate Action Enhancement Package” 26 September 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “Coalition Supports Decarbonization of Shipping Industry” 26 September 2019

[IISD](#) SDG Knowledge Hub: Antonich B “UN Climate Action Summit Prompts New Financial Commitments to GCF” 26 September 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “Multi-agency [Report](#) Harnesses Scientific Evidence to Spur Climate Action” 26 September 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “NDC Partnership Launches Climate Action Enhancement Package” 26 September 2019

[IISD](#) ENB: Securing our Future in the Blue Pacific 27 September 2019 | UN Headquarters, New York

[Science](#): Voosen P “There’s no scenario that stops sea level rise in this century,’ dire U.N. climate report warns” 25 September 2019

- **Local government**

[Place](#): Lei Win T “U.N. plans vast urban forests to fight climate change” 23 September 2019

[Place](#): Moloney A “Colombian cities gather green speed with electric buses” 20 September 2019

[Place](#): Rowling M “National governments urged to get behind cities to win climate fight” 19 September 2019

[City Blog](#): “Zero-Carbon Cities Can Unlock Nearly \$24 Trillion” 24 September 2019

[City Blog](#): The power of diversity: How local action can deliver on the global goals” 24 September 2019

[City Blog](#): “How to declare a climate emergency” 24 September 2019

[IISD](#) SDG Knowledge Hub: Risse N “Local Governments Commit to SDG Reporting in VLR Declaration” 26 September 2019

[IISD](#) SDG Knowledge Hub: Anderson L “Nature-based Solutions to Climate Change Feature Urban Forests” 26 September 2019

[Place](#): Chandran R “Deadly e-scooter crash sparks urban mobility debate in Singapore” 26 September 2019

[Place](#): Chandran R “Hong Kong locals fear loss of small-town life with artificial islands” 27 September 2019

[IISD](#) ENB: 11th High Level Assembly of the Climate and Clean Air Coalition to Reduce Short-Lived Climate Pollutants (CCAC) 22 September 2019 | New York, US

- **Mining**

[Extractives Baraza](#): “China CNOOC to start pumping at large deepsea gas field at end-2021” 25 September 2019

- **Water, sanitation and chemicals**

[IISD](#) SDG Knowledge Hub: Hounbo GF “Water and Sanitation for All: Letting [Data](#) Lead the Way” 24 September 2019

[IISD](#) ENB: Transformative Water Actions to Accelerate Global Achievement of Climate Change Related Goals 25 September 2019 | UN Headquarters, New York

[IISD](#) ENB: Planetary Health Dialogue 25 September 2019 | New York, US

[IISD](#) SDG Knowledge Hub: Anderson L “World Water Quality Alliance to Support Evidence-based Assessment” 26 September 2019

[IISD](#) SDG Knowledge Hub: Anderson L “Champions 12.3 Highlights Successes, Calls for More Action to Halve Food Waste by 2030” 26 September 2019 – find the report [here](#)

[Place](#): Biron CL “Salty soil sends U.S. farmers, officials scrambling” 25 September 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “130 Banks Launch Principles to Align Business Strategies with SDGs, Paris Agreement” 26 September 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Wits: New MOOC: Mining for development - The taxation linkage

Developed and run by Tracy-Lynn Field – will be available next week – 7 week course – free enrolment

Commences: 7 October 2019

More [information](#)

Just Sure: Changing course: How can South Africa's financial sector facilitate a just transition to a low-carbon economy?

Date: 11 October 2019

Time: 09:30-12:30

Venue: Two Oceans Aquarium, V&A Waterfront, Cape Town

[Registration](#)

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

Imbewu: Environmental Law Update Workshop

Date: Tuesday 22 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.1.7a Environmental law - Mine closure and rehabilitation**
Date: 7 - 11 October 2019
- **CEM-06.8.1 Integrated land management**
Date: 1 - 4 October 2019
- **CEM-06.1.1 Dangerous goods and hazardous substances management**
Date: 7 - 9 October 2019
- **CEM-02.2.1 Mine health and safety law**
Date: 14 - 16 October 2019
- **CEM-02.1.1 Environmental law (Master class)**
Date: 14 - 18 October 2019
- **CEM-05.1.1 Environmental impact assessment for practitioners**
Date: 21 - 25 October 2019
- **CEM-06.6.1 Climate change management**
Date: 28 October - 1 November 2019
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 4 - 8 November 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 22 - 24 October 2019, in Durban (registration closes 8 October 2019) – more information [here](#)
- 12 - 14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

EWT EIA Screening Tool Training Workshop: An introduction to the DEFF Screening Tool

[The invitation is available here](#)

Workshop dates: TBC

Venue: TBC based on survey outcome

Cost: there is no charge

Please note that, from the 4 October 2019, the submission of a report generated from the national web based environmental screening tool will be compulsory when submitting an application for environmental authorization in terms of Government Notice No. 960 of 5 July 2019: Notice of the Requirement to Submit a Report Generated by the National Web Based Environmental Screening Tool in terms of Section 24(5)(h) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and Regulation 16(1)(b)(v) of the Environmental Impact Assessment Regulations, 2014, as amended.

Aspects of the tool can be tricky to navigate, and the EWT is offering a short training session in using the tool, for Environmental assessment practitioners. EAPs will be taken through a three-hour practical exercise to explore the tool and generate a screening report.

To apply for a place on the course please fill out this Google [form](#). The deadline for applications is **30 September 2019** and applicants can expect to hear the outcome of their application by 3 October 2019.

For queries, please contact Dr [Ian Little](#) or Dr [Lizanne Roxburgh](#) [IAIAsa News 2019/2020 | Courses, Workshops and Events]

DEA EIA Sector Seminar & Integrated Environmental Management Seminar

Date: 1 & 2 October 2019 (Nelspruit, Mpumalanga)

Day 1: Integrated Environmental Management (IEM) Seminar

Day 2: Environmental Impact Assessment Sector Seminar

Venue: Promenade Hotel, Nelspruit (time to be confirmed)

Date: 15 & 16 October 2019 (Rustenburg, North West Province)

Venue: Rustenburg, Orion Hotel

Note: There will be a session on the Screening Tool (the Screening Tool becomes a mandatory requirement of EIA applications from 4 October 2019)

Details of the venue and the Agenda will be finalised closer to the date.

For any queries in this regard please do not hesitate to contact one of the following individuals: [Humbulani Muhanganeji](#) Cell: 082 451 3620 / el: 012 399 99324 // [Rivalani Mbungele](#) Cell: 0839477989 / Tel: 012 399 8799 [IAIAsa News 2019/2020 | Courses, Workshops and Events]

Invitation to contribute to the vision of the state of environment reporting in the information age

Dates: 17-18 October 2019 (one and half day workshop)

More [information](#) [IAIAsa News 2019/2020 | Courses, Workshops and Events]

Invitation to SABAA's 7th Annual Bats and Wind Energy Workshop

Date & Time: 7 October 2019 from 10h00 to 16h30

Venue: Hellenic Community Centre, 24 Bay Road, Mouille Point

More [information](#) [IAIAsa News 2019/2020 | Courses, Workshops and Events]

International

IAIA20: Smartening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness - Call for abstracts

Date: 26-29 May 2020

Place: Seville, Spain

Abstracts are invited until 31 October 2019

Registration will open 1 October 2019

More [information](#)

National

- **Biodiversity**

Savides M “More than 300 rhino poached in first half of 2019” [TimesLive](#) 22 September 2019 [Legalbrief Environmental 24 September 2019]

- **Climate change and energy**

“Cabinet considers, but fails to approve, IRP update” [Polity](#) 19 September 2019 [Legalbrief Environmental 24 September 2019]

Bega S “SA’s youth to bear the brunt of global warming” [News24](#) 28 September 2019

Pollution: Sasol to release carbon reduction roadmap

“Sasol spokesperson Alex Anderson said the company is ‘firmly committed’ to playing its part in transitioning to a lower-carbon economy. ‘We support the Paris Agreement and South Africa’s Nationally Determined Contribution. We are in the process of developing a carbon-reduction roadmap based on scenario analysis and will set out our carbon-reduction ambitions, which will be communicated at our November 2020 Capital Markets Day.’ The Star reports that he said Sasol had taken significant decisions to divert its growth strategy from further carbon-intensive growth paths ‘and specifically decided on no growth into greenfields coal-to-liquids and gas-to-liquids and in new refining capacity’. The climate change report, to be issued by 31 October, ‘will further reflect on some of the actions taken based on our early scenario and robustness testing analysis’.”

Full report in The Star (subscription needed) Legalbrief Environmental 24 September 2019

Energy: SA must prepare for coal's long term decline – study

“SA coal exports are approaching long-term decline, according to an Institute for Energy Economics and Financial Analysis (IEEFA) report released last week. According to a report in The Mercury, IEEFA energy finance analyst Simon Nicholas said the sector needed to come to terms with the prospect of fading demand from its major export destinations. ‘Policy makers in SA need to prepare for the ongoing technology driven transition away from coal or face the inevitable social and economic consequences,’ said Nicholas. ‘It won’t happen overnight, but key trends in global markets show new energy technology is replacing coal-fired power faster than most predicted. By 2030, new wind and solar will be cheaper than running existing coal or gas-fired plants virtually everywhere in the world. This is already the case in India, SA’s major coal export destination,’ said Nicholas. ‘At

its heart this is a technology transition, and it is, hence, unavoidable – it will happen whether policy makers want it or not. A lack of planning will result in chaotic transition with negative social and economic impacts of the type SA can ill afford,’ the report noted. ‘Major mining companies are starting to realise that the long-term outlook for thermal coal is bleak,’ said IEEFA Director of Energy Finance studies Tim Buckley, who co-authored the report.”

Full report in The Mercury (subscription needed) Legalbrief Environmental 24 September 2019

Legislation: Climate Change Bill by December 2020 – Ramaphosa

“President Cyril Ramaphosa has promised a ‘finalised’ Climate Change Bill by the end of next year – and a ‘just transition transaction’ within the same timeframe. The transaction was described in a recent Daily Maverick article as ‘a way to plug the hole in Eskom’s balance sheets’ and ‘pool funds to support workers’ likely to be left stranded as coal mining and coal-fired power generation are phased out. The President gave these undertakings in a statement apparently handed to UN Secretary-General António Guterres during Monday’s climate summit in New York. Released in draft form in August 2018 for comment and aimed at providing what Ramaphosa has since referred to as ‘a legislative basis for comprehensive climate action’, the Bill is expected to pave the way for updating SA’s ‘long-term national emissions trajectory’, allocating sectoral emissions targets and regulating ‘large emitters’.”

Read full report Legalbrief 26 September 2019

“SA companies, cities join fight against climate crisis” [News24](#) 26 September 2019

Larkin P “New fund to help create black wealth in fuel sector” [IOL](#) 27 September 2019

- **Local government**

Chiguvare B “Makwarela has two boreholes but no water in the taps” [GroundUp](#) 27 September 2019

Kretzmann S “Cape Town’s rivers are open streams of sewage, yet the City is not spending its budget - Water in the Black River is as dirty as untreated sewage” [GroundUp](#) 26 September 2019

Nortier C “Intelligent Food? SA start-up grows artificial intelligence in urban home farming” [Daily Maverick](#) 27 September 2019

Waste: eThekweni to employ refuse collectors in uMlazi

More than 300 people will be permanently employed by the eThekweni Municipality to collect waste in the uMlazi area. According to a report in The Mercury, this is according to the newly appointed chair of Human Settlements in the municipality, Thanduxolo Sabela, who said the posts would be advertised in the next three weeks. Sabela was speaking at the launch of the Clean and Maintain my Township programme in uMlazi last week. During the launch, the municipality’s officials, together with members of Parliament, collected waste in the area and also listened to the community’s concerns. Longer-term maintenance issues such as repairing leaks, fixing potholes and the cutting of grass were also identified. In June, eThekweni councillors unanimously agreed to do away with the outsourcing of

waste collection contracts in Umlazi. Full report in The Mercury (subscription needed) [Legalbrief Environmental 24 September 2019]

Development: Johannesburg wins UN sustainable city award

“The City of Johannesburg, in partnership with JSE-listed property developer Calgro M3 and Standard Bank of SA, has won the Sustainable City and Human Settlements Award from the UN for an affordable housing project. A report in The Mercury notes that Calgro M3 said last week this award recognised the South Hills development, south of Johannesburg, as a global green model community for its outstanding demonstration in promoting sustainable cities and human settlements, as well as the implementation of sustainable development goals. Wikus Lategan, the CE of Calgro M3, said: ‘We are also endeavouring to do as much as possible to make the running cost of the houses as affordable as possible for residents, with less water and electricity use.’ ‘And given that electricity and water prices are set to rise significantly in the coming years, these savings represent immense value, particularly for lower- and middle-income households,’ the firm said.

Full report in The Mercury (subscription needed) [Legalbrief Environmental 24 September 2019]

- **Mining**

“Mines need to step up on sustainability” [Bizcommunity](#) 12 September 2019 [Legalbrief Environmental 24 September 2019]

“Ireland to be among first countries to phase out oil and gas exploration” [Irish Times](#) 24 September 2019

Dludla S “Coal industry faces capital-flight threat” *News24* 27 September 2019

Larkin P “Planned new coal plants seen as threat to 26 ‘frontier countries’” *IOL* 20 September 2019

Wales-Smith S “Kgosi’s role in vanishing billions” [Mail&Guardian](#) 27 September 2019

Zama-zamas a threat to legal miners – testimony

“Six men have been convicted of conspiring with illegal miners to murder Harmony Gold’s regional manager Simphiwe Kubheka (36) in September 2017 near Odendaalsrus, Volksblad reports. Ernie van Rensburg, from security company Bidvest Protea’s, testified in the Circuit Court sitting in Virginia that zama-zamas not only threaten the financial viability of mines, but also the lives of legal miners. He testified in aggravation of sentence that Harmony Gold has spent R246m over the last eight years just to secure its operations within the Mathlabeng Municipality. ‘Syndicate leaders and illegal miners view SA’s criminal justice system as inefficient,’ Van Rensburg testified. Kubheka’s conflict with illegal miners at the Tshepong Mine led to his assassination. On Monday, Judge Celeste Reynders convicted the men, including Thabeso Khoase (36), of the murder. Khoase worked for Harmony Gold and is described by the state as the mastermind of the murder. Khoase fled to Lesotho after the murder, but was later extradited for the trial.”

Full Volksblad report (subscription needed) Legalbrief 26 September 2019

- **Water, oceans, waste and chemicals**

Tett G "Straw wars: consumers fight back" [Sunday Times](#) 22 September 2019

Joubert L "State of the oceans: southern African cyclones and droughts are just a taste of things to come" [Daily Maverick](#) 27 September 2019

Giddy IS "The Southern Ocean is in trouble, but it isn't too late to do something about it" [Daily Maverick](#) 27 September 2019

Davenport C "The Interior Secretary Wants to Enlarge a Dam. An Old Lobbying Client Would Benefit" [New York Times](#) 28 September 2019

- **Miscellaneous**

Mutandiro K "The dangerous trade of the coal hunter - Stealing coal from goods trains to make a living" [GroundUp](#) 23 September 2019

International

- **Biodiversity, animal rights and culture**

Brown T "17 states challenge Trump administration's attempt to weaken Endangered Species Act" [The Jurist](#) 26 September 2019

Dalton J "More than 130 dolphins die in mystery beach stranding - Volunteers drag some animals back out to sea but many return" [The Independent](#) 27 September 2019

Weston P "Huge moth that went 'extinct' 50 years ago is back in Britain" [The Independent](#) 27 September 2019

Weston P "New species of worm with three sexes discovered in highly salty Californian lake" [The Independent](#) 27 September 2019

"Climate change may destroy the historic gardens of the Versailles Palace" [The Independent](#) 26 September 2019

Cockburn H "Deadly red haze shrouds Indonesia as rainforest burns after palm oil clearances" [The Independent](#) 24 September 2019

Smithers R "North Sea cod to lose sustainability 'blue tick' as fish population falls" [The Independent](#) 25 September 2019

"Over half of endemic trees risk extinction in Europe" [News24](#) 27 September 2019

- **Climate change and energy**

Pollack S "Climate activists lose High Court case against Government" [Irish Times](#) 19 September 2019 [Legalbrief Environmental 24 September 2019]

Eckerd P "Volkswagen executives charged in Germany for stock market manipulation related to emissions scandal" [The Jurist](#) 26 September 2019

Gallmeyer C "UN report urges action on climate change" [The Jurist](#) 25 September 2019

Boyle K “Youth climate activists sue five countries over carbon pollution” [The Jurist](#) 24 September 2019

Weston P “‘Energy-saving’ wash cycles could spread germs, study finds” [The Jurist](#) 27 September 2019

Cockburn H “Evacuations ordered as Mont Blanc glacier on brink of collapse” [The Independent](#) 27 September 2019 – read also [The Guardian](#)

Ambrose J “UK ‘needs billions a year’ to meet 2050 climate targets” [The Independent](#) 28 September 2019

“Watch: Swedish teen Greta Thunberg berates leaders as UN climate summit falls short” [News24](#) 24 September 2019

Chapman B “Energy suppliers claim to sell ‘100% renewable’ electricity without producing any green power” [The Independent](#) 27 September 2019

Beament E “Government told it has to curb aviation emissions to meet net zero climate target” [The Independent](#) 24 September 2019

Schwartz J “Meet the Millionaires Helping to Pay for Climate Protests” [New York Times](#) 27 September 2019

Millar R and Preiss B “This Victorian surf club is under threat as climate change eats away at the coast” [Sydney Morning Herald](#) 27 September 2019

Trade: Concerns over Kenya’s first oil shipment

“Kenya has exported its first shipment of oil, valued at \$12m, under a deal with the Chinese petrochemical company, ChemChina. Members of a civil society group are demanding transparency, calling on Nairobi to show how the Chinese firm won the bid to buy the oil and how much revenue the country will secure from the sale. Charles Wanguhu, coordinator of the Kenya Civil Society Platform on Oil and Gas (KCSPOG) lobby group, said ‘the challenge that is ongoing in the sector is a lack of proper disclosure’. ‘We have not had access to any of the bidding documents,’ he added. Voice of America reports that Kenya’s principal secretary of petroleum, Andrew Kamau, said this view ‘is not a fair comment’. ‘We told them who bought it, how much they bought for it and the volume. What more would you want? You know people have all sort of phobias, so I can’t really speak to that,’ he said. Kenya produces about 2 000 barrels of oil per day but oil explorer Tullow said production could rise to 100 000 barrels per day by 2024.”

Full Voice of America report Legalbrief Forensic 26 September 2019

- **Local government**

“South Korea mayor dumps ton of trash on beach for clean-up day” [News24](#) 26 September 2019

Rieth B “The filth and the fury: how Paris reacted to being labelled ‘the dirty man of Europe’” [The Guardian](#) 28 September 2019

- **Mining**

Energy: World's coal companies are growing – NGO

“The world's coal companies are growing, with 54% of them planning to expand operations, according to a Berlin-based environmental NGO. According to a BusinessLIVE report, Urgewald, in partnership with 30 other NGOs, released its latest ‘global coal exit list’ last week, which revealed that 400 out of 746 coal companies, intend to expand their operations. This is despite increasing pressure for the world to reduce its dependence on fossil fuels, and for financiers to stop funding it. The database is the most comprehensive of companies operating along the thermal coal (power station coal) value chain, which represent 89% of the world's thermal coal production and almost 87% of the world's installed coal-fired capacity. Started in 2017, the database now has more than 200 financial institutions as registered users. The latest data suggests that the time for patient engagement with the coal industry has ‘definitely run out’, said Heffa Schücking, director of Urgewald. ‘It is high time for banks, insurers, pension funds and other investors to take their money out of the coal industry.’ The database identifies 259 coal-plant developers. Because more than half of these companies are not traditional, coal-based utilities, they are often missed by financial institutions’ coal exclusion policies, the NGO said.”

Full BusinessLIVE report (subscription needed) [Legalbrief Environmental 24 September 2019]

Sundier S “Poland proposes coal mine expansion while lawsuit challenges largest European coal plant” [The Jurist](#) 27 September 2019

Nako M “30 killed in landslide at Chad gold mine” [IOL](#) 26 September 2019

- **Water, waste and chemicals**

“Maui County Council Votes To Settle Clean Water Act Case To Avoid Historic Standoff At Supreme Court” [Earth Justice](#) 21 September 2019

“Watch | Indian children stealing water during droughts” [News24](#) 25 September 2019

General: Government scraps dam construction plans

The building of a controversial dam in Kenya has been cancelled by President Uhuru Kenyatta after an investigation found that the project was financially and technically unfeasible. Kimwarer Dam was expected to cost \$214m, a statement from the Presidency said. BBC News reports that Kenyatta had asked a team to look into the building of two dams in western Kenya after a July's graft scandal over the awarding of a contract for their construction. As previously reported in Legalbrief Today, the saga led to the sacking of Finance Minister Henry Rotich.

Full BBC News report Legalbrief Forensic 26 September 2019

“Fire at chemical plant in France forces school closures and residents warned to stay indoors” [The Independent](#) 27 September 2019

Weston P “‘Heartbreaking’: Wetland home of critically endangered eels bulldozed by council” [The Independent](#) 25 September 2019

McTighe K “Turkish scientist gets 15-month sentence for publishing environmental study” [Science](#) 27 September 2019

- **Miscellaneous**

Fleitz F “Former CIA official on whistleblower: ‘How could this be an intelligence matter?’” [New York Post](#) 26 September 2019

Stover D “An ‘undeclared phaseout’ of the nuclear industry” [Bulletin of Atomic Sciences](#) 25 September 2019

Griffen A “Astronomers find huge world that 'should not exist' and could change our understanding of how planets form” [The Independent](#) 27 September 2019

[Science](#): Perkins S “Machu Picchu was built over major fault zones. Now, researchers think they know why” 24 September 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

City of Cape Town: One year internships

More [information](#)

Human Sciences Research Council: Post-Doctoral Research Fellow

Closing date: 4 October 2019

More [information](#)

Human Sciences Research Council: Senior Researcher

Closing date: 18 October 2019

More [information](#)

Wits University Law Clinic: Candidate Attorneys x 5

Closing date: 18 October 2019

More [information](#)

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[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 38

4 October 2019

LEGISLATION

NOTICES

Water Research Act 34 of 1971 - GN 1297 in GG 42747 of 4 October 2019 - Water Research Fund - Water Research Levy increased with effect from 1 July 2019 and rates and charges published with effect from 1 July 2019 to 30 June 2020

Petroleum Products Act 120 of 1977 - GN R1265 in GG 42733 of 1 October 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1133 in GG 42679 of 3 September 2019 substituted with effect from 2 October 2019

Petroleum Products Act 120 of 1977 - GN R1266 in GG 42733 of 1 October 2019 - Regulations in respect of petroleum products published in GN R1132 in GG 42679 of 3 September 2019 substituted with effect from 2 October 2019

Petroleum Products Act 120 of 1977 - GN R1267 in GG 42733 of 1 October 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 2 October 2019

Contingency Fees Act 66 of 1997 – Gen Notice 525 in GG 42739 of 4 October 2019 - South African Legal Practice Council: Rules in terms of section 6 of the Contingency Fees Act 66 of 1997

Promotion of Access to Information Act 2 of 2000 - GN R1284 in GG 42740 of 4 October 2019 - Rules Board for Courts of Law - Promotion of Access to Information Rules and GN R965 in GG 32622 of 9 October 2009 to be repealed 4 November 2019

Promotion of Administrative Justice Act 3 of 2000 - GN R1284 in GG 42740 of 4 October 2019 - Rules Board for Courts of Law - Administrative Review Rules, 2019 and GN R966 in GG 32622 of 9 October 2009 to be repealed 4 November 2019

Council for the Built Environment Act 43 of 2000 - GN 1274 in GG 42739 of 4 October 2019 - Scope of work for categories of registration for the profession regulated by the South African Council for the Architectural Profession

Legal Practice Act 28 of 2014 – Gen Notice 525 in GG 42739 of 4 October 2019
- Proposed amendments to the Rules made in terms of sections 95 (1), 95 (3)
and 109 (2) - for comment

PROVINCES

Gauteng

National Environmental Management: Protected Areas Act 57 of 2003 - PN 967 in PG 302 of 2 October 2019 - Midvaal Local Municipality - Declaration of Klipkraal as a nature reserve and Klipkraal and Klipkraal Hollenbach as protected environments

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 1839 in PG 302 of 2 October 2019 - City of Johannesburg Metropolitan Municipality - Establishment of the Office of the Ombudsman for the City of Johannesburg By-laws Amendment - for comment

Western Cape

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and Western Cape Land Use Planning Act 3 of 2014 - LAN 58188 in PG 8153 of 27 September 2019 - Stellenbosch Local Municipality - Zoning Scheme By-law, 2019 with effect 1 November 2019

Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013 and Western Cape Land Use Planning Act 3 of 2014 - LAN 58180 in PG 8154 of 27 September 2019 - Drakenstein Local Municipality - Draft Spatial Development Framework, 2020 – for comment

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58193 in PG 8156 of 1 October 2019 - Swartland Local Municipality - Water- and Sanitation Services Amendment By-law, 2019

Eastern Cape

Disaster Management Act 57 of 2002 - LAN 234 in PG 4318 of 30 September 2019 - Sarah Baartman District Municipality - Extension of the declaration of a Local State of Disaster due to drought and water shortages as published under LAN 118 in PG 3893 of 11 August 2017

Limpopo

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 142 in PG 3036 of 27 September 2019 - Makhado Local Municipality - Determination of charges - Refuse Removal as published under LAN 91 in PG 3013 of 5 July 2019 corrected

Electricity Act 41 of 1987 and Electricity Regulation Act 4 of 2006 - LAN 152 in PG 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Electricity By-Law

Performing Animals Protection Act 24 of 1935 and Animals Protection Act 71 of 1962 - LAN 154 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality: Keeping of Animals, Birds, Poultry or Pets By-Laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 155 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Street Trading By-Law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 157 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Environmental [Health] By-Laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 158 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Refuse Removal By-Law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 161 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Control of Outdoor Advertising and Signage By-law, 2017

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Demarcation Act 27 of 1998 - LAN 163 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Cemetery By-Law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 165 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality: Nuisance By-laws

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 166 in *PG* 3036 of 27 September 2019 - Greater Tzaneen Local Municipality - Refuse Removal, Refuse Dump and Solid Waste Disposal By-Law

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MNs 121, 122, 123, 126, 127, 130, & 132 in *PG* 2123 of 3 October 2019 - Greater Kokstad Local Municipality - : Electricity Supply By-law, 2019; Cemeteries and Crematoria By-law, 2019; Keeping of Animals By-law, 2019; Fire Prevention By-law, 2019; By-law relating to the Control of Public Nuisances, 2019; Property Encroachment By-law, 2019; and Outdoor Advertising and Signage By-law, 2019

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000; and KwaZulu-Natal Pound Act 3 of 2006 - Greater Kokstad Municipality - MN 124 in *PG* 2123 of 3 October 2019 - Greater Kokstad Municipality Pounds By-law, 2019

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000; and National Environment Management: Waste Act 59 of 2008 - MN 128 in *PG* 2123 of 3 October 2019: Refuse Removal and Disposal By-law, 2019 published and previous by-laws repealed () (p261)

North West

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - PN 186 in PG 8062 of 1 October 2019 - Rustenburg Local Municipality: By-law on Public Participation, 2018

INTERNATIONAL

[Basel Convention](#): Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal – Entered into force

CASES

National

Eskom Holdings SOC Ltd v Masinda 2019 (5) SA 386 (SCA)

“Spoliation—Mandament van spolie—When available—Electricity supply—Prepaid electricity meter installed on property and wired unlawfully to national grid—Connection later discovered and severed—Whether order of reconnection could be granted based on mandament van spolie.”

Pickitup Johannesburg SOC Ltd v Nair (Maharaj and Others, Third Parties) 2019 (5) SA 540 (GJ)

“Delict—Joint wrongdoers—Joint liability—Right to contribution *inter se*—Role of clean-hands doctrine—Right of municipal official responsible for loss suffered by municipality to recover contribution from other officials who were joint wrongdoers—Local Government: Municipal Finance Management Act 56 of 2003, s 176(2).”

Nelson Mandela Bay Municipality v Gcora 2019 (2) SACR 451 (ECP)

“Contempt of court—Contempt *ex facie curiae*—What constitutes—Numerous emails directed to wide-ranging list of important persons and institutions containing scurrilous accusations of racism, corruption and dishonesty, including accusations against judges, and one judge in particular—Classic example of contempt *ex facie curiae*.

Contempt of court—Contempt *ex facie curiae*—Sentence—Numerous emails directed to wide-ranging list of important persons and institutions containing scurrilous accusations of racism, corruption and dishonesty, including accusations against judges, and one judge in particular—Conduct contemptuous and exhibiting extreme unlawful disdain for judicial authority—Court taking into account subsequent apology and imposing non-custodial sentence.”

Umgeni Water v Sembcorp Siza Water (Pty) Ltd and Others; Minister of Water & Sanitation v Sembcorp Siza Water (Pty) Ltd and Others (358/2018; 497/2018) [2019] [ZASCA](#) 133 (30 September 2019)

“Summary: Setting of Water Tariffs in terms of the Water Services Act 108 of 1997 – differentiation between respondent and other purchasers of bulk water – tariff of 37,9% set for respondent as opposed to 7,8% for municipal customers – rationality of decision.”

International

Atlantic Coast Pipeline LLC v. Cowpasture River Preservation Assn – find case documents [here](#)

“This morning (4 October 2019) the Court granted cert in *Atlantic Coast Pipeline LLC v. Cowpasture River Preservation Assn*. The case is an appeal of a Fourth Circuit decision from December that held for the first time that the entire Appalachian Trail – from Georgia to Maine – is part of the National Park System. According to the Fourth Circuit, no federal agency can authorize a pipeline crossing over, on, or under the trail. The case was consolidated with the Forest Service’s appeal, and the Solicitor General’s involvement made the cert grant more likely.

If the Court affirms the Fourth Circuit, the 600-mile long Atlantic Coast Pipeline will probably never be constructed. It’s a big issue in Virginia because the pipeline route goes from West Virginia, over the Blue Ridge, just south of Richmond, and then to the Virginia coast and to North Carolina. The case could affect other pipelines currently under construction, like the Mountain Valley Pipeline.

The case also affects energy development across the Midwest because if the Trail is held to be a barrier for pipelines, it could slow down natural gas development or force pipeline routes to the Gulf of Mexico.” [Noah Sachs EnvLawProfessors Email list – decision not yet available on internet] For more information read his review [here](#)

Stephenson v. Secretary of State 2019 [EWHC](#) 519 (Admin) (High Court of Justice, Queen’s Bench Division)

“Claimant, on behalf of the advocacy group Talk Fracking, successfully challenged a section of the UK’s National Planning Policy Framework (NPPF) that promoted fracking. Claimant alleged that the section, known as paragraph 209(a), was developed without accounting for recent evidence of shale gas development’s contribution to climate change. The Administrative Court of the Queen’s Bench Division of the High Court of Justice quashed paragraph 209(a).”

Sacchi et al. v. Argentina et al. ([UN Committee](#) on the Rights of the Child)

“Sixteen children filed a petition alleging that Argentina, Brazil, France, Germany and Turkey violated their rights under the United Nations Convention on the Rights of the Child (“the Convention”) by making insufficient cuts to greenhouse gases and failing to encourage the world’s biggest emitters to curb carbon pollution. The children ask the United Nations Committee on the Rights of the Child (“the Committee”) to declare that respondents violated their rights by perpetuating climate change, and to recommend actions for respondents to address climate change mitigation and adaptation.”

State v. Delahalle & Goinvic ([Criminal Court](#) of Lyon)

“A criminal court in Lyon found that climate activists had stolen portraits of the French President, Emmanuel Macron, out of necessity to call attention to France’s failure to meet its climate targets.”

PUBLICATIONS

National

Department of Environmental Affairs “National Compliance and Enforcement [Report](#) 2018/2019’ (September 2019) [IAIAA 2019/2020 News | 3 October 2019]

International

Warren WS “Introduction to special collection on New Scientific Methods for Cultural Heritage” 2019 [Science Advances](#) 5(10) DOI: 10.1126/sciadv.aaz3323

Adler DP and Gosliner E “State Hazard Mitigation Plans & Climate Change: Rating the States 2019 Update” ([Report](#) Sabin Center for Climate Change Law Columbia Law School September 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

[SA Government](#): “Speech by Minister Creecy at launch of SA’s NBA and IPBES Global Assessment on Biodiversity and Ecosystem Services” 3 October 2019 [IAIAA 2019/2020 News | 3 October 2019]

- **Water, waste and chemicals**

[BizCommunity](#): “Role of effective waste management in preserving SA's heritage” 26 September 2019 [provided by Andrew Gilder ClimateLegal]

- **Mining**

[Webber Wentzel](#): Youens P “The Mining Round-up – key takeaways from our September 2019 client seminar” 27 September 2019

Africa

- **Biodiversity**

[Science](#): Wadman “Windborne mosquitoes may carry malaria hundreds of kilometers” 2 October 2019

- **Mining**

[Extractives Baraza](#): Tancoal ordered to pay \$10.4 million in back taxes” 2 October 2019

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Mead L “African Regional Meeting on Eliminating Lead in Paint Recommends 90 ppm Limit” 1 October 2019

International

- **Biodiversity, protected areas and culture**

[Science](#): Normile D “Indonesia’s fires are bad, but new measures prevented them from becoming worse” 1 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “20+ Cities Call for Integrating Climate, Biodiversity Concerns into Urban Planning” 3 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “IUCN [Assessment](#) Shows Extinction Threatens 58% of Europe’s Endemic Trees” 3 October 2019

- **Climate change and energy**

Woman in Wind [survey](#)

Asia Clean Energy [Summit](#) 2019

[YouTube](#): Where in the World Will Our Energy Come From?

[YouTube](#): Powering the Planet

[Datamaran](#): Lecourt-Alma M “A big step forward: Financial Services Committee passes ESG Disclosure Simplification Act” 30 September 2019 [provided by Andrew Gilder ClimateLegal]

[News24](#): “Timelapse | 35 years of Arctic thaw in over 2 minutes” 2 October 2019

[Carbon Pulse](#): “ICAO moves toward long-term GHG goal, CORSIA launch despite opposition from 25 nations” 4 October 2019

Climate Law [Blog](#): Burger M and Aidun H “The Significance of the High Court's Decision in Friends of the Irish Environment v. Ireland” 2 October 2019

Climate Law [Blog](#): Francis A “Free Movement Agreements a Climate Migration Solution: New Sabin Center White Paper” 20 September 2019

[IISD](#) SDG Knowledge Hub: Van Hasselt H “Small Countries Punching Above Their Weight: The New Initiative for an Agreement on Climate Change, Trade and Sustainability (ACCTS)” 3 October 2019

[IISD](#) SDG Knowledge Hub: Merrill L and Funke F “G20 Commitment on Fossil Fuel Subsidy Reform, Ten Years On 3 October 2019” 3 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Countries, Organizations Respond to Call to Ocean-Based Climate Action” 3 October 2019

IISD [Video](#): Islands on the forefront of climate change (October 2019)

- **Local government**

[IISD](#) SDG Knowledge Hub: Kosolapova E “UNDP, Hilton Foundation Launch Platform for Smart, Inclusive Cities” 3 October 2019

Sustainable Development [Code](#): Chapter 7.1 Solar Energy

- **Water, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Paul D “GWP Reports Outcomes from Nine Years’ Work on Water, Climate and Development” 3 October 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

SANBI: Biodiversity Offsets Training event: Improving the understanding and application of Biodiversity Offsets in South Africa

The event is hosted by the South African National Biodiversity Institute (SANBI) in collaboration with its partners in support of the GEF 5: Biodiversity Land-Use Programme. The event is free apart from travel and accommodation costs.

Please circulate to relevant professionals within your organisation.

Please Note:

- Due to space limitations and in order to ensure a cross section of sector stakeholders registrations are restricted to 3 participants per organisation.
- Preference will be given to participants who are available for the full duration of the course.

Contact [Jackey Deacon](#) to register by **15 October** 2019.

DEA: Invitation to contribute to the vision of state of environment reporting in the information age

Date: 17-18 October 2019 (one and half day workshop)

RSVP: 8 October 2019 Mr. [Obad Ndhlovu](#) Tel: 012 399-9269 / Ms. [Lorato Sebuseng](#) / Tel: 012 399-9267

More [information](#)

IAIAsa North-West Branch Event: Bringing IAIA19 and IAIAsa 2019 to the North-West

Date: Thursday 17 October 2019

Time: 10h00 - 13h00

Venue: North West University, Potchefstroom Campus, Building F4, Old Senate Hall.

[The invitation is available here](#)

[A Map to the venue is available here](#)

To register for the IAIAsa ELA NW Branch event, follow the [link](#)

Please Note: There are only 50 places available. Members in good standing and paid participants will receive first consideration.

Registration closes 15 October 2019

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant’s own account

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

Imbewu: Environmental Law Update Workshop – Date change

Date: **29 October 2019**

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

[Programme](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-02.2.1 Mine health and safety law**
Date: 14 - 16 October 2019
- **CEM-02.1.1 Environmental law (Master class)**
Date: 14 - 18 October 2019
- **CEM-05.1.1 Environmental impact assessment for practitioners**
Date: 21 - 25 October 2019
- **CEM-06.6.1 Climate change management**
Date: 28 October - 1 November 2019
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 4 - 8 November 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

Invitation to contribute to the vision of the state of environment reporting in the information age

Dates: 17-18 October 2019 (one and half day workshop)

More [information](#) [IAIAsa News 2019/2020 | Courses, Workshops and Events]

Invitation to SABAA's 7th Annual Bats and Wind Energy Workshop

Date & Time: 7 October 2019 from 10h00 to 16h30

Venue: Hellenic Community Centre, 24 Bay Road, Mouille Point

More [information](#) [IAIAsa News 2019/2020 | Courses, Workshops and Events]

DEA EIA Sector Seminar & Integrated Environmental Management Seminar

Date: 15 & 16 October 2019 (Rustenburg, North West Province)

Venue: Rustenburg, Orion Hotel

Note: There will be a session on the Screening Tool (the Screening Tool becomes a mandatory requirement of EIA applications from 4 October 2019)

Details of the venue and the Agenda will be finalised closer to the date.

For any queries in this regard please do not hesitate to contact one of the following individuals: [Humbulani Muhangane](#) Cell: 082 451 3620 / el: 012 399 99324 // [Rivalani Mbungele](#) Cell: 0839477989 / Tel: 012 399 8799 [IAIAsa News 2019/2020 | Courses, Workshops and Events]

International

IAIA20: Smartening impact assessment: Science, technology, and governance advancements toward efficiency and effectiveness - Call for abstracts

Date: 26-29 May 2020

Place: Seville, Spain

Abstracts are invited until 31 October 2019

Registration will open 1 October 2019

More [information](#)

IUCN Academy of Environmental Law 18th Colloquium The Future of Environmental Law: Ambition and Reality

Dates: 6-10 July, 2020

Venue: University of Groningen

The Academy Board also decided the following schools will be hosting the 19th and 20th colloquia:

19th Colloquium (2021) Queensland University of Technology, Brisbane Australia

20th Colloquium (2022) University of East Finland, Joensuu, Finland

ILO/Green Jobs-GAIN Webinar: Skills for a Greener Future: Taking Stock and Looking Ahead

Description: What are the main linkages between skills and the Just Transition? What will be the main skills gaps, skills shortages and changes in occupations in meeting the skills demand of the green transition? Which policies can be effective in fostering the skills transition required for a greener future? How can we develop models that help to assess the skills needs at the national and regional level?

Date: Thursday 10th of October, 2019

Time: 11 am - 12 am (GMT-3) | 4 pm - 5 pm (GMT+2, CEST)

Attendance: Register [here](#)

Webinar with GCF + GIZ: Renewable Energy Investment Guidance

Date: Monday, 14 October 2019

Date: 9.30am CEST.

This webinar will be the first element of the broad stakeholder consultation process on the Renewable Energy Investment Guidance before it is presented

to the GCF board. Participants will be provided with background information on, and an overview of the Guidance and the work completed to date.

You will also have an opportunity to share your thoughts on the draft GCF Renewable Energy Investment Guidance, including its sector investment guide, theory of change and the dedicated Request for Proposals (RfP) on Energy Transition.

Registration and more information [here](#)
[provided by Andrew Gilder ClimateLegal]

**Commission on Legal Pluralism: CLP Brisbane Conference 2020
Knowledge, Power and the Politics of Difference - Looking at Legal
Pluralism “from Down-under” – Call for Panels – deadline extended**

Deadline: 31 October 2019

More [information](#)

National

- **Biodiversity**

Trademark: Game reserve barred from using Mapungubwe name

“The use of the name Mapungubwe was the subject of a Gauteng High Court (Pretoria) legal battle between SA National Parks (SANparks) and a luxury game reserve. Saturday Star reports SANparks argued that the name belonged to its national park in Limpopo and that the nearby reserve could not call itself Mapungubwe Game Reserve. The reserve applied to the Registrar of Trademarks to use the word Mapungubwe in relation to its game reserve and related activities. SANparks, however, opposed the registration and asked the court to dismiss the trademark application. Its main contention was that visitors across the world associate SANparks establishments with the name Mapungubwe. The game reserve was of the opinion that SANparks was not exclusively entitled to use the name Mapungubwe. However, SANparks told the court it had registered the trademark Mapungubwe National Park long before the game reserve came into existence. Judge Nomsa Khumalo said the game reserve may not register the name Mapungubwe in relation to its business activities. She said SANparks registered its Mapungubwe National Park long before the game reserve tried to do so. She said it had become known over the years that this national park belonged to SANparks and if the game reserve was allowed also to use the wording, it could result in confusion as the public may not be able to tell the two entities apart.”

Full Saturday Star report (subscription needed) Legalbrief 30 September 2019

Etheridge J “5 wanted rhino poachers arrested in Hazyview” [News24](#) 5 October 2019

“NSPCA to lay charges against govt over 'death ship' exporting live sheep” [IOL](#) 5 October 2019

Conservation: Burning of fynbos a threat to ecosystem

“The burning of fynbos to restore the ecosystem and the adverse effects of alien vegetation on water came under focus at the World Ecological Restoration Conference this week. Mlungule Nsikani, from Stellenbosch University, said burning fynbos for restoration has been a common management tool but the fires

could rise to 300 degrees, which could burn the seeds of some local species, reports the Cape Argus. 'The aim is to restore the native fynbos but instead we end up with a secondary invasion by grasses and herbs and they get very dominant. You end up with a site with many aliens and other plants. When the ecosystem has reached this stage it's very challenging to get it back,'• he said. Dr Christo Marais, chief director of the natural resource management programmes at the Department of Environment, Forestry and Fisheries, said invasive alien plants in catchment areas had been a major factor in the recent water crisis in the Western Cape and that, if left unchecked, water loss in the country could rise to over 16%, and potentially much more. Louise Stafford, director at the Nature Conservancy's SA office, said if there had been no alien plants in Cape Town's water catchment areas, the city would have had two additional months of water supply at the time when day zero was approaching, in 2017 and 2018." Full Cape Argus report Legalbrief Environmental 2 October 2019]

- **Climate change and energy**

Lebuso S "Politics reaches into every crevice of our country, including the climate crisis" [News24](#) 3 October 2019

Litigation: Newcastle's lights remain on pending judgment

"Newcastle Municipality will not have its electricity supply cut off – for now. The Witness reports this is pending a decision by the KZN High Court (Pietermaritzburg) on the electricity supply issue in Newcastle. Eskom had threatened to turn off the KZN town's power supply on Sunday due to a R200m debt. The municipality – together with Co-operative Governance & Traditional Affairs – brought an urgent application against Eskom yesterday in the hope of stopping it from disrupting the supply of electricity in the town. A final decision on cutting Newcastle's power will be made early next week when Judge Piet Bezuidenhout hands down his reserved judgment. During arguments in court, Advocate Sydwell Shangisa, for Eskom, said the municipality has failed to comply with its constitutional obligations. He said Eskom did not 'suddenly wake up' and decide to cut off the electricity supply in the town. 'Eskom has tended to be amenable to repayment arrangements including the acknowledgment of debt by the municipality. That cannot redound against Eskom. Whenever the municipality defaulted, Eskom would send breach letters,' he said. Shangisa said to date, Eskom had sent more than 10 breach letters to the municipality, calling on it to remedy the breach. 'Those steps constitute reasonable steps Eskom has taken.' He said it was unacceptable for a municipality that boasts a collection rate of 97% to plead poverty. 'If one considers the constitutional obligation and the 97% collection rate, there is no legitimate reason for them to plead poverty.'" Full report in The Witness (subscription needed) Legalbrief 4 October 2019

Steyn L "Time is running out for SA to build a viable gas economy" [BusinessLive](#) 24 September 2019 [Legalbrief Environmental 2 October 2019]

Davie K "A cleaner energy future is in sight" [Mail & Guardian](#) 27 September 2019 [Legalbrief Environmental 2 October 2019]

- **Local government**

Navarro E and Jichkar N "Green projects in cities are the key to big finance" [Mail & Guardian](#) 4 October 2019

Chirume J “Dwindling water supply could lead to “job blood-bath” says Business Chamber” [GroundUp](#) 30 September 2019

- **Mining**

Hosken G “Amcu guns for SA chrome mining giant in R7.5bn claim” [TimesLive](#) 2 October 2019 [Legalbrief 3 October 2019]

Secombe A “Gwede Mantashe digs in his heels on the Mining Charter” [BusinessLive](#) 3 October 2019 [Legalbrief 4 October 2019]

General: Fracking fears reignited with new exploration bids

“The anti-fracking lobby group's celebration over mining company Rhino Oil and Gas Exploration SA's withdrawal of its application to explore large stretches of the KZN midlands for oil, coalbed methane gas, liquid gas and helium was shortlived. No sooner than its withdrawal, the company applied for the rights to explore 4 268 farms in the Free State and KZN, reports Times Select. The proposed exploration is done through aerial survey and 'desktop' work, and does not require fracking, water use or access to the land and farms explored. However, many have claimed these studies are a mere precursor to eventual fracking. Rhino has been challenged in court to stop its continued aerial and desktop exploration of much of KZN, the Free State and the Eastern Cape. It is now fighting Normadien Farms, a timber company in KZN, in the Constitutional Court on 26 November after the Supreme Court of Appeal (SCA) allowed exploration to go ahead in KZN on 5 500 farms after the High Court had blocked the exploration rights in 2016. The Normadien farmers have recently appealed the SCA decision. In Rhino's new application for exploring the Free State and parts of KZN, it said natural gas could provide electricity and heat, and is supposed to make up 16% of the country's energy mix, according to government's draft integrated energy plan. Environmentalists are concerned that the discovery of oil or natural gas will lead to fracking, which uses large amounts of water, leads to increased seismic activity and pollution. Judy Bell of Frack Free SA said if gas was to be found and fracking started, it would damage ecosystems.”

Full Times Select report [Legalbrief Environmental 1 October 2019]

Steyn L “Water crisis threatens to take the shine off the mining sector” [BusinessLive](#) 29 September 2019 [Legalbrief Environmental 1 October 2019]

Claassens A “State's mining bias is making the poor poorer” [BusinessLive](#) 26 September 2019 [Legalbrief Environmental 1 October 2019]

Policy: Mining boss berates fundraising difficulties

“CEO of MC Mining David Brown has warned that policy uncertainty threatens junior miners' ability to raise funds to develop a significant coal mine in SA. A Business Day report notes Brown – who previously headed platinum producer Impala Platinum – said investors are put off by SA's low-growth environment as well as policy uncertainty over how the country will kick-start the economy, particularly when it comes to the turnaround of embattled state-owned companies such as Eskom. ‘I think this is regarded by many who want to invest as an impediment at this point in time, because they have not seen significant progress,’ said Brown. ‘I think there are people who want to invest in SA, but they are putting it on hold for now. Things haven't necessarily gone according to plan in the first nine months of 2019. It's hard to deny that,’ he said. MC Mining has already

secured a R245m facility from the government's Industrial Development Corporation, but is still looking to raise another R532m.
Full Business Day report (subscription needed) Legalbrief 1 October 2019

- **Water, oceans, waste and chemicals**

Bega S "Govt report paints a bleak picture of South Africa's rivers" [IOL](#) 5 October 2019

Ntshobane S "Clean water at last for Ngqeleni residents" [TimesLive](#) 5 October 2019

Litigation: SCA puts end to huge water tariff increase

"Umgeni Water and the national Minister of Water & Sanitation have been barred from imposing a 'staggering' 38% tariff increase on a private company that 'stepped into the shoes' of the Ilembe Municipality to provide bulk water to residents of Zimbali, Salt Rock, Ballito and other communities on the KZN North Coast. A Times Select report notes the proposed increase on Sembcorp Siza Water for the 2015/16 financial year was in contrast to the 7.8% proposed for Umgeni Water's other customers – all of them municipalities. The SCA said that in order for there to be differentiation, there had to be a rational basis for it. 'None was produced. It seems reasonably clear that Siza was targeted only because it is a private entity,' Judge Malcom Wallis and Acting Judge Sharise Weiner said. The matter before the court was an appeal by Umgeni Water and the Minister against a previous ruling in favour of Siza by KZN High Court (Pietermaritzburg) Judge Jerome Mnguni. In motivating for singling out Siza for the high increase, Umgeni Water said it could no longer cross-subsidise losses incurred through water supply to the private company 'which makes a profit which does not get ploughed back into service delivery in a similar manner to municipal entities'. But the judges said that, on the evidence before them, this did not add up. 'Whether Umgeni Water's operations are sustainable will depend on whether the tariff it charges its customers generates sufficient revenue in total to cover its total cost of operations.' They also pointed to Umgeni's pricing policy, which made no mention of doing away with a uniform tariff and, in fact, spoke of cross-subsidisation going forward. The judges said there was no provision in the applicable law to justify this type of discrimination. In dismissing the appeal, they ordered that pending any further determination of tariffs, Siza must be charged the same as all other Umgeni Water customers."

Full Times Select report (subscription needed) Legalbrief 2 October 2019

Pollution: Army fails to fix Vaal River damage

"Environmental activists say the Vaal River is worse off after almost a year of work by 200 army engineers. Now the Department of Water & Sanitation (DWS) has brought in a specialist company to fix broken sewage systems that pump up to 130m litres of raw effluent a day into the waterway, reports the Sunday Times. Last year, the department said the system should take a year to fix. Ten months later, a war of words has broken out between the SANDF and the DWS over who is to blame for the failure to make progress. Emfuleni local council's waste-water system comprises more than 1 000km of pipelines that move waste water and sewage through 44 pump stations and into three waste-water treatment works: Sebokeng, Rietspruit and Leeukuil. The sewage should be treated before being released into the river, but 39 broken pump stations and broken pipes mean raw

or only partly treated sewage flows into the Vaal, poisoning the water. DWS spokesperson Sputnik Ratau said: 'The work that the SANDF has done so far has not yet got all the pumps going. We have called in Erwat (a bulk waste-water management company) because they are specialists.' The weekly Rand Water sampling on Friday measured E coli bacteria in the water just downstream from Sebokeng and found more than 2.4m organisms per 100ml. A count of more than 400 is regarded as hazardous to human health. Maureen Stewart, of environmental group Save the Vaal, said the river was 'worse than when the army arrived'."

Full Sunday Times report Legalbrief Environmental 2 October 2019

- **Miscellaneous**

Bega S "Agriculture Minister says no to Monsanto's "drought tolerant" maize seed" [IOL](#) 4 October 2019 [provided by Odile Lim Tung]

International

- **Biodiversity, animal rights and culture**

"Humpback whales return to New York in conservation victory" [News24](#) 5 October 2019

"100 lashes for wildlife poachers under Islamic law in Indonesia" [News24](#) 4 October 2019

Mitchley A "Green Scorpions foil alleged plot to smuggle 342kg of lion bones to Malaysia" [News24](#) 4 October 2019

"Tesco and M&S likely to have soya linked to deforestation in supply chains" [The Independent](#) 5 October 2019

Readfern G "Shocked scientists find 400km of dead and damaged mangroves in Gulf of Carpentaria" [The Guardian](#) 3 October 2019

- **Climate change and energy**

Bendix A "If India and Pakistan have a nuclear war, scientists say it could trigger Ice-Age temperatures and global famine" [Business Insider](#) 5 October 2019

"Watch | Eagle films global warming destruction in Alps" [News24](#) 3 October 2019

Alfreds D "Women bear the brunt of climate change, says gender organisation" [News24](#) 1 October 2019

"Humanity's emissions '100-times greater' than volcanoes" [News24](#) 1 October 2019

"Massive iceberg breaks off Antarctica, but is it normal?" [News24](#) 1 October 2019

Weston P "UK wildlife species dying out and many will soon vanish if urgent action not taken, study says" [The Independent](#) 3 October 2019

"Norway to release forestry cash to Guyana after renewable energy commitment" [Carbon Pulse](#) 4 October 2019

Wahlquist C “‘Incredibly worrying’: legal fight looms around Australia over clampdown on protest” [The Independent](#) 5 October 2019

Murphy K “Reserve Bank warns climate change posing increasing risk to financial stability” [The Independent](#) 4 October 2019

Ambrose J “World's largest wind turbines to be built off Yorkshire coast” [The Guardian](#) 1 October 2019

Jolly P “Volkswagen emissions scandal: mass lawsuit opens in Germany” [The Guardian](#) 30 September 2019

“Mexico publishes final regulation for pilot carbon market” [Carbon Pulse](#) 1 October 2019

- **Local government**

“Watch | As Libya's war continues, Tripoli drowns in waste” [News24](#) 3 October 2019

“Fresh health fears as Rome rubbish crisis intensifies” [News24](#) 2 October 2019

- **Mining**

Weston P “The scramble for polar regions: Trading routes mustn't carve up our last wilderness” [The Independent](#) 5 October 2019

Carrell S “Scottish government extends ban on fracking” [The Guardian](#) 3 October 2019

Cox L “NSW considers laws to stop courts and planners blocking coalmines on climate grounds” [The Guardian](#) 1 October 2019

Oltermann P “‘Human rights before mining rights': German villagers take on coal firm” [The Guardian](#) 1 October 2019

- **Water, oceans, waste and chemicals**

“At Fukushima plant, a million-ton headache - radioactive water” [News24](#) 5 October 2019

“Polluted by a permanent black tide, Lake Maracaibo is a hazard” [News24](#) 3 October 2019

Cockburn H “Ocean cleaning contraption successfully removes waste from Great Pacific garbage patch for first time” [The Independent](#) 3 October 2019

- **Miscellaneous**

Litigation: Villagers square off with major fuel firm

“Hundreds of Zimbabwean villagers are facing an unproductive agricultural season as they make a second legal attempt to access farming land controlled by ethanol producer Green Fuel. In December, about 140 families in Chipinge, near the Mozambique border, made an unsuccessful urgent application to the High Court. With the support of Zimbabwe Lawyers for Human Rights (ZLHR) they are now

filing a fresh application for access to the land as planting season looms. The Sunday Times reports that Green Fuel is a partnership between businessman Billy Rautenbach's Macdom, Rating Investment and the government Agricultural and Rural Development Authority. It was founded in 2008 and aims to produce sufficient ethanol from sugar cane to make fuel imports unnecessary. Rights group Platform for Youth Development (PYD) said the purchase of the land had displaced villagers in Chisumbanje, Chinyamukwakwa and Matikwa. PYD director Claris Madhuku said 2 961 households had been compensated with 0.5ha each and this had divided the community, 'with some politically-connected becoming land barons at the expense of the vulnerable'. Constitutional lawyer Admark Moyo said the justice system should protect communities against corporates. 'The Chisumbanje land dispute exposes weaknesses in our litigation process. It raises serious concerns about the mechanisms one can use to ensure that businesses are held accountable for human rights abuse,' he said."

Full Sunday Times report (subscription needed) Legalbrief 30 September 2019

Litigation: Villagers square off with major fuel firm

"Hundreds of Zimbabwean villagers are facing an unproductive agricultural season as they make a second legal attempt to access farming land controlled by ethanol producer Green Fuel. In December, about 140 families in Chipinge, near the Mozambique border, made an unsuccessful urgent application to the High Court. With the support of Zimbabwe Lawyers for Human Rights (ZLHR) they are now filing a fresh application for access to the land as planting season looms. The Sunday Times reports that Green Fuel is a partnership between businessman Billy Rautenbach's Macdom, Rating Investment and the government Agricultural and Rural Development Authority. It was founded in 2008 and aims to produce sufficient ethanol from sugar cane to make fuel imports unnecessary. Rights group Platform for Youth Development (PYD) said the purchase of the land had displaced villagers in Chisumbanje, Chinyamukwakwa and Matikwa. PYD director Claris Madhuku said 2 961 households had been compensated with 0.5ha each and this had divided the community, 'with some politically-connected becoming land barons at the expense of the vulnerable'. Constitutional lawyer Admark Moyo said the justice system should protect communities against corporates. 'The Chisumbanje land dispute exposes weaknesses in our litigation process. It raises serious concerns about the mechanisms one can use to ensure that businesses are held accountable for human rights abuse,' he said."

Full Sunday Times report (subscription needed) Legalbrief Forensic 2 October 2019

"Kenya: AU Urges Kenya to Extend Tax Breaks to Local Companies" [AllAfrica](#) 30 September 2019 [Legalbrief 2 October 2019]

[IISD](#) SDG Knowledge Hub: Benson Wahlén C "India's Population Expected to Surpass China's by 2050: World Population [Data Sheet](#)" 1 October 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM "UN Climate Summit Sees USD 790 Million in Pledges for Small Farmers" 1 October 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of Pretoria: Professor / Associate Professor / Senior Lecturer / Lecturer (Two Posts)

Closing date: 16 October 2019

More [information](#)

MacRobert Attorneys Pretoria Candidate Attorney 2021

Closing date: 31 December 2019

More [information](#)

Varsity College: Lecturer BComm Law: Law of Insolvency : (Independent Contractor)

More [information](#)

Varsity College: Lecturer: LLB Law of Persons and the Family (Independent Contractor)

More [information](#)

Varsity College: Lecturer: Bachelor of Laws - Skills for Law (Independent Contractor)

More [information](#)

University of Stellenbosch Faculty of Law: Temporary One Year Positions

The Department of Public Law is looking to fill two positions on a temporary basis. These are non-permanent positions for the period between January 2020 to December 2020 (for Constitutional Law and Introduction to Law), i.e. 12 (twelve) months; and for the period between July 2020 to December 2020 (for International Law), i.e. 6 (six) months. After the end of the contract, the Department will have no obligation to offer an extension of the contract or any other form of employment to the successful candidate(s).

The two positions:

[A] International Law and Advanced International Law (elective) The remuneration attached to this contract is R 120,000 (one hundred and twenty thousand Rand), with the understanding that the successful candidate will undertake to teach both modules and take responsibility for the assessment of students during the course of the second semester. The successful candidate will have full access to the existing course outlines, course materials and textbook.

[B] Constitutional Law and Introduction to Law The remuneration attached to this contract is R 150,000 (one hundred and fifty thousand Rand), with the understanding that the successful candidate will undertake to teach the modules (Constitutional Law in its entirety and a term in Introduction to Law) and take responsibility for the assessment of students during the course of the academic year. The successful candidate will have full access to the existing course outlines, course materials and textbooks.

Requirements: ▪ LLM degree ▪ Teaching and research experience ▪ Good written and oral communications skills

Recommendations: ▪ Teaching experience that relates to the relevant fields of law ▪ LLD (either completed or in process)

Duties:

International Law 341 ▪ To conduct plan and conduct 3 lectures a week for the duration of the second semester. ▪ To supervise and assist the tutorial assistant in the execution of 2 sets of tutorials during the second semester. ▪ To assess the module in accordance with the module framework and SU's assessment policy. ▪ To be available for scheduled student consultations, at the Faculty, for a minimum of 4 hours a week. ▪ To attend to student queries and emails within 48 hours during working hours.

International Law 451 ▪ To conduct plan and conduct 2 lectures a week for the duration of the second semester. ▪ To assess the module in accordance with the module framework and SU's assessment policy. ▪ To be available for scheduled student consultations, at the Faculty, for a minimum of 4 hours a week. ▪ To attend to student queries and emails within 48 hours during working hours

Constitutional Law 271 • To plan and conduct 2 lectures a week in the first semester, and 3 lectures a week in the second semester. • To supervise and assist the tutorial assistant in the execution of 6 tutorials. • Setting the various topics, in conjunction with the relevant assistants, for the writing component of this module. • To assess the modules in accordance with the module framework and SU's assessment policy.

To be available for scheduled student consultation at the Faculty, for a minimum of 4 hours a week, or more as the needs of students require. • To attend to student queries and emails within 48 hours during working hours.

Introduction to Law 171 • To plan and conduct 3 lectures a week in term 4. • To supervise and assist the tutorial assistant in the execution of 2 tutorials. • To assess the modules in accordance with the module framework and SU's assessment policy. • To be available for scheduled student consultation at the Faculty, for a minimum of 4 hours a week, or more as the needs of students require. • To attend to student queries and emails within 48 hours during working hours.

To apply for this position please submit a CV and a letter of motivation to Prof Gerhard Kemp (Gkemp@sun.ac.za) at the latest on Monday, 4 November 2019.

For any further information regarding the two positions, please contact:

For International Law: Prof [Annika Rudman](#)

For Constitutional Law and Introduction to Law: Prof [Bradley Slade](#)

International

Vermont Law School's Distinguished Environmental Scholars program for the 2020 Summer Session.

We host four scholars in the areas of Environmental Law, International Environmental Law, Energy La, and Sustainable Agriculture and Food Systems Law. VLS covers each scholar's travel ex

penses, housing, and office space, and awards a \$5,000 honorarium. Scholars give a public lecture at VLS and are invited to participate in informal gatherings with faculty and students. To apply or to nominate a colleague, please send a cover letter and CV to [Courtney Collins](#) at by November 1.

Tobias Simon Chair in Public Law Florida State University College of Law

The Florida State University College of Law invites applications and nominations for the Tobias Simon Chair in Public Law. The Chair was established in honor of Tobias Simon, a well-known civil rights lawyer and late professor at the College of Law.

Candidates must hold a J.D., Ph.D., or equivalent degree, have significant experience (5 years minimum) in teaching and/or practice, and be qualified for appointment as a tenured, full professor. Candidates must have a distinguished publication record in a public law field, including, but not limited to, civil rights and civil liberties, international law, and public policy.

If interested, please send a letter of application and curriculum vitae to:

Professor [Sam Wiseman](#), Chair or
Tobias Simon Chair Search Committee
Florida State University College of Law
Tallahassee, FL 32306-1601

Applications will be accepted through December 20, 2019.

Research Professor in 'City Science' (Bofzap): KU Leuven Belgium

More [information](#)

[Postdoctoral Research Fellow for Justice and Security](#)

University of Sydney in GCRF Gender Justice and Security Hub

[Assistant professorships at the Department of Law](#)

University of Southern Denmark, Department of Law

[Scientific staff in \(m / w / d\) in law and political science](#)

Bielefeld University, Faculty of Sociology

[Researcher at the Institute of Public Law and Politics](#)

University of Münster, Institute of Public Law and Politics

[Full-time/Part-time Lecturer in Law](#)

University of Hong Kong, Faculty of Business and Economics

[Post-doctoral Fellow in the Centre for Medical Ethics and Law \(CMEL\) to be appointed by the Faculty of Law](#)

University of Hong Kong, Department of Law

[Presidential Post-doctoral Fellows in Faculty of Law](#)

Swiss Government Excellence Scholarships for Foreign Scholars and Artists for the 2020-2021 Academic Year

Closing date: 15 December 2019

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 38

4 October 2019

LEGISLATION

NOTICES

National Environmental Management Act 107 of 1998 - GN 1317 in GG 42761 of 10 October 2019 - Advisory Committee (High Level Panel) to review policies, legislation and practices on matters related to the management, breeding, hunting, trade and handling of elephant, lion, leopard and rhinoceros

Astronomy Geographic Advantage Act 21 of 2007 - GN 1318 in GG 42762 of 11 October 2019 - Extension by 6 months of the period of compliance prescribed in the Regulations for the Protection of the Karoo Central Astronomy Advantage Areas

Standards Act 8 of 2008 – Gen Notice 544 in GG 42756 of 11 October 2019 - Amendment of South African National Standards

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013 and Western Cape Land Use Planning Act 3 of 2014 - LAN 58199 in PG 8159 of 4 October 2019 - Cape Agulhas Local Municipality - Integrated Zoning Scheme By-law - for comment

National Heritage Resources Act 25 of 1999 - PN 103 in PG 8163 of 11 October 2019 - Heritage Western Cape - Declaration of a Provincial Heritage Site: 'The Al-Jaamia Masjid', situated on erf 58573, Stegman Road, Claremont, Cape Town

National Heritage Resources Act 25 of 1999 - PN 104 in PG 8163 of 11 October 2019: Heritage Western Cape - Declaration of a Provincial Heritage Site: 'Vergelegen Estate', situated on remainder farm 744, farm 744/1, farm 744/2 and farm 722/1, Lourensford Road, Somerset West

National Heritage Resources Act 25 of 1999 - PN 105 in PG 8163 of 11 October 2019 - Heritage Western Cape: Declaration of a Provincial Heritage Site: 'Imam

Haron Grave Site', situated at the Mowbray Muslim Cemetery, Browning Road, remainder erf 27440, Mowbray, Cape Town

Spatial Planning and Land Use Management Act 16 of 2013 and By-law on Municipal Land Use Planning, 2018 - LAN 58207 in PG 8163 of 11 October 2019 - Drakenstein Local Municipality - Appointment of member to serve on the Municipal Planning Tribunal

Free State

National Environmental Management: Protected Areas Act 57 of 2003 - PN 88 in PG 68 in 27 September 2019 – Declaration of the Witkoppen Fish and Game Reserve as a nature reserve - for comment

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 151 in PG 3040 of 11 October 2019 - Declaration of a nature reserve - Balule Nature Reserve

KwaZulu-Natal

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000; and National Environmental Management: Air Quality Act 39 of 2004 MN 133 in PG 2129 of 10 October 2019 - uMgungundlovu District Municipality - Air Quality By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - MNs 134, 135 & 136 in PG 2129 of 10 October 2019 - Greater Kokstad Local Municipality- By-law relating to Municipal Facilities and Public Amenities, 2019; Trading By-law, 2019; and Outdoor Advertising and Signage By-law, 2019

CASES

National

Magnificent Mile Trading 30 (Pty) Limited v Charmaine Celliers N.O. and Others 2019] [ZACC](#) 36

“[1] Yet again the Mineral and Petroleum Resources Development Act (MPRDA) is before us for the adjudication of some aspects. The first aspect concerns the transmissibility – after the death of the holder – of a right arising from the MPRDA. The second concerns the applicability of the *Oudekraal / Kirland* rule (*Oudekraal* rule) to the award of a prospecting right contrary to the right enjoyed by the holder of an unused old order right under item 8 of Schedule II to the MPRDA. This rule says an unlawful administrative act exists in fact and may give rise to legal consequences for as long as it has not been set aside.

[2] This matter comes before us as an application for leave to appeal against a judgment of the Supreme Court of Appeal that upheld an appeal from a judgment of the High Court of South Africa, Gauteng Division, Pretoria (High Court).”

Newcastle Municipality and Another v Eskom Soc Ltd (7349/19P) [2019] [ZAKZPHC](#) 65 (8 October 2019)

“[1] Applicants brought an urgent application on 29 September 2019 to interdict respondent from disconnecting the electricity supply to first applicant pending finalisation of an application for the review of respondent’s decision to disconnect the electricity supply. The matter was then adjourned to 03 October 2019 for respondent to file an answering affidavit and also the filing of a replying affidavit.

[2] On 03 October 2019 I was informed that a date had been obtained on the opposed roll on 06 December 2019 for the hearing of the said application. The only issue at this stage is whether interim relief should be granted preventing the disconnection of the electricity supply. Mr Shangisa, on behalf of respondent, opposed the granting of such relief. Mr Pretorius appeared on behalf of a company Lanxeso Cisa (Pty) Ltd, a chrome plant in Newcastle, KwaZulu-Natal, requesting leave to intervene. First and second applicant did not oppose such application and respondent indicated that it would abide the decision of the court.”

International

The State of the Netherlands (Ministry of Economic Affairs and Climate Policy) v Stichting Urgenda Case no 19/00135 - Procurator General of the Supreme court’s submission – now available in [English](#)

“1.3 Urgenda is a citizens’ platform (an NGO) with members from various domains in society. Urgenda is involved in the development of plans and measures to prevent climate change. Urgenda’s legal form is that of a foundation under Dutch law, whose object according to its by-laws is: to stimulate and accelerate the transition processes to a more sustainable society, beginning in the Netherlands. Urgenda’s position is that the State is doing too little – in the interest of preventing dangerous climate change – to mitigate global warming and keep the average temperature from rising by no more than 2°C in comparison to the average temperature in the pre-industrial era.”

PUBLICATIONS

National

Kotzé Louis J “International Environmental Law and the Anthropocene energy dilemma” 2019 36 [Australian Environmental and Planning Law Journal](#) 437

Ashukem Jean-Claude N “A Rights-Based Approach to Foreign Agro-Investment in Cameroon: Enhancing the Protection of Local Communities’ Rights” 2019 63(2) *Journal of African Law* 163–191 [doi:10.1017/S0021855319000196](#)

International

Call for papers: From Student Strikes to the Extinction Rebellion: New Protest Movements Shaping our Future

The *Journal of Human Rights and Environment (JHRE)*, in conjunction with Edward Elgar Publishing, calls for papers for a special edition of the journal and

an accompanying monograph to explore new environmental protest movements, including their goals, tactics and leverage in advancing political and legal action on climate change and other planetary crises. Across many countries recently, thousands of school children have taken to the streets to demand action on global warming. While lacking power at the ballot box, these youth have generated considerable media coverage and public debate. Similarly in the spotlight, the Extinction Rebellion (XR), which began in 2018, has used civil disobedience and nonviolent protest, including occupying public spaces and interrupting legislative proceedings, in seeking to rally support for urgent action to tackle biodiversity loss and climate breakdown. Some recent protest movements are focused on specific developments and policies within individual countries, such as the anti-pipeline protests at Standing Rock Indian Reservation in the United States. Conversely, the gilets jaunes (yellow vests) movement in France rallies against climate policy measures associated with rising fuel costs and higher costs of living.

These developments build on a long tradition of grassroots activism, notably the Occupy Movement, and the anti-globalization and anti-nuclear movements of recent decades, but bring into focus the role of new participants, like school children, and distinctive tactics, such as the hyper-aesthetic character of protest actions. Concurrently, some governments have recently introduced measures aimed at thwarting environmental activism, including anti-protest laws that criminalize some forms of protest that occupy civic spaces or disrupt businesses. This *JHRE* calls for articles that address the role of protest movements shaping our future, and in particular welcomes contributions that critically investigate one or more of the following issues:

- The grievances of new protest movements relating to democratic deficits in government decision making that have provoked such activism.
- The framing of a climate or planetary ‘emergency’ that XR and other activists are pushing.
- Protest tactics, including as moral crusaders and aesthetic activists.
- The efficacy of protest in leveraging change and forcing climate change action into the mainstream.
- Case studies on specific protest events or groups.
- The role and impact of anti-protest laws challenging environmental activism.
- Ideas for reform of political and legal institutions to represent youth and future generations in environmental governance today. Prospective authors are encouraged to contact guest editor [Professor Benjamin J. Richardson](#) for advice on their proposed submission:

All submissions will be peer reviewed, and should be no more than 10,000 words inclusive of references. Final articles should be submitted via the journal’s [webpage](#).

Alderuccio Marcello *et al* “Identification of the operator responsible for the remediation of a contaminated site” 2019 *Environmental Forensics*
DOI: [10.1080/15275922.2019.1657521](https://doi.org/10.1080/15275922.2019.1657521)

Ostoich Marco *et al* “Contamination of groundwater: obligations of non-responsible parties” 2019 *Environmental Forensics*
DOI: [10.1080/15275922.2019.1657522](https://doi.org/10.1080/15275922.2019.1657522)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, culture and protected areas**

[Bizcommunity](#): “Ships' risky fuel transfers are threatening African Penguins” 4 September 2019 [provided by Andrew Gilder ClimateLegal]

- **Climate change and energy**

[Bizcommunity](#): “The case for a net zero emissions economy” 2 October 2019 [provided by Andrew Gilder ClimateLegal]

- **Water, oceans, waste and chemicals**

[Helen Suzman Foundation](#): Toxopeüs M “Do we need a Water Use Bill?” 4 October 2019 [Legalbrief 11 October 2019]

Africa

- **Biodiversity**

[The Conversation](#): Beseng M “Cameroon Can't Afford to Continue Ignoring Crime in Fisheries Sector” 6 October 2019 [Legalbrief Forensic 10 October 2019]

- **Climate change and energy**

[IISD](#) ENB: African Climate Risks Conference (ACRC) 2019 7-9 October 2019 | Addis Ababa, Ethiopia

- **Water, waste and chemicals**

[News24](#): “Watch | Poo-lieve it or not: Recycling human waste in Nairobi is cleaning up the slums” 11 October 2019

International

- **Biodiversity, protected areas and culture**

[Science](#): Pickrell J “Giant reptiles once ruled Australia. Their loss sparked an ecological disaster” 11 October 2019

[Science](#): Doyle M “After 50-year conservation effort, songbird flies off U.S. endangered species list” 8 October 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “UNEP-WCMC, Partners Synthesize [Approaches](#) to Post-2020 Global Biodiversity Framework” 8 October 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Caribbean Leaders Discuss Debt for Climate Adaptation Swap, Caribbean Resilience Fund” 10 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNEP Identifies Lessons from a Decade of Emissions Gap Assessments” 10 October 2019 – find Report [here](#)

[IISD](#) SDG Knowledge Hub: Mead L “UNFCCC Publishes Agendas for Santiago Climate Change Conference” 10 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “GIG, BNEF Launch Tool to Assess Climate Benefits of Wind and Solar Assets” 10 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “OECD [Report](#) Finds Well-being Focus Presents Opportunities for Accelerating Climate Action” 10 October 2019

[Science](#): “Drone captures video of melting Greenland glacier” 11 October 2019

[Science](#): Voosen P “How fast will seas rise? A dying Greenland glacier holds clues” 10 October 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “Event Highlights Green Technologies for SDGs and Climate Action” 8 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “The New Climate Institute Paper Presents Framework for Analyzing Power System Transformation” 8 October 2019

[CPR](#): Kaswan A “Carbon Pricing: Essential But Insufficient” October 2019

- **Local government**

[IISD](#) SDG Knowledge Hub: Risse N “City of Pittsburgh Announces SDG Engagement” 10 October 2019

Copenhagen Centre on Energy Efficiency: “MRV for District Energy Systems (Webinar) – 06.09.2019” The recording and content from the webinar can be found [here](#)

ICLEI CityTalk [Blog](#): “Cities across the globe meet to define best practices in low emission development” 8 October 2019

ICLEI CityTalk [Blog](#): “Joining forces for informal settlements in Honiara” 1 October 2019

[ICLEI](#) City Talk Blog: “Eight great ideas to tackle food insecurity from industrial legacy cities” 8 October 2019

[Place](#): Mohanty S “India's Supreme Court halts tree felling for new Mumbai metro” 7 October 2019

[Place](#): Kucukgocmen A “Residents scramble to uproot from ancient Turkish town before dam waters rise” 7 October 2019

[The Guardian](#): Robertson D “Inside Copenhagen’s race to be the first carbon-neutral city” 11 October 2019

- **Mining**

[IISD](#) ENB: IGF 2019 Highlights Thursday, 10 October 2019 | Palais des Nations, Geneva, Switzerland – Green mining

[Vimeo](#): “Leveling Appalachia: The Legacy of Mountaintop Removal Mining” (2017)

[IISD](#) ENB: 15th Annual General Meeting (AGM) of the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development (IGF) - Mining in a Changing Climate 7-10 October 2019 | Palais des Nations, Geneva, Switzerland

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNECE Shares Best Practice for Methane Recovery from Closed Mines” 8 October 2019

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: Marine Regions Forum 2019 30 September - 2 October 2019 | Berlin, Germany

[Bizcommunity](#): “New study: Most plastic found at sea is dumped unlawfully by ships” 3 October 2019 [provided by Andrew Gilder ClimateLegal]

[IISD](#) ENB: 15th Meeting of the Chemical Review Committee (CRC-15) of the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade - 8-10 October 2019 | Headquarters of the UN Food and Agriculture Organization (FAO), Rome, Italy

[IISD](#) ENB: Summary of the 15th Meeting of the Persistent Organic Pollutants Review Committee of the Stockholm Convention on Persistent Organic Pollutants: 1 - 4 October 2019 | Rome, Italy

[IISD](#) ENB: Third Meeting of the Intersessional Process for Considering SAICM and the Sound Management of Chemicals and Waste Beyond 2020: 1 - 4 October 2019 | Bangkok, Thailand

[IISD](#) SDG Knowledge Hub: Mwangi W “SAICM Intersessional Meeting Paves Way for “Beyond 2020” Negotiations” 8 October 2019

- **Miscellaneous**

[IISD](#) SDG Knowledge Hub: Ledaba AM “FAO Matchmaking Initiative to Focus on Hunger and Poverty” 10 October 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “WTTC, UNFCCC Launch Sustainability Action Plan for Travel and Tourism Sector” 10 October 2019

[Science](#): Reilly S “Dismissed EPA science advisers gather in ‘unprecedented’ challenge to Trump administration” 11 October 2019

[Science](#): Pennisi E “Salty soil is no problem for these tomatoes, thanks to some microbial helpers” 8 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “Escazú Agreement on Rio Principle 10 Gains Signatures, Ratifications” 8 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “[Submission](#) Contemplates Role of Private Standards, Certifications and Labeling Schemes in Post-2020 SAICM Framework” 8 October 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

IAIAsa North West Event of 17 October – postponed to 2020

NWU Global Climate Week in association with ELA North-West Branch: Humans argue, Nature acts

- **Screening of documentary: Jozi Gold** (presentation by Mariëtte Lieferink)
Date: 16 October 2019
Time 16:00-20:00
Venue: North-West University Potchefstroom; Building F5 Room H120
- **Panel discussion**
Panellists: Prof Michelle Barnard (NWU); Dr Robert Kibugi (University of Nairobi), Ms Rosemary Mwanza (University of Eastern Finland), Mr Andrew Gilder (ClimateLegal) and Mr Fred Goede (former IPPC Panellist).
Date: 17 October 2019
Time: 15:00-18:30
Venue: North-West University Potchefstroom; Building F5 Room H120

NRF CLES Chair and SALGA: 1st Annual National Postgraduate Student Conference on Local Government & Urban Governance: Recent Developments in Local Government Law, Policy and Practice towards Implementation of the UN Sustainable Development Goals

Date: 27-28 November 2019

Venue: Old Senate Hall, F4 North-West University, Potchefstroom

Registration is free, but transport and accommodation costs are for the participant's own account

More information: contact [Ifeoma Owosuyi](#) / [Johandri Wright](#) / 018 299 1930/40

Imbewu: Environmental Law Update Workshop – Date change

Date: 29 October 2019

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#)

[Programme](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-05.1.1 Environmental impact assessment for practitioners**
Date: 21 - 25 October 2019
- **CEM-06.6.1 Climate change management**
Date: 28 October - 1 November 2019
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 4 - 8 November 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

University of the Witwatersrand, Johannesburg Summary of 2020 1st Semester Postgraduate Certificate Courses

Dates: 11 January to 22 June 2020

The Mandela Institute at the School of Law, University of the Witwatersrand, Johannesburg offers continuous professional development through stand-alone postgraduate certificate courses aimed at legal practitioners and graduates who wish to gain new legal knowledge, update their skills or specializing in a particular law field in the 1st semester during the period 11 January to 22 June 2020:

- Basic Administrative Law for Regulators
- Law and Sustainability I
- Local Government Law
- Mining Tax Law
- Risk, Compliance and Governance
- Water Law

Course details, entry requirements and application process can be found on the Mandela Institute [website](#).

Registration closes on Friday 29 November 2019.

Registration and enquiries: Mandela Institute, Tel: 011 717 8435/8438; [E-mail](#).

University of Pretoria Enterprises: Short course: Environmental Law

Date: 18-23 November 2019

[Registration](#)

International

Science Webinars: Engaging citizen scientists: Will the walls of the ivory towers come tumbling down?

Date: 16 October 2019

Time: 12:00 PM to 1:00 PM US Eastern Time

[Registration](#)

Free Webinar: Energy Transition and the Role of Women: Where do we Stand Today?

Date: 15 October 2019

Time: 2:00 p.m. Vienna | 1:00 p.m. London | 12:00 p.m. Accra | 8:00 a.m. Washington

[Registration](#)

2020 AELERT-INECE Conference Environmental Collaboration: Shaping the future of regulation, compliance and enforcement together

Date: 10-13 March 2020

Early Bird [Registration](#) discount available

OECD Green Talks: Live webinar 15 October | Taxing Energy Use 2019 – Using Taxes for Climate Action

Date: 16 October 2019

Time: 16:00 Europe Summer Time (Paris, GMT+02:00)

More [information](#)

Webinar Invitation: IEEE 'Electricity for All' Special Issue

Date: 18 October 2019

Time: 12:00 - 1:00 pm (ET)

[Registration](#) is free

Please, feel free to share within your network. For more information, kindly contact Prof. [Jatin Nathwani](#): (cc: [Admin. Assistant](#))

Vanderbilt University Webinar: The Implications of the Universal Owner for Climate Mitigation

The workshop will be accessible to the public as a webinar via the information provided below.

Date: Tuesday, 22 October 2019

Time: 12:00-1:30 Central Time

Join Zoom Meeting [here](#)

Meeting ID: 431 862 462

National

- **Biodiversity**

Legislation: Big four conservation panel appointed

“A high-level panel of experts/advisory committee has been established to review conservation policies, regulations and practices affecting elephant, lion, leopard and rhino. Spelled out in a *Government Gazette* notice published yesterday, the panel’s functions include assessing the extent to which recommendations that emerged from an inquiry into the feasibility or otherwise of legalising rhino horn trade are being effectively implemented.

Read full report in Legalbrief Policy Watch 11 October 2019

Walters T “Mega climate shocks for SA biodiversity — government report” [Daily Maverick](#) 11 October 2019 [provided by Andrew Gilder ClimateLegal]

Matwadia E “‘Forgotten Five’ in need of rescuing” [Mail & Guardian](#) 10 October 2019

- **Climate change and energy**

Phakathi B “Selling power stations not on the table, says Cyril Ramaphosa” [BusinessLive](#) 11 October 2019 [Legalbrief 11 October 2019]

Energy: IRP with Cabinet, to be released ‘soon’

“An updated integrated resource plan ‘dealing with ... (government’s) energy strategy and policy’ is with Cabinet and ‘under discussion’, according to President Cyril Ramaphosa – who expects it to be released into the public domain ‘soon’. The President made these remarks during the first meeting of his new economic advisory council this week. However, it is still not clear whether the revised plan has been submitted to the entire Cabinet or to one of its committees. Mineral Resources & Energy Minister Gwede Mantashe has been reported to have predicted the plan’s imminent approval on two occasions: 13 [September](#) (Engineering News) and 8 October (Fin24). A statement on the procedures followed in considering and approving a document submitted to Cabinet would be more than welcome, writes Pam Saxby.”

Read full report in Legalbrief Policy Watch 11 October 2019

Steyn L “The IRP will make room for all, Gwede Mantashe says” [BusinessLive](#) 8 October 2019

Nair N “Court stops Eskom from pulling the plug in Newcastle over R2bn debt” [TimesLive](#) 8 October 2019

Hartley R and Mills G “Fixing Eskom: Home truths and unavoidable actions” [Daily Maverick](#) 11 October 2019

Kiewit L “‘My future’s a desert if we don’t act’” [Mail & Guardian](#) 4 October 2019

Zietsman G “Watch | The future of travel is electric, but can South Africa keep up?” [News24](#) 11 October 2019

- **Local government**

Madia T “‘They don’t know how to cope with this’ - Prof Ivan Turok on local govt, backyard dwellings” [News24](#) 12 October 2019

Lebuso S “Forum agrees, local government essential to economic growth” [News24](#) 12 October 2019

- **Mining**

Jika T and Skiti S “The high price of coal connections” [Mail & Guardian](#) 11 October 2019

- **Water, oceans, waste and chemicals**

Bhengu L “KwaZulu-Natal municipality could face legal action as landfill fire continues to burn” [TimesLive](#) 8 October 2019

Sizani M “Mystery stream has flooded PE township for 20 years” [GroundUp](#) 9 October 2019

De Villiers J “Uber Eats SA now won’t include plastic utensils unless you ask for them” [Business Insider](#) 12 October 2019

- **Miscellaneous**

Charles M “Fight for PHA to play out in High Court” [Cape Argus](#) 7 October 2019

International

- **Biodiversity, animal rights and culture**

“California forestry offset protocol revisions may get bumped to 2020, sources say” [Carbon Pulse](#) 11 October 2019

Esch M “Trout found in Adirondack lake once soured by acid rain” [abcNews](#) 8 October 2019

“Tens of thousands evacuated as California wildfires spread” [News24](#) 12 October 2019

Dalton J “Antique dealers fight to reverse UK’s new ban on ivory trade in defence of ‘freedom to enjoy personal property’” [The Independent](#) 12 October 2019

Gardner T “Last wolves in Africa: the fragile wildlife of Ethiopia’s ravaged parks” [The Guardian](#) 11 October 2019

Barkham P “‘It’s an enormous act of ecological vandalism’: the ancient forests under threat from HS₂” [The Guardian](#) 6 October 2019

- **Climate change and energy**

“Tax CO₂ from largest emitters \$75/t by 2030 to avoid 2C temperature rise, says IMF” [Carbon Pulse](#) 11 October 2019

“EU Market: EUAs surge more than 3% on signs of progress in Brexit talks” [Carbon Pulse](#) 10 October 2019

“EU Parliament wants bloc’s budget to reflect higher climate ambition” [Carbon Pulse](#) 10 October 2019

“Ontario slow to implement climate plan –report” [Carbon Pulse](#) 10 October 2019

“Ontario leader broke law in cancelling carbon market, court finds” [Carbon Pulse](#) 11 October 2019

“Shell expands carbon neutral driving offer to UK with land offsets” [Carbon Pulse](#) 10 October 2019

“Zimbabwe quadruples electricity price as crisis deepens” [TimesLive](#) 9 October 2019

“German cabinet approves tweaked climate package, sending it to parliament” [Carbon Pulse](#) 9 October 2019

“Indonesia sets up agency to deal with climate funding, carbon markets” [Carbon Pulse](#) 9 October 2019

“Article 6 failure at COP25 could force bilateral carbon market links, experts say” [Carbon Pulse](#) 9 October 2019

"Ireland outlines path to raise carbon tax to €80/tonne by 2030" [Carbon Pulse](#) 9 October 2019

"Namibia: Energy Efficiency Key to Fighting Climate Change" [allAfrica](#) 11 October 2019

"Mont Blanc climate change impact revealed in photos 100 years apart" [The Independent](#) 12 October 2019

Mooney C and Friedman A "Huge global carbon tax hike needed in next 10 years to head off climate disaster, says IMF" [The Independent](#) 11 October 2019

Mooney C and Freedman A "Report also finds that economic disruption from tax hike could be offset by redistributing the money to citizens equally" [The Independent](#) 11 October 2019

Murphy K "Australia's tortured energy debate: what is the state of play?" [The Guardian](#) 12 October 2019

- **Local government**

"Smart Green Villages Tackle Climate Change Resilience in Rwanda" [allAfrica](#) 11 October 2019

Buttler M "Copenhagen's \$1.8bn money pot is looking for green targets" [BusinessLive](#) 12 October 2019

- **Mining**

"Tycoons who reap big from the Migori gold mines of death" [Extractives Baraza](#) 8 October 2019

"Sierra Leone cancels mining license of Gerald Group unit" [Extractives Baraza](#) 9 October 2019

"Polish coal region wants its say on new mines" [Extractives Baraza](#) 8 October 2019

Gilbert-Rivett S "Judgment day for controversial mining deal in the Lower Zambezi National Park" [Daily Maverick](#) 10 October 2019

Stoddard E "Coming soon: The world's largest hydrogen mine-haul truck to an Anglo mine" [Daily Maverick](#) 10 October 2019

- **Water, oceans, waste and chemicals**

"EU nations scrambling to halt rising illegal trade in super-pollutants" [Carbon Pulse](#) 11 October 2019

"Accra Waste Collection One of Best Climate Projects in the World" [allAfrica](#) 11 October 2019

"Ethiopia Gets First Wetlands Directory" [allAfrica](#) 12 October 2019

Barr S "Plastic cotton buds now banned in Scotland in fight against 'global climate emergency'" [The Independent](#) 12 October 2019

Frykberg M "Egypt and Ethiopia on collision course over Nile River water resources" [IOL](#) 10 October 2019

“Mystery oil spills blot more than 130 Brazilian beaches” [News24](#) 10 October 2019

- **Miscellaneous**

“After 2 weeks, South Sudan oil leak contained” [Extractives Baraza](#) 8 October 2019

Weston P “‘They should be allowed to cry’: Ecological disaster taking toll on scientists’ mental health” [The Independent](#) 10 October 2019

Weston P “Hidden upside-down ‘rivers’ eroding Antarctic ice shelves” [The Independent](#) 9 October 2019

Witten L “Watch: Why won’t the British give the Chagos Islands back?” [IOL](#) 10 October 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Ground Truth: Engineer, biodiversity and wetland specialists (3 positions)

Closing date: 8 November 2019

More [information](#)

Varsity College: Various vacancies for law lecturers and independent contractors

Closing date: 18 October 2019

More [information](#)

International

Alexander von Humboldt Foundation Call: International Climate Protection Fellowship

Application deadline: 1 March 2020

The Alexander von Humboldt Foundation grants up to 20 fellowships to prospective leaders from non-European transition or developing countries, who are active in any of the following areas: scientific, engineering-based, legal, economic, health-related or social aspects of climate change. The young climate experts will come to Germany for a year to work alongside a host of their own choosing on a research-related project.

Fellowship benefits

- A monthly fellowship of between 2,170 and 2,670, depending on career stage
- Individual mentoring during the stay in Germany
- Additional financial support for items such as family allowances, travel expenses or a German language course
- A three-week introductory phase, during which fellows will have the opportunity to make contact with other climate protection fellows and visit companies, research institutions and cultural events in Germany
- Extensive alumni sponsorship, especially support for networking with collaborative partners in Germany during the fellow's entire professional career

Application requirements

- Citizenship of a non-European transition or developing country which is also the applicants' habitual residence and place of work
- Bachelors or equivalent academic degree completed less than twelve years ago
- A mentoring agreement signed by a host in Germany
- A proposal which candidates must draw up on their own and coordinate with their host.
- Clearly visible leadership potential
- Extensive theme-related professional experience or a successfully completed doctorate

Further information, a list of all application requirements and a link to the online application form are available at www.humboldt-foundation.de/web/ICF.

Advice and contact

If you have any questions regarding the International Climate Protection Fellowship Programme or would like individual guidance, please contact us at info@avh.de.

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 40

11 October 2019

POLICY

Department of Energy - GN 1359 in GG 42778 of 18 October 2019 - Integrated Resource Plan (IRP2019) [according to the News – the wrong version was published]

LEGISLATION

NOTICES

National Water Act 36 of 1998 – Gen Notice 562 in GG 42775 of 18 October 2019 - Determination of water resource classes and resource quality objectives for the Mokolo, Matlabas, Crocodile (West) and Marico catchments

National Forests Act 84 of 1998 – Gen Notice 553 in GG 42775 of 18 October 2019 - Particular trees and particular groups of trees declared 'Champion Trees'

National Nuclear Regulator Act 47 of 1999 - GN R1342 in GG 42773 of 18 October 2019 - Categorisation of the Various Nuclear Installations in the Republic published in GN 581 in GG 26327 of 7 May 2004 substituted with effect from 1 April 2020

International Trade Administration Act 71 of 2002 – Gen Notice 568 in GG 42782 of 18 October 2019 - International Trade Administration Commission of South Africa: Proposed export duty on ferrous and non-ferrous waste and scrap - for comment

National Environmental Management: Protected Areas Act 57 of 2003 - GN 1330 in GG 42775 of 18 October 2019 - Declaration of an area as part of the Addo Elephant National Park

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1328 in GG 42775 of 18 October 2019 - Draft Biodiversity Management Plan for the African Penguin - for comment

National Environmental Management: Biodiversity Act 10 of 2004 - GN 1329 in GG 42775 of 18 October 2019 - Draft Norms and Standards relating to the Management of Seabirds in Captivity - for comment

PROVINCES

North West

Constitution of the Republic of South Africa, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 144 in *PG 8065* of 15 October 2019 - Tswaing and Lekwa-Teemane Local Municipalities - Intention to review and amend the Land Use Scheme, 2011 and Land Use Scheme, 2010 - for comment

Constitution of the Republic of South Africa, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013- LAN 163 in *PG 8065* of 15 October 2019 - Kagisano Molopo Local Municipality - Land Use Scheme 2019

PUBLICATIONS

National

Freedman W “The principle of passivity and the obligation to build within a specified time – A critical analysis of *Bondev Midrand (Pty) Ltd v Pulling; Bondev Midrand (Pth) Ltd v Ramokgopa*” 2019 *THRHR* 482

Water Research Commission *Water Resilient Cities* (Water Research Commission [SP 130/19](#) October 2019)

Ashukem J-C “Exploring the effectiveness of the rights-based approach to environmental governance in Cameroon: What could be learned from South Africa” 2019 52(1) *CILSA* 42-74

Meyer Yolandi “Initiatives Aimed at Ensuring Transparency and Accountability in the Nigerian Petroleum Industry: A Critical Appraisal of the Nigeria Extractive Industry Transparency Initiative (NEITI), the NEITI Act and the Petroleum Industry Governance Bill (PIGB)” 2019 34(1) [Southern African Public Law](#) DOI: <https://doi.org/10.25159/2522-6800/4761>

International

Larson JJ “House of the Rising Sun: *SolarCity Corp v Arizona Department of Revenue* and the taxation of leased solar panels” 2019 59(3) *Jurimetrics* 375

Demajorovic J *et al* “The Samarco dam disaster: A grave challenge to social license to operate discourse” 2019 61 *Resource Policy* 273-282 <https://doi.org/10.1016/j.resourpol.2019.01.017>

Climate Change and the Voiceless: Protecting Future Generations, Wildlife, and Natural Resources ([Cambridge University Press](#) 2019)

Smith Don C, Banet Catherine & Martinez Romera Beatriz “Teaching the law of energy transition in the era of internationalisation and digitalisation of legal university education: the Transatlantic University Collaboration in Climate Change and Energy Law (TUCCCEL) programme” 2019 37(4) [*Journal of Energy & Natural Resources Law*](#) 443-464, DOI: [10.1080/02646811.2019.1663048](#)

2019 20(2) [*Journal of Human Rights & the Environment*](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Webber Wentzel](#): Van der Poel J and Felekis A “A snap shot of the Integrated Resource Plan 2019” 18 October 2019

Africa

- **Biodiversity**

[The Guardian](#): Yeung P “Ivory Coast law could see chocolate industry ‘wipe out’ protected forests” 16 October 2019

- **Climate change and energy**

[The Independent](#): “In photos: Finding food on the front line of climate change” 20 October 2019

[The Independent](#): Dalton J “Qatar now so hot it has started air-conditioning the outdoors” 19 October 2019

- **Local government**

[Place](#): Bacchi U “Can Dubai go green with flying taxis and 'rooms on wheels'?” 17 October 2019

- **Water, waste and chemicals**

[UNDP](#): Wignaraja Kanni “No more 'make, take and dispose'” 1 October 2019

International

- **Biodiversity, protected areas and culture**

[Place](#): Scrugges G “‘Symbolic rent’: Seattle residents pay reparations to Native American tribe” 14 October 2019

[The Guardian](#): Holden E “‘The smell will knock you off your feet’: mass mussel die-offs baffle scientists” 16 October 2019

[The Guardian](#): McKie R “Seven Worlds, One Planet: conservation is the key to new Attenborough series” 20 October 2019

- **Climate change and energy**

[Place](#): Bacchi U “Youth activists leave little room for climate inaction, world mayors say” 11 October 2019

[YouTube](#): “Why is the Amazon on fire?” asks UNDP Goodwill Ambassador Nikolaj Coster-Waldau” 23 September 2019

[UNDP](#): “Using ‘The Matrix’ to feel climate change” 30 September 2019

[Science](#): Stokstad E “Unprecedented drought in an artificial ecosystem may reveal how rainforests will cope with climate change” 16 October 2019

[Carbon Pulse](#): “PG&E bondholders, wildfire victims submit \$29 bln alternative bankruptcy proposal” 18 October 2019

[Development Asia](#): Lu L “Closing the Industrial Energy Efficiency Financing Gap” (October 2019)

[The Guardian](#): Gardner S “Resisting drought's day zero: the NSW towns close to running dry” 19 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “Pre-COP Links UN Climate Action Summit and Santiago Climate Change Conference” 17 October 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Carbon Pricing and Markets Update: Can Santiago Climate Change Conference Agree on Mechanism to Deliver Ambition?” 17 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “UNFCCC Paper Discusses Climate Impacts on Agrifood Sector, SDG Linkages” 17 October 2019

- **Local government**

[Place](#): Tabary Z “Urban humans: Cities go up, down and high-tech to combat rising threats” 16 October 2019

[Place](#): Future cool: Malo S “Minnesota city ponders new boom as a climate migrant destination” 16 October 2019

[Place](#): Chandran R “In Asia's booming cities, urban planners urged to include the poor” 16 October 2019

[Place](#): Bacchi U “More trees, less cars: cities pledge cleaner air” 11 October 2019

[Place](#): Chandran R “Delhi hawkers to be free from threat of eviction after five-year delay” 10 October 2019

[Place](#): Biron CL and Suliman A “Ssssh: As cities surge, some seek a new aim - peace and quiet” 18 October 2019

[Malaymail](#): Chandran R “Crowded Hong Kong goes underground to overcome land crunch” 19 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “[WRI Paper](#) Analyzes Linkages Between Urban Adaptation, SDGs” 17 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “Partners Launch Initiative to Finance Climate-smart Urban Projects” 17 October 2019

- **Mining**

[Workshop Proceedings](#): “Towards a Global Research Consortium on Tailings First Consultation Workshop, Santiago, Chile Tuesday 9 July, 2019 SMI-International Centre of Excellence in Chile, Las Condes Workshop Report”

[Pacific Beat](#): Srinivasan Prianka “One month since Ramu nickel mine accident, experts urge better mining waste management” October 2019

[Science](#): Perkins S “How the world’s largest geode grew to half the size of a small bedroom” 18 October 2019

[The Guardian](#): Doward J “Oligarchs at war in London over mystery of missing Siberian” 20 October 2019

The Guardian [Picture Essay](#): “Wahala: trouble in the Niger delta – photo essay” 18 October 2019

[The Guardian](#): Greenfield P “Top investment banks provide billions to expand fossil fuel industry” 14 October 2019

[The Guardian](#): Cartwright J “Don’t frack with us: meet the victorious activist ‘Nanas’ of Lancashire” 13 October 2019

- **Water, oceans, waste and chemicals**

[IISD](#) ENB: Budapest Water Summit (BWS) 2019 Preventing Water Crises 15-17 October 2019 | Budapest, Hungary

[The Independent](#): Ashoka S “After monsoon rains dredged up Mumbai’s plastic problem, grassroots groups might finally turn the tide” 20 October 2019

[The Independent](#): Weston P “Plastic bags were created to save the planet, inventor’s son says” 17 October 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Rotterdam Convention Review Committee Recommends Making Flame Retardant Subject to PIC Procedure” 17 October 2019

[IISD](#) SDG Knowledge Hub: Wagner L “POPRC Recommends Elimination of One Industrial Chemical, Further Review of Two Organic Pollutants” 17 October 2019

- **Miscellaneous**

[Place](#): Savage R “Evolve or die - the stark choice facing America's 'women's lands'” 15 October 2019

[UNDP](#): “Mapping the essentials for a dignified life Looking at poverty from every angle”

[UNDP](#): Davidsen EB “Beyond profit: how SDG Impact helps the private sector” 17 September 2019

[Science](#): Cornwall W “Now retired, top U.S. environmental scientist feels free to speak her mind” 17 October 2019

[Science](#): Voosen P “Underwater volcano belched explosive bubbles larger than a stadium” 14 October 2019

[Institute for Policy Integrity](#): “Roundup: Trump-Era Agency Policy in the Courts”
The Institute for Policy Integrity tracks the outcomes of litigation over the Trump administration’s use of agencies to deregulate as well as to implement its other policy priorities

[The Guardian](#): Lamb K and Ahsan A “The Bangladeshi crab farmers battling climate crisis – and pirates” 18 October 2019

[The Guardian](#): McKenna K “Time to recognise that western greed is one of the causes of global hunger” 20 October 2019

[The Guardian](#): “The Guardian view on the IMF and World Bank: back a global Green New Deal” 17 October 2019

[IISD](#) SDG Knowledge Hub: Surasky J “Towards Second-Generation Voluntary National Reviews” 17 October 2019

[Science](#): Voosen P “NASA must rework planetary protection plans, panel advises” 18 October 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “UNGA Adopts SDG Summit Outcome, Looks to Decade of Achievement” 17 October 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

ELA Eastern Cape Regional Event in conjunction with the Faculty of Law, NMU: Presentation by the former Water and Environment Portfolio Manager for OUTA, mr Siqhamo Yamkela Ntola

Date: 28 October 2019

Venue: Moot Court, Faculty of Law, Nelson Mandela University

Time: 15:00-17:00

RSVP to [Tanya Wagenaar](#) for catering purposes

IAIAsa Free State Regional event: Can the Fourth Industrial Revolution stop the Sixth Mass Extinction by Sean O'Beirne

Date: Wednesday 30 October 2019

Time: 18h00 -20h00

Venue: Room GEO 1.5, Geography Department, UFS

More [information](#)

Imbewu: Environmental Law Update Workshop – Date change

Date: **29 October 2019**

Time: 08h30 to 16h30

Venue: IMBEWU's offices, Rosebank, Johannesburg

More [information](#) on the team / 011 214 0660 / contact [Lulu](#)

[Registration](#) and [Programme](#)

NWU: Centre for Environmental Management Short Courses

- **CEM-06.6.1 Climate change management**
Date: 28 October - 1 November 2019
- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 4 - 8 November 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

University of the Witwatersrand, Johannesburg Summary of 2020 1st Semester Postgraduate Certificate Courses

Dates: 11 January to 22 June 2020

The Mandela Institute at the School of Law, University of the Witwatersrand, Johannesburg offers continuous professional development through stand-alone postgraduate certificate courses aimed at legal practitioners and graduates who wish to gain new legal knowledge, update their skills or specializing in a particular law field in the 1st semester during the period 11 January to 22 June 2020:

- Basic Administrative Law for Regulators
- Law and Sustainability I
- Local Government Law
- Mining Tax Law
- Risk, Compliance and Governance
- Water Law

Course details, entry requirements and application process can be found on the Mandela Institute [website](#).

Registration closes on Friday 29 November 2019.

Registration and enquiries: Mandela Institute, Tel: 011 717 8435/8438; [E-mail](#).

University of Pretoria Enterprises: Short course: Environmental Law

Date: 18-23 November 2019

[Registration](#)

International

Power Futures Lab at the University of Cape Town's Graduate School of Business is hosting the African Module of Open Africa Power 2020, an education venture initiated by the Enel Foundation in partnership with leading academic institutions in Italy and Africa

The call for applications is open from 1 – 31 October 2019 to high profile African students undergoing or having recently completed Master's, MBA or PhD studies.

The programme runs for 6 months, with two residential training modules (one opening week in Cape Town and two closing weeks in Italy) and an online learning module.

For more information, please see the attached application and FAQ documents and/or visit the programme [website](#)

IEA Webinar: Renewables 2019: Analysis and forecast to 2024

Date: Wednesday, 30 October 2019

Time: 15:00 CET / 10:00 EST

The IEA's *Renewables 2019* market report provides detailed renewable energy analysis and forecasts (2019-24) for the electricity, heat and transport sectors. In this webinar the report authors will discuss policy developments and the drivers and challenges of renewable energy deployment in the next five years, across all three sectors.

In addition, this year's report has a special focus on distributed solar PV covering the use of solar power systems by households, businesses and industry to generate their own electricity. *Renewables 2019* assesses distributed solar PV's current state of play, maps out its huge growth potential and discusses the key implications for policy makers, utilities and consumers associated with its use.

During the webinar, you will have the chance to ask questions directly to our renewable energy experts.

[Register](#)

2nd COASTAL Biogas conference

Place: Roskilde, Denmark

Date: 13th of November 2019

Coastal Biogas revolves around co-digestion of cast seaweed as means to remove nutrients from the Baltic Sea, keep the beaches clean, produce biogas and organic fertiliser, contribute to regional development and new job opportunities as well as the transition to a circular bio-economy.

On the 14th of November there is a study tour to Solrod Biogas plant, currently the only facility in the Baltic Sea region (perhaps in the world) where cast seaweed is co-digested in industrial scale.

Both the conference and the study tour are free of charge but limited to 50 people. Please note that we are not able to provide any visa invitation letter for a free conference.

For more info on programme and [registration](#)

National

- **Biodiversity**

Cruywagen V “Cape lawyer in abalone case 'ought to have known' R6m was from crime proceeds” [IOL](#) 15 October 2019

Legislation: Endangered species reclassified as ‘farm animals’

“Members of the public were not consulted on amendments gazetted in May to regulations under the 1998 Animal Improvement Act reclassifying ‘33 wild species as farm animals’ (Daily Maverick). Seeking to accommodate ‘changing’ animal production systems in SA, they were apparently prompted by a request in 2017 from industry stakeholders for ‘facilitating’ legislation. However, in July the Department of Environment, Forestry & Fisheries issued a media statement making it very clear that the amended regulations do not supersede those applicable to threatened or protected species under the 2004 National Environmental Management: Biodiversity Act.”

Read full report in Legalbrief Policy Watch 17 October 2019

Tobias N “Poaching taken over by organised crime syndicates: Poor policing makes it worse” [Daily Maverick](#) 17 October 2019

- **Climate change and energy**

Ensor L “Cabinet approves integrated resource plan” [TimesLive](#) 17 October 2019

Paton C “Government boo-boo sees wrong version of energy plan published” [TimesLive](#) 18 October 2019

“New Nuclear Plants Planned to Combat South African Energy Crisis” [allAfrica](#) 18 October 2019

Merten M “IRP2019: coal dominance continues, with nods to renewables – and nuclear” [Daily Maverick](#) 18 October 2019

Paton C “Solar photovoltaic and wind to play bigger part in new energy plan” [BusinessLive](#) 18 October 2019

Mantshantsha S “Eskom in court bid to raise electricity prices 16% to recover R69bn cash bailout — and to raise another R34bn” [Daily Maverick](#) 18 October 2019

Mahlangu N “Extinction Rebellion pickets Gwede Mantashe’s department” [GroundUp](#) 11 October 2019

Davie K “Cleaner energy hits tipping point” [Mail & Guardian](#) 18 October 2019 [subscription or newspaper needed]

“Climate Change Causes a Rethink of Diwali Fireworks” [allAfrica](#) 16 October 2019

Steyn L “More electricity is ‘urgently needed’ to boost reserves, Gwede Mantashe says” [BusinessLive](#) 18 October 2019

- **Local government**

Evans J “Urban farming vs housing and jobs: Cape court hears challenge over Philippi farm land” [News24](#) 16 October 2019 [Legalbrief 17 October 2019]

Shange N “DA wants ANC EC municipal boss criminally charged as raw sewage flows into rivers” [TimesLive](#) 17 October 2019

- **Water, waste, oceans and chemicals**

Ngobeni L “Pollution at Centurion Lake will take years to fix” [IOL](#) 19 October 2019

Tonisi L “South Africa: Water Scarcity in South Africa and the Precarious Road Ahead” [allAfrica](#) 18 October 2019

- **Miscellaneous**

Buildings in urban development zones and tax

“An amendment to s 13quat(7)(bA) of the Income Tax Act corrects an incorrect reference by deleting the reference to s 13quat(6)(c) and making reference to s 13quat(6)(b), since s 13quat(6)(c) does not exist. Section 13quat(6)(bA) in its 'amended' form now states that when a municipality has a population of less than 1 million persons, the Minister may by notice in the Gazette approve it for the purposes of s 13quat(6)(b).

The above amendment to s 13quat(7)(bA) is effective as from the date of promulgation of the Taxation Laws Amendment Act 23 of 2018: 17 January 2019.” [2019 58(5) *Income Tax Reporter* 262]

International

- **Biodiversity, animal rights and culture**

Cox L “Australia and European Union push for east Antarctic marine sanctuary” [The Guardian](#) 20 October 2019

Doherty B “Cook Islands: manager of world's biggest marine park says she lost job for backing sea mining moratorium” [The Guardian](#) 19 October 2019

- **Climate change and energy**

“Russia scraps carbon tax plans after industry pushback” [Carbon Pulse](#) 17 October 2019

“Regulator data shows Australian near-term offset supply sufficient, but question marks ahead” [Carbon Pulse](#) 18 October 2019

Ambrose J “Energy watchdog accused of stalling electric vehicle rollout” [The Guardian](#) 18 October 2019

Morton A and Davies A “Australia spends billions planting trees – then wipes out carbon gains by bulldozing them” [The Guardian](#) 16 October 2019

Wahlquist C “Volkswagen's \$75m fine over diesel emissions scandal rejected by judge” [The Guardian](#) 16 October 2019

Tabuchi H “Despite their promises, giant energy companies burn away vast amounts of natural gas” [New York Times](#) 16 October 2019

Hannam P “The culprit behind east Australia's big dry” [Sydney Morning Herald](#) 20 October 2019

Snow D “Why 'doomism' is part of the latest frontier in the climate wars” [Sydney Morning Herald](#) 19 October 2019

- **Local government**

Harvey F “Little progress made in tackling air pollution in Europe, research says” [The Guardian](#) 16 October 2019

- **Mining**

Criminal: Zimbabwe mine attempts to recoup stolen funds

“Zimbabwe's Mimosa Mine, a joint venture between Mauritius-based Aquarius Platinum and SA's Impala Platinum, is battling to recover about US\$700 000 from employees found guilty of defrauding the company. The Sunday Times reports that the firm fired 37 employees implicated after an internal investigation and disciplinary hearing found them guilty of falsely claiming acting allowances for almost five years. It is pursuing a criminal case against former employee Prosper Vundurai, a shift manager accused of being the mastermind behind the alleged fraud. MD Farai Makoni said the internal audit showed the 37 ex-employees received monthly allowances for supposedly acting in various posts after signatures were forged on salary forms. 'Unfortunately due to the confidential nature of payroll we cannot release detailed information,' he said.”

Full Sunday Times report (subscription needed) Legalbrief Forensic 17 October 2019

Litigation: Swiss oil firm fined for bribery in Africa

“Swiss prosecutors yesterday fined oil trading firm Gunvor Group almost \$95m for corruption in Congo-Brazzaville and Ivory Coast. In a damning verdict, Switzerland's Attorney-General said the Geneva-based company had failed to take all of the 'organisational measures that were reasonable and necessary' to prevent its employees and agents from bribing public officials to win oil deals in both countries between 2009 and 2011. 'The investigation revealed that during the period under scrutiny, Gunvor had taken no organisational measures to prevent corruption in its business activities: the company did not have a code of conduct to give a clear signal and guidance to its employees on their activities, nor did it have a compliance programme,' the AG said. The Financial Times reports that the penalty is one of the largest levied on a commodity trading company by Swiss authorities, which have faced calls to impose tougher rules on the industry. BBC News reports that Gunvor said the settlement amounts to about 3% of total trading profits for the firm between 2009 and 2011. Company director Torbjorn Tornqvist admitted that its compliance programme was 'inadequate' during that period.”

Full BBC News report | Full Financial Times report | Legalbrief 18 October 2019

- **Water, oceans, waste and chemicals**

Cockburn H “Mysterious disappearance of Scottish loch's water exposes parts of ancient settlement not seen since 1300s” [The Independent](#) 17 October 2019

- **Miscellaneous**

Njoroge R “Belt and Road Initiative could help Africa achieve transformation agenda” [IOL](#) 18 October 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

UKZN: Lecturer Philosophy

Closing date: 10 November 2019

More [information](#)

UCT: Research Coordinator: Research Development Academy

Closing date: 4 November 2019

More [information](#)

Eskom: Internships 2020

More [information](#)

International

Alexander von Humboldt Foundation Call: International Climate Protection Fellowship

Application deadline: 1 March 2020

The Alexander von Humboldt Foundation grants up to 20 fellowships to prospective leaders from non-European transition or developing countries, who are active in any of the following areas: scientific, engineering-based, legal, economic, health-related or social aspects of climate change. The young climate experts will come to Germany for a year to work alongside a host of their own choosing on a research-related project.

Fellowship benefits

- A monthly fellowship of between 2,170 and 2,670, depending on career stage
- Individual mentoring during the stay in Germany
- Additional financial support for items such as family allowances, travel expenses or a German language course
- A three-week introductory phase, during which fellows will have the opportunity to make contact with other climate protection fellows and visit companies, research institutions and cultural events in Germany
- Extensive alumni sponsorship, especially support for networking with collaborative partners in Germany during the fellow's entire professional career

Application requirements

- Citizenship of a non-European transition or developing country which is also the applicants' habitual residence and place of work
- Bachelors or equivalent academic degree completed less than twelve years ago
- A mentoring agreement signed by a host in Germany
- A proposal which candidates must draw up on their own and coordinate with their host.
- Clearly visible leadership potential

- Extensive theme-related professional experience or a successfully completed doctorate

Further information, a list of all application requirements and a link to the online application form are available at www.humboldt-foundation.de/web/ICF.

Advice and contact

If you have any questions regarding the International Climate Protection Fellowship Programme or would like individual guidance, please contact us at info@avh.de.

PhD position (4 yrs) in the Netherlands in climate research of which 4 at Utrecht University (also other positions available @ other universities)

Closing date: 31 October 2019

More [information](#) on positions at Utrecht / for other themes and positions find the information [here](#)

Hiring: Tobias Simon Chair in Public Law

The Florida State University College of Law invites applications and nominations for the Tobias Simon Chair in Public Law. The Chair was established in honor of Tobias Simon, a well-known civil rights lawyer and late professor at the College of Law. Candidates must hold a J.D., Ph.D., or equivalent degree, have significant experience (5 years minimum) in teaching and/or practice, and be qualified for appointment as a tenured, full professor. Candidates must have a distinguished publication record in a public law field, including, but not limited to, civil rights and civil liberties, international law, and public policy.

If interested, please send a letter of application and curriculum vitae to:

Professor Sam Wiseman, Chair Tobias Simon Chair Search Committee Florida State University College of Law Tallahassee, FL 32306-1601 OR [email](#).

Applications will be accepted through December 20, 2019.

An Equal Opportunity/Access/Affirmative Action/Pro Disabled & Veteran Employer.

FSU's Equal Opportunity Statement can be viewed [here](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 41

25 October 2019

POLICY

Electricity Regulation Act 4 of 2006 - GN 1360 in GG 42784 of 18 October 2019
- Integrated Resource Plan (IRP2019) published and GN 1359 in GG 42778 of 18 October 2019 withdrawn

BILLS

Judicial Matters Amendment Bill, 2019 [B13-2019]

Independent Electricity Management Operator Bill, 2019 [B14-2019]

LEGISLATION

NOTICES

Petroleum Products Act 120 of 1977 - GN R1379 in GG 42789 of 25 October 2019 - Draft Regulations in respect of the Maximum Refinery Gate Price of Liquefied Petroleum Gas - for comment

National Road Traffic Act 93 of 1996 - GN 1387 in GG 41799 of 25 October 2019 - Approved Dangerous Goods Training Bodies published in terms of reg. 280(1) of the National Road Traffic Regulations, 2000

Competition Act 89 of 1998 - GN 1386 in GG 42794 of 25 October 2019 - Competition Commission of South Africa - Abalone Farmers Association of South Africa (AFASA) - Grant of conditional exemption for twelve months

Promotion Of Access To Information Act 2 of 2000 – Gen Notice 581 in GG 42795 of 25 October 2019 - Description submitted in terms of s. 15 (1) by the KwaZulu-Natal Department of Agriculture and Rural Development

PROVINCES

North West

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 165 in PG 8066 of 22 October 2019 - Kagisano Molopo Local Municipality - Spatial Planning and Land Use Management By-law of 2019

- **Eastern Cape**

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 255 in PG 4329 of 21 October 2019 - Mbizana Local Municipality - Street Trading By-law, 2016

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 256 in PG 4329 of 21 October 2019 - Mbizana Local Municipality: Municipal Pound By-law, 2019

Disaster Management Act 57 of 2002 - LAN 263 in PG 4329 of 21 October 2019 - Kouga Local Municipality - Declaration of a local state of drought disaster as published under LAN 81 in PG 4226 of 15 April 2019 extended for a further month

MPUMALANGA

Mpumalanga Town Planning and Land Related Laws Repeal Act 2 of 2016 – PN 134 in PG 3099 of 24 October 2019 - commended 1 October 2019

Repeals: Regulations for the Administration and Control of Townships in Black Areas (Proclamation R293 of 1962); Removal of Restrictions Act 84 of 1967; Physical Planning Act 88 of 1967; Black Communities Development Act 4 of 1984; Town Planning and Townships Ordinance 15 of 1986; Division of Land Ordinance 20 of 1986; Regulations Relating to Township Establishment and Land Use (GN R1897 of 1986); Abolition of Racially Based Land Measures Act 108 of 1991) and Less Formal Township Establishment Act 113 of 1991 in so far as assigned to the Province

PUBLICATIONS

National

Juta Pocket Statutes “Protected Disclosures Act 26 of 2000 & Regulations” ([Juta](#) October 2019)

Juta Statutes ebook “Mineral and Petroleum Resources Development Act 28 of 2002 & Related Material; Mineral and Petroleum Resources Royalty Act 29 of 2008; Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008 (eBook) 2e” ([Juta](#) 2019)

Juta Statutes ebook “Local Government: Municipal Systems Act 32 of 2000 & Regulations (eBook) 2nd ed ([Juta](#) 2019)

International

2019 1(7) [Energy Review](#)

Siddarth S (ed) *Enabling sustainable energy transitions: Practices of legitimization and accountable governance* (Palgrave 2019) [Open access](#)

2019 14(1) [Community Development Innovation Review](#) - Issue on Strategies to Address Climate Change Risk in Low- and Moderate-income Communities

Schmitt RJP *et al* “Planning dam portfolios for low sediment trapping shows limits for sustainable hydropower in the Mekong” 2019 5(10) [Science Advances](#) DOI: 10.1126/sciadv.aaw2175

Renewable Energy Institute “Risk Analysis of Coal-Fired Power Plant Investment in Japan: Exposure to Stranded Asset Risk in the Energy Transition Period” ([Report](#) - translation of the Japanese version released on 3 October 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Webber Wentzel](#): “Key takeaways from the Integrated Resource Plan 2019 – unpacking the corrected version” 21 October 2019

- **Mining**

[GroundUp](#): Wicomb W “The chief, the mines and the lost Bakgatla billions” 25 October 2019

- **Miscellaneous**

[Webber Wentzel](#): “National Environmental Management Laws Amendment Bill IV revived in Parliament” 22 October 2019

Africa

- **Climate change and energy**

[Mail & Guardian](#): Gahouma T and White L “Developing countries like Gabon are finding climate solutions” 25 October 2019

- **Local government**

[Place](#): Peyton N “African slum map exposes true scale of urban poverty” 23 October 2019

- **Miscellaneous**

[The Jurist](#): Mauroni A “Amnesty: Many African states not cooperating with human rights efforts” 22 October 2019

[Natural Justice](#): Nick Sabrina “My Kenyan Experience at Natural Justice” 14 October 2019

International

- **Biodiversity, protected areas and culture**

[Place](#): Biron CL “Historic U.S. island return to native tribe 'path forward' for other land transfers” 21 October 2019

[Science](#): Popkin G “Catchy findings have propelled this young ecologist to fame—and enraged his critics” 24 October 2019

[Science](#): Pennisi E “How life blossomed after the dinosaurs died” 24 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “48 States Commit to Ratify Cape Town Agreement” 24 October 2019

- **Climate change and energy**

Vermont Law School Hothouse Earth [Podcast](#): Dorfman E, Mendell R and Speth G “Episode #7 On the Streets and In the Courts: The Youth Climate Movement” October 2019

[Science](#): Kupferschmidt K “Hold my beer. Munich’s Oktoberfest beats Boston for methane emissions” 25 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “WBG/IMF Annual Meetings Focus on Better Outcomes for Poor, Climate Investments” 24 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “Nuclear Power Conference Discusses #Atoms4Climate” 24 October 2019

[IISD](#) SDG Knowledge Hub: Leone F “UNGA Second Committee Receives Snapshots from Each UN Region” 24 October 2019

[Bulletin](#) of Atomic Scientists: Melero J “Puerto Rico’s clean-energy and grid-restoration efforts still in doubt” 24 October 2019

[Bulletin](#) of Atomic Scientists: Drolette D “Tilting towards wind mills” October 2019

[Global Solar Atlas](#) Version 2.0 (updated)

[Global Wind Atlas](#) Version 3.0 (updated)

- **Local government**

[ICLEI](#): Pasig City, Philippines launches platform for inclusive climate action – find the platform [here](#)

[ICLEI](#) City Talk: “Anna Reynolds, Lord Mayor of Hobart, Australia, on the special role of capital cities in combating climate change” 25 October 2019

[Place](#): Chandran R “Four million slum dwellers in Delhi to win property rights” 25 October 2019

[IISD](#) SDG Knowledge Hub: Mead L “C40 Mayors Summit Accelerates Cities’ Climate Action through Low-carbon Food, Clean Air Initiatives” 24 October 2019

- **Water, oceans, waste and chemicals**

[Place](#): Shearman S “From code to cleanliness: social entrepreneurs support San Francisco’s homeless” 23 October 2019

- **Miscellaneous**

[Place](#): Biron CL “Promise of an empty box: Mini-pantries bring free food, solidarity to U.S. streets” 21 October 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNICEF [Report](#) Warns the Global Food System is Failing Children” 24 October 2019

[The Guardian](#): Lakhani N “‘Racism dictates who gets dumped on’: how environmental injustice divides the world” 21 October 2019

[Natural Justice](#): Vaalbooi I “In Order to Heal the Land, We Have to Heal the People” 22 October 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

NWU: Centre for Environmental Management Short Courses

- **CEM-04.1.1 Environmental management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.2.1 Occupational health and safety management system - lead auditor**
Date: 4 - 8 November 2019
- **CEM-04.4.1 Legal compliance - lead auditor**
Date: 4 - 8 November 2019

A course will only be presented if enough participants register. In-house courses may, however, also be arranged.

Contact: (018) 299 2714 / [email](#) / [website](#)

The Conservation Symposium Ezemvelo

Dates: 4-8 November 2019

Place: St Ives, KwaZulu-Natal Midlands

More [information](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

University of the Witwatersrand, Johannesburg Summary of 2020 1st Semester Postgraduate Certificate Courses

Dates: 11 January to 22 June 2020

The Mandela Institute at the School of Law, University of the Witwatersrand, Johannesburg offers continuous professional development through stand-alone postgraduate certificate courses aimed at legal practitioners and graduates who

wish to gain new legal knowledge, update their skills or specializing in a particular law field in the 1st semester during the period 11 January to 22 June 2020:

- Basic Administrative Law for Regulators
- Law and Sustainability I
- Local Government Law
- Mining Tax Law
- Risk, Compliance and Governance
- Water Law

Course details, entry requirements and application process can be found on the Mandela Institute [website](#).

Registration closes on Friday 29 November 2019.

Registration and enquiries: Mandela Institute, Tel: 011 717 8435/8438; [E-mail](#).

UCT Law Short Courses: Public Participation for Environmental Governance: Essential Elements, Skills & Strategies

Date: 4-5 November 2019

Overview of historical perspectives, SA legislative and regulatory framework, international trends and a new vision for participatory democracy in environmental decision making. An immersive learning experience through interactive group work, role-plays, enabling delegates to examine their own challenges and to apply insights, skills and knowledge in planning and implementing effective public engagement strategies.

Registration and more [information](#)

University of Pretoria Enterprises: Short course: Environmental Law

Date: 18-23 November 2019

[Registration](#)

International

Juris Diversitas 7th General Conference: The Dark Side of the Law: Call for Papers

Place: Catania (Italy)

Date: 3-5 June 2020

Proposals should be in *English* or in *French*. Proposals of circa 250 words (or 1000 words for panel proposals with three or more speakers) should be submitted to Professor Salvatore Mancuso at: smancuso63@yahoo.it by December 31, 2019.

All inquiries should be addressed to Salvatore - smancuso63@yahoo.it or to Olivier Moreteau - olivier.moreteau@law.lsu.edu

More [information](#)

EnJust Workshop "Bridging research, policy and activism for environmental justice in times of crises"

Place: Freiburg, Germany

Date: 27-29 May 2020

Deadline for abstracts: 31 October 2019

In the face of the global multi-dimensional sustainability crises, questions of environmental justice have gained new momentum. During most of the 20th century issues of environmental justice revolved primarily around local impacts of air pollution, contamination of soils and water bodies with toxic substances and exposure of socially or economically marginalized groups to environmental

hazards. More recent environmental justice concerns have expanded in space and time. There is increasing acknowledgement of the complexity of environmental justice in the Anthropocene, spanning different spatial scales and pertaining to justice-related questions about the present as well as the near and far future. This includes, but is not limited to, processes of the degradation of our global commons and their local effects; dispersed, yet structurally comparable struggles for survival of indigenous groups; and injustices as a result of local-to-global-scale policies and regulations designed as a response to environmental crises.

In light of this situation of fragmented but systemic exploitation and degradation, we would like to use the forum of the EnJust workshop to discuss the role of the environmental justice movement which we understand to be an inclusive and diverse community. In particular, we hope to generate debate on how new alliances, connected and inclusive approaches, and innovative methods may be used to contribute towards greater concern for justice issues in the context of environmental crises. Complexity, uncertainty and plurality create amalgamations between once distinct domains of knowledge and action as well as formerly unrelated fields of environmental justice work: activists become researchers with access to critical inside information, policy-makers co-produce knowledge jointly with scientists, and academics have a desire to – or are forced to – leave the ivory tower to engage in, as well as study, the politics of environmental degradation in order to contribute to more just futures.

This workshop, collaboratively organized by the Institute of Environmental Social Sciences and Geography at the University of Freiburg and the EnJust Network for Environmental Justice, aims at fostering debate and learning processes about the roles, responsibilities and approaches of the emerging inter- and transdisciplinary environmental justice movement composed of scholars, activists and decision-makers.

The workshop will bring together individuals from these groups, who self-identify with the environmental justice movement, in order to critically engage with current research, concrete ideas, practices, and methods for bridging the divides between environmental justice research and practice, between activism and scientific study, and between collective and individual decision-making. It will provide a space to collectively explore and deepen transdisciplinary work and activist-research for a more just and fairer future.

We invite researchers, activists, planners and policy-makers from academic, governmental and non-governmental organizations to submit their ideas for contributions at the workshop, in line with the abovementioned themes. Topics might include, but are not limited to:

- Potential and challenges of transdisciplinary work
- Participatory and activist research
- Artistic research and the role of art-based approaches
- Environmental justice and policy-making
- New municipalism and urban politics
- (Local) coalitions for environmental justice
- Struggles of indigenous communities

Contributions should be submitted as an abstract for a 'traditional' conference paper, a poster or an intervention of up to 400 words by **31 October 2019** and [emailed](#). Please mark clearly at the top of your abstract which of the following three contributions your abstract refers to:

- Papers should highlight a current or recent research or practice project and include a discussion of both methods/approaches and (preliminary or final) results.
- Posters, in addition to presenting current or recent initiatives, may also focus on research or practice ideas and projects still at the planning stage.
- Interventions should contain an interactive element, such as presenting and discussing audiovisual or artistic material.

Queries, [email](#) the organisers

Call for Papers: Human Rights & Climate Crisis - deadline October 31, 2019

Date: 28 February 2020

UCLA's Promise Institute for Human Rights, Emmett Institute on Climate Change and the Environment, and Journal of International Law and Foreign Affairs (JILFA) are excited to host a day-long conference at the UCLA School of Law on Friday, February 28, 2020. Building on the interconnectedness of human rights and the environment, this Symposium will explore the potential of rights-based legal mechanisms to both halt and seek remedy for environmental harms, with a particular focus on climate change.

UCLA Journal of International Law and Foreign Affairs will be publishing a special edition in connection with the Symposium. Papers selected for the JILFA special edition will either be presented on the conference plenary panels or at a lunchtime workshop.

For more information, please consult the [Symposium page](#).

The deadline for abstracts is October 31, 2019, 5pm Pacific Time. Please submit materials via [email](#) with the subject line: 2020 Symposium Proposal. Only complete applications will be reviewed. Successful applicants will be notified via email no later than November 15, 2019.

National

• **Biodiversity**

Evans J "Four lions, dubbed the 'Pride of Tshwane', found hacked to death in reserve" [News24](#) 25 October 2019

• **Climate change and energy**

Jika T "Eskom wastes R300m on housing" [Mail & Guardian](#) 25 October 2019

Davie K "Power stations truck up Eskom's image" [Mail & Guardian](#) 25 October 2019

Mkhwanazi S "Salga could take Eskom to court over electricity supply impasse" [IOL](#) 26 October 2019

Fabricius P "Ramaphosa pleads poverty as Putin – again – pitches that big nuke deal" [Daily Maverick](#) 25 October 2019

- **Local government**

Karim AA “City approves R14-billion Foreshore development despite objections” [GroundUp](#) 25 October 2019

Kiewit L “Filthy factory torments neighbours” [Mail & Guardian](#) 25 October 2019

- **Mining**

“Watch: Is there a future for coal mining in SA?” [BusinessLive](#) 22 October 2019

- **Water, waste, oceans and chemicals**

Kings S “Our future is here: Empty taps, dry lands, thirsty power plants” [Mail & Guardian](#) 25 October 2019 [subscription / newspaper needed]

Somdyala K “Water department fast tracks plans to deal with country's water woes” [News24](#) 26 October 2019

- **Miscellaneous**

“SA best African country to fight pandemics, according to global index” [News24](#) 26 October 2019

Nortier C “Women farmworkers create food oases in the Northern Cape sands” [Daily Maverick](#) 25 October 2019

International

- **Biodiversity, animal rights and culture**

Brown T “US House approves animal cruelty prevention bill” [The Jurist](#) 23 October 2019

“Firefighters battle fierce wildfires across California” [News24](#) 26 October 2019

“Campaigners outraged as Zimbabwe exports more than 30 baby elephants to Chinese zoos” [News24](#) 25 October 2019

Bega S “Climate change poses a threat to survival of right whale population” [IOL](#) 26 October 2019

Redfearn G “Coral cover around popular Great Barrier Reef islands has almost halved” [The Guardian](#) 24 October 2019

Philips D “Amazon rainforest 'close to irreversible tipping point'” [The Guardian](#) 23 October 2019

Connolly K “Monument to German reunification faces new setback: bats” [The Guardian](#) 26 October 2019

“Sea urchin population soars 10,000% in five years, devastating US coastline” [The Guardian](#) 24 October 2019

Drury C “Russian eagle with GPS collar runs up ‘astronomical’ data charge for scientists after flying out of country” [The Independent](#) 26 October 2019

Weston P “Thousands of tonnes of dead fish illegally thrown into UK seas every year, investigation finds” [The Independent](#) 26 October 2019

Weston P “UK needs ‘citizens’ army’ to tackle invasion of alien species, MPs warn” [The Independent](#) 25 October 2019

- **Climate change and energy**

Bell B “US files complaint against California for international cap-and-trade agreement” [The Jurist](#) 24 October 2019

McCarthy Holliday E “Supreme Court rejects oil companies' bid for stay in Baltimore climate change suit” [The Jurist](#) 22 October 2019

Borges M “Exxon faces trial in New York for investor fraud” [The Jurist](#) 22 October 2019

Majendie A and Parija P “How to halt global warming for \$300bn” [IOL](#) 26 October 2019

Dzirutwe M “Zimbabwe to cut power to mines, farms and other users” [BusinessLive](#) 24 October 2019

Kommenda N “SUVs second biggest cause of emissions rise, figures reveal” [The Guardian](#) 25 October 2019

Cecco L “Glacial rivers absorb carbon faster than rainforests, scientists find” [The Guardian](#) 25 October 2019

Ambrose J “Offshore windfarms 'can provide more electricity than the world needs'” [The Guardian](#) 25 October 2019

Cockburn H “Winds of change: Why we're about to witness a renewable energy revolution” [The Independent](#) 26 October 2019

Ambrose J “Brussels allows UK to subsidise fossil fuel generators” [The Guardian](#) 24 October 2019

Cockburn H “Climate crisis: Melting glaciers reveal five new new islands in Russian Arctic” [The Independent](#) 23 October 2019

Weston P “Organic farming produces more carbon emissions because it takes up more land, study finds” [The Independent](#) 22 October 2019

Weston P “Thawing permafrost turns Arctic from carbon sink into carbon emitter, study finds” [The Independent](#) 22 October 2019

“EU should plan for no coal power beyond 2030 as losses mount –report” [Carbon Pulse](#) 24 October 2019

“Canadian gov't forum releases broad framework for developing offset programmes” [Carbon Pulse](#) 24 October 2019

“New Zealand drops plan to bring agriculture into the ETS” [Carbon Pulse](#) 24 October 2019

Woodward A “An engineer has devised a way to stop Arctic ice from melting by scattering millions of tiny glass beads to reflect sunlight away” [Business Insider](#) 27 October 2019

- **Local government**

Seoul Mayors Forum on climate change 2019 brings local leadership on climate action to the center stage

“The 2019 Seoul Mayors Forum on Climate Change brought together representatives of 37 cities from 25 countries, showcasing both the opportunities and challenges that cities face in tackling climate change, particularly in fast-growing urban areas across Asia.

In two days of intensive engagement, cities showed their best climate action examples: electric buses in Nagpur, India, to urban forestation and greening initiatives in Hanoi and Son Tay, Vietnam, to the replacement of coal power plants with renewable energy in Dangjin City, Republic of Korea.

The Forum saw the launch of a new citizen engagement platform in Pasig City, new Korean signatories to the Global Covenant for Mayors on Climate & Energy (GCoM), and the release of **the Seoul Statement 2019**. The event was co-hosted by Seoul Metropolitan Government and ICLEI, in partnership with GCoM and the International Urban Cooperation programme.” [ICLEI iNews 26 October 2019]

“The Global Covenant of Mayors for Climate and Energy moves forward in Korea with three new signatories” [ICLEI](#) 24 October 2019

Davey M “Melbourne's plane trees to be replaced by species resistant to climate change” [The Guardian](#) 24 October 2019

- **Mining**

Njini F “West Africa the new frontier for gold mining” [BusinessLive](#) 23 October 2019

Ballentine C “Pink diamonds are not forever as the Argyle mine is set to close” [BusinessLive](#) 23 October 2019

Sayal R “Plan for fracking 'years behind schedule' and has cost taxpayer £32m” [UK] [The Guardian](#) 23 October 2019

Ambrose J “UK to use finance meant for green energy to support fracking in Argentina” [The Guardian](#) 22 October 2019

- **Water, oceans, waste and chemicals**

“29 killed, thousands displaced in Kenya floods” [IOL](#) 24 October 2019

“Solomons' government vetoes Chinese attempt to lease an island” [The Guardian](#) 25 October 2019

Laughland O “‘Evil economics’: William Barber condemns proposed plastics facility in Cancer Alley” [The Guardian](#) 24 October 2019

- **Miscellaneous**

Carrow D “The E-Cig Emergency” [The Jurist](#) 23 October 2019

Eckerd P “Judge declines to halt Massachusetts vaping ban, orders state to fix flaws within a week” [The Jurist](#) 23 October 2019

McKie R “Block on GM rice ‘has cost millions of lives and led to child blindness” [The Guardian](#) 26 October 2019

Bakkalapulo M “‘Sand wars’: the battle to replenish Florida’s beaches amid climate crisis” [The Guardian](#) 25 October 2019

Fuller G “Pollutionwatch: European air-quality map exposes dangers” [The Guardian](#) 24 October 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of the Western Cape: Associate Professor Criminal law

Closing date: 3 November 2019

More [information](#)

University of the Witwatersrand: Administrator: Postgraduate Programmes (AD09)

Closing date: 31 October 2019

More [information](#)

University of Cape Town: Research Coordinator: Researcher Development (5 year contract)

Closing date: 4 November 2019

More [information](#)

Nelson Mandela University: Lecturer Public law

Closing date: 8 November 2019

More [information](#)

University of Pretoria: Lecturer/Senior Lecturer Procedural Law

Closing date: 6 November 2019

More [information](#)

University of Cape Town: Lecturer/Senior Lecturer: Property and Construction Law

Closing date: 8 November 2019

More [information](#)

International

Swiss Government Excellence Scholarships

PhD, postdoctoral and research scholarships at Swiss higher education institutions.

Deadline for scholarship application: 15 December 2019

[Read more](#)

The World in Serbia Scholarship

Bachelor's, Master's and PhD scholarships in a whole range of fields.

Deadline for scholarship application: 31 October 2019

[Read more](#)

UNESCO/Keizo Obuchi Research Fellowship

Fellowship for candidates who have completed their Master's and intend to do research in Japan in one of the following fields: Environment with particular focus on Disaster Risk Reduction; Intercultural Dialogue; Information and Communication Technologies; and Peaceful Conflict Resolution

Deadline for scholarship applications: 24 November 2019

[Read more](#)

Chevening Scholarship: 2020/21

Fully funded Master's scholarship for outstanding emerging leaders in the United Kingdom.

Deadline for scholarship applications: 05 November 2019

[Read more](#)

Indian Technical and Economic Cooperation Programme

Postgraduate opportunities to study various courses in India.

Various deadlines for different training programmes

[Read more](#)

European University Institute, France: Chairs in Transnational Governance

Closing date: 28 October 2019

More [information](#)

European University Institute, France: Director of the School of Transnational Governance

Closing date: 28 October 2019

More [information](#)

Internship UN Habitat (no remuneration) Intern -Urban Law, I (Temporary Job Opening)

Job Code Title: Intern - Programme Management

Department/Office: United Nations Human Settlements Programme, Nairobi

Closing date: 4 November 2019

Job Opening Number: 19-Programme Management-UN-HABITAT-125376-J-Nairobi (O)

More [information](#)

CLASP Seeks Consultants for In-Country Consumer Awareness Campaign on Productive Use Appliances

You can access this EOI [here](#)

The close date for this EOI is November 11, 2019 and all expressions of interest should be submitted to [Joanie Coker](#). Please direct any questions to the same email by November 6, 2019.

[Associate/Full Professor in Law - College of Humanities and Social Sciences - Department of legal studies](#)

Zayed University, College of Humanities and Social Sciences

[Research Associate in CITIES Research Center](#)

New York University Abu Dhabi, Division of Social Science

[Research Assistant in CITIES Research Center](#)

New York University Abu Dhabi, Division of Social Science

MSc Sustainable Urban Development scholarship worth over £38,000

Apply by 24 January 2020.

The Department for Continuing Education at the University of Oxford is pleased to invite applications for a fully-funded scholarship worth over £38,000 to undertake the part-time MSc in Sustainable Urban Development for October 2020 entry.

We would be grateful if list members would share this announcement with colleagues, students and associates for whom it will be of interest.

--MSc in Sustainable Urban Development--

Two years part-time from October 2020

Full scholarships are available for outstanding students starting in October 2020. The MSc is a multi-disciplinary and globally-focused course for high-achieving professionals who will provide vision and leadership for sustainable urban futures.

It is specially designed to be taken whilst working, with eight intensive teaching weeks in Oxford and London, and a final dissertation project, all fully supported through our web-based learning environment.

The MSc is delivered in partnership with The Prince's Foundation and is accredited by the Royal Institution of Chartered Surveyors.

Scholarship deadline: 24 January 2020

Find out more about the MSc and scholarship [here](#)

--DPhil in Sustainable Urban Development--

Four to eight years part-time, from October 2020

The DPhil (PhD) provides outstanding graduates with an opportunity to pursue in-depth and rigorous research about the pressing challenges of urban sustainability.

As a graduate student at the University of Oxford you will be a member of one of the most highly regarded educational and research institutions in the world.

You will receive guidance from your University supervisor, be encouraged to develop your research skills through our doctoral training initiatives and have full access to Oxford's research facilities and online resources.

Potential supervisors are listed on our website.

Further information about the DPhil and the application process can be found [here](#)

Next application deadline: 24 January 2020.

Members of the Environmental Law Association may subscribe to

[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 42

1 November 2019

BILLS

Draft Marine Oil Pollution (Preparedness, Response and Cooperation) Bill, 2019
Gen Notice 594 in GG 42815 of 31 October 2019 - for comment

LEGISLATION

NOTICES

Statistics South Africa – Gen Notice 592 in GG 42812 of 1 November 2019 -
Consumer Price Index, Rate (Base Dec 2016 = 100): September 2019: 4.1

National Water Act 36 of 1998 - GN 1420 in GG 42818 of 1 November 2019 -
Proposal to construct the Berg River-Voëlsvlei Augmentation Scheme"- for
comment

Diplomatic Immunities and Privileges Act 37 of 2001 - GN 1398 in GG 42812 of
1 November 2019 - Recognition of the Seventeenth Ordinary Session of the
African Ministerial Conference on the Environment (AMCEN) for the purposes of
granting of immunities and privileges and Host Country Agreement

National Environmental Management: Integrated Coastal Management Act 24 of
2008 - GN 1395 in GG 42812 of 1 November 2019 - Draft uMhlathuze/Richards
Bay Estuarine Management Plan (EMP) - for comment

PROVINCES

Limpopo

National Environmental Management: Protected Areas Act 57 of 2003 - PN 156
in PG 3047 of 1 November 2019 - Declaration of respective land parcels as
protected environment - Bokgobelo Protected Environment

Eastern Cape

Disaster Management Act 57 of 2002 - PN 301 in PG 4336 of 29 October 2019
- Declaration of Provincial State of Drought Disaster

North West

Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 150 in PG 8067 of 29 October 2019 - Lekwa-Teemane Local Municipality - Spatial Development Framework 2019-2024

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 172 in PG 8067 of 29 October 2019 - Ramotshere Moiloa Local Municipality - Spatial Development Framework (SDF) – notice of intention to review

CASES

National

Ndlovu and Others v S (CC90/2017) [2019] [ZAECPEHC](#) 72 (31 October 2019)
Bail application - rhino horn theft

“1. The three applicants in this application for bail pleaded not guilty to, but were nonetheless convicted of, various charges arising from ten different incidents of rhino poaching in the Eastern Cape (Albany, Jansenville, Graaff Reinet and Cradock). The charges included theft of rhino horn; attempted theft of rhino horn (count 36 in respect of accused numbers 1 and 3 only); contravening section 57(1) of the National Environmental Management Biodiversity Act 10 of 2004 (activities involving protected species without a permit); contravening section 29(k) of the Cape Provincial Ordinance on Nature and Environmental Conservation, 19 of 1974 (activities involving wild animals by means of a device injecting an intoxicating or narcotic agent into the said rhino without holding the relevant permit); contravening section 22A (1) of the Medicines and Related Substances Act, 101 of 1965 (illegal possession of schedule 6 medicine or substance), being in possession of M99 (Etorfine) and or Theafentani; contravening section 90 of the Firearms Control Act, 60 of 2000 read with section 250 of the Criminal Procedure Act, 51 of 1977 in that they possessed .22 calibre ammunition without the relevant permits.”

South African Reserve Bank v Bank of Baroda (South Africa) 2019 (6) SA 174 (GP)

“Banking - Reserve Bank - Administrative sanctions by for failure to comply with FICA - Whether FICA and its regulations imposing administrative sanctions to be interpreted restrictively or also purposively - Financial Intelligence Centre Act 38 of 2001, s 45C.”

International

In the matter of: The Environmental Management Act 2011 and In the matter of: The Lower Zambezi National Park, Kangulawu EIA between Ziba and Others v Attorney General and Mwembeshi Resources Limited [Case No 214/HP/A006](#)
High Court for Zambia Decided 17 October 2019 [Also see **Blogs – Africa - Mining**]

Condonation for appeal – mining in Lower Zambezi National Park –

“This appeal was filed on the 4th day of February, 2014 appealing against the decision of the Minister of Lands, Natural Resources and Environmental

Protection made on the 17th January, 2014 allowing the 2nd Respondent to carry out large scale mining activities in the Lower Zambezi National Park. The said appeal was purportedly filed in terms of the provisions of the Environmental Management Act, No 12 of 2011 of the Laws of Zambia”.

PUBLICATIONS

National

Muller Mike “Some systems perspectives on demand management during Cape Town’s 2015–2018 water crisis” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1667754>

International

Pace Law 2018-2019 Publications list – to be found [here](#)

Telesetsky Anastasia, Harmon-Walker Lin & Percival Robert *Comparative and Global Environmental Law and Policy* ([Wolters Kluwer](#) 2019)

Gerrard Michael B “Legal Pathways for a Massive Increase in Utility-Scale Renewable Generation Capacity” 2017 47(7) [Environmental Law Reporter](#) 10591-10614

Osofsky Steven “The global burden of (how we manage) animal disease: learning lessons from Southern Africa” 2019 55(4) *Journal of Wildlife Diseases* 755–757 DOI: 10.7589/2019-01-024

Branco PS *et al* “An experimental test of community-based strategies for mitigating human–wildlife conflict around protected areas” 2019 *Conversation Letters* <https://doi.org/10.1111/conl.12679>

Oltra C *et al* “Public acceptance of joint projects in renewable energies. a survey study in four countries” (Mustec [Report](#) October 2019)

Krakoff S “Environmental Justice and the Possibilities for Environmental Law” 2019 49 [Environmental Law](#) 229

2019 *Transnational Environmental Law* 8(3) on Global Environmental Law now [available](#)

Dubash Navroz K (ed) *India in a Warming World: Integrating Climate Change and Development* (CPR Initiative 2019) – [free access](#)

Caldés Natalia *et al* “Analysis of the barriers to the use of the cooperation mechanisms for renewable energy in the EU” (Mustec [Report](#) October 2019)

Liliestam P “Whither CSP? Taking stock of a decade of concentrating solar power expansion and development” (Mustec [Report](#) October 2019)

Liliestam P and Thonig R “Mapping the policy variables affecting the role of concentrating solar power in the European Union” (Mustec [Report](#) October 2019)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity**

Cornell Lab of Ornithology [Video](#): “The African Vulture Crisis: Causes, Consequences, and Solutions” (English version)

- **Mining**

[Citizen](#): Schrieber S “How mining has poisoned communities, land, air and water” 24 October 2019 [Legalbrief Environmental 29 October 2019]

Africa

- **Biodiversity**

[Place](#): McNeish H “Kenya issues smart ID cards to protect fishing and forests” 28 October 2019

[Mail & Guardian](#): Allison S “The trouble with indiscriminate tree-planting in Africa” 31 October 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Wagner L “First African Climate Risks Conference Showcases Climate Research in Africa” 31 October 2019

- **Mining**

[Lusaka Times](#): “The High Court of Zambia Kangaluwi gives green light to mining in the Lower Zambezi” 23 October 2019

- **Water, oceans, waste and chemicals**

[Place](#): Faroudi L “Thirsty crops, leaky infrastructure drive Tunisia's water crisis” 1 November 2019

- **Miscellaneous**

[The Guardian](#): Levene D “Human rights in the tobacco fields of Malawi – in pictures” 1 November 2019

[Mail & Guardian](#): Perry N ““There is blood in the tea”” 1 November 2019

International

- **Biodiversity, protected areas and culture**

[Science](#): Gibbons A “Experts question study claiming to pinpoint birthplace of all humans” 28 October 2019

[Place](#): Taylor M “Palm oil giants double down on deforestation with new radar system” 1 November 2019

[The Guardian](#): McFarlane R “Should this tree have the same rights as you?” 2 November 2019

- **Climate change and energy**

[ACOEEL](#): Ruhl JB “What Happens When the Green New Deal Meets the Old Green Laws?” 27 March 2019

[ClimateCentral](#): Report: Flooded Future: Global vulnerability to sea level rise worse than previously understood (October 2019)

[Science](#): Voosen P “Ancient soil from secret Greenland base suggests Earth could lose a lot of ice” 29 October 2019

- **Local government**

[Place](#): Bacchi U “‘Living laboratory’: New Dubai city pushes for green revolution in the desert” 28 October 2019

[Place](#): Cheeseman Abbie and Anderson Finbar “A better Beirut? From street clean-ups to revived buildings, protests spur city innovation” 25 October 2019

[IISD](#) SDG Knowledge Hub: Jungcurt S “City of Houston Gets SDG Data Dashboard” 31 October 2019

Climate Change Heritage [Network](#)

“The Climate Heritage Network is a voluntary, mutual support network of local and city, state/provincial and regional, indigenous and tribal, and national arts, culture and heritage governmental and quasi-governmental boards, offices, ministries and site management agencies as well as NGOs, universities, businesses and other organizations committed to aiding their communities in tackling climate change and achieving the ambitions of the Paris Agreement. The focus of the network is providing support to organizations from jurisdictions that have made concrete climate action pledges such as those in the Under 2 Coalition and the [Global Covenant of Mayors for Climate & Energy](#).” [ICLEI Newsletter]

[SDU](#): International Urban Resilience Academy

- **Water, oceans, waste and chemicals**

[IISD](#) SDG Knowledge Hub: Wagner L “Budapest Water Summit Considers Options to Prevent Water Crises” 31 October 2019

[The Guardian](#): Hodal K “Fishing in the blackened and polluted waters off Venezuela – in pictures” 30 October 2019

- **Miscellaneous**

George Washington Law School: Reilly Bill “Looking Back, Thinking Ahead: Perspectives on Environmental Law at 50” 31 October 2019 - [Youtube](#) (about 17 minutes into the video)

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Initiative Presents Roadmap for Sustainable Mobility for All” 31 October 2019 – find Report [here](#)

[Science](#): Service RF “Department of Energy plans major AI push to speed scientific discoveries” 30 October 2019

[Science](#): Stokstad E “Major U.K. genetics lab accused of misusing African DNA” 30 October 2019

[Science](#): Pennisi E “Some spots on Earth are too hostile for life” 28 October 2019

[Place](#): Sharma A “India's increasing defences eat away at farmland along border with Pakistan” 30 October 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Imbewu: Environmental Law Update

Date: 26 November 2019

Venue: Imbewu's offices, Rosebank, Johannesburg

Time: 08:30-16:30

[Programme](#)

Contact: [Lulu](#) / 011 214 0660

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

University of the Witwatersrand, Johannesburg Summary of 2020 1st Semester Postgraduate Certificate Courses

Dates: 11 January to 22 June 2020

The Mandela Institute at the School of Law, University of the Witwatersrand, Johannesburg offers continuous professional development through stand-alone postgraduate certificate courses aimed at legal practitioners and graduates who wish to gain new legal knowledge, update their skills or specializing in a particular law field in the 1st semester during the period 11 January to 22 June 2020:

- Basic Administrative Law for Regulators
- Law and Sustainability I
- Local Government Law
- Mining Tax Law
- Risk, Compliance and Governance
- Water Law

Course details, entry requirements and application process can be found on the Mandela Institute [website](#).

Registration closes on Friday 29 November 2019.

Registration and enquiries: Mandela Institute, Tel: 011 717 8435/8438; [E-mail](#).

University of Pretoria Enterprises: Short course: Environmental Law

Date: 18-23 November 2019

[Registration](#)

IFAT Africa 2021 Africa's leading trade fair for water, sewage, refuse and recycling

Place: Gallagher Convention Centre in Midrand, Gauteng

Date: 20-21 July 2021

University of Stellenbosch Faculty of Law: Three-day seminar: Administrative Law for State Functionaries

Dates: 18-20 November 2019

Gain information, insights and tools for understanding administrative-law implications for public decision makers and confidently navigate everyday governance and related administrative decisions in state affairs.

This three-day seminar offered by the Faculty of Law at Stellenbosch University will help participants understand administrative-law considerations that courts expect them and their principals to comply with and help them gain administrative-law insights from court jurisprudence, Public Protector and Auditor General reports with a view to minimizing the possibility of having their decisions or those of principals they advise successfully reviewed by courts and administrative oversight bodies.

The seminar covers the following units:•Introduction to administrative law;• administrative justice;• everyday areas of administrative action;• understanding common administrative law transgressions through cases;• leadership tips for fruitful interaction with accountability authorities;• review proof your administrative decisions and organizational culture.

The seminar is essential for:

- members of the executive at national, provincial and local government
- senior managers in government and related organs of state, including state owned enterprises and administrative oversight and regulatory bodies
- lawyers in and outside government that advise or represent government

The seminar is led by Proff Thuli Madonsela, Geo Quinot & Sope Williams-Elegbe.

Only 30 spaces available

Contact details for any enquiries: Ms [Diane Gahiza](#) Project Coordinator: Law faculty trust chair in Social Justice | Tel: 021 808 3186

International

IAIA Webinar “How are we ‘doing’ gender? Crowdsourcing our experiences and tools, Oxfam’s gender impact assessment guide” presented by representatives of Oxfam in the United States, Canada, and Cambodia

Date: 6 November 2019

Time: 8:00 am - 9:00 am US CST

Summary: This free, practical webinar will help impact assessment practitioners, project proponents, and regulators who want to learn more about bringing strong gender analysis into their work. Oxfam staff from North America and South East Asia will introduce Oxfam’s gender impact assessment (GIA) guide and share experiences with field-testing it at hydropower and mining projects in Cambodia, Laos, and Vietnam. The GIA tool is publicly available and involves strong community engagement exercises to establish baselines and develop action plans to address adverse gender impacts. Following the Oxfam presentation,

participants will be invited to share their own experiences or challenges in integrating gender into their work. By taking a 'crowdsourcing' approach, everyone will co-create knowledge on good practice in gender in impact assessment. Please come ready to share your questions, ideas, and tips for the IA community.

[Registration](#)

Webinar on Sustainable Energy for Powering Household and Community Lighting Needs in Humanitarian Settings

Date: 14 November 2019

Time: 3:00 pm CET (check your [local time](#))

Which quality solar products for household use are on the market? How can humanitarian actors assess which lighting solutions for households and communities are needed? Presentations by Lighting Global and Oxfam will shed a light on these questions. In two case studies, Practical Action and Mercy Corps will share their experience from a community needs assessment in Rwanda, and from delivering quality solar products in Afghanistan.

Register [here](#)

This webinar is the third of the four-part webinar series "[Sustainable Energy in Humanitarian Settings](#)". It is organized jointly by the International Committee of the Red Cross (ICRC), energypedia UG and United Nations Institute for Training and Research (UNITAR). The webinar series is a contribution to the [Global Plan of Action](#) for Sustainable Energy Solutions in Situations of Displacement (GPA).

Read [more](#)

URCC 2020: Urban resilience in a context of climate change conference

Date: 9-10 March 2019

Place: Sant Pau Art Nouveau Site, Barcelona. Spain

Submission of [abstracts](#): 29 November 2019

More [information](#)

6th International Climate Change Adaptation Conference

Dates:

Place: New Delhi, India

More [information](#)

National

- **Biodiversity**

Wynberg R "San and Khoi claim benefits from rooibos" [Mail & Guardian](#) 1 November 2019

- **Climate change and energy**

Policy: Cabinet endorses Eskom road map

"Minister in the Presidency Jackson Mthembu said yesterday the Cabinet had thrown its weight behind the White Paper outlining the [road map](#) for Eskom, which was released earlier this week by Public Enterprises Minister Pravin Gordhan. 'As the government we (gave the) necessary permission to the Minister working with the (Eskom) board, and all stakeholders, to come up with the paper... The paper is being commented on by many South Africans, so that we deal with the difficult

questions facing Eskom,' he said. According to a report in The Star, Mthembu said the Cabinet had endorsed the proposals in the business model for Eskom, which was the latest blueprint to put the utility on a growth trajectory. 'The road map envisions cost-effective electricity supply, energy security and diverse sources of energy, in line with the integrated resource plan which was gazetted earlier this month and detailed the country's energy mix over the next 10 years.' He added all stakeholders in the energy sector should fully support the plan."
Full report in The Star (subscription needed) Legalbrief 1 November 2019

- **Local government**

Maqhina M "More power to provinces" [Cape Argus](#) 29 October 2019 [Legalbrief 29 October 2019]

Kretzmann S "Cape Town's battle for spatial justice" [GroundUp](#) 31 October 2019

Kretzmann S "Land to be freed up in Cape Town city centre" [GroundUp](#) 31 October 2019

Sisulu M "Villagers without drinking water blame government, not the drought" [GroundUp](#) 30 October 2019

"Cape Town Municipal Planning By-laws approved" [BizCommunity](#) 1 November 2019

- **Mining**

Arnoldi M "Elandsfontein water use licence appeal hearing delayed to December" [Mining Weekly](#) 24 October 2019 [Legalbrief Environmental 29 October 2019]

Carnie T "Greens block oil exploration plan off KZN" [BusinessLive](#) 27 October 2019

"The mining pollution crisis that can be avoided with water treatment solutions" [BizCommunity](#) 28 October 2019

- **Water, waste, oceans and chemicals**

Njobeni S "Nafasi Water has plans for an African foray" [BusinessLive](#) 31 October 2019

Muller M "Panic over water in Gauteng is misplaced" [Mail & Guardian](#) 30 October 2019

- **Miscellaneous**

Phakathi B "Ditch the sugar tax, farming bodies plead" [Business Day](#) 29 October 2019

Sweet J "Upward trajectory towards environmental sustainability" [BizCommunity](#) 29 October 2019

International

- **Biodiversity, animal rights and culture**

Readfearn G “Antarctic marine park: conservationists frustrated after protection bid fails for eighth time” [The Guardian](#) 2 November 2019

Dalton J “Ministers seek views on banning trophy imports to curb hunting of endangered animals” [The Independent](#) 2 November 2019

Weston P “Climate impact from loss of tropical forests 600% higher than thought” [The Independent](#) 31 October 2019

Woodward A “Thousands of animals around the world are at risk of extinction. But not jellyfish — they’re thriving in warm, polluted water” [Business Insider](#) 1 November 2019

Jali K “Humans fall ill after Malawi relocates hundreds of elephants” [IOL](#) 30 October 2019

Madondo S “Botswana hopes boreholes will save drought-stricken elephants” [IOL](#) 29 October 2019

- **Climate change and energy**

Parkin B “Renewable Energy: Germany may lose 40% of wind jobs as projects grind to halt” [Bloomberg](#) 28 October 2019

“State will not fund Turkana oil pipeline” [Extractives Baraza](#) 30 October 2019

Gujral Z “Federal appeals court dismisses challenge to EPA rollback of vehicle emissions standards” [The Jurist](#) 27 October 2019

“Chile pulls out of hosting COP25 climate talks amid protests” [Carbon Pulse](#) 30 October 2019

“Spain steps in with offer to host COP25 climate talks after Chile withdrawal” [Carbon Pulse](#) 31 October 2019

Harvey F “Thousands of Britons invited to climate crisis citizens' assembly” [The Guardian](#) 2 November 2019

Readfearn G “Climate emissions from tropical forest damage 'underestimated by a factor of six'” [The Guardian](#) 31 October 2019

Ambrose J “Oil giants must cut output by a third to meet climate target – study” [The Guardian](#) 1 November 2019

Wilkes W “Farmer to sue German government over failure to tackle climate change” [The Independent](#) 29 October 2019

“Alberta’s proposed CO2 pricing regime lacking on industry benchmarks, excelling on electricity –analysts” [Carbon Pulse](#) 30 October 2019

“UK’s renewables powerhouses urge government to uphold carbon pricing” [Carbon Pulse](#) 30 October 2019

"The EU can green its industry without carbon border measures, say researchers" [Carbon Pulse](#) 30 October 2019

"Saudi Arabia plans domestic carbon trading system –minister" [Carbon Pulse](#) 31 October 2019

"Iberdrola's Spanish EU ETS-based output jumps 59% amid hydro constraint" [Carbon Pulse](#) 1 November 2019

Weston P "Climate change could leave southern Britain 'unable' to support crops" [The Independent](#) 30 October 2019

Boyle K "Vehicle Companies Back Trump's Emission Challenge" [The Jurist](#) 29 October 2019

- **Local government**

"Bristol could become UK's first city to ban diesel cars" [The Guardian](#) 30 October 2019

Lu D and Flavelle C "Rising sea levels pose risk to three times more people than originally thought, research shows" [The Independent](#) 30 October 2019

- **Mining**

"Rwanda protests mineral traceability scheme" [Extractives Baraza](#) 30 October 2019

Ambrose J "Fracking banned in UK as government makes major U-turn" [The Guardian](#) 2 November 2019

Sundier S "Largest private US coal mining company files for bankruptcy" [The Jurist](#) 1 November 2019

- **Water, oceans, waste and chemicals**

"Brazil fears oil spill could reach coral reef, readies ships" [Extractives Baraza](#) 30 October 2019

Holden E "Argentina could become 'sacrificial country' for plastic waste, say activists" [The Guardian](#) 1 November 2019

Carrington D "Fishery collapse 'confirms Silent Spring pesticide prophecy'" [The Guardian](#) 31 October 2019

Baynes C "Plastic pollution off China's coast soars after drive to stop dumping it in rivers" [The Independent](#) 30 October 2019

Hannam P "Water Minister Melinda Pavey ignored the state's own water releases" [Sydney Morning Herald](#) 3 November 2019

"A water continuity strategy in Africa is critical to economic success" [The Citizen](#) 28 October 2019

- **Miscellaneous**

Hunt F “In Jakarta's cemeteries they're stacking the dead six-deep” [The Guardian](#) 1 November 2019

Butler B “Australian aluminium smelters 'not sustainable' due to high power costs, Rio Tinto says” [The Guardian](#) 1 November 2019

Friedman L “Trump administration to roll back Obama rules to control toxic ash from coal plants” [The Independent](#) 1 November 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

International

Centre for International Environmental Law: Sohn Fellowship

CIEL offers one ad-honorem fellowship each year, the Louis B. Sohn Fellowship in Human Rights and Environment, for public interest lawyers that have had significant on the ground experience working on human rights issues and who come from historically disadvantaged communities or populations.

More [information](#)

Centre for International Environmental Law: Legal Internships

More [information](#)

Centre for International Environmental Law: CIEL Program Director, Climate & Energy

More [information](#)

Two Post-Doctoral Researchers: Institute For Carbon Removal Law And Policy

The Institute for Carbon Removal Law and Policy (ICRLP) at American University (AU) invites applications for full-time, postdoctoral researchers to work on a new project aimed at the better integration of carbon removal approaches into two integrated assessment models (IAMs). The first appointment is a two-year position and will commence January 2, 2020 and run through January 2022. The second appointment is a one-year position (extendable to two years depending on the securing of additional funding) and will commence January 2, 2020 and run at least through January 2021.

The Institute for Carbon Removal Law and Policy is an interdisciplinary team committed to the assessment and advancement of sustainable approaches to carbon removal. The Institute itself sits within the School of International Service at American University. The successful candidate will be expected, in addition to contributing to and producing research outputs, to contribute to the work of the Institute and the School by presenting research in progress and engaging graduate students working in related areas.

We are seeking candidates who have received a PhD within the past five years (60 months) or within the next 8 months from an accredited college or university. The postdoctoral researcher will be expected to (1) help develop strategies for modeling the implementation and adoption of various carbon removal technologies and practices in IAMs; (2) help implement those strategies in two IAMs, GCAM and EnROADS, to enable both models to represent a broad

portfolio of carbon removal technologies and practices as endogenous responses to climate policy; and (3) help carry out research studies in GCAM that analyze the impact of that broad portfolio on mitigation pathways. The specific carbon removal technologies to be modeled include afforestation/reforestation, bioenergy with carbon capture and storage (BEECS), terrestrial enhanced mineral weathering, ocean alkalization, direct air capture with storage (DACCS), and biochar.

The research is part of a larger product looking at: (1) the integration of carbon removal approaches into a suite of IAMs; and (2) the development of new socio-environmental dynamic approaches and models that can capture important interplays between social and environmental systems. The successful candidate will work with at least one additional postdoctoral researcher along with the existing ICRLP team.

Qualifications

The successful candidate should have a PhD in economics, environmental science, or other fields relevant to modeling carbon removal technologies and practices. A background in integrated assessment modeling or energy economic modeling is highly desirable, as is familiarity with one or more approach to carbon removal. Experience with C++, R, and GCAM are preferred. Excellent written and oral communication skills and the ability to work in a team environment are necessary. Experience with publishing in peer-reviewed journals is preferred.

Application Instructions

The successful candidate will assume duties as early as January 2, 2020 but no later than January 31, 2020. Applications must be submitted electronically via [Interfolio](#). Candidates should submit the following materials on Interfolio: A comprehensive Curriculum Vitæ and a personal statement outlining relevant scholarship or experience. Candidates will be asked to submit the names and contact information for three professional references who will receive a request for a confidential letter of recommendation.

Compensation and benefits are competitive. Queries about the search may be [emailed](#).

[Queries](#) about the online application system.

Members of the Environmental Law Association may subscribe to

[Legalbrief Environmental](#)

and the

[South African Journal of Environmental Law and Policy](#).

Discount available for ELA members.

ELA NEWSLETTER 43

8 November 2019

BILLS

Promotion of Access to Information Amendment Bill, 2019 [B20-2019]

LEGISLATION

NOTICES

Petroleum Products Act 120 of 1977 - GN R1423 in GG 42823 of 5 November 2019 - Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published in GN R1265 in GG 42733 of 1 October 2019 substituted with effect from 6 November 2019

Petroleum Products Act 120 of 1977 - GN R1424 in GG 42823 of 5 November 2019 - Regulations in respect of petroleum products published in GN R1266 in GG 42733 of 1 October 2019 substituted with effect from 6 November 2019

Petroleum Products Act 120 of 1977 - GN R1425 in GG 42823 of 5 November 2019 - Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 6 November 2019

PROVINCES

Western Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000; Western Cape Land Use Planning Act 3 of 2014 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 58370 in PG 8172 of 8 November 2019 - Swellendam Local Municipality - Preparation of the Integrated Zoning Scheme By-law and the existing Zoning Scheme – for comment

KwaZulu Natal

National Environmental Management: Protected Areas Act 57 of 2003 - PN 154 in PG 2135 of 7 November 2019 - Glen Annie Nature Reserve - for comment

CASES

International

[La Rose v. Her Majesty the Queen](#) T-1750-19 (Federal Court of Canada)

“Fifteen children and youths have brought suit against the Queen and Attorney General of Canada, alleging that Canada emits and contributes to emitting greenhouse gases that are incompatible with a stable climate. The plaintiffs argue that Canada's actions have violated their rights under the Charter of Rights and Freedom, as well as the rights of present and future Canadian children. They seek declaratory relief and an order requiring the government to adopt a Climate Recovery Plan.”

[Natural Resources Defense Council, Inc. v. Perry](#), No. 18-15380 (9th Cir. Oct. 10, 2019)

“The Ninth Circuit Court of Appeals agreed with a district court that a U.S. Department of Energy (DOE) regulation imposed a non-discretionary duty on DOE to publish four energy conservation standards approved by DOE at the end of the Obama administration. The Ninth Circuit therefore lifted its stay on the district court's order directing DOE to publish the standards in the *Federal Register*. The standards at issue covered portable air conditioners, commercial packaged boilers, uninterruptible power supplies, and air compressors.”

[Living Rivers Council v. County of Napa](#), Nos. A154253, A154300, A154314 (Cal. Ct. App. Sept. 30, 2019)

“The California Court of Appeal found that the Center for Biological Diversity (CBD) demonstrated that an environmental impact report's (EIR's) conclusion that a vineyard-conversion project would not have a significant impact on greenhouse gas emissions was not supported by substantial evidence. Although the court agreed with the respondent, Napa County, that woodland preservation could mitigate the project's greenhouse gas emissions, the court concluded that such preservation would not have mitigation or offset value if the trees “would have reasonably remained otherwise.” In this case, the court said substantial evidence did not support an inference that “trees to be permanently conserved would not reasonably have remained on the property” since the EIR did not identify the location of woodland acres that would be preserved and 40% of the property was currently undevelopable under local regulations. The court rejected other climate change arguments made by CBD, deferring to the County's choice of methodology regarding the accounting for loss of carbon sequestration due to tree removal and regarding the calculation of greenhouse gas emissions from downed trees.”

[Center for Biological Diversity v. Bernhardt](#), No. 1:19-cv-02869 (D. Colo., filed Oct. 8, 2019)

“Center for Biological Diversity and two other groups filed a lawsuit in federal court in Colorado challenging BLM's approval of a resource management plan in western Colorado that applied to 1,061,400 acres of BLM-administered surface land and 1,231,200 acres of BLM-managed federal mineral estate. The plaintiffs alleged that the plan made 935,600

acres available for oil and gas leasing and that BLM projected that 3,940 wells would be drilled. They asserted that BLM violated NEPA by failing to address foreseeable indirect impacts from downstream combustion of oil and gas resources and by failing to consider cumulative effects to the climate caused by foreseeable oil and gas production under the plan in combination with BLM's nationwide public lands oil and gas program. The plaintiffs also said BLM's failure to consider alternatives to oil and gas leasing and development violated NEPA."

National Parks Conservation Association v. Virginia Electric & Power Company Civil Action No 1:17-cv-01361-RCL; *National Trust for Historic Preservation in the United States and Association for the Preservation of Virginia Antiquities v. Todd T Semoninte et al* Civil Action No. 1:17-cv-01574-RCL Court Order and Ruling

"On March 1, 2019, the D.C. Circuit determined that the U.S. Army Corps of Engineers ... violated the National Environmental Policy Act ('NEPA') by failing to complete an Environmental Impact Study ('EIS') before issuing a permit to the Virginia Electric and Power Company to construct the Surry-Skiffes Creek-Whealton project. The D.C. Circuit, however, was unaware that the project was completed shortly before they issued their opinion. Upon Learning of the project's completion shortly thereafter, the D.C. Circuit remanded the case to this Court to determine the appropriate remedy.

Before turning to the ultimate question of whether vacatur is proper, two threshold questions must be addressed: (1) whether defendants waived or forfeited the right to contest that vacatur is the appropriate remedy; and (2) whether defendants are judicially estopped from contesting that vacatur is the appropriate remedy. For the reasons set forth below, this Court finds that waiver, forfeiture, and judicial estoppel are all inapplicable here. Furthermore, the Court finds that vacatur of the permit is not appropriate in this case. The Court will therefor remand to the Corps without vacatur but with instructions to complete an EIS in accordance with the D.C. Circuit's ruling."

PUBLICATIONS

National

Murombo Tumai and Munyuki Isaac "The Effectiveness of Plea and Sentence Agreements in Environmental Enforcement in South Africa" 2019 *PER* DOI: <https://doi.org/10.17159/1727-3781/2019/v22i0a5685>

Van der Schyff Elmarie "The Right to be Granted Access over the Property of Others in Order to Enter Prospecting or Mining Areas: Revisiting *Joubert v Maranda Mining Company* (PTY) LTD [2009] 4 ALL SA 127 (SCA)" 2019 *PER* DOI: <https://doi.org/10.17159/1727-3781/2019/v22i0a1688>

Vinti Clive "The 'Necessity Test' as Expressed by the Enigmatic Article XX(j) of the General Agreement on Tariffs and Trade (1994): Appellate Body Report, India - Certain Measures Relating to Solar Cells and Solar Modules" 2019 *PER* DOI: <https://doi.org/10.17159/1727-3781/2019/v22i0a5308>

Tumai Murombo, Dhlwayo Matuso and Dhlakama Tafadzwa *Climate Change law in Zimbabwe: Concepts and Insights* (Konrad Adenauer Stiftung 2019) – download [here](#)

Ashukem J-CN "Revisiting the interpretation of section 50 of the Promotion of Access to Information Act - *Mahaeane and Motlajsi Thakaso v AngloGold Ashanti Limited* (85/2016) [2017] ZASCA 090" 2019 [Obiter](#) 363

Whitear N and Kruuse H "The ethics of legal practitioners in resource-scarce institutions - *PM Mashishi v Z Mdlala* [2018] 17 BLLR 693 (LC); (2018) 39 ILJ 1607 (LC)" 2019 [Obiter](#) 383

Jegede AO and Makulana AW "Climate change interventions in South Africa : the significance of *Earthlife Africa Johannesburg v Minister of Environmental Affairs* (*Thabametsi* case) [2017] JOL 37526 (GP)" 2019 [Obiter](#) 399

International

2019 *Chinese Journal of Environmental Law* –Call for papers

For more information contact Prof Ben [Boer](#) or Prof Qin [Tianbao](#)
Submissions should be made online through Brill's Editorial [Manager](#),

Garcia Beatriz, Meng Fang Mandy and Lin Jolene "Marine Plastic Pollution in Asia: All Hands on Deck!" 2019 3 *Chinese Journal on Environmental Law* 11-46 ([open access](#))

Addaney Michael, Nyarko Michael Gyan and Boshoff Elsabe "Protection of the Environment and Natural Resources during Armed Conflicts in Africa" 2019 3 [Chinese Journal on Environmental Law](#) 85-115

Raine Andy and Pluchon Emeline "UN Environment—Advancing the Environmental Rule of Law in the Asia Pacific" 2019 3 *Chinese Journal on Environmental Law* 117-126 ([open access](#))

Kousky Carolyn & Light Sarah E "Insuring Nature" 2019 69 [Duke L.J.](#) 323-376

Buchner B *et al* "Global Landscape of Climate Finance 2019" ([Report](#) Climate Policy Initiative November 2019) [provided by Andrew Gilder ClimateLegal]

Angelo MJ "Discordant Environmental Laws: Using Statutory Flexibility and Multi-Objective Optimization to Reconcile Conflicting Laws" 2019 38 [Stan Envtl LJ](#) 165

Ruhl JB and McGinn T "The Roman Public Trust Doctrine: What Was It, and Does It Support an Atmospheric Trust?" (August 20, 2019) - available [here](#) or [here](#)

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

Webber Wentzel [E-Alert](#): "The Roadmap for Eskom and its impact on the IPP industry" 5 November 2019

- **Water and Waste**

[Mail & Guardian](#): Grate F and Fuhr L “Plastics industry needs policing” 8 November 2019

Africa

- **Biodiversity**

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “WorldFish to Establish Fish for Africa Innovation Hub” 7 November 2019

- **Climate change and energy**

[The Guardian](#): Ambrose J “Africa poised to lead way in global green revolution, says report” 8 November 2019

[The Guardian](#): Fuller G “Pollutionwatch: Africa increases its reliance on fossil fuels” 7 November 2019

- **Mining**

[Extractives Baraza](#): “Green groups return to court to stop Arctic oil drilling in Norway” 5 November 2019

- **Water, oceans, waste and chemicals**

[Aljazeera](#): “Trump says talks on Nile dam dispute ‘went well’” 6 November 2019 [Legalbrief 8 November 2019]

International

- **Biodiversity, protected areas and culture**

[IISD](#) SDG Knowledge Hub: Emery M, Fromentin J-C and Donaldson J “Sustainable Use of Wild Species is Key to Achieve Sustainable Development” 7 November 2019

[IISD](#) SDG Knowledge Hub: Wagner L “Divergent Positions on Benefit-sharing Hold Up Agreement in Talks on Plant Genetic Resources for Food and Agriculture” 5 November 2019

- **Climate change and energy**

[IISD](#) SDG Knowledge Hub: Leone F “New Indicators on AMR, Dispute Resolution, GHG Emissions Agreed for SDG Framework” 7 November 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “US Begins Formal Withdrawal from Paris Agreement” 7 November 2019

[Decent Living Energy](#): “How will ending poverty impact climate change?” – see also [Publications](#)

[The Guardian](#): O’Hagan S “Meltdown: chilling proof of global heating” 10 November 2019

- **Local government**

[Place](#): Chandran R “ANALYSIS-In India, gods 'flex their muscles' over scarce land” 7 November 2019

[Place](#): Bray M “Crops in the clouds: The rise of rooftop farming in space-starved Hong Kong” 5 November 2019

[ICLEI](#): “Twenty-Five Canadian Cities Chosen for Intensive Climate Action Pilot” 5 November 2019

[CDKN](#): “OPINION: The IPCC’s Special Report on Oceans and Cryosphere – What it means for Africa’s coastal cities” 14 October 2019

[Eco-Business](#): Sotto V “Why local government is key to the climate fight in the Philippines” 5 November 2019

[World Economic Forum](#): “Unprecedented Global Alliance for Smart City Technology Launched to Counter Growing Tensions” 10 October 2019

[Coalition for Urban Transitions](#): “Climate emergency, urban opportunity: briefing for mayors & city governments” (2019)

[CDP](#): “Disclosure helps cities see the risks and opportunities of climate change for its citizens and business communities”

- **Water, oceans, waste and chemicals**

[Efsa](#): “Chlorpyrifos: assessment identifies human health effects” 2 August 2019 – read also [here](#) and [here](#) [EU, USA and Brazil in process to reconsider its use – Avaaz 7 November 2019]

[Place](#): Suliman A “With water a weapon of Middle East war, women seen as worst hit” 6 November 2019

[IISD](#) ENB: 31st Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (MOP 31) 4-8 November 2019 | Headquarters of the Food and Agriculture Organization of the UN (FAO), Rome, Italy

[INECE](#): “Poland Takes Decisive Action Against Illegal Trade of Hydrofluorocarbons” 11 October 2019

[IISD](#) SDG Knowledge Hub: Mwangi W “High Mountain Summit Calls for Action, Science to Protect the World’s Water Towers” 5 November 2019

[IISD](#) SDG Knowledge Hub: Risse N “Waste Management, Resilience Targets Best Promote SDG Progress in Europe: SEI-EEA Study” 5 November 2019

- **Miscellaneous**

Vermont Law School: Law lecture [series](#)

CPR [Podcasts](#): “Season 3, Episode 1: Reorganizing Government--From Pizza to Climate Change” 5 November 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

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[Programme](#)

Contact: [Lulu](#) / 011 214 0660

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- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

University of Pretoria Enterprises: Short course: Environmental Law

Date: 18-23 November 2019

[Registration](#)

Webber Wentzel: Mining Indaba Cocktail Function – Save the date

Date: 4 February 2020

Venue: Venue: Webber Wentzel Offices | 15th Floor | Convention Tower | Heerengracht | Foreshore | Cape Town

Time: 17:00

International

Science Webinar: Water in a dry land: Can innovation drive water security?

Date: 13 November 2019

Time: 12:00 PM to 1:00 PM US Eastern Time / 6 pm Central European Time

More [information](#)

26th Annual Public Interest Environmental Conference

Date: 6-8 February 2020

Place: Florida, USA

More [information](#)

INECE Webinar: Where the Local Meets the Global: Local Enforcement of International Wildlife Law

Date: 13 November 2019

Time: 5:00 PM - 6:30 PM SAST (+2 hours for SA time)

[Registration](#)

National

- **Biodiversity**

Criminal: Wife of perlemoen poaching kingpin to appeal

“Marshelle Blignault, former wife of convicted perlemoen poaching kingpin Morne Blignault, will appeal her 12-year prison sentence in the Eastern Cape High Court (Grahamstown) next week, says a Daily Dispatch report. Blignault was sentenced in March to 12 years in prison for her ‘management’ role in the lucrative and illegal poaching enterprise created and run for more than a year by her ex-husband from a remote farm near Addo. The couple managed the poaching ring from the farm where they processed, cooked and packaged the perlemoen ripped from along the Port Elizabeth coastline. Morne was sentenced to 20 years in prison for racketeering and contravening the Marine Living Resources Act. At the time of their arrest in August 2014, they were found with more than six tons of perlemoen worth more than R5m.”

Full Daily Dispatch report (subscription needed) Legalbrief 7 November 2019

New octopus fishing rules imposed to save Cape Town's whales” [News24](#) 8 November 2019

- **Climate change and energy**

Arnoldi M “Sasol sets out plan to cut emissions by 10% by 2030” [Mining Weekly](#) 5 November 2019 [provided by Andrew Gilder ClimateLegal]

Steyn L “Sasol links executive pay to climate-change targets” [Business Day](#) 5 November 2019 [Legalbrief 7 November 2019]

Yauger M “Climate change plagues Western Cape agriculture” [GroundUp](#) 6 November 2019

- **Local government**

Khumal J and Nythi M “Municipalities can pay their debts if households, govts, businesses pay their bills — Salga” [City Press](#) 7 November 2019 [Legalbrief 8 November 2019]

- **Mining**

Ryan C “Sale of Koorfontein coal mine hits legal snag It’s been nearly two years since the Gupta-owned operation was placed in business rescue” [MoneyWeb](#) 8 November 2019 [Legalbrief 8 November 2019]

Kretzmann S “Gas boom gains ground, but state needs to revise the rules” [City Press](#) 10 November 2019

- **Water, waste, oceans and chemicals**

Environmental: Thor Chemicals urged to compensate workers

“The government has been urged to force Thor Chemicals to compensate its former workers and take its imported toxic waste away from Cato Ridge in KZN. A report in The Witness says this was the resolution by Cato Ridge communities and former Thor employees who gathered yesterday to discuss a strategy to deal with

the British chemical giant, whose local plant has allegedly claimed dozens of lives in the past three decades. The plant is said to house more than 3 000 tons of mercury waste that was exported from the UK in the 1980s. The meeting, facilitated by groundWork at the request of the local ANC alliance, was apparently prompted by the August fire at the Thor plant. Those in attendance were suspicious of the cause of the inferno as it was shortly preceded by an inspection of the Minister of Forestry, Fisheries & Environmental Affairs, Barbara Creecy. She reportedly described Thor's conduct as 'a scandal and gross irresponsibility', saying the company should foot the bill of more than R300m to treat the waste before it could be safely disposed. 'More importantly community people say that ongoing failure of environmental monitoring of the site, as well as failure to inform communities on what is planned and what happened during the day of the fire, is their biggest concern,' groundWork's Bobby Peak is quoted as saying."

Full report in The Witness (subscription needed) Legalbrief 7 November 2019

"Even in best case scenario, oceans will rise dramatically" [Mail & Guardian](#) 8 November 2019

Evans J "City of Cape Town issues pesticide warning as residents reach for roach poisons" [News24](#) 8 November 2019

- **Miscellaneous**

- General: Government adopts new approach to SEZ development**

- "In future, investors will be 'signed up' for a proposed new special economic zone before it is approved. Announcing this yesterday at the launch of the Tshwane automotive special economic zone in Silverton, President Cyril Ramaphosa promised an end to regulatory 'obstacles' to investment; 'fast-tracked' environmental impact authorisation and water use licence application processing; and private sector 'involvement' in infrastructure planning and development."

- Read full report in Legalbrief Policy Watch Legalbrief 6 November 2019

- [Place](#): Baring M "Backstory-Nine months after Lobo showed us an Amazon ambush site, he was killed in one" 4 November 2019

- [Place](#): Teixeira F "Interview-Indigenous leader pushes EU to block Brazil deal over native community deaths" 4 November 2019

International

- **Biodiversity, protected areas, animal rights and culture**

Flavelle C "Trump Administration Makes It Easier to Dredge Protected Areas to Restore Beaches" [New York Times](#) 7 November 2019

Eckerd P "Senate unanimously passes PACT act against extreme animal cruelty" [The Jurist](#) 7 November 2019

McGrath S "'We are running out of time': Murder and corruption threaten Europe's last great forests" [The Independent](#) 9 November 2019

Gregor A "Nestle and Unilever 'linked to Indonesian forest fires engulfing southeast Asia in noxious haze'" [The Independent](#) 9 November 2019

“Murder of two journalists leads to arrest of Indonesian palm oil boss” [The Guardian](#) 10 November 2019

Cox L and Tondorf C “NSW and Queensland fires: Sydney to face catastrophic fire danger for first time” [The Jurist](#) 10 November 2019

Davies N “Scientists plan to flood black market with fake rhino horn to reduce poaching” [The Guardian](#) 8 November 2019

- **Climate change and energy**

Harvey F “Global investment in cutting greenhouse gases fell by 11% in 2018” [The Guardian](#) 7 November 2019 [provided by Andrew Gilder ClimateLegal]

Roy RA “Ardern says New Zealand on 'right side of history' as MPs pass zero-carbon bill” [The Guardian](#) 7 November 2019 [Legalbrief 8 November 2019] – read also [Carbon Pulse](#) and [The Jurist](#)

“Nine EU finance ministers urge Brussels to move on taxing airline emissions” [Carbon Pulse](#) 7 November 2019

“South Australia launches blue carbon plan” [Carbon Pulse](#) 8 November 2019

Maas C “Trump administration notifies UN of US withdrawal from Paris Agreement” [The Jurist](#) 5 November 2019

France O “Michigan court rules tunnel to construct oil pipeline constitutional” [The Jurist](#) 4 November 2019

Carrington D “Climate crisis: 11,000 scientists warn of ‘untold suffering’” [The Guardian](#) 5 November 2019

George L and Nasralla S : No apologies: Africans say their need for oil cash outweighs climate concerns” [IOL](#) 8 November 2019

- **Local government**

Coman J “How the megacities of Europe stole a continent’s wealth” [The Guardian](#) 10 November 2019

- **Mining**

“Nigeria: Buhari Signs Law That Will Significantly Increase Nigeria's Oil Earnings” [allAfrica](#) 4 November 2019 [Legalbrief 7 November 2019]

- **Water, oceans, waste and chemicals**

Brown T “Supreme Court hears arguments on Clean Water Act” [The Jurist](#) 7 November 2019

Watts J “Poorly planned Amazon dam project 'poses serious threat to life’” [The Guardian](#) 8 November 2019

Bostaz S “Air bubble barrier traps plastic waste in Amsterdam's canals” [The Guardian](#) 7 November 2019

Zanolli L “If there's a spill, it's a disaster': living next to a giant lake of radioactive waste” [The Guardian](#) 7 November 2019

Laville S “Dumped fishing gear is biggest plastic polluter in ocean, finds report” [The Guardian](#) 6 November 2019

- **Miscellaneous**

Ellis-Petersen H “Delhi's smog blamed on crop fires – but farmers say they have little choice” [The Guardian](#) 8 November 2019

“Nigeria's Dangote Group, Togo announce partnership to transform phosphate into fertiliser” [IOL](#) 8 November 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

C4 EcoSolutions 2020 Internship Programme

[C4 EcoSolutions](#) is a consulting company based in Cape Town, South Africa. Our primary work involves the design and implementation of climate change adaptation and mitigation projects in the public, private and non-governmental sectors. The four C's represent the company's four focal areas, namely: Climate, Community, Conservation and Carbon. The diverse skill set amongst the C4 team of professionals — including climate science, ecology, soil science, conservation planning, public policy and administration, physical and human geography, and economics — enables us to integrate these four focal areas into our projects. The company's portfolio consequently covers an expansive range of topics in diverse global settings and contexts, including a strong focus on ecosystem-based adaptation as well as the social and economic aspects underpinning ecological restoration. Our current projects extend across 20-plus countries in Africa, Central and South-East Asia, the South Pacific and the Caribbean, as well as regional projects in Southern Africa, the Greater Horn of Africa and Central America. C4 is also deeply involved in global initiatives such as the design of the strategy for the UN Decade of Ecosystem Restoration (<http://www.decadeonrestoration.org>).

The C4 office provides its dedicated and highly professional staff with a vibrant corporate environment that:

- enables the development of customised solutions for adapting to climate change and conserving global biodiversity;
- encourages collaboration and teamwork to assist our clients to make informed decisions through highquality and professional knowledge products; and
- promotes a learning-by-doing approach to the design and implementation of innovative projects and programmes for a wide range of United Nations agencies across the globe.

We are currently expanding our team to meet the demands of the global climate crisis and are seeking talented, motivated individuals to join the 2020 Internship Programme.

The C4 2020 Internship Programme

Over the past three years, C4 EcoSolutions has hosted an annual, paid internship programme designed to kickstart careers in the field of climate change and development, creating the opportunity for individuals to join our dynamic

team of consultants. In 2020, C4 will once again bring together a diverse group of graduates and early-career professionals for an internship programme focussing on the design and implementation of innovative climate change development projects that benefit the world's most vulnerable communities.

The 2020 Internship Programme will be run in three stages, with the most promising individuals progressing to the next round at the end of each stage. Through this programme, we aim to equip participants with the skills necessary to actively contribute to project development and hopefully join our team for the long term. C4 actively seeks to advance staff from the internship programme to full-time employment as an analyst or consultant; many of the current C4 staff are graduates of past internship programmes.

Stage 1: Training (16 March – 10 April 2020)

Candidates selected for the first stage will undergo a one-month training course presented by C4's team of consultants. This course will expose participants to the intricacies of climate change adaptation, focussing on accessing climate finance through global funds such as the Green Climate Fund (GCF), Adaptation Fund (AF) and the Global Environment Facility (GEF). Throughout the process, the programme will draw on real life examples, as well as a series of theoretical exercises to foster a firm, practical understanding of the project development process. Training topics will include: • an introduction to global climate finance; • an introduction to ecosystem-based adaptation; • defining the climate rationale of a project; • assessing climate change vulnerabilities; • structuring a climate change project for the GEF and GCF; • managing the project development process; and • writing in the appropriate style for UN clients (including practical writing exercises).

Stage 2: Experiential Learning (13 April – 15 May 2020)

Individuals who excel during the initial training course will be invited to join the team for a month of experiential learning. During this month, interns will work directly with C4's team of professional climate change and environmental consultants on live projects, gaining direct exposure to the practical aspects of project design and management.

Stage 3: Full Internship (18 May – 31 December 2020)

At the end of the experiential learning period, there will be an opportunity for individuals to join the C4 team on a full internship where they will be deeply involved in project development. Selection for the full internship will be based on performance during the training and experiential learning stages.

Prerequisites for selection

- An Honours or Master's degree in one or more of the following disciplines: Ecology, Agriculture, Climatology, Development Studies, Environmental Science/Management, Public Policy and Administration, Political Science, Gender Studies, Anthropology, Sociology, Environmental Economics, Geography (human, economic and physical), Soil Science, Geology, Botany, and Zoology.
- Excellent oral and written communication skills in English.
- An ability to work well under pressure and meet tight deadlines.
- An interest in and enthusiasm for frequent and extensive travel to countries across Africa, Asia, Latin America and the Caribbean.

Advantageous, but not exclusionary criteria • Proficiency in specialised analytical techniques is beneficial, particularly statistical analysis, R, GIS and remote

sensing. • Working proficiency in French, Spanish and/or Portuguese, in addition to English.

Remuneration. A stipend will be provided during the training and experiential learning stages, with remuneration during the internship being dependent on work experience and qualifications. If employment follows the internship, a market-related salary will apply.

Applications: Please send a cover letter, a short CV and contact details of three referees to Debbie Buckley (debbie.buckley@c4es.co.za). Applications close on 31 January 2020. The recruitment process for shortlisted candidates will entail a writing test and an interview. Spaces are limited to 20 participants; please submit your application as soon as possible. C4 reserves the right to select participations solely at its discretion and to reduce the number of participants if insufficient suitable applications are received.

Mossel Bay Municipality Senior Environmental Officer

Closing Date: 15 November 2019 (No applications received after 13h00 will be accepted)

Requirements

- National Diploma/Degree (Environmental Health) (NQF Level 6)
- Registration with Health Professions Council of SA (HPCSA)
- Code B Driver's License
- Computer literacy (MS Office Applications)
- 3-4 years' experience in a similar environment
- Good management, human relations, interpersonal and communication skills
- High level of responsibility • Ability to work under pressure

Key Performance Areas

- Supervision and control of personnel, services and the pollution control section
- Identify with the Community Services strategy with respect to service and, defines, implements and monitors the short-term plans for the Environmental Management functionality
- Analyzing service delivery trends and capacity against requirements to facilitate the preparation of capital and operational expenditure estimates
- Participating in the recruitment and selection process
- Asset management
- Manages the formulation of specific contracts and tender documents and control contractual obligations
- Coordinates and controls programmes associated with Pollution Control
- Coordinates and controls programmes associated with the cleaning of streets and public convenience facilities and open spaces
- Identify and control issues with regards to Air Quality, and monitor the action plans designed to address shortcomings relevant to air quality
- Air quality education and awareness raising
- Issue business licenses
- Issue noise exemption in consultation with the Senior Manager • Administration related to the function

General:

- Shortlisted candidates may be subjected and required to undergo a theoretical and/or practical test. - Notwithstanding any representations to the contrary, no employment contract will come into effect until a written offer has been made by the municipality to, and accepted by, the applicant - Applications in writing on the

official application form and accompanied by a comprehensive CV, which will be regarded as confidential, must be directed to: The Senior Manager Human Resources, P O Box 25, Mossel Bay, 6500. These conditions are compulsory and failing to comply will automatically lead to disqualification of the applicant. - Application forms are available on the Municipal [web-site](#) or electronically available from the contact person mentioned hereunder. Original Certified copies of proof of qualifications should accompany the CV. - Electronic applications may be [e-mailed](#) - For equity purposes please indicate your race, gender and disability status. - Further details are obtainable from Ms C Wagenaar or Ms G October or Ms J Ruiters at telephone number (044) – 6065000. - If applicants are not contacted within 40 days of the closing date, it can be accepted that they were not successful. - The Mossel Bay Municipality is committed to comply to the requirements of the Employment Equity Act, No. 55 of 1998, for the advancement of previously disadvantaged and disabled persons.

University of the Free State Centre for Human Rights: Coordinator: Research and Postgraduate Division

Closing date: 22 November 2019

More [information](#)

University of the Free State Centre for Human Rights: Coordinator: Legal Services Division

Closing date: 22 November 2019

More [information](#)

University of Stellenbosch: Senior Legal Advisor: Research Contracts / Legal Advisor: Research Contracts

Closing date: 22 November 2019

More [information](#)

University of the Western Cape: Associate Professor/Senior Lecturer: Private law

Closing date: 18 November 2019

More [information](#)

Pretoria Candidate Attorney 2021: MacRobert Attorneys

Closing date: 31 March 2020

More [information](#)

International

Swiss Government Excellence Scholarships

PhD, postdoctoral and research scholarships at Swiss higher education institutions.

Deadline for scholarship application: 15 December 2019

More [information](#)

Australia Awards

Master's scholarship in one of the following priority sectors: Agriculture, Environment, Extractives, Gender Studies, Health, Human Rights, Public Policy and Security Studies.

Deadline for scholarship application: 06 December 2019

[Read more](#)

Australia Awards

Short Course opportunities in Trade and Policy negotiations, Technical and Vocational Education and Training (TVET) Trainer Development and Public Private Infrastructure Partnerships in Australia and/or African country of fields.

Deadline for scholarship application: 17 January 2020

[Read more](#)

RFF-CMCC European Institute on Economics and the Environment Research Positions (Milan, Italy)

The RFF-CMCC European Institute on Economics and the Environment (EIEE) is a research institute co-founded in 2018 by Resources for the Future (RFF) and the Euro-Mediterranean Center on Climate Change (CMCC). The Institute's mission is to improve environmental, energy, and natural resource decisions through impartial economic research and policy engagement. The Institute is committed to being a central focal point for research insights and policy solutions within Europe, and connecting that work internationally.

EIEE is currently encouraging applications for several junior and senior researcher positions in one of two macro-areas of research:

- Climate Change Economics and Integrated Assessment Modelling Position (ref. 9340)

- Digitalization and Environmental Economics Positions (ref. 9375)

The institute will interview also at the 2019 European Job Market, in Rotterdam (The Netherlands), on Wednesday, December 18 and Thursday, December 19. For any further information or clarification, please visit our [webpage](#) or [email](#).

Provost- Lancaster University in in Accra, Ghana

More [information](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

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15 November 2019

LEGISLATION

NOTICES

Animal Diseases Act 35 of 1984 - GN 1464 in GG 42839 of 15 November 2019
- Draft Bovine Brucellosis Control Policy, South Africa – for comment

Occupational Health and Safety Act 85 of 1993 - GN R1483 in GG 42840 of 15 November 2019 - Draft Major Hazard Installation Regulations - for comment

South African Civil Aviation Authority Levies Act 41 of 1998 - GNs R1461 & R1462 in GG 42834 of 12 November 2019 - Determination made by the South African Civil Aviation Authority to impose a fuel levy on the sale of aviation fuel published in GN R520 in GG 42362 [Regulation Gazette 10933] of 29 March 2019* [sic] amended with effect from 30 days after publication and 1 April 2020, respectively

Promotion of Access to Information Act 2 of 2000 - GG 42842 of 14 November 2019 - Department of Human Settlements - Section 14 manual

Diplomatic Immunities and Privileges Act 37 of 2001 - GN 1458 in GG 42831 of 11 November 2019 and GN 1460 in GG 42833 of 12 November 2019 - Recognition of the Diplomatic Conference for the Adoption of the Protocol to the Convention on International Interests in Mobile Equipment on matters specific to Mining, Agriculture and Construction Equipment for the purposes of granting immunities and privileges and Memorandum of Understanding between the Government of the Republic of South Africa and the International Institute for the Unification of Private Law regarding the Diplomatic Conference for the Adoption of the MAC Protocol

Mineral and Petroleum Resources Development Act 28 of 2002 - GN 1471 in GG 42839 of 15 November 2019 - Exemption of organs of state from certain provisions of the Act

Petroleum Pipelines Act 60 of 2003 - GN 1463 in GG 42837 of 13 November 2019 - National Energy Regulator of South Africa - Amended Petroleum Pipeline Rules

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Notice 607 in GG 42839 of 15 November 2019 - Draft National Botanical Garden Expansion Strategy 2019-2030 - for comment

PROVINCES

Eastern Cape

National Environmental Management: Integrated Coastal Management Act 24 of 2008 - PN 313 in PG 4343 of 11 November 2019 - Sarah Baartman District Municipality - Draft Coastal Management Programme – for comment

Disaster Management Act 57 of 2002 - LAN 282 in PG 4343 of 11 November 2019 - Kouga Local Municipality - Declaration of a local state of drought disaster as published under LAN 81 in PG 4226 of 15 April 2019 extended for a further month

Western Cape

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58373 in PG 8177 of 15 November 2019 - Local Matzikama Local Municipality - Coastal Management By-law; By-law relating to the Impoundment of Animals; By-law relating to the Keeping of Animals; By-law relating to Outdoor Advertising and Signage; and Utilisation of Commonage Land by Emerging Farmers By-law

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 58373 in PG 8177 of 15 November 2019 - Matzikama Local Municipality: By-law on the Holding of Events

Nature and Environmental Conservation Ordinance 19 of 1974 - PN 114 in PG 8178 of 15 November 2019 - Hunting seasons, daily bag limits and hunting by the use of prohibited hunting methods, 2020

KwaZulu Natal

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and KwaZulu-Natal Pound Act 3 of 2006 - MN 141 in PG 2140 of 14 November 2019 - Edumbe Local Municipality - Pound By-laws, 2019

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 - MN 141 in PG 2140 of 14 November 2019 - Edumbe Local Municipality - Outdoor Advertising By-law, 2018/19

Gauteng

National Environmental Management: Waste Act 59 of 2008 and Gauteng Health Care Waste Management Regulations, 2004 - PNs 1126 & 1129 in PG 351 of 13 November 2019 - List of authorised and registered persons on the Gauteng Waste Information System database

CASES

National

Impangle Logistics (Pty) Ltd and Another v All Truck Drivers' Foundation (ATDF) and 12 Others Case No 3467/2019 and *Mbali Coal Proprietary Limited v Buthelezi Nthuthuko and 63 Others* Case no 3564/2019 Mpumalanga High Court Local Division 25 October 2019

Inaction of South African Police Services to protect mining trucks against destruction, hijacking etc and to enforce interdict to prevent destruction of mine property [read also Rickard C "Matter of Justice: Judge calls for probe into police inaction on crime" Legalbrief Publication 12 November 2019]

International

Lonny E Baley et al, John Anderson Farms, Inc. et al v. United States, Pacific Coast Federation of Fishermen's Associations [Case no 2018-1323/2018-1325](#) United States Court of Appeals for the Federal Circuit – decided 14 November 2019

"This case arises out of the Klamath River Basin reclamation project ("the Klamath Project" or "the Project"). The Project straddles the southern Oregon and northern California borders. Key features of the Project are Upper Klamath Lake in Oregon, where water is stored for the Project, and the Klamath River. The Klamath River rises at the south end of Upper Klamath Lake and flows from Oregon into California. The river eventually enters the Pacific Ocean near Klamath, California. The Project supplies water to hundreds of farms, comprising approximately 200,000 acres of agricultural land. The Project is managed and operated by the United States Department of the Interior's Bureau of Reclamation ("the Bureau of Reclamation" or "the Bureau"). The Bureau of Reclamation also manages the Klamath Project to protect the tribal trust resources of several Native American Tribes."

"In a nutshell, the court ruled that the taking claims failed because the plaintiffs' water rights are subordinate to the federal reserved water rights held by Indian tribes in the Klamath basin.

This reasoning, which was sufficient to resolve the case, allowed the Federal Circuit to avoid addressing the merits of the claims court's zany theory that ESA restrictions on water use should be evaluated as a per se physical taking rather than a potential regulatory taking. See the final footnote in the opinion: "In addition, in view of our disposition of the case, it is not necessary for us to address appellees' argument that the Court of Federal Claims erred in employing a physical, instead of a regulatory, taking analysis. We therefore express no view on the issue." [Envlawproflist - John Echeverria, Vermont Law School]

PUBLICATIONS

National

Lubbe WD and Kotze LJ “Holistic Biodiversity Conservation in The Anthropocene: A Southern African Perspective” 2019 27(1) *African journal of international and comparative law/Revue africaine de droit international et compare* 76-99

Viljoen G “The transformed property regime of the National Water Act 36 of 1998: Comparative reflections on South Africa’s water in the “public space” 2019 2 *VRÜ Verfassung und Recht in Übersee* 172-194

Soyapi CB “A Multijurisdictional Assessment of the Judiciary’s Role in Advancing Environmental Protection in Africa” 2019 *Hague Journal on the Rule of Law* 2019: 1/26 <https://doi.org/10.1007/s40803-019-00128-9>

Villavicencio Calzadilla PM “Case Note - A Paradigm Shift in Courts' View on Nature: The Atrato River and Amazon Basin Cases in Colombia” 2019 25(1) *LEAD journal* 1-15

Soyapi CB “Environmental Protection in Kenya's Environment and Land Court” 2019 *Journal of Environmental Law* 1-11

Soyapi CB “The courts and the constitutional right to a clean and healthy Environment in Uganda” 2019 *RECIEL* 152-161

Network of African Science Academies (NASAC) “Neonicotinoid Insecticides: Use and Effects in African Agriculture - A Review and Recommendations to Policymakers” (November 2019) [Online] - available [here](#)

International

Tom McGarity, Sid Shapiro, Karen Sokol, and David Flores “Climate Justice: State Courts and the Fight for Equity” ([Report](#) Centre for Progressive Reform 2019)

Castle, Anne and Fleck, John, The Risk of Curtailment under the Colorado River Compact (November 8, 2019). Available at SSRN: <https://ssrn.com/abstract=> - also available [here](#)

Benjamin Lisa “The Road to Paris Runs Through Delaware: Climate Litigation and Directors' Duties” 2020 [Utah Law Review](#) (forthcoming)

Blumm Michael “A Dozen Landmark Nuisance Cases and Their Environmental Significance” 62 [Arizona Law Review](#) (forthcoming 2020)

Blumm Michael “Environmental Law at 50: A Cutting-Edge Journal Examining the Central Issues of Our Time” 50 [Environmental Law](#) (forthcoming 2020)

Blumm Michael and Baermann Cari “The Belloni Decision and Its Legacy: United States v. Oregon and Its Far-Reaching Effects After a Half-Century” 49 [Environmental Law](#) (forthcoming 2019)

Blumm Michael and Wolfard Rachel “Revisiting Background Principles in Takings Litigation” 71 [Florida Law Review](#) (forthcoming 2019)

Blumm Michael and Jamin Olivier "Indigenous Rights in the U.S. Marine Environment: The Stevens Treaties and Their Effects on Harvests and Habitat in Bankses Nigel (ed) [*Indigenous Rights in the Marine Environment*](#) (Hart Publishing 2019)

2019 [Energy Review](#) – November issue

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Biodiversity, protected areas and culture**

Harrisberg K "Johannesburg seeks to avert 'ecological disaster' from beetle-infested trees" [Place](#) 11 November 2019

Knight T "Ban on octopus fishing is lifted, but mitigation measures muddy the water" [Daily Maverick](#) 15 November 2019

- **Climate change and energy**

Webber Wentzel [e-Alert](#): Niven Gillian, Novotny Paula-Ann & Pretorius Jeanique "One step at a time: IRP 2019 & the transition to a low-carbon economy" 11 November 2019

- **Local government**

Monteiro A "Failing cities stymie South African bid to revive growth" [IOL](#) 14 November 2019

- **Mining**

Minister Environment, Forestry and Fisheries Republic of South Africa: Appeal against the Decision to Grant an Integrated Environmental Authorisation To Anglo Operation (Pty) Ltd - Appeal decision Reference: LSA-181971: The Grootvley Blesbokspruit Conservation Trust and Others – 20 October 2019

"This Is an appeal against the decision of the Regional Manager: Mineral Regulation of the Department of Mineral Resources, Gautsng Regional Office {DMR) to grant an Integrated environmental authorisation (IEA) to Anglo Operation (Pty) Ltd (the applicant), on 5 March 2019 In respect of a mining right appllcation relating to opencast coal mining on Farm Palmietkuilen 241 IR, situated in the Magisterial District of Springs/Nigel, in Gauteng Province." The Minister did not allow the environmental authorisation in relation to opencast coalmine *inter alia* to protect high potential agricultural land.

"1.40 The Information before me Indicates that during the appeal process, comments were sourced from the now Department of Agriculture, Land Reform and Rural Development (DALRRD). Such comments were provided on 25 Septamber 2019. The DALRRD states that the proposed mining activity is located within a proposed Protected Agricultural Area which has a priority rating of B. According to DALRRD, this means that this area Is regarded as high potential agricultural land which should be protected for agricultural production purposes. The DALRRD further advises that land

capability ratings varies from 1 ID 15 with 15 being the highest possible rating. The capability evaluation value of the proposed mining area 18 9. DALRRD states that it regards areas with a land capability rating of 9 and higher to be of extreme importance.” [provided by Theunis Meyer, Centre for Environmental Management, NWU]

[StatsSA](#): P2041 - Mining: Production and sales, September 2019 (14 November 2019)

[Extractives Baraza](#): “Demolition company assists mines cap illegal mining activities” 13 November 2019

- **Water, waste and chemicals**

[GroundUp](#): Damba-Hendrik Nombulelo “Dams empty in Eastern Cape The Gcuwa and all dams supplying Butterworth and surrounding areas are dry” 14 November 2019

[GroundUp](#): Carnie T “Silver lining to Dusi pollution calamity?” 14 November 2019

- **Miscellaneous**

[StatsSA](#): Report-03-10-19 - Inequality Trends in South Africa: A Multidimensional Diagnostic of Inequality, 2017

Africa

- **Biodiversity**

[Place](#): Harrisberg K “Interview-Wildlife-loving Gabon minister seeks to stamp out illegal logging” 14 November 2019

[The Guardian](#): McVeigh K “The vanishing: Ghana’s defenders face new perils in fight against overfishing” 16 November 2019

- **Climate Change and Energy**

[UNDP](#): Yahya M “Nigeria must lead on climate change” 4 October 2019

[Mail & Guardian](#): Msuya J “Africa’s path to sustainable prosperity must move in step with environmental action” 15 November 2019

- **Miscellaneous**

[African Development Bank Group](#): “Africa has grasped the Fourth Industrial Revolution, according to African Development Bank report, but its role globally could be even bigger” 13 November 2019

[UNDP](#): Scaling Fences: Voices of Irregular African Migrants (Report November 2019)

International

- **Biodiversity, protected areas and culture**

[IISD](#) ENB: 8th Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture 11-16 November 2019 | Headquarters of the UN Food and Agriculture Organization (FAO), Rome, Italy

[Place](#): Wulfhorst E “As wildfires worsen, Californians harness tech for help” 11 November 2019

[Science](#): Popkin G “A mysterious disease is striking American beech trees” 14 November 2019

[Science](#): Pennisi E “Alien genes from bacteria helped plants conquer the land” 14 November 2019

[Place](#): Taylor M “Factbox-Can global corporations meet 2020 no-deforestation pledge?” 15 November 2019

- **Climate change and energy**

[Eco.](#): “GCF insight 13: Top 5 climate finance knowledge gaps” 11 November 2019

[IISD](#) SDG Knowledge Hub: Kilpatrick A “Three Reasons Why Capacity Building Will Be at the Heart of COP 25” 14 November 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “CIFOR and ICRAF Merge into ‘Resilient Landscapes’ Organization” 14 November 2019

[UNDP](#): “Tsunami preparedness” 5 November 2019

[The Guardian](#): Giuffrida A “Venice council flooded moments after rejecting climate crisis plan” 15 November 2019

- **Local government**

[IISD](#) ENB: World Congress of United Cities and Local Governments and World Summit of Local and Regional Leaders 11-15 November 2019 | Durban, South Africa [provided by Andrew Gilder ClimateLegal]

[Place](#): Green M “Sinking suburban “home” drifts down Thames in watery climate protest” 10 November 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Mitigation Finance Update: Finance Flows to Developing Country Cities Can Deliver Maximum Impact” 14 November 2019

[Place](#): Wulfhorst E “U.S. lawmakers propose \$180 billion plan to make public housing green” 14 November 2019

- **Mining**

[Extractives Baraza](#): “BMA to automate haulage operations at Goonyella Riverside Coal Mine” 13 November 2019

- **Water, oceans, waste and chemicals**

[Getches-Wilkenson Centre](#): Castle A “The Risk of Curtailment under the Colorado River Compact” 11 November 2019

[IISD](#) ENB: 2020 Ocean Pathways Week 11-15 November 2019 | Montreal, Canada

[IISD](#) SDG Knowledge Hub: Mead L “‘INECE Compliance Conversations’ Build Capacity on Lead Paint Laws” 14 November 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “Co-Facilitators for 2020 Ocean Conference Preparatory Process Appointed” 14 November 2019

[IISD](#) SDG Knowledge Hub: 31st Meeting of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer (MOP 31) 4-8 November 2019 | Headquarters of the Food and Agriculture Organization of the UN (FAO), Rome, Italy

[UNDP](#): “Turning the tide in the Aral Sea region”

- **Miscellaneous**

US Federal Government [Notice](#): Strengthening Transparency in Regulatory Science 40 CFR Part 30

Conference: EPA at 50 video is available [here](#):

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNECE [Guides](#) Countries in Measuring Economic, Social Well-being” 14 November 2019

[IISD](#) SDG Knowledge Hub: Allen C *et al* “Greater Gains for Countries on the SDGs by Addressing All Goals Together” 12 November 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “World Bank Launches ESG Data [Portal](#) in Support of SDGs” 12 November 2019

[Science](#): Voosen P “Drones reveal earthquake hazards hidden in the abyss” 14 November 2019

[Science](#): Malakoff D “EPA’s ‘secret science’ plan is back, and critics say it’s worse” 12 November 2019

[UNDP](#): Rashid M “Dengue fever ravages Asia Pacific” 2 October 2019

[Place](#): Tabary Z “‘Digital revolution’ excluding the most vulnerable, world leaders told” 14 November 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Imbewu: Environmental Law Update

Date: 26 November 2019

Venue: Imbewu’s offices, Rosebank, Johannesburg

Time: 08:30-16:30

[Programme](#)

Contact: [Lulu](#) / 011 214 0660

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

University of Pretoria Enterprises: Short course: Environmental Law

Date: 18-23 November 2019

[Registration](#)

Webber Wentzel: Mining Indaba Cocktail Function – Save the date

Date: 4 February 2020

Venue: Venue: Webber Wentzel Offices | 15th Floor | Convention Tower | Heerengracht | Foreshore | Cape Town

Time: 17:00

Mandela Institute of the School of Law, University of the Witwatersrand Postgraduate Certificate Course Introduction to Law for Non-Lawyers

Date: 11 January to 15 February 2020

For course details, entry requirements, application process and other course offerings visit the Mandela Institute [website](#).

Registration closes on 29 November 2019.

Registration and enquiries: [Mandela Institute](#), Tel: 011 717 8435/8438; [E-mail](#).

International

Innovate4Climate 2020

Date: 26–29 May 2020

Place: Barcelona, Spain

Innovate4Climate is a platform that promotes dialogue among the public and private sector on innovative ways to mobilize finance towards climate action. It is the preeminent global conference where leaders from government, industry, business, finance, and technology, gather to envision the next generation of climate-smart solutions with the potential to transform the global economy.

Join us if you are interested in identifying the latest trends in finance, markets, policy, and technology, discovering climate-smart investment opportunities, and networking with global thought leaders.

Follow the conversation using the hashtag: [#Innovate4Climate](#)

National

- **Biodiversity**

Fishing: Small-scale rock lobster fishers receive 'interim relief'

"Nearly 3 000 small-scale rock lobster fishers identified last year in the Western Cape but still waiting for their 15-year rights to be granted will have 'access to fishing' pending the conclusion of the process. Among other things, the media statement announcing this yesterday confirmed the appointment of an auditing and advisory firm to investigate the entire registration and verification process and the alleged exclusion of qualifying fishers from the final list of those to be granted rights and permits. Meanwhile, the province's restructured small-scale west coast rock lobster fishing sector 'roll-out' is to be 'fast-tracked'. It appears to have been beset with difficulties for at least two years, largely stemming from widespread dissatisfaction with the 'offshore allocation' process (Fin24)."

Read full report in Legalbrief Policy Watch 14 November 2019

Somdyala K "Two rhino and a zebra electrocuted after Eskom pylon collapses in nature reserve" [News24](#) 17 November 2019

- **Climate change and energy**

Omarjee L "Sowetans should pay flat rate of R150/month for electricity - it will foster payment culture, says ANC councillor" [fin24](#) 13 November 2019 [Legalbrief 14 November 2019]

Ambrose J "Methane emissions from coalmines could stoke climate crisis – study" [The Guardian](#) 15 November 2019 [provided by Andrew Gilder ClimateLegal]

- **Local government**

Erasmus D "Poor planning, lack of maintenance add to KZN woes as storms wreak havoc" [City Press](#) 17 November 2019

- **Mining**

South Africa: Oil and gas regulatory Bill ready in weeks

"Minerals & Energy Minister Gwede Mantashe said the draft Bill to govern the oil and gas sectors will be published for public comment within three weeks. Addressing the Africa Oil Week Conference, the Minister also signalled that coal-fired plants scheduled for mothballing could be revived as gas-powered plants by the private sector. The document is not set in stone yet, which suggests there is still political wrangling around it, says the Daily Maverick. Mantashe noted it was still being scrutinised by Cabinet. 'Whatever is in there now could be changed,' he said. Investors remain in the dark regarding the nitty-gritty of SA oil and gas policy. Mantashe suggested regulations over 'security of supply' will be prominent in the draft Bill. The Daily Maverick says the Minister, 'enthralled by gas', took umbrage at a suggestion by one reporter that no shale gas has been discovered yet in the Karoo, noting that drilling in the region has uncovered 'gas formations'. As far as Mantashe is concerned, however, the Karoo has shale gas. Mantashe also warmed to the theme of gas replacing the expensive and dirty option of diesel which is often used to power Eskom's turbines. Asked about the prospect of

private sector participation in Eskom, he said a number of its coal-fired plants were nearing the end of their lifespans and would soon be mothballed.
Full Daily Maverick report IBA Legalbrief Africa 11 November 2019

- **Water, waste, oceans and chemicals**

“Industry waste plans; Department 2019/20 Quarter 1 & 2 performance, with Minister & Deputy Minister” [PMG](#) 12 November 2019 [provided by Andrew Gilder ClimateLegal]

- **Miscellaneous**

Njobeni S “Fighting for survival, local cement producers lobby for protection” [BusinessLive](#) 15 November 2019 [Legalbrief 15 November 2019]

International

- **Biodiversity, protected areas, animal rights and culture**

Watts J “The Amazon: on the frontline of a global battle to tackle the climate crisis” [The Guardian](#) 17 November 2019

Beaumont P “Pacific seals at risk as Arctic ice melt lets deadly disease spread from Atlantic” [The Guardian](#) 17 November 2019

Watts J “Activists hold climate conference deep in the Amazon rainforest” [The Guardian](#) 15 November 2019

Weston P “Scientists disprove Bolsonaro government claim devastating Amazon wildfires had nothing to do with deforestation” [The Independent](#) 17 November 2019

- **Climate change and energy**

“European Investment Bank signals end to fossil fuel lending by 2021” [Carbon Pulse](#) 14 November 2019

“Green Climate Fund approves its first Chinese project” [Carbon Pulse](#) 14 November 2019

“New Zealand launches consultation on CO2 auctioning, cost containment reserve” [Carbon Pulse](#) 14 November 2019

“USDA, Nature Conservancy launch voluntary Appalachian forest carbon partnership” [Carbon Pulse](#) 14 November 2019

“Germany proposes coal phaseout start next year but stays mum on EUA cancellations” [Carbon Pulse](#) 13 November 2019

“Shipping groups suggest fuel levy idea as EU measures loom larger” [Carbon Pulse](#) 15 November 2019

“US senators introduce bipartisan legislation to expand RGGI, WCI carbon markets” [Carbon Pulse](#) 15 November 2019

Laville S and Taylor M “Scientists and climate advisers condemn Tory environmental record” [The Guardian](#) 17 November 2019

Brown P “Weatherwatch: sulphur clouds make shipping a not so secret polluter” [The Guardian](#) 15 November 2019

Maeko T “Giant new refinery: curse or boon?” [Mail & Guardian](#) 15 November 2019
[subscription / newspaper needed]

- **Miscellaneous**

Weston P “Failure on pretty much every aspect’: Government condemned as UK set to miss key environmental goals” [The Independent](#) 17 November 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Future Water: Post-doctoral fellowship opportunity: Water resilience Future Water, University of Cape Town

Closing date: 6 December 2019

More [information](#)

Pearson Vanderbijlpark: Part Time Law Lecturer (Day Classes)

Closing date: 18 November 2019

More [information](#)

Pearson Midrand: Part Time Law Lecturer (Day Classes)

Closing date: 21 November 2019

More [information](#)

Stellenbosch University Social Justice Project Manager & Researcher

Closing date: 18 November 2019

More [information](#)

University of the Free State: Copyright Officer

Closing date: 21 November 2019

More [information](#)

Legal Researcher: Office of the Director CCMA National Office Post level: 05

Key Requirements:

- Relevant Postgraduate Degree in Law – preferably employment laws
- Proven track-record in researching legal and related topics, uplifting relevant substance and preparing PowerPoint Presentations.
- A formal qualification in Research would be an added advantage.
- Admitted Attorney or Advocate with court experience.
- Exceptional Writing Skills in the English medium.
- Strong Project Management Skills.
- A formal qualification in Project Management would be an added advantage.

Closing date: Monday, 18 November 2019

To respond in confidence, please send your detailed CV, certified copy of your qualifications, and a covering letter disclosing information that will assist the panel in considering your application to: @ccma.org.za

Human Sciences Research Council: PhD Research Trainee – Cape Town (3 year contract)

Closing date: 27 November 2019

More [information](#)

Human Sciences Research Council: Junior Researcher – Cape Town (3 year contract)

Closing date: 20 November 2019

More [information](#)

International

Visiting Assistant Professor (VAP) in Environmental Law at the Elisabeth Haub School of Law at Pace University

The Elisabeth Haub School of Law at Pace University seeks applicants for a Visiting Assistant Professor (VAP) in Environmental Law. The VAP in Environmental Law will hold a one-year appointment, renewable for a second one-year term. The appointment is designed to mentor and train future environmental law professors and prepare them for the law school teaching market. Pace defines environmental law broadly and welcomes candidates with interdisciplinary interests and approaches to environmental law.

The VAP will have a teaching load of one course per semester and the opportunity to focus on scholarly research and writing. The VAP will receive the same office and administrative support as other faculty members, is invited to participate fully in faculty activities, and will receive a small travel and research fund. Additionally, the VAP will present a work-in-progress at Pace Law's Future Environmental Law Professors Workshop, receive feedback and mentoring from other scholars, and present a finished manuscript to the faculty at our weekly scholarly colloquium.

Candidates will be selected based on their prior work and educational experience, and teaching and scholarly potential. Pace is committed to achieving equal opportunity in all aspects of University life. Applications are encouraged from people of color, individuals of varied sexual and affectional orientations, individuals who are differently-abled, veterans of the armed forces or national service, and anyone whose background and experience will contribute to the diversity of the law school.

Applicants should submit:

- Cover letter (discussing qualifications and interests)
- Curriculum Vitae (that lists three references and law school courses the candidate would be interested in teaching)
- Law school transcript
- One published scholarly article or an unpublished paper draft or prospectus that reflects the candidate's scholarly interests and potential

Applications should be received by Friday, December 20, 2019, but will be considered thereafter until the position is filled.

If you would like to be considered for a Visiting Assistant Professor in Environmental Law appointment beginning in the Fall of 2020, please send your application materials via email to [Jennifer Chin](#). Please direct any questions to Professor [Margot Pollans](#). Only electronic submissions will be accepted.

Lecturer in Law RMIT University Australia (in Vietnam)

Closing date: 8 December 2019

More [information](#)

[Tenure-Track Position in International Economic Law](#)

University of Ottawa

[Assistant Professor of Law](#)

University of Copenhagen

[PhD scholarships in Law](#)

University of Copenhagen Faculty of Law

[Lecturer in Law](#)

University of Hong Kong Faculty of Business and Economics

[Different Faculty Positions](#)

Kibabii University

[Postdoctoral Fellowships in Political Philosophy / Legal Theory](#)

University of Oslo

[Faculty Position in Law](#)

Dar Al Uloom University College of Law

[Professor of Law and Technology](#)

University of Florida

[Assistant Professor of Criminology, Law, and Society](#)

University of Illinois Urbana Champaign Department of Sociology

[Visiting Clinical Professor of Law](#)

Columbia University School of Law

[Visiting Professor of Law](#)

Columbia University New York School of Law

Assistant Professor at Tokyo Institute of Technology

Tokyo Institute of Technology has released faculty position (Assistant Professor) in the following fields; EIA related environmental planning

For further information, please visit the following [link](#).

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

ELA NEWSLETTER 45

22 November 2019

LEGISLATION

NOTICES

National Environmental Management Act 107 of 1998 - GN 1496 in GG 42849 of 22 November 2019 - Consultation on the intention to amend the EIA Regulations, 2014, as amended (regulation 54A) [also sent to members as separate email]

Plant Breeders' Rights Act 15 of 1976 - GN 1491 in GG 42849 of 22 November 2019 - Receipt of applications for plant breeders' rights

Agricultural Pests Act 36 of 1983 - GN R1511 in GG 42850 of 22 November 2019 - Control measures relating to honey bees amended

National Heritage Resources Act 25 of 1999 - GNs 1493 & 1494 in GG 42849 of 22 November 2019 - South African Heritage Resources Agency - Declaration of the June 16 Soweto Route, Orlando West, Soweto, Gauteng and the Walter Sisulu Square of Dedication, Kliptown, Soweto, Gauteng as National Heritage Sites

National Environmental Management: Protected Areas Act 57 of 2003 – Gen Notice 614 in GG 42849 of 22 November 2019 - Intention to declare an area in the Northern Cape Province a National Park (Meerkat) within the South African Radio Astronomy Observatory (SARAO) Area - for comment

PROVINCES

Eastern Cape

Spatial Planning and Land Use Management Act 16 of 2013 - PN 319 in PG 4346 of 18 November 2019 - Joe Gqabi District Municipality - Appointment of municipal planning tribunal members and Agreement for the establishment of a Municipal Planning Tribunal (JGDMPT)

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 290 in PG 4346 of 18 November 2019 - Kouga Local Municipality - Establishment of the Municipal Planning Tribunal and the appointment of members

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 293 in PG 4347 of 20 November 2019 - Makana Local Municipality - Spatial Development

Framework Plan (2019) inclusive of Capital Investment Framework and Implementation Plan; CBD Traffic and Transport Management Plan (2019); and Development levy policy and calculator (2019)

Western Cape

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 58389 in PG 8179 of 15 November 2019 - Mossel Bay Local Municipality - By-law on Municipal Land Use Planning and By-law on Municipal Land Use Planning, 2014 amended

Constitution of the Republic of South Africa, 1996, Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - LAN 58389 in PG 8179 of 15 November 2019 - Mossel Bay Local Municipality - Integrated Zoning Scheme By-law

Western Cape Land Use Planning Act 3 of 2014 - PN 118 in PG 8180 of 22 November 2019 - Intention to amend the Provincial Spatial Development Framework, 2014 – for comment

National Environmental Management: Protected Areas Act 57 of 2003 - PN 119 in PG 8180 of 22 November 2019 - Declaration of a nature reserve - Van Loveren Nature Reserve

Mpumalanga

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000 - LAN 84 in PG 3106 of 22 November 2019 - Steve Tshwete Local Municipality - Public Transport By-laws, 2019

Spatial Planning and Land Use Management Act 16 of 2013 - LAN 87 in PG 3106 of 22 November 2019 - Dipaleseng Local Municipality - Invitation for public participation in the process of reviewing the Spatial Development Framework (SDF)

CASES

National

Tetani and Another v Buffalo City Metropolitan Municipality and Another (EL406/2019) [2019] ZAECELLC 31 (14 November 2019)

“[1] The applicants are husband and wife. They brought an urgent application in which they sought a rule *nisi* calling upon the respondents to show cause why they should not be interdicted and restrained from unlawfully disconnecting the electricity supply to the applicants’ premises, and be directed to reconnect the electricity supply to the applicant’s premises. The application was brought on an urgent basis. On 17 April 2019 Smith J, granted the following order:

‘1. The Applicants’ non-compliance with the rules relating to service of processes and papers as well as the timeframes set out, including the 72 hours’ notice referred to in section 36 of the General Law Amendment Act, 1955 (Act 62 of 1955) be and is hereby condoned;

2. That the Applicants be granted leave to proceed with this application by way of urgency in terms of rule 6(12);
3. That the Applicants be granted leave to serve the application papers and any order granted by this Honourable Court on the Respondent's physical address.
4. That a rule *nisi* issue calling upon the Respondents to show cause on 14 May 2019 at 09h30 or soon thereafter as the matter may be heard why an order in the following terms should not be made final:
 1. That the termination/disconnection/blockage of electricity supply to Mhlophe Avenue, Sunnyridge, East London ('the premises') on Tuesday, 16 April 2019 be and is hereby declared unlawful."

Notyawa v Makana Municipality and Others [2019] ZACC 43

"Summary: Local Government: Municipal Systems Act 32 of 2000 — unreasonable delay — interests of justice — Promotion of Administrative Justice Act 3 of 2000 — legality review" – appointment of municipal manager

International

R (on the application of Wright) (Respondent) v Resilient Energy Severndale Ltd and Forest of Dean District Council (Appellants) [2019] [UKSC](#) 53 [also read comment [here](#)]

"[1] This case concerns a challenge by the respondent ('Mr Wright') to the grant of planning permission by the local planning authority (the second appellant: 'the Council') for the change of use of land at Severndale Farm, Tidenham, Gloucestershire from agriculture to the erection of a single community scale 500kW wind turbine for the generation of electricity ('the development'). Mr Wright is a local resident. The first appellant ("Resilient Severndale") was the successful applicant for the planning permission." [Legalbrief 22 November 2019]

PUBLICATIONS

National

Index and Annotations to the South African Law Reports, Juta's (2014-2018)
([Juta](#) November 2019)

International

2019 *Transnational Environmental Law* 8(3) November – now [available](#) – can be downloaded until 31 December 2019

IRENA, “Future of solar photovoltaic” ([Report](#) November 2019)

Stevart T *et al* “A third of the tropical African flora is potentially threatened with extinction” 2019 5(1) [Science Advances](#) DOI: 10.1126/sciadv.aax9444

Quezada JC *et al* “Carbon neutral expansion of oil palm plantations in the Neotropics” 2019 5(11) [Science Advances](#) DOI: 10.1126/sciadv.aaw4418

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Daily Maverick](#): Planting S “Climate crisis opportunity: Making money on the road to hell” 22 November 2019

[Daily Maverick](#): Sayed MK “The climate crisis discourse needs to include developmental states” 22 November 2019

[GroundUp](#): Postman Z “Dispute over electrification in Tembisa” 21 November 2019

- **Local government**

[Daily Maverick](#): Wayland D “From plastic bottle to ... plastic bottle: how Cape Town recycles” 22 November 2019

[IOL](#): September L “Cape Town, a real tale of two cities” 21 November 2019

[IOL](#): James G “How can protecting Bo-Kaap’s heritage come before the creation of much-needed jobs?” 19 November 2019

- **Mining**

[Daily Maverick](#): Stoddard E “Joint operations centre set up to quash platinum belt unrest” 22 November 2019

[BusinessLive](#): Steyn L “What’s really fuelling SA mine protests?” 21 November 2019

- **Water, waste and chemicals**

[Daily Maverick](#): Ellis E “Nelson Mandela Bay still waiting for drought disaster declaration” 22 November 2019

[GroundUp](#): Sizani M “Nelson Mandela Bay is drowning in rubbish” 22 November 2019

[Mail & Guardian](#): Pillay S “How our urine and faeces can be used to fuel growth and create a cleaner environment” 23 November 2019

- **Miscellaneous**

[GroundUp](#): Mbovane T “Concern over unclean conditions at initiation schools” 21 November 2019

Africa

- **Biodiversity**

[The Conversation](#): Murray-Hudson M and Dauteuil O “Botswana’s Okavango Delta is created by a delicate balance, but for how much longer?” 14 November 2019

[IOL](#): Frykberg M “One out of three African tropical plants faces extinction” 21 November 2019

- **Climate Change and Energy**

[IOL](#): Magome M “Pics: Deadly drought is leaving millions in southern Africa hungry” 21 November 2019

- **Local government**

ICLEI CityTalk [Blog](#): “Mainstreaming nature in Malawi: Bringing local-level knowledge to national decision-making” 19 November 2019

- **Mining**

[The Conversation](#): Bofo J “Ghana’s traditional and state powers must collaborate to halt illegal mining” 12 November 2019

[Place](#): Ndhlovu L “Homes, land destroyed as desperate Zimbabweans turn to illegal gold mining” 20 November 2019

[Mining Weekly](#): “Corruption, child labour risk in Congo’s cobalt industry, OECD warns” 15 November 2019

[Mail & Guardian](#): “Gold rush destabilises central Sahel” 22 November 2019

- **Water, sanitation, oceans and chemicals**

[IISD](#) SDG Knowledge Hub: Paul D “On World Toilet Day, UN Highlights Plight of Sanitation Workers” 21 November 2019

- **Miscellaneous**

[The Conversation](#): Kimani D and Areneke G “African multinationals bring home much more than profits” 17 November 2019

[Mail & Guardian](#): Ngumbi E “African governments must invest in science for future growth” 23 November 2019

International

- **Biodiversity, protected areas and culture**

[IISD](#) ENB: 11th Meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions and 23rd Meeting of the Subsidiary Body on Scientific, Technical and Technological Advice of the Convention on Biological Diversity: 20-22 and 25-29 November 2019 | Montreal, Canada

[Place](#): Chandran R “India drops plan to let forest officials use force after protests” 16 November 2019

- **Climate change and energy**

[Carbon Pulse](#): “More ambitious Alberta climate plan would yield little economic harm, despite govt claims -economist” 18 November 2019

[Place](#): Wulfhorst E “US announces \$30 million to bolster coasts from flooding, rising seas” 19 November 2019

[IISD](#) SDG Knowledge Hub: Antonich B “Carbon Pricing and Markets Update: Preparing Mechanisms for Rising Demand” 21 November 2019

[The Independent](#): O’Grady S “Why have electric cars failed to spark with consumers?” 22 November 2019

[The Guardian](#): Bell A “We’ve already got a climate crisis – let’s not turn it into a culture war” 22 November 2019

- **Local government**

ICLEI CityTalk [Blog](#): Bizzotto M “New report charts the evolution of urban resilience” 20 November 2019

[ICLEI](#): “Recife becomes first Brazilian city to declare climate emergency” 20 November 2019

[GCN](#): Kanowitz S “Bringing better data to local climate action planning” 24 October 2019

ICLEI CityTalk [Blog](#): “The water-energy-food nexus – an intersectoral approach to resource efficiency” 15 November 2019

[Place](#): Elks S “E-transport boom could see first major European city go car free in 2020” 15 November 2019

[Place](#): Goering L “Baking cities advance 'slowly' in race against rising heat threat” 15 November 2019

[IISD](#) SDG Knowledge Hub: Dean B “Lack of Sustainable Cooling Threatens Safety, Health and Food Security of Hundreds of Millions” 21 November 2019

[Place](#): Bacchi U “Greener, longer life: More trees reduce premature deaths in cities” 20 November 2019

[Place](#): Rowling M “‘Smart cities’ urged to look beyond rich, white men” 21 November 2019

[The Guardian](#): Petersen H-E and Chaurasia M “Indian city's cow dung ban leaves a bitter taste for street food vendors” 22 November 2019

- **Water, oceans, waste and chemicals**

[Place](#): Lei Win T “Fish in fashion: Scientists and designers create products to soothe stressed oceans” 21 November 2019

- **Miscellaneous**

ICLEI CityTalk [Blog](#): “Seven European cities pilot solutions to be more circular” 15 November 2019

[IOL](#): Pakiam R “Asia needs \$800bn over the next decade to feed itself” 21 November 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

Stakeholder Consultation Workshop -WRC Corporate Plan Development 2020/25

Date: Monday, 25 November 2019

Venue: WRC offices, Bloukrans Building, Lynnwood Bridge Office Park

Time: 10:00 – 13:30

The Water Research Commission (WRC) cordially invites you as a stakeholder to attend the WRC Corporate Plan Development session looking at the upcoming five-year cycle 2020/25. As a national public agency, the WRC actively strives to support the Government of South Africa in achieving its strategic outcomes, with particular reference to the National Development Plan (NDP) objectives as well as the Corporate Plan (Annual Performance Plan) of the Department and the performance agreement of the Minister of Water and Sanitation. Stakeholder consultation is an ongoing and iterative process that incorporates discussions and recommendations from the WRC stakeholders in various forums. The consultative process employs both forecasting and back-casting approaches to the development of strategic objectives, involving an analysis of the WRC's current positioning in the sector as well as a reflection on potential developments in the external organisational environment that could have an impact on the five-year planning cycle.

Aim

To make the WRC's corporate future planning an inclusive process to solicit and accommodate inputs from various stakeholders within the water sector and more specifically, the Department of Human Settlements, Water and Sanitation.

Who should attend

The workshop targets different stakeholder groups (Government Departments, Municipalities, Research Councils , Academia, NGOs, NPO, Private Sector , Consultants , International and other stakeholders) who have interest in the Water Research Commission.

[Click Here To RSVP](#)

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

Webber Wentzel: Mining Indaba Cocktail Function – Save the date

Date: 4 February 2020

Venue: Webber Wentzel Offices | 15th Floor | Convention Tower | Heerengracht | Foreshore | Cape Town

Time: 17:00

Mandela Institute of the School of Law Postgraduate Certificate Courses in Law and Sustainability 1 & Water Law

Place: University of the Witwatersrand, Johannesburg

Dates 3 February to 14 May 2020

For course details, entry requirements, application process and other course offerings visit the Mandela Institute [website](#).

Registration closes on 29 November 2019.

Registration and inquiries: [Mandela Institute](#), Tel: 011 717 8435/8438; [E-mail](#)

International

Sabin Colloquium on Innovative Environmental Law Scholarship

Venue: Columbia Law School, New York, New York

Dates: 7-8 May 2020

This 8th Annual Sabin Colloquium will allow junior environmental law scholars to present early-stage work and receive constructive feedback from a panel of senior scholars and from each other.

Eligible applicants are pre-tenure professors, fellows, visiting assistant professors, and other junior scholars in similar academic positions. Papers on environmental law, energy law, natural resources law or water law are eligible. No junior scholar may participate in the Colloquium more than twice.

The panel will select the proposals for discussion based on the degree of innovation they exhibit, the extent to which they point toward practical solutions to environmental problems, and whether, based on the scholarly and analytical quality of the proposals, they are likely to lead to high-quality work products.

To enter, please submit a cover letter, an outline or concept paper of 5 -15 double-spaced pages, and [email](#) a C.V. by March 1. If an article has already been drafted, please just submit a summary of no more than 15 pages. Footnotes are not expected. Articles that have already been accepted for publication are not eligible. This event is for early-stage work that can still be significantly shaped by the discussion at the Colloquium.

Authors of selected papers will be notified by March 30. All Colloquium participants will be expected to participate in the full program (the afternoon and evening of May 7, and all day on May 8) and to read and comment on each

others' proposals. The domestic travel costs of all participants will be reimbursed. However, in the interest of minimizing the program's carbon footprint, an option of participating via video link will also be provided.

IAIA Free Webinar: Addressing Health in Environmental Impact Assessment - A Draft for Consultation

Date: 3 December 2019

[Registration](#) and time

IAIA21 Save the Date

Place: Vancouver, Canada

Date: 18-21 May 2021

ICLEI Webinar: Technical nature-based solutions: Urban stories of widening roll-out

Date: 05 December 2019

[Registration](#)

Fedarene: Webinar – Long-Term Energy Planning for Carbon Neutrality in EU Cities and Regions

Date: 18 December 2019

More [information](#)

Webinar on Sustainable Energy for Household Cooking Needs in Humanitarian Settings

When: 28 November, Thursday

Time: 10:30 am CET (check your [local time](#))

This webinar on sustainable cooking fuels and technologies will begin with a high-level overview of the basics of clean cooking in humanitarian settings. In addition, two case studies will provide a deep dive into work on the ground:

The UNHCR will present its experiences from Bangladesh, focusing on the planning and implementation of liquefied petroleum gas (LPG) interventions, as well as demonstrating the benefits of LPG for people's lives.

The International Lifeline Fund will give an overview of their different approaches to providing cooking energy to individuals and communities in Uganda. They will share their experiences and lessons learned about what works or what doesn't, and why.

Last but not least, the Modern Energy Cooking Services (MECS) Challenge Fund will be presented.

Register [here](#)

More [information](#)

NEWS

National

- **Biodiversity**

“Two suspected poachers killed in KZN reserve” [TimesLive](#) 13 November 2019 [Legalbrief Environmental 19 November 2019]

Chirume J “Eastern Cape fishers welcome issuing of fishing rights” [GroundUp](#) 18 November 2019

Cockburn H “Half of the world's donkey population could be killed in next five years amid surge in demand for Chinese medicine” [The Independent](#) 22 November 2019

- **Climate change and energy**

Hlatshaneni S “SA’s new ‘green’ car taxes once again aim at a ‘soft target’” [The Citizen](#) 18 November 2019 [Legalbrief Environmental 19 November 2019]

“Refuted: Green light for Western Cape to source energy direct from IPPs” [ESI Africa](#) 19 November 2019

Roelf W “Eskom, which uses coal-fired power plants, has been granted a reprieve until 2020 to meet air emissions standards” [Business Day](#) 20 November 2019

- **Local government**

General: Heritage victory for Bo-Kaap

“Bo-Kaap residents have claimed another victory after the Cultural Affairs & Sport MEC’s Independent Appeal Tribunal dismissed an appeal by Any Side Investment relating to 150 Buitengracht Street, Cape Town, says a Cape Argus report. Bo-Kaap Civic and Ratepayers Association chairperson Osman Shaboodien said the building, if approved, would add to the ‘concrete wall’ on Buitengracht Street, dividing the poor working-class Bo-Kaap from the rich city. The proposed construction is a nine-storey mixed-use development next to the historic Auwal Mosque. It includes retail and short-term rentals with only five parking bays. Bo-Kaap residents said it was out of character with the historic Bo-Kaap buildings. Initially, approval was given to the developers to demolish the current houses on the site but then an appeal was lodged, delaying their plans. According to Any Side Investments, the site has been vacant for more than 10 years and it had acquired the property in 2017, with heritage approved rights in place for a nine-storey building. However, Any Side Investments had appealed a decision by Heritage Western Cape in 2018.”

Full Cape Argus report (subscription needed) [Legalbrief 19 November 2019]

- **Mining**

Mabuza E “ConCourt overturns Zwane, Molewa's permission to mine in protected area” [TimesLive](#) 18 November 2019 [Legalbrief 19 November 2019]

Yeld J “Constitutional Court rejects coal mining company’s attempt to appeal” [GroundUp](#) 20 November 2019

“Sand mine would devastate Philippi horticulture area, say campaigners” [EWN](#) 13 November 2019 [Legalbrief Environmental 19 November 2019]

Niselow T “Trial date finally set for Khulubuse Zuma, Zondwa Mandela in water pollution case” [Fin24](#) 22 November 2019

Steyn L “Transnet signs deal to help unlock Waterberg coal” [BusinessLive](#) 21 November 2019

“Criminals are an element of mining community unrest” [BusinessLive](#) 21 November 2019

- **Water, waste, oceans and chemicals**

Shange N “Hawks arrest 10 over R600m toilet tender in Eastern Cape” [TimesLive](#) 21 November 2019 read also [News24](#) report [Legalbrief 22 November 2019]

- **Miscellaneous**

DARDLEA: Competent Authority updated forms

From 4 Oct, with the coming in to effect of the Screening Tool, DARDLEA have had to amend their EIA application forms to include the National Sector Classification. Some other minor amendments to the application forms have been made. the new forms must be used from 4 October 2019. [IAIAsa News 2019/2020 | 15 November 2019]

[Application for authorisation in terms of the National Environmental Management Act, 1998 \(Act No. 107 of 1998\), as amended and the Environmental Impact Assessment Regulations, 2014 \(as amended\)](#)

[Application for amendment of an environmental authorisation in terms of the National Environmental Management Act, 1998 \(Act No. 107 of 1998\), as amended and the Environmental Impact Assessment Regulations, 2014 \(as amended\)](#)

KZN EDTEA have also provided [updated application forms](#)

Pdf Application forms are available under the “Environmental Management Applications” drop down menu [here](#) [IAIAsa Newsletter November 2019]

Recirculation of stakeholder needs assessment Survey Deadline 11 December 2019

The 2025 SAE 2025 Visioning Workshop was held in Pretoria on 17 & 18 October 2019. During the workshop it was agreed that the presentations would be shared, and that all stakeholders would be encouraged to participate in the development of the Vision going forward.

As agreed, please find the URL to access the presentations for the workshop - [here](#).

It was also agreed during the visioning workshop for the State of Environment to re-circulate the Stakeholder user needs assessment survey that was conducted in September 2019 prior to the visioning workshop.

Attached find the link to access and complete the survey [here](#).

With this, as a valued user or prospective user of the department’s state of environment products, we would sincerely appreciate the investment of 15 minutes of your time to complete the survey.

The deadline for the completion of the survey is 11 December 2019.

Malgas B “Watch | West Coast livelihoods in danger as steel plant closes” [News24](#) 22 November 2019

Land reform: KZN failures point to difficult road ahead

“A National Assembly Agriculture, Land Reform & Rural Development Committee report on its oversight visit to KZN points to the need for a complete rethink on how to facilitate the meaningful, sustained development of land reform beneficiaries and emerging farmers. Across the full spectrum of government interventions there appears to have been evidence of widespread financial mismanagement; inadequate support, capacity building and skills development; and poor planning and coordination. If the ‘lived experiences’ of land reform beneficiaries and small-scale farmers in KZN is any indication, accelerated land redistribution in the interests of developing an ‘inclusive agricultural sector’ is doomed to failure.”

Read full report in Legalbrief Policy Watch 21 November 2019

International

- **Biodiversity, protected areas, animal rights and culture**

Perper A “An Australian koala hospital raised more than R11 million to help rescue native animals injured in the devastating wildfires roaring across the country” [Business Insider](#) 22 November 2019

“Decapitated Sumatran elephant found dead in Indonesia” [News24](#) 21 November 2019

“Oh duck off!! French court kicks out neighbour's complaint about rowdy birds” [IOL](#) 22 November 2019

Cockburn H “Third of tropical African plants set to go extinct, study suggests” [The Independent](#) 22 November 2019 [see also Publications above]

Cockburn H “Ash dieback: Genetic resistance offers new hope over ‘unstoppable’ disease expected to kill 70 per cent of species” [The Independent](#) 20 November 2019

Gregory A “Leaf blowers contributing to ‘insect armageddon’ and should be avoided, German government warns” [The Independent](#) 20 November 2019

Carrington D “Light pollution is key ‘bringer of insect apocalypse’” [The Guardian](#) 22 November 2019

Henley J “Iceland accused of putting mackerel stocks at risk by increasing its catch” [The Guardian](#) 21 November 2019

Cockburn H “Amazon deforestation accelerates by almost a third in year since far-right Bolsonaro took power, space agency reveals” [The Independent](#) 20 November 2019

Stafford A “Calls for man who killed 420 wedge-tailed eagles to face charges under wildlife act” [The Guardian](#) 21 November 2019

Davis N “Noise pollution rules should be tightened to protect wildlife, say scientists” [The Guardian](#) 20 November 2019

- **Climate change and energy**

Robertson H “Climate change may give Saudi Aramco that sinking feeling” [BusinessLive](#) 21 November 2019

Cockburn H “‘We’re in a deep hole’: Fossil fuel production on track to exceed safe climate change limits by 120%” [The Independent](#) 22 November 2019

Bayartsogt K “Mongolia's new 'cleaner' fuel linked to deaths, illness” [Mail & Guardian](#) 19 November 2019

“Pall of smoke a grim reminder of climate change risks” [Sydney Morning Herald](#) 22 November 2019 – see also [here](#) for television news

“Nevada to evaluate market-based climate policies as part of executive order” [Carbon Pulse](#) 22 November 2019

“RGGI increasing CO₂, co-pollutant burden on environmental justice communities –report” [Carbon Pulse](#) 22 November 2019

- **Mining**

Paton C “State’s Strategic Fuel Fund to finance exploration in South Sudan” [Business Day](#) 19 November 2019

- **Water, waste, oceans and chemicals**

Waldorp T and Moon S “Monsanto pleads guilty to illegally spraying banned pesticide in Maui” [CNN](#) 22 November 2019

Taylor D “Court fines Weetabix £140,000 for polluting river near factory” [The Guardian](#) 22 November 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

Invitation to register your profile on the Water Research Commission Blue Directory

The Water Research Commission (WRC), South Africa’s premier water knowledge hub, recognises the value of building strong networks in order to promote knowledge-sharing with everyone affected by water. Therefore, the WRC is in the process of establishing a Stakeholder Research Directory (Blue Pages), a web-based ‘Who’s Who’ in the water and sanitation research space that will be profiling professionals who have done an incredible work within the water field while also providing snapshots of their profiles in order to benefit South Africa and the international community. The Blue Directory will serve as the organisational customer relationship management tool and a stakeholder database that is easily searchable and host groups of stakeholders in different categories such as sanitation, wastewater, groundwater, hydrology, mining, ecology etc. The directory will assist anyone working in 'water' field to easily find relevant people and knowledge, share ideas, network, build partnerships and collaborate on research and other projects. In order to build and maintain this directory as a valuable information resource, we encourage people active in the water sector such as yourself to submit and update their profiles regularly.

Kindly note that all water stakeholders have been pre-selected for registration on the Blue Directory. You are therefore requested to please register your profile, a verification email will be sent to you to confirm your details and registration will be done.

Registration to this directory is free and open to anyone willing to be part of the water and sanitation community.

In order to register, please click on the [link](#) and do not forget to read and accept the terms and conditions of this directory.

Should you encounter problems accessing the Blue Directory, do not hesitate to Contact Mrs Hlengiwe Cele on [email](#) or call her on 067 260 1011.

AWARD: Natural Resource Management and Biodiversity Conservation intern

This is a fixed-term contract position at the Association of Water and Rural Development (AWARD), an NGO based in Hoedspruit, Limpopo Province. This position will form part of the Blyde Restoration Project funded through the Land User Incentive programme under the Department of Environment, Forestry & Fisheries (DEFF), Chief Directorate: Natural Resource Management (NRM). The Blyde Restoration Project is aimed at supporting the restoration of degraded ecosystems, and the maintenance of these and adjoining healthy ecosystems in the upper Blyde, Klaserie & Sand Catchments, in order to sustain ecosystem services and biodiversity critical to human livelihoods in these catchments in the long term. This is in line with the DEFF NRM vision to support sustainable livelihoods for local people through integrated landscape management that strives for resilient social-ecological systems and which fosters equity in access to ecosystem services.

Job Purpose: The incumbent in this position will support capacity development as well as GIS planning and mapping aspects of the project, with a specific focus in ecological restoration and NRM practices (as ecosystem-based adaptations). Key natural resource management practices which will be focused on includes invasive alien plant control, wetland restoration, and ecological monitoring. A further key focus will be on the development of capacity and custodianship of catchment residents (local communities, especially young people) to enhance their active involvement in sustainable NRM in the project catchments.

Tasks and Responsibilities:

- ☐ Support collaborative planning and implementation of project activities informing ecological restoration and NRM practices,
- ☐ Provide input and partake in technical and spatial planning, and monitoring in relation to the above activities,
- ☐ Support the capacity development of practitioners on key technical and operational aspects of NRM practices, ☐ Support mapping of invasive alien plants, wetland degradation and other forms of ecological degradation,
- ☐ Support spatial and other monitoring of restoration interventions and their impacts,
- ☐ Lead and support facilitation of training events, meetings and field work,
- ☐ Provide support and mentoring to the NRM restoration teams,
- ☐ Support development of collaborative partnerships and institutional arrangements amongst different stakeholders groups for collective restoration and NRM practices,
- ☐ Report writing,

- Data capture and management,
- Contribute to action-research on social learning, social-ecological systems, participatory and co-engagement approaches within the NRM practices and related interventions for adaptation to the global change drivers.

Qualifications, experience and key competencies: Job specific:

- Minimum Honour's degree in Natural Resource-, Environmental-, Biodiversity Conservation - management, or related field, Knowledge of Natural Resource Management Programmes and ecological restoration,
- Experience in Natural Resource Management Programmes and ecological restoration initiatives will be advantageous,
- Intermediate or advanced skills in GIS,
- Interest and experience in ecological fieldwork,
- Interest or experience in participatory & co-engaged processes, □ Interest or ability to work in complex and multi-stakeholders environment,
- Good report writing, presentation and communications skills,
- Knowledge and interest in social learning & systemic approaches will be advantageous,
- Experiences and skills in community engagement processes will be advantageous.

General:

- Interpersonal skills: teamwork and collaborations,
- Fluency in English (read, write, understand),
- Preference will be given to local candidates, and fluency in Northern Sotho will be advantageous,
- Computer literacy and knowledge of Microsoft office software packages,
- Adaptability to new environments and wiliness to travel and working irregular hours,
- Valid driver's license (code B) is a requirement (applications without driver's licenses will not be considered),
- More than 2 years driving experience will be advantageous,
- South African citizenship.

Remuneration package:

- The incumbent will receive a stipend of R7500/monthly, with a subsidised accommodation & medical aid.

Length of contract and location of work:

- 1 year, fixed-schedule contract (with an option to renew),
- The incumbent will be based at AWARD's offices in Hoedspruit, Limpopo.

Closing date: **24 November 2019**

Candidates who meet the above requirements should submit their motivational letter and resume (including at least three contactable references) at the following link: <https://forms.gle/HFDiy7znUJf5Qra76>. Postal applications are to be addressed to the Office Manager, Association for Water and Rural Development, P.O Box 1919, Hoedspruit, 1380. For hand deliveries, please visit our website www.award.org.za for physical address.

Note: please include the following for your referees: a reachable mobile or telephone number and a working or valid email address.

For any enquiries please contact [Silindile Mtshali](#)

International

Stipendium Hungaricum

Bachelor's, Master's and PhD scholarships in Hungary.

A range of fields available including Agriculture, Engineering, Computer Science and Mathematics.

Deadline for scholarship application: 15 January 2020

[Read more](#)

Chinese Government Scholarship

Non-degree Chinese language studies, Bachelor's, Master's and PhD scholarships in China.

[Read more](#)

Swiss Government Excellence Scholarships

PhD, postdoctoral and research scholarships at Swiss higher education institutions.

Deadline for scholarship application: 15 December 2019

[Read more](#)

Swedish Institute Scholarships for South Africa

Master's scholarships in Sweden in Computer Science and IT, Design, Engineering, Environmental Technology, Sustainable Development, Gender Studies, Nanotechnology and Public Health.

1. Apply for Swedish University by 15 January 2020
2. Apply for the scholarship between: 10 and 20 February 2020

[Read more](#)

Australia Awards

Master's scholarship in one of the following priority sectors: Agriculture, Environment, Extractives, Gender Studies, Health, Human Rights, Public Policy and Security Studies.

Deadline for scholarship application: 06 December 2019

[Read more](#)

Australia Awards

Short Course opportunities in Trade and Policy negotiations, Technical and Vocational Education and Training (TVET) Trainer Development and Public Private Infrastructure Partnerships in Australia and/or African country of fields.

Deadline for scholarship application: 17 January 2020

[Read more](#)

UNESCO/KEIZO Obuchi Research Fellowship

Fellowship for candidates who have completed their Master's and intend to do research in Japan in one of the following fields: Environment with particular focus on Disaster Risk Reduction; Intercultural Dialogue; Information and Communication Technologies; and Peaceful Conflict Resolution

Deadline for scholarship applications: **24 November 2019**

[Read more](#)

Warsaw University of Life Sciences Scholarship

Master's scholarships in General Horticulture at the Warsaw University of Life Sciences.

Deadline for scholarship applications: 30 November 2019

[Read more](#)

Masters In Research and Innovation in Higher Education

Master's scholarships in Austria in a wide range of fields.

Deadline for scholarship applications: 03 December 2019.

[Read more](#)

Youth of Excellence Scheme of China (Yes China)

One year Master's scholarships in Tsinghua University, China in Public Health.

Deadline for scholarship applications: end of February 2020

[Read more](#)

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.

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29 November 2019

LEGISLATION

ACTS

Traditional Leadership and Governance Framework Amendment Act 2 of 2019 / Ngesichibiyelo soMthetho Wobuholi Bendabuko Kanye Nohlaka Lokuphatha wama-2 wezi-2019 - GG 42867 of 28 November 2019

Traditional and Khoi-San Leadership Act 3 of 2019 / Wet op Tradisionele en Khoi-San-leierskap 3 van 2019 - GG 42865 of 28 November 2019 – commencement to be proclaimed

Critical Infrastructure Act 8 of 2019 / nguMthetho Wokukhuselwa Kweziseko Ezibalulekileyo Ezingundoqo 3 ka-2019 - GG 42866 of 28 November 2019 – to be proclaimed

NOTICES

Statistics South Africa – Gen Notice 629 in GG 42861 of 29 November 2019 - Consumer Price Index, Rate (Base Dec 2016 = 100): October 2019: 3.7

Public Finance Management Act 1 of 1999 - GN 1558 in GG 42876 of 29 November 2019 - Amendment of the membership and timeframe of the Ministerial Task Team on the Fourth Industrial Revolution (4IR) in Post-School Education and Training (PSET)

Promotion of Access to Information Act 2 of 2000 – Gen Notice 623 in GG 42861 of 29 November 2019 - Publication of descriptions submitted in terms of s. 15 (1) by • Limpopo Department of Agriculture and Rural Development – Gen Notice 624 in GG 42861 of 29 November 2019

• Limpopo Provincial Government: Office of the Premier – Gen Notice 625 in GG 42861 of 29 November 2019

Mineral and Petroleum Resources Development Act 28 of 2002 - GN R1554 in [GG](#) 42870 of 28 November 2019 - Draft Amendments to the Mineral and Petroleum Resources Development Regulations, 2019 - for comment

South African Weather Service Act 8 of 2001 - GN 1526 in GG 42855 of 25 November 2019 - Regulations regarding Fees for the Provision of Aviation Meteorological Services, 2019

Public Administration Management Act 11 of 2014 - GN 1536 in GG 42861 of 29 November 2019 - Draft Public Administration Management Regulations on Conducting Business with the State, Disclosure of Financial Interest and Ethics, Integrity and Discipline Technical Assistance Unit, 2019 and the Office of Standards and Compliance, 2019 – for comment

Carbon Tax Act 15 of 2019 - GN R1556 in GG 42873 of 29 November 2019 - Regulations on carbon offsets under section 19 of the Carbon Tax Act published with effect from 1 June 2019

PROVINCES

KwaZulu Natal

National Environmental Management: Protected Areas Act 57 of 2003 - PN 166 in PG 2143 of 28 November 2019 - Declaration of nature reserves - Trewirgie and Tillietudlem Nature Reserves

Western Cape

Museums Ordinance 8 of 1975 - Proc 9 in PG 8182 of 29 November 2019 - Declaration of the Elands Bay Museum as a local museum

Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013 and Western Cape Land Use Planning Act 3 of 2014 - LAN 58417 in PG 8182 of 29 November 2019, Swellendam Municipality By-law on Municipal Land Use Planning, 2015: Swellendam Local Municipality - Approval of the Hermitage Valley Overlay Zone

Constitution of the Republic of South Africa, Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013 and Western Cape Land Use Planning Act 3 of 2014 - LAN 58422 in PG 8182 of 29 November 2019 - Oudtshoorn Local Municipality - Integrated Zoning Scheme By-law - for comment

Northern Cape

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 Gen Notice 128 in PG 2309 of 25 November 2019 - Siyathemba Local Municipality - Draft Spatial Development Framework (SDF) - for comment

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 130 in PG 2309 of 25 November 2019 - Hantam Local Municipality - Spatial Development Framework (SDF), 2019

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 - (Gen Notice 131 in PG 2309 of 25 November 2019 - Kareeberg Local Municipality - Spatial Development Framework (SDF), 2019

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 132 in PG 2309 of 25

November 2019 - Karoo Hoogland Local Municipality - Spatial Development Framework (SDF), 2019

Mpumalanga

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013 – Gen Notice 104 in PG 3108 of 29 November 2019 - Dipaleseng Local Municipality - Intention of review the Land Use Management Scheme

Limpopo

National Environmental Management: Biodiversity Act 10 of 2004 – Gen Notice 130 in PG 3052 of 29 November 2019 - Capricorn and Sekhukhune District Municipalities - Bioregional plans - for comment

CASES

National

Rhino Oil and Gas Exploration South Africa (Pty) Ltd v Normandien Farms (Pty) Ltd and Another 2019 (6) SA 400 (SCA)
“Review—Grounds—Legality—Misdirections of clerical nature—When reviewable.”

PUBLICATIONS

National

Centre for Environmental Rights “The Truth about South African Banks’ and Companies’ Ability to Identify and address Climate Risks” ([Report](#) November 2019)

International

2019 *Climate Policy Journal* is offering free access to papers on key negotiating issues in the run up to UNFCCC #COP25, including the Paris Agreement's Article 6, the global stocktake, Ocean acidification and loss and damage. Access these Editor's Picks articles for free till the end of May 2020 by clicking this [link](#) [provided by Andrew Gilder ClimateLegal]

Ren21 “REN21’s Renewables in Cities Global Status [Report](#) (REC-GSR)” (November 2019)

Harris PG (ed) *A Research Agenda for Climate Justice* ([Edward Elgar](#) 2019) [provided by Andrew Gilder ClimateLegal]

Bizzotto Matteo, Huseynova Ayan, Vital Estrada Victoria “Resilient cities, thriving cities: The evolution of urban resilience” (ICLEI [Report](#) November 2019)

Lujala Päivi and Narh John “Ghana’s Minerals Development Fund Act: Addressing the Needs of Mining Communities” 2019 *Journal of Energy & Natural Resources Law* <https://doi.org/10.1080/02646811.2019.1686250>

Mabea GA and Okoli PN “Power Market Coupling: Towards Harmonised Electricity Policies in the East African Community” 2019 *Journal of Energy & Natural Resources Law* <https://doi.org/10.1080/02646811.2019.1687237>

Shen D, Guna A and He X “Water use control system in China” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1676202>

Wang R, and Dai L “Hong Kong’s water security: a governance perspective” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1688647>

Horne J “Australian water decision making: are politicians performing?” 2019 *International Journal of Water Resources Development* <https://doi.org/10.1080/07900627.2019.1685950>

Marquet PA *et al* “Navigating transformation of biodiversity and climate” 2019 5(11) [*Science Advances*](#) DOI: 10.1126/sciadv.aba0969

Convey P and Peck LS “Antarctic environmental change and biological responses” 2019 5(11) [*Science Advances*](#) DOI: 10.1126/sciadv.aaz0888

Pugnaire FI *et al* “Climate change effects on plant-soil feedbacks and consequences for biodiversity and functioning of terrestrial ecosystems” 2019 5(11) [*Science Advances*](#) DOI: 10.1126/sciadv.aaz1834

Tittensor DP “Integrating climate adaptation and biodiversity conservation in the global ocean” 2019 5(11) [*Science Advances*](#) DOI: 10.1126/sciadv.aay9969

Thiault L “Escaping the perfect storm of simultaneous climate change impacts on agriculture and marine fisheries” 2019 5(11) [*Science Advances*](#) DOI: 10.1126/sciadv.aaw9976

Cámara-Leret R *et al* “Climate change threatens New Guinea’s biocultural heritage” 2019 5(11) [*Science Advances*](#) DOI: 10.1126/sciadv.aaz1455

BLOGS, DISCUSSIONS, WEBSITES, VIDEOS, ETC

South Africa

- **Climate change and energy**

[Mail & Guardian](#): Davie K “King Coal defies his energy plan” 29 November 2019

- **Miscellaneous**

[Science](#): Normile D “Giant radio telescope array prepares to begin construction in Australia and South Africa” 25 November 2019

Africa

- **Biodiversity**

[Mail & Guardian](#): Mafundikwa I “Zimbabwe’s burning issue” 29 November 2019

- **Climate Change and Energy**

[The Guardian](#): McKie R “Poor states ‘need extra cash to combat climate crisis threats’” 1 December 2019

- **Local government**

[ICLEI](#) EcoMobility: Tran TM “African Mobility Month: How cities are walking (and cycling) the talk” 25 November 2019

[ICLEI](#) EcoMobility: “Eco-logistics – Self-monitoring tool”

- **Mining**

[Mining Weekly](#): “Corruption, child labour risk in Congo’s cobalt industry, OECD warns” 15 November 2019 [IBA Legalbrief Africa 25 November 2019]

- **Miscellaneous**

[Science](#): De Vrieze J “First malaria vaccine rolled out in Africa—despite limited efficacy and nagging safety concerns” 26 November 2019

International

- **Biodiversity, protected areas and culture**

[Science](#): Escobar H “Brazil’s deforestation is exploding—and 2020 will be worse” 22 November 2019

[Science](#): Pickrell J “Massive Australian blazes will ‘reframe our understanding of bushfire’” 20 November 2019

[IISD](#) SDG Knowledge Hub: Leone F “[Paper](#) on New Data Ecosystem Catalogs Three Areas for Capacity Building” 26 November 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “Ecological Connectivity Central to CMS COP 13 Theme” 29 November 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “CITES Announces World Wildlife Day Theme, Film Festival” 29 November 2019

- **Climate change and energy**

[TCFD](#): Task Force on Climate-related Financial Disclosures

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Production Gap [Report](#) Urges Reducing Fossil Fuel Supply and Use to Achieve Climate Goals, SDGs” 26 November 2019

[IISD](#) SDG Knowledge Hub: Kosolapova E “UN [Report](#) Calls for Multilevel Approach to Advance SDGs, Climate Action in Synergy” 26 November 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “UNFCCC Summarizes [Solutions](#) for Agri-Food Chain, Adaptation Finance” 26 November 2019

[IISD](#) SDG Knowledge Hub: Mwangu W “1.5°C “Almost Impossible” Without Deeper and Faster Cuts, Warns UNEP Emissions Gap [Report](#)” 29 November 2019 – interactive report [here](#)

[Science](#): Waldman S “In unpublished paper, former White House climate adviser calls methane ‘irrelevant’ to climate” 27 November 2019

- **Local government**

[Place](#): Moloney A “Disaster hacks: South American cities harness tech and nature to tackle flooding” 22 November 2019

[Place](#): Rowling M “Tech route to greener cities only 'smart' if residents follow” 20 November 2019

- **Mining**

[Science](#): Cornwall W “Trump plan to push seafloor mapping wins warm reception” 22 November 2019

- **Water, oceans, waste and chemicals**

[The Regulatory Review](#): Jaffe C “The Clean Water Act Might Just Survive This Latest Attack” 25 November 2019

[IISD](#) SDG Knowledge Hub: Banner J “Increasing Safe Water Access – A Public and Private Sector Effort” 26 November 2019

[IISD](#) SDG Knowledge Hub: Benson Wahlén C “Expert Group Makes Progress on Actions for Stocktaking on Marine Plastic Litter” 29 November 2019

[Science](#): Frederick Eva “Could this desert beetle help humans harvest water from thin air?” 27 November 2019

[The Guardian](#): “New Zealand's Whanganui River – in pictures” 1 December 2019

- **Miscellaneous**

[Science](#): Voosen P “New deal won’t prevent 5G communication networks from interfering with weather forecasts” 22 November 2019

[Science](#): Kornei K “A massive experiment in Taiwan aims to reveal landslides’ surprising effect on the climate” 20 November 2019

[Science](#): Joel L “Rainy, with a chance of rockfalls: New landslide forecasting system debuts in Rio” 19 November 2019

[IISD](#) SDG Knowledge Hub: Jamholt A “40 Years of Experience Have Proven Their Point: Sustainable Financing Actually Works” 26 November 2019

[IISD](#) SDG Knowledge Hub: Braun T-N “Why Infrastructure is Central to Achieving a More Resource-efficient Future” 29 November 2019

[IISD](#) SDG Knowledge Hub: Linhares-Juvenal Thais “Greening the Wood Industry: Sustainability from Production to Consumption” 29 November 2019

[IISD](#) SDG Knowledge Hub: Ledaba AM “World Bank Launches SDG 5 Bond” 29 November 2019

[enviroLENS](#): Copernicus for law enforcement support

[Science](#): Malakoff D “Major journal editors blast EPA’s ‘secret science’ rule, again” 26 November 2019

CONFERENCES, WORKSHOPS, STUDY OPPORTUNITIES

National

CBSS Water Governance Training Courses

Now endorsed by WISA, delegates qualify for three CPD-points - full details [here](#)

- 12-14 May 2020, in Nelspruit (registration closes 20 April 2020) – more information [here](#)
- 11 – 13 February 2020, Stellenbosch, registration closes 27 January 2020
- 10 – 12 March 2020, Pretoria, registration closes 24 February 2020
- 12 – 14 May 2020, Nelspruit, registration closes 23 April 2020

Course costs differ, depending on the city, and can be found [here](#).

Discounts are available for Early Bird payments, bona fide students, WISA members, and group registrations. Registration [here](#)

Webber Wentzel: Mining Indaba Cocktail Function – Save the date

Date: 4 February 2020

Venue: Webber Wentzel Offices | 15th Floor | Convention Tower | Heerengracht | Foreshore | Cape Town

Time: 17:00

Webber Wentzel and Africa Practice: Panel Discussion: Tracking the trends: Sustainable Mining

As pressure mounts on the mining sector to reduce its environmental and social impact, hear the perspectives of African governments and leading thinkers from business, labour and industry.

Date: 3 February 2019

Time: 15:00-16:30 followed by drinks and canapés

Venue: Webber Wentzel Offices | 15th Floor | Convention Tower | Heerengracht | Foreshore | Cape Town

More information will follow

University of Johannesburg, Faculty of Law: LLM in International Law

The lecturing style is interactive to ensure students benefit from close contact with their lecturer and experts from the legal field. Students also have access to superb library and electronic resources of UJ’s Faculty of Law library. The LLM consist of three taught modules, namely international criminal/humanitarian law; international human rights law; and international environmental law. Students must further complete a minor-dissertation on a topic in international law. The minimum admission requirement is an average of 65% in the student’s LLB degree. For further information and enquiries, please contact [Dr Mispa Roux](#) or [Mrs Andani Ramulongo](#) / [More information](#)

International

Webinar Photovoltaic Market and Industry Trends 2019

This webinar will address the key drivers of the PV market and industry in the coming years based on the Trends report 2019. We'll look at the past developments and future scenarios, from a global market development point of view to some key price evolution features. Also the PV industry will be analysed: production of polysilicon, ingots, wafers, PV cells and modules, as well as efforts to improve efficiency, output and reliability.

Date: 4 December 2019

Time: 10:00 AM in [Brussels](#)

Webinar: Data insights to foster the uptake of energy efficiency technologies in EU residential buildings

Date: 4 December 2019

Time: 13:00 PM CET

More [information](#)

Seventh Annual International and Comparative Urban Law Conference Technische Universität (TU) Berlin Campus El Gouna Berlin, Germany Call for Participation

Dates: 27-28 July 2020

Abstracts: 20 January 2019

The Conference: The Urban Law Center at Fordham Law School and the TU Berlin campus El Gouna are pleased to announce a call for participation in the Seventh Annual International and Comparative Urban Law Conference. The Conference will be held on Monday, July 27th, and Tuesday, July 28th, 2020, at TU Berlin, in Germany. Since 2014, this annual Conference has welcomed leading urban legal scholars from around the globe to present their research and works in progress. Now in its seventh year, the Conference builds on this tradition, again providing a dynamic forum to share diverse international, comparative, and interdisciplinary perspectives on the intersection of cities and law.

Topics: Scholars are encouraged to address the full range of urban law topics, including the structure and functions of local authority and autonomy; urban and metropolitan governance, finance, and urban political economy; urban equity and inclusion; economic and community development; housing and the built environment; participation and urban activism; migration and citizenship; legal challenges facing cities in the Global South; urban public health; and sustainability, climate change, and resilience. The Conference will facilitate engagement across sub-specialties within the legal academy and across legal systems internationally to help deepen our understanding of urban law in the twenty-first century.

Proposal Submission: Please submit a proposal of up to 500 words to urbanlaw@fordham.edu, with "[Name of Proposed Paper, First Name, Last Name]" in the subject line of your email. If you have a draft paper, please include it with your proposal, but participants do not need to have prepared a paper to participate.

NEWS

National

- **Biodiversity**

Criminal: 'Poaching court' faces closure

"The so-called 'poaching court' faces being shut down, despite it having a perfect conviction rate since 2017. Citing logistical challenges and costs, plans are afoot to move Skukuza Regional Court – a vital cog in the war on the slaughter of rhino in the Kruger National Park – more than 100km away. A Times Select report says it is a move activists believe will set the fight against poaching back several steps. At the time of the court's opening in April 2017, the late Edna Molewa, Environmental Affairs Minister at the time, said: 'Having a Regional Court in Skukuza will ensure that the case turnaround times for rhino poaching and related cases are expedited, thus making a significant contribution to tackling the illicit trade in rhino horn and any other related activities.' The court dealt mainly with poaching cases because of its proximity to the Kruger National Park. But two and a half years later, the court may no longer operate. It was due to close mid-October, with cases moved to the Mhala Magistrate's Court, north of Bushbuckridge, until the Justice Ministry stepped in. Mpumalanga Judge President Francis Legodi has launched an investigation into the matter." Full Times Select report (subscription needed) Legalbrief 26 November 2019

Conservation: Application to block elephant relocation dismissed

"An urgent application to halt the removal of 11 elephants and other animals from the controversial Blaauwbosch Private Game Reserve was dismissed with costs in the Eastern Cape High Court (Grahamstown) last week. According to a report in The Herald, after the decision was handed down by Judge Gerald Bloem, Advocate Albert Beyleveld SC, representing the provincial Environment Department, confirmed that the R900 000 relocation operation would go ahead the next day. Aspinall Foundation regional director Dereck Milburn said he was elated by the decision. 'We have been able to speak for those who can't speak for themselves,' he said. The matter came to court after the owner of the reserve, United Arab Emirates Sheikh Khalaf Ahmed Khalaf Al Otaiba, launched the application for the search-and-seizure warrant held by the relocation team to be reviewed and set aside. The sheikh's counsel, Advocate Lila Crouse, said the removal of the animals amounted to the forfeiture of valuable property without a forfeiture order. She argued that the animals were in no imminent danger from the drought because they were being fed lucerne and water was being provided. But Advocate Ivana Bands, for the SPCA, said renowned wildlife vet Dr William Fowlds had found that the removal of the animals was urgent due to the state of the reserve. Dams were empty, the land was barren of browse and radical intervention was necessary. The 11 elephants were successfully transferred from the Blaauwbosch Private Game Reserve to their new home near Makhanda the next day, notes a second report in The Herald."

First report in The Herald (subscription needed); Second report in The Herald (subscription needed) Legalbrief Environmental 26 November 2019

Nombembe P "Two Japanese jailed, face deportation for stealing lizards in Cape Town" [TimesLive](#) 27 November 2019 [Legalbrief 28 November 2019]

Somdyala K “Case against alleged lion cub 'smugglers' delayed as police get DNA samples” [News24](#) 27 November 2019 [Legalbrief 28 November 2019]

“Cops recover 100 rhino horns, four tiger carcasses, guns and ammunition during raids” [News24](#) 27 November 2019

- **Climate change and energy**

- Litigation: Municipality gets interdict to halt Eskom cut-off**

“Towns falling under the Enoch Mgijima Municipality have been granted a reprieve from planned electricity blackouts after the Eastern Cape High Court (Grahamstown) urgently interdicted Eskom. A Daily Dispatch report says the municipality – which owes Eskom R270m – was notified in October that Eskom would proceed with prolonged electricity outages from today, unless the municipality paid what was owed. The municipality has breached several payment plans put in place between it and the electricity supplier. The last one, agreed to in November 2018, was made an order of the court. When the municipality once again broke its promise to pay, Eskom said it had no choice but to limit or cut off supply. But yesterday, Judge Gerald Bloem issued an urgent interim interdict prohibiting Eskom from carrying out its planned electricity interruptions to the municipality, which includes Komani, Hofmeyr, Molteno, Sada, Sterkstroom, Tarkastad and Whittlesea. The Border-Kei Chamber of Commerce and several businesses in the region went to court to urgently interdict Eskom’s plans to ration the municipality’s supply, which they said would result in a collapse in their businesses and a ‘human catastrophe’ for the region. It was argued that if the region was denied electricity for prolonged periods, it would effectively destroy the economy of the region, so wrecking the municipality’s collection base and any future chance of it ever being able to pay its electricity debt. The report says the interdict will remain in place until the outcome of an application to be heard in mid-December in terms of which the same businesses are asking the High Court to order the municipality to ring-fence all electricity-related income, which should then be paid direct to Eskom. The municipality is opposing that application.

Full Daily Dispatch report (subscription needed) Legalbrief 26 November 2019

Sguazzin A “Eskom, Arcelor among SA firms lacking emissions plans” [fin24](#) 26 November 2019

Henderson R and Sguazzi A “FirstRand commits to disclosing fossil fuel exposure” [fin24](#) 28 November 2019 [Legalbrief 28 November 2019]

Mutandiro K “Call for JSE to act on climate change” [GroundUp](#) 29 November 2019

Cronje J “Eskom and Mangaung reach deal; power utility will not cut electricity” [fin24](#) 29 November 2019

Majola G “New smart electricity manufacturing plant launched in KZN” [IOL](#) 1 December 2019

- **Local government**

Ntshongwana Y “Residents of Amalinda say they have been forgotten” [GroundUp](#) 28 November 2019

Kretzman S “Fierce battle over future of landmark Cape Town site” [GroundUp](#) 27 November 2019

Yauger M “Province defends its actions on Tafelberg sale “We can only give more to housing at a cost to education” [GroundUp](#) 26 November 2019

- **Water, waste, oceans and chemicals**

Water: Proposed Durban desalination plant out for public comment

“The Department of Environmental Affairs is calling for public comment after it recently granted an environmental authorisation for a proposed desalination plant in the north of eThekweni near oThongathi. According to a report in The Mercury, Umgeni Water – the applicants in the project – stressed that while the environmental authorisation had been granted, there was no intention to construct a desalination plant in the north or south of eThekweni at this stage. Spokesperson for Umgeni Water, Shami Harichunder, said in terms of legislative requirements, once authorisation was provided, the public had to be notified to have the opportunity to appeal. He said Umgeni Water in 2017 undertook feasibility studies into the possible implementation of desalination plants to augment three of its supply areas – south of Durban between eThekweni and Ugu, north of Durban between eThekweni and iLembe, and Elysium on the South Coast (Ugu). In the north of Durban, Umgeni Water conducted a detailed feasibility study on establishing a desalination plant in the vicinity of Desainager. However, during the public engagement process, Harichunder said there was significant objection. He said the estimated cost (in 2016) of a desalination plant in the north of Durban was R5bn.”

Full report in The Mercury (subscription needed) Legalbrief Environmental 26 November 2019

Savides M “Midmar Dam sewage spill blamed on cows and chickens dumped into drains” *TimesLive* 28 November 2019

Waste: Cape Town gets ultimatum to clean up Dunoon

“The Eastern [sic] [Western?] Cape Department of Local Government, Environmental Affairs, Development and Planning has lashed out at Cape Town for ‘appalling’ conditions in Dunoon. According to a Cape Argus report, in a pre-directive issued to the City by the province’s Environmental Law enforcement, it states that the City has failed to ‘adequately address the appalling unhygienic conditions in Dunoon, which is affecting the health and well-being of the residents and causing significant pollution and/degradation of the environment’. The department said it intended to issue the City with a directive in terms of the National Environmental Management Act (NEMA) which will compel the City to immediately repair all the blocked toilets in the area, by replacing faulty infrastructure and fixing blockages and leakages. It must also provide toilets to accommodate all the inhabitants in the area, and provide an operational plan to deal with the waste management issues in and around the Dunoon Township such as the ad hoc illegal dumping sites. The department gave the City seven days to provide written representation as to why a directive should not be issued. The City’s Mayco member for Water and Waste, Xanthea Limberg, said: ‘The densely populated suburb of Dunoon presents a set of very unique challenges to efficient service delivery. Chief among these is the rapid growth of the area and extremely high numbers of unauthorised structures being built. Many of these structures

have been built illegally over the City's manhole covers which mean that when a pipe becomes blocked, for instance, teams are not able to directly access the most appropriate manhole to clear it.”

Full Cape Argus report (subscription needed) Legalbrief Environmental 26 November 2019

Shange N “Lindiwe Sisulu unveils master plan to tackle water woes in SA” [TimesLive](#) 28 November 2019 [Legalbrief 29 November 2019] – read also [City Press](#)

“SA to create extra space for nuclear waste” [News24](#) 27 November 2019

International

- **Biodiversity, protected areas, animal rights and culture**

Bestemann V “Alabama Supreme Court upholds protections for Confederate monuments” [The Jurist](#) 29 November 2019

Wast G “British Columbia adopts UN standards for Indigenous rights” [The Jurist](#) 27 November 2019

Koltonowski A “Trump signs federal animal cruelty bill into law” [The Jurist](#) 26 November 2019

“Russia gifts guns to Gabon to fight elephant poaching” [News24](#) 29 November 2019

Gewin V “Climate change making it harder to produce viable seeds, scientists say” [The Independent](#) 1 December 2019

Willsher K “Slaughter of the songbirds: the fight against France's 'barbaric' glue traps” [The Guardian](#) 30 November 2019

Davis N “Healthy coral sounds lure fish back to abandoned reefs, study finds” [The Guardian](#) 29 November 2019

- **Climate change and energy**

“Nearly 8% annual GHG cuts required to hit Paris’ 1.5C goal -UN Report” [Carbon Pulse](#) 26 November 2019

Mauroni A “UN releases bleak report on temperature change projections based on global carbon emissions rates” [The Jurist](#) 26 November 2019

Duncan C “Amazon rainforest fires melting glaciers more than 1,250 miles away, research finds” [The Independent](#) 28 February 2019

“World on track to put record 3% dent in coal consumption –report” [Carbon Pulse](#) 26 November 2019

“None of 14 offset standard contenders meet CORSIA aviation scheme criteria – report” [Carbon Pulse](#) 27 November 2019

“New EU Commission chief promises rapid climate ambition after belated approval” [Carbon Pulse](#) 27 November 2019

“EU Parliament adopts toned down climate emergency declaration” [Carbon Pulse](#) 28 November 2019

“Brussels to stick to plans for later 2030 GHG proposal, leaked paper suggests” [Carbon Pulse](#) 29 November 2019

Energy bills to fall after Ofgem slashes revenues of gas and electricity network firms by £1bn

Graham A “Lower borrowing costs for companies who run energy network to be passed on to customers” [The Independent](#) 30 November 2019

“German upper house OKs bulk of govt climate package, but blocks cost elements” [Carbon Pulse](#) 29 November 2019

“Luxembourg unveils bill to ramp up climate ambition, set sectoral reduction goals” [Carbon Pulse](#) 29 November 2019

“Australia sees marginal drop in carbon emissions as drought hits agriculture output” [Carbon Pulse](#) 29 November 2019

McCurry J “South Korea to shut a quarter of its coal-fired plants over winter to cut pollution” [The Guardian](#) 28 November 2019

Smee B “New Zealand begins genetic program to produce low methane-emitting sheep” [The Guardian](#) 1 December 2019

- **Local government**

“Drone project aims to put floating Lagos slum on map” [News24](#) 29 November 2019

- **Mining**

Ambrose J “Cabinet Office ignores court order to release secret fracking report” [The Guardian](#) 28 November 2019

- **Water, waste, oceans and chemicals**

“Cruise industry takes first 'green' steps” [News24](#) 29 November 2019

- **Miscellaneous**

Willsher K “Merde! French farmer ordered to pay €8,000 over smelly cows” [The Guardian](#) 25 November 2019

Sundier S “ICC receives request to investigate human rights crimes in Brazil” [The Jurist](#) 29 November 2019

Shi XL “Oregon high court upholds ban on common school lands sale” [The Jurist](#) 29 November 2019

Boyle K “California appellate court rules that San Jose must abide by the Surplus Land Act” [The Jurist](#) 29 November 2019

Wang Y “New Massachusetts tobacco control law bans sale of e-cigarette and nicotine vaping products” [The Jurist](#) 29 November 2019

Boyle K “Supreme Court of India criticizes continued harmful pollution” [The Jurist](#) 29 November 2019 – read also [here](#) [provided by Anél du Plessis, CLES NWU]

Bendix A “A network of cables at the bottom of the ocean is helping scientists detect earthquakes” [Business Insider](#) 29 November 2019

“Antarctica tourism: the quest for Earth's vulnerable extremes” [News24](#) 29 November 2019

Cox L “Fact check: how credible is the war on Australia’s environmental 'green tape'?” [The Guardian](#) 30 November 2019

VACANCIES / OPPORTUNITIES / FUNDING / BURSARIES ETC

National

University of KwaZulu Natal: Attorney in The Law Clinic/Lecturer (1 Post)

Closing date: 10 January 2019

More [information](#)

University of Cape Town: Associate Professor/Professor in Public law

Closing date: 17 January 2019

More [information](#)

University of Cape Town - Faculty of Law – nGap position – Department of Public law

Closing date: 17 January 2019

More [information](#)

University of Pretoria - Faculty of Law Department of Jurisprudence - Professor / Associate Professor and Head of Department (One post)

Closing date: 13 December 2019

More [information](#)

KwaZulu Natal Department of Economic Development, Tourism & Environmental Affairs Internship Programme: Environmental Services (ENVIRO20/22) - 53 internships

Must have:

- ND/ Degree in Social Science Geographical Information GIS
- Environmental Planning
- Natural Sciences
- Environmental Management (Environmental Studies)
- B A Planning & Development

Interns will be placed in various districts

The closing date for applications is 13 December 2019.

More [information](#)

CSIR: Internship: Environmental Assessment Practitioners (Two positions)

Closing date: 11 December 2019

More [information](#)

International

Lecturer in Law: MIT University, School of Business and Management Australia (position in Vietnam)

Closing date: 8 December 2019

More [information](#)

Researcher in Criminal Law Catholic University of Leuven, Department of Criminal Law and criminology, Belgium

Closing date: 15 December 2019

More [information](#)

Tenure-Track Position in International Economic Law University of Ottawa, Faculty of Law, Common Law Section Canada

Closing date: as soon as position is filled

More [information](#)

[PhD scholarships in Law](#)

University of Copenhagen Faculty of Law

[Lecturer in Law](#)

University of Hong Kong Faculty of Business and Economics

[Postdoctoral Fellowships in Political Philosophy / Legal Theory](#)

University of Oslo

[Faculty Position in Law](#)

Dar Al Uloom University College of Law

[Assistant Professor in Media Law and Policy](#)

National University of Singapore

[Visiting Professor of Law](#)

Columbia University New York School of Law

[Assistant Professor of Criminology, Law, and Society](#)

University of Illinois Urbana Champaign Department of Sociology

Members of the Environmental Law Association may subscribe to

[*Legalbrief Environmental*](#)

and the

[*South African Journal of Environmental Law and Policy*](#).

Discount available for ELA members.